

**WARRANT FOR
ANNUAL TOWN MEETING
May 2, 2016
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 2016, at 7:15 o'clock in the evening, then and there to act on the following Articles:**

**ARTICLE 1
Finance Committee
Board of Selectmen**

To see if the Town will vote to raise and appropriate or transfer from available funds \$150,000 (One Hundred Fifty Thousand Dollars) to the Capital Stabilization Fund or act in any manner relating thereto. *The Finance Committee recommends passage of this article.*

**ARTICLE 2
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. Furnace Replacement

Amount:	\$20,000
Funds to be expended by:	Fire Department
Purpose:	Furnace Replacement
Funding Source:	Capital Stabilization Fund

b. Fire Engine #4 Repaint

Amount:	\$20,000
Funds to be expended by:	Fire Department
Purpose:	Fire Engine #4 Repaint
Funding Source:	Capital Stabilization Fund

c. Police Cruiser

Amount:	\$41,000
Funds to be expended by:	Police Department
Purpose:	To purchase one (1) Police Cruiser
Funding Source:	Capital Stabilization Fund

d. Plow Attachment for International Dump Truck

Amount:	\$17,000
Funds to be expended by:	Cemetery
Purpose:	To purchase one (1) Plow Attachment for International Dump Truck
Funding Source:	Capital Stabilization

e. Kubota B3350 Factory Cab Tractor

Amount:	\$28,000
Funds to be expended by:	Cemetery
Purpose:	To purchase one (1) Kubota B3350 Factory Cab Tractor
Funding Source:	Chapter 90

f. International 28K GVW Dump Truck

Amount:	\$71,000
Funds to be expended by:	Cemetery
Purpose:	To purchase one (1) International 28K GVW Dump Truck
Funding Source:	Chapter 90

**ARTICLE 3
Finance Committee
Board of Selectmen**

To see if the Town will vote to raise and appropriate a sum of money by taxation, by transfer from available funds, from the Operating Budget, 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, 2016, or act in any manner relating thereto.

The Budget for Fiscal Year 2017 will be available at Town Meeting

The Finance Committee will make a recommendation from the floor.

[If any funding is to come from borrowing or transfer from Stabilization, a two-thirds majority vote will be required for passage.]

ARTICLE 4
Water Enterprise Fund
Board of Public Works

To see if the Town will vote to appropriate \$898,920 (Eight Hundred Ninety Eight Thousand, Nine Hundred and Twenty Dollars) from the Water Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2016 (*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	\$883,920
Connection Fees	15,000
Water Enterprise Available Funds	0
Investment Income	0
Total Revenues	\$898,920
II. Costs Appropriated in the Enterprise Fund	
Salaries and Wages	\$259,674
Expenses	301,505
Reserve Fund	35,000
Debt Principal	\$132,940
Debt Interest	\$35,880
Indirect Costs to General Fund	133,921
Total Costs Appropriated in E. F.	\$898,920

ARTICLE 5
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 FY2017 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 6
Finance Committee
Board of Selectmen

To see if the Town will vote to appropriate the premium paid to the Town upon the sale of bonds or notes issued for the Town's Prescott Building Remodeling Project (the "Project") authorized under a vote of the Town passed October 28, 2013 (Article 6), excluded from Proposition 2 1/2, so called, on May 13, 2013 (Question No. 1), and to use such premium to pay costs of the Project being financed by such bonds or notes, and to reduce the amount authorized to be borrowed for the Project, but not yet issued by the Town, by the same amount, or to take any other action thereto. *The Finance Committee recommends passage of this article.*

ARTICLE 7
Board of Selectmen

To see if the Town will vote to amend the Wage and Compensation Schedule by increasing all amounts by three percent (3%) effective July 1, 2016, as shown on the below chart, or act in any manner relating thereto.

	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
GRADE								
1	11.24	11.71	12.21	12.69	13.24	13.77	14.35	14.94
Annual								
2	13.06	13.63	14.20	14.79	15.40	16.05	16.71	17.40
Annual								
3	14.36	14.94	15.41	16.23	16.89	17.61	18.33	18.98
Annual								
4	15.53	16.18	16.86	17.56	18.30	19.06	19.84	20.65
Annual								
5	16.67	17.36	18.09	18.85	19.64	20.45	21.28	22.16
Annual								
6	17.24	17.96	18.72	19.48	20.31	21.15	22.01	22.92
Annual								
7	18.62	19.42	20.21	21.06	21.94	22.84	23.76	24.74
Annual								
8	19.43	20.22	21.06	21.96	22.88	23.81	24.80	25.82
Annual								
9	20.56	21.13	22.02	22.94	23.88	24.86	25.89	26.96
Annual								
10	22.15	23.07	24.04	25.06	26.10	27.18	28.29	29.46
Annual								
11	25.17	26.21	27.31	28.43	29.64	30.86	32.13	33.44
Annual								
12	25.78	26.87	27.99	29.13	30.33	31.62	32.93	34.28
Annual								
13	28.17	29.34	30.57	31.86	33.19	34.57	35.99	37.46
Annual								
14	31.49	32.80	34.18	35.60	37.10	38.64	40.22	41.87
Annual								
15	32.24	34.58	36.05	37.52	39.11	40.75	42.39	44.14
Annual								
16	34.52	35.96	37.46	39.22	40.32	42.35	44.10	45.92
Annual								

ARTICLE 8
Finance Committee
Board of Selectmen

To see if the Town will vote to authorize the following FY2017 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 Expend	Revenue Source	Use of Fund	Spending Limit	FY2017 Balance Disposition
Stormwater Management	Planning Board	Fees	Engineering fees	\$3,000	Available for Expenditure
Library Charges	Library Trustees	Late book, materials, photocopy, lost item fees/charges	Books, materials, photocopy equipment and supplies	\$10,000	Available for Expenditure
Recreation Committee	Recreation Committee	Fees/charges	Program expenses and supplies	\$35,000	Available for Expenditure
Duval Road Sewer	Board of Selectmen	Fees charges	Use and maintenance charges	\$5,000	Available for Expenditure
Community Center	Board of Selectmen	Fees/charges	Program expenses	\$8,000	Available for Expenditure
M.A.R.T.	Council on Aging	Reimbursement – M.A.R.T Bus fees	Wages/Expenses Senior Van	\$55,000	Available for Expenditure
Planning Board	Planning Board	Fees	Planning related Services/ expenses	\$25,000	Available for Expenditure
Publications Reprinting	Town Clerk	Publication Fees	Publications reprinting expenses	\$2,500	Available for Expenditure
Recycling	Recycling Committee	Donations-Fees-Sale of Products	Operating Expenses	\$10,000	Available for Expenditure
Community Development/Legal Ads	Community Development & Planning	Reimbursement for Advertising	Legal Ad publication & re-printing	\$2,500	Available for Expenditure
Agricultural Commission	Agricultural Commission	Fee/charges	Farmer's Market/Other fees	\$2,000	Available for Expenditure
Police Department	Board of Selectmen	Cruiser Fee	Operating Expenses	\$1,000	Available for Expenditure

ARTICLE 9
Finance Committee
Board of Selectmen

To see if the Town will vote to appropriate \$145,000 (One Hundred Forty Five Thousand Dollars) from the Renewable Energy Enterprise Fund to finance the operation of the Landfill Solar Array for the fiscal year beginning July 1, 2016 (*detail below*), or act in any manner relating thereto. The operating expenses for the Renewable Energy Enterprise Fund are entirely funded by solar array revenue. *The Finance Committee recommends passage of this article.*

I. Renewable Energy Enterprise Revenues	
Sale of Solar Energy Certificates	\$127,000
Qualified Energy Bond Subsidy	\$18,000
Total Revenues	\$145,000
II. Costs Appropriated in the Enterprise Fund	
Maintenance Expenses	\$25,272
Debt Principal and Interest	\$119,728
Capital	0
Total Costs Appropriated in E. F.	\$145,000

ARTICLE 10
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 11
Finance Committee
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 \$310,687 (Three Hundred Ten Thousand, Six Hundred Eighty-Seven Dollars) 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. *The Finance Committee recommends passage of this article.*

ARTICLE 12
Finance Committee
Board of Selectmen

To see if the Town will vote to transfer \$170,000 (One Hundred Thousand Seventy Dollars) from Free Cash to the Other Post Employment Benefits Trust, or act in any manner relating thereto. *The Finance Committee Recommends passage of this article.*

ARTICLE 13
Finance Committee
Board of Selectmen

To see if the Town will approve the amount of \$144,922,478 for the purpose of paying costs of designing, constructing and originally equipping a new district school, to be located at 758 Marrett Road, Lexington, Massachusetts and for the payment of all other costs incidental and related thereto (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the District may be eligible for a school construction grant from the Massachusetts School Building

Authority ("MSBA"), said amount to be expended at the direction of the School Building Committee. To meet this appropriation, the District is authorized to borrow said amount, under and pursuant to Chapter 71, Section 16(d) of the General Laws, and the District Agreement, as amended, or pursuant to any other enabling authority. The District acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant that the District may receive from the MSBA shall not exceed the lesser of (i) forty four and three quarters percent (44.75%) of eligible, approved Project costs, as determined by the MSBA, or (ii) the total maximum grant amount determined by the MSBA, and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA; or act in any manner relating thereto. *The Finance Committee recommends passage of this article.*

ARTICLE 14 Citizen's Petition

To see if the Town of Lancaster Massachusetts will vote a certain network of roadway rights of ways, in their entirety, with associated roadway improvements, sewer, water and drainage infrastructure located therein all being situated within Eagle Ridge Estates located on the northerly side of Sterling road and westerly side of George Hill Road in Lancaster, Worcester County, Massachusetts and more particularly described as follows:

Four certain roadway rights of ways identified as:

Mary Catherine Drive, a 60-foot wide right of way commencing on the east side of Sterling Road, a public right of way, and extending northeasterly then northerly 3,447 feet, more or less, to its terminus and intersection with the Nicholas Drive right of way line and containing 4.76 acre, more or less, all as shown in detail on plans entitled "Definitive Subdivision Plan, Eagle Ridge Estates, Lancaster, Massachusetts, prepared for New Birchwood III Corp., Property of Rowlandson Estates Realty Trust, prepared by Seltec Engineering Inc., dated July 17, 1998", and recorded with Worcester District registry of Deeds in Plan Book 767, Plan 1 (Sheets 1-26) (the "Subdivision Plan").

Shannon Way, a 40-foot wide right of way commencing on the southeast right of way line of Mary Catherine Drive and extending southeasterly 985 feet, more or less, terminating in a cul-de-sac having right of way radius of 80.00 feet and contain 1.20 acre, more or less, all as shown in detail on plan entitled "Definitive Subdivision Plan, Eagle Ridge Estates, Lancaster, Massachusetts, prepared for New Birchwood III Corp., Property of Rowlandson Estates Realty Trust, prepared by Seltec Engineering Inc. dated July 17, 1998", and recorded with Worcester District Registry of Deeds in Plan Book 767, Plan 1 (sheets 1-26) (the "Subdivision Plan").

Nicholas Drive, a variable width right of way, in-part 60 foot wide (4,100 feet more or less), in-part 40 foot wide (980 feet more or less) commencing on the west side of Mary Catherine Drive and extending westerly, then northerly, then easterly, then southerly and then again easterly 5,240 feet, more or less, terminating with cul-de-sac having a right of way radius of 80.00 feet and containing 7.02 acre, more or less, all as shown in detail on plans entitled "Definitive Subdivision Plan, Eagle Ridge Estates, Lancaster, Massachusetts, prepared for New Birchwood III Corp., Property of Rowlandson Estates Realty Trust, prepared by Seltec Engineering Inc., dated July 17, 1998", and recorded with Worcester District Registry of Deeds in Plan Book 767, Plan 1 (Sheets 1-26)(the "Subdivision Plan").

Lindsey Way, a 40-foot wide right of way commencing on the easterly right of way line of Nicholas Drive and extending easterly, then southeasterly 390 feet, more or less, and returning to and terminating on the westerly right of way line of Nicholas Drive and containing 0.37 acre, more or less, all as shown in detail on plans entitled "Definitive Subdivision Plan, Eagle Ridge Estates, Lancaster, Massachusetts, prepared for New Birchwood III Corp., Property of Rowlandson Estates Realty Trust, prepared by Seltec Engineering Inc., dated July 17, 1998", and recorded with

Worcester District Registry of Deeds in Plan Book 767, Plan 1 (Sheets 1-26)(the "Subdivision Plan").

TOGETHER WITH:

Parcel B, with improvements thereon, containing 17,724 sq. ft., and shown on plan entitled "Plan of Land Eagle Ridge Estates, Lancaster, Massachusetts, prepared for Melanson Brothers Inc., Property of Eagle Estates, LLC" recorded with Worcester District Realty of Deeds in Plan Book 794, Plan 93. Said Parcel is conveyed with the Wildlife Corridor Easement as shown on said plan.

TOGETHER WITH:

Lot 110, "Not to be considered a building lot", containing 14,000 sq. ft., and shown on a plan entitled "Definitive Subdivision Plan, Eagle Ridge Estates, Lancaster, Massachusetts, prepared for New Birchwood III Corp., Property of Rowlandson Estates Realty Trust, prepared by Seltec Engineering Inc. dated July 17, 1998", and recorded with Worcester District Registry of Deeds in Plan Book 767, Plan 1 (Sheets 1-26)(the "Subdivision Plan").

<p style="text-align: center;">ARTICLE 15 Board of Selectmen</p>

To see if the Town will vote to transfer the care, custody, management and control of the following three parcels of land from such board and for such purpose as they are presently held to the Conservation Commission for conservation purposes pursuant to the provisions of M.G.L. Chapter 40, Section 8C, and by such transfer restrict, designate, and dedicate such land for conservation purposes so that the land shall be protected under Article 97 of the Amendments to the Massachusetts Constitution, said parcels to be managed by the Town Forest Committee under the direction of the Conservation Commission; further, to permanently designate Parcels 32-0018.0 and 32-0019.0 as the "Eugene Christoph Memorial Wild Forest", within which area no harvesting, cutting, or removal of trees or other vegetation shall be permitted except as necessary for the protection of human health and safety, trail creation and/or maintenance, and/or the control/management of invasive species such as the Asian Long Horned Beetle; or act in any manner relating thereto:

<u>Assessors' Map and Parcel</u>	<u>Street Address</u>	<u>Size (Ac)</u>	<u>Deed Book/Page</u>
32-0017.0	Hilltop Road	5.13±	N/A
32-0018.0	Hilltop Road	15.00±	N/A
32-0019.0	Hilltop Road	4.80±	6916/244

<p style="text-align: center;">ARTICLE 16 Board of Selectmen</p>

To see if the Town will vote to transfer from the tax title custodian to the Board of Selectmen for general municipal purposes, including the purpose of conveyance, the care, custody, management and control of that certain parcel of land identified as Parcel 4 on Town Assessors' Map 13, and being more particularly described in a Treasurer's deed recorded with the Worcester District Registry of Deeds in Book 2947, Page 90, containing approximately 21.50 acres, and to authorize the Board of Selectmen to convey said parcel on such terms and conditions and for such consideration as the Board of Selectmen deems appropriate, or act in any manner relating thereto.

ARTICLE 17
Planning Board

To see if the Town will vote to amend the Lancaster Zoning Bylaw and the Official Zoning Overlay Map to create a Solar Overlay District in the location of the existing Light Industry (LI), Light Industry 2 (LI2), General Industry (GI), and Enterprise (EZ) districts, and further to amend Article XVII of the Zoning Bylaw by deleting the existing language in its entirety and replacing it with the language set forth as follows, or act otherwise in relation thereto:

1. Insert the following as Article XVII of the Zoning Bylaw:

SOLAR ENERGY SYSTEMS

Purpose

The purpose of this bylaw is to provide appropriate siting for solar photovoltaic energy systems for power generation, while preserving the right of homeowners to install solar systems for residential use.

Roof-Mounted solar energy installations may be constructed in any zoning district without need for a special permit.

Ground-Mounted solar energy installations within a Solar Overlay District may be constructed without need for a special permit and according to the site plan criteria as set forth herein.

Ground-Mounted solar energy installations in the Residential and Neighborhood Business zoning districts are allowed by special permit through the Planning Board.

The provisions in this section of the Zoning Bylaw shall apply to the construction, operation, repair, and/or removal of all solar electric systems, and to physical modifications that materially alter the type, configuration or size of these installations or related equipment.

Definitions

Roof-Mounted Solar Energy Installation: A solar photovoltaic array that is placed on the roof of residential, commercial, industrial, institutional and government buildings.

Ground-Mounted Solar Energy Installation: A solar photovoltaic array that is structurally mounted on the ground.

Solar Photovoltaic Array: An arrangement of solar photovoltaic panels.

Buffer Strip: A strip of land between the ground-mounted solar photovoltaic installation, including any structures accessory thereto, and the boundary of a parcel, reserved for plant material, berms, walls or fencing to serve as a visual barrier.

Adequate Screening: Shall consist of a vegetative barrier, fencing and/or other appropriate materials to provide visual and aural protection to abutting properties.

Fencing: Chain-link fencing that is "solid slatted" and erected to a height of eight (8) feet to provide site security and additional visual protection to abutting properties.

Sound Barriers: Fencing, vegetation, or other absorptive materials constructed to protect abutting properties in any circumstance that result in sound exceeding 10 decibels above ambient sound at the abutting property lines.

Hazardous Materials: Any material identified as such under any applicable law, rule or regulation, including, without limitation, the Massachusetts Oil and Hazardous Materials Release Prevention and Response Act, M.G.L. c. 21E, the Massachusetts Hazardous Waste Management Act, M.G.L. c. 21C, the Massachusetts Contingency Plan, the Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 U.S.C. §§ 9601 et seq. and the Resource Conservation and Recovery Act, as amended, 42 U.S.C. §§ 6901 et seq., whose purpose without limitation is to provide for the protection of health, safety, public welfare and the environment by the prevention and control of any activity which may cause, contribute to or exacerbate a release or threat of release of any hazardous material.

Plant Material: Trees or shrubs of a type and height that sufficiently screen the arrays, without blocking the necessary sun that would hinder the panel's performance, including ground cover that would screen the lower portion of the arrays.

Roof-Mounted Solar Energy Installations

Purpose

The purpose of this section is to provide guidance for the creation of renewable energy for individual residences, businesses, institutions, and municipal buildings, as-of-right.

Roof-Mounted Solar Energy Installation

Roof-Mounted Solar Energy Installations shall be located so as not to increase the total height of the structure more than one (1) foot above the applicable zoning regulations related to height in the District in which it is located, or such further height as is determined by the Building Inspector to be essential for proper operation, but in no case more than four (4) feet.

Required Documents

The following documents shall be required:

- A. Sun and shadow diagrams specific to the proposed installation to determine the solar access.
- B. Detailed information, including maps, plans or dimensional sketches showing proposed location of the solar installation.
- C. Site drawings showing the building and structure footprints, property lines, location and the dimensions of solar arrays, ridgeline of roof and description of the installation.
- D. Elevation drawings showing heights of buildings and solar arrays.

Permitting

Roof-Mounted Solar Energy Installations require only a building permit. All data listed above shall be submitted to the Building Inspector. All other necessary permits shall be obtained before a building permit is issued.

As-Built Plans

As-built plans shall be submitted prior to final inspection to the Building Inspector.

Ground-Mounted Solar Photovoltaic Installations

Purpose

The purpose of this section is to facilitate the creation of new Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on environmental, scenic, natural and historic resources, and to provide adequate financial assurance for the eventual decommissioning of such installations.

Subject to the requirements below, Ground-Mounted Solar Photovoltaic Installations are permitted as-of-right in a Solar Overlay District.

Solar Overlay District

Ground-Mounted Solar Photovoltaic Installations are allowed by right in the following zoning district(s), which together shall constitute the Solar Overlay District:

- A. Location #1 – Enterprise Zoning District
- B. Location #2 – General Industry Zoning District
- C. Location #3 – Light Industry Zoning District
- D. Location #4 – Light Industry 2 Zoning District

Ground-Mounted Solar Photovoltaic Installations may be located on any lot within the overlay district.

Residential and Neighborhood Business Zoning Districts

Ground-Mounted Solar Photovoltaic Installations are allowed by special permit through the Planning Board in the Residential and Neighborhood Business zoning districts.

Site Plan Review

All Ground-Mounted Solar Photovoltaic Installations shall require Site Plan Review under the Zoning Bylaw. The Building Inspector shall not issue a building permit unless, and until, the Planning Board submits a Site Plan Approval document to the Building Inspector.

A building permit will be issued by the Building Inspector that shows evidence the project is consistent with state and federal building codes, the findings and directives of the Site Plan Approval, and local bylaws and regulations, including those set forth by the Conservation Commission. As-built plans shall be submitted prior to final inspection to the Building Inspector with copies to the Planning Board.

Conditions

The Planning Board may impose any conditions upon site plan approval deemed necessary to achieve the purpose of this Bylaw, such as, but not limited to, the following:

- Greater than minimum setback requirements;
- Modification of exterior appearance;
- Limitation of size or extent of facilities;
- Regulation of traffic and site plan features;
- Screening of premises from view by use of appropriate walls, fencing or buffer strips;
- Limitation of sound levels;

- Control of the number, location, size and lighting of signs;
- Additional design and siting modifications where appropriate.

Utility Notification

Evidence shall be provided at the time of the application for the Site Plan Review that the utility company that operates the electrical grid where the installation is to be located has been informed of the applicant's intent to construct a solar photovoltaic installation and that approval to connect to the grid has been granted or appropriate application(s) have or will be made to such utilities for interconnection. Off-grid systems shall be exempt from this requirement. Reasonable efforts should be made to place all utility connections underground, depending on appropriate soil conditions, shape and topography of the site.

Fees

An application for a Site Plan Review shall be accompanied by the required fee. The applicant will also be responsible for payment of any consultants requested by the Planning Board to provide professional review, including legal counsel. The Planning Board may require the applicant to deposit with the Planning Board in advance a reasonable amount to provide for such review, the use of which shall be governed by M.G.L. c. 44, § 53G.

Setbacks and Buffer Strips

Buffer Strips: All Ground-Mounted installations shall be surrounded by a buffer strip which shall be one hundred (100) feet from any structures in a Solar Overlay district, unless it abuts a Residential district in which case the buffer strip shall be two hundred (200) feet in depth along such abutting lot lines.

All Ground-Mounted installations in a Residential or Neighborhood Business zoning district shall have a buffer strip that is two hundred (200) feet from any structure.

Setbacks:

Front Yard: The front yard setback shall be at least fifty (50) feet in a Solar Overlay District, provided however, that when it abuts a Residential district, the front lot setback shall not be less than two hundred (200) feet. The front yard setback shall be at least two hundred (200) feet in a Residential or Neighborhood Business zoning district.

Side Yard: Each side yard setback shall be at least fifty (50) feet in a Solar Overlay District, provided however, that when it abuts a Residential district, the side yard setback shall not be less than two hundred (200) feet. The side yard setback shall be at least two hundred (200) feet in a Residential or Neighborhood Business zoning district.

Rear Yard: The rear yard setback shall be at least fifty (50) feet in a Solar Overlay District, provided however, that when it abuts a Residential district, the rear yard setback shall not be less than two hundred (200) feet. The rear yard setback shall be at least two hundred (200) feet in a Residential or Neighborhood Business zoning district.

All inverters, regardless of type, transformers or other equipment that have the potential to exceed allowed decibels will be located no less than two hundred fifty (250) feet from property lines, regardless of the zoning or overlay district.

Required Documents

In addition to documents required for Site Plan Review, the following will be required for Ground-Mounted Solar Photovoltaic Installations. The Planning Board may waive one or more of these requirements in its sole discretion under appropriate circumstances.

- A. All plans and maps shall be prepared, stamped and signed by a professional engineer licensed to practice in Massachusetts;
- B. All plans and maps shall show property lines, physical features, and infrastructure, including roads used to access the property site;
- C. Proposed changes to landscape of site, including grading, vegetation, tree removal, planting of screening vegetation, location of structures;
- D. Locations of wetlands and Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program;
- E. Locations of floodplains or periodically inundated areas subject to moderate or high hazard dams;
- F. A list of any hazardous materials proposed to be located on the site plan to prevent their release to the environment as appropriate;
- G. Drawings of the installation showing the proposed layout of the system and any potential shading from nearby structures;
- H. One- or three-phase line electrical diagrams detailing the installation, associated components and electrical interconnection methods with all National Electrical Code compliant disconnects and overcurrent devices;
- I. Documentation of the major system components to be used, including the electric generating PV panels, mounting system, inverters, etc.;
- J. Name of property owner, address, telephone number, e-mail;
- K. Name of lessor or lessee, address, telephone number, e-mail;
- L. Name of contact person, address, telephone number, e-mail;
- M. Name of design engineer, address, telephone number, e-mail;
- N. Names of contractors, address, telephone number, e-mails;
- O. Name of installer, address, telephone number, e-mail;
- P. Zoning District designation for parcel of land, map and parcel;
- Q. Documentation of actual or proposed access to the project site sufficient to allow for construction and operation and maintenance of the proposed solar photovoltaic installation;
- R. Provision for water that may be needed for fire protection;
- S. Description of the financial surety that is required in the following section, *Financial Security*;
- T. Sight line representations depicting in profile the view of the proposed installation, and any appurtenant structures, from the location upon any public road within three hundred (300) feet that would have the most unobstructed view of the installations, and from the closest wall of each residential building within three hundred (300) feet of the highest point of the installation;
- U. A screening plan, in compliance with the following section, *Visual Impact*;

- V. A decommissioning plan that describes the removal of all structures, electrical infrastructure or other equipment, the location or repository for all demolition debris, and plans for site re-use or restoration; and
- W. A security plan that depicts the appropriate security fencing, lighting, surveillance system and signage.

Design Standards

A. Lighting and Security

Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as any appurtenant structures, shall be limited to that required for safety and operational purposes and shall be reasonable shielded from abutting properties. Where feasible, any required lighting shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution, in compliance with Section 220-36 of the Zoning Bylaw. Surveillance and security cameras shall be shielded from viewing abutting private property or invading the privacy of any abutting residential property owner.

B. Signage

All signs shall comply with the Zoning Bylaw and shall not be used for displaying any advertising except to identify the owner and/or operator of the solar installation and a 24-hour emergency contact telephone number.

C. Land Clearing

Clearing of natural vegetation shall be limited to what is necessary for construction, operation and maintenance of the installation. Any land disturbance shall be subject to Stormwater Management criteria and by applicable laws, regulations and bylaws.

D. Safety, Emergency Service and Environmental Standards

The applicant shall provide a copy of the project summary, electrical schematic and site plan. The applicant shall develop an emergency response plan, including showing all means of shutting down the solar installation. The applicant shall submit the name of the person answerable to inquiries throughout the life of the installation. If the designated person changes, the name of the new designated person shall be submitted as an addendum.

E. Monitoring and Maintenance

The applicant shall submit a plan for the operation and maintenance of the installation which shall include measures for maintaining the site, including safe access, stormwater control, structural repairs and the integrity of security measures. These measures must be acceptable to the Fire Chief and emergency medical services personnel. If needed, training of service personnel will be provided by the applicant. The owner/operator shall be responsible for the cost of maintaining the installation.

The applicant shall also submit a Monitoring/Inspection Form under the Site Plan Review during construction, and shall further submit a report to the Building Inspector on the condition of the structure and site by January 15th each year.

F. Visual Impact

Any Ground-Mounted Solar Photovoltaic Installation shall be designed to minimize visual impacts, including preserving natural vegetation to the maximum extent possible, blending in equipment with the surroundings, and adding vegetative buffers to screen

abutting residential properties whether developed or not. Siting shall be such that the view of the solar electric generating installation from other areas of Town shall be as minimal as possible. Buffer Strips shall surround the proposed project. A screening plan, that assures the facility is shielded to the greatest extent possible from public view, shall be required to be reviewed under the Site Plan Review.

G. Height

The height of any structure associated with a Ground-Mounted Solar Photovoltaic Installation shall not exceed 20 feet.

H. Roads

All access roads and interior roads shall be constructed to minimize grading, removal of stone wall or trees, and to minimize impacts to environmental or historic resources.

I. Hazardous Materials

Hazardous materials that are stored, used or generated on site shall not exceed the amount for a "Very Small Quantity Generator of Hazardous Waste" as defined by the Department of Environmental Protection (DEP) pursuant to 310 CMR 30.000 and shall meet all requirements of the DEP and Massachusetts Contingency Plan, including storage of hazardous materials in a building with an impervious floor that is not adjacent to any floor drains to prevent discharge to the outdoor environment. If hazardous materials are utilized within the solar electric equipment, than impervious containment areas capable of controlling any release to the environment and to prevent potential contamination of groundwater are required.

J. Noise

Noise generated by a solar photovoltaic installation, and by any associated equipment and machinery, shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10. The site shall not produce any other vibration, harmonics or interference which would be perceived or impact the normal function of electronics off site.

The MassDEP noise regulation is contained in 310 CMR 7.10. According to MassDEP, a source of sound violates the Department's noise regulation, if the source:

- Increases the broadband sound level by more than 10 dB(A) above ambient, or
- Produces a "pure tone" condition – when a sound pressure level, at any given octave band center frequency, exceeds the levels of the two adjacent octave bands by three (3) or more decibels.

The MassDEP criteria are evaluated both at the property line and at the nearest inhabited residence or other sensitive land use. "Ambient" is defined as the background A-weighted sound level that is exceeded 90% of the time, measured during equipment operating hours.

Prior to the issuance of a Certificate of Occupancy, the applicant shall conduct a test of ambient conditions during startup, and provide a report of decibel levels for the inverters. Facility noise level shall not exceed the existing DEP regulation. If necessary, mitigation measures will be determined by the Board and the costs of such measures will be borne by the applicant.

Modifications

All modification requests to a solar photovoltaic installation, including changes in arrays, addition to number of arrays or change in placement made after issuance of the required building permit shall require review through the Site Plan Review for compliance with this Bylaw.

Discontinuance and Removal

Absent notice of proposed date of decommissioning or written notice of extenuating circumstances, the ground-mounted solar photovoltaic installation shall be considered discontinued when it fails to operate for more than one year without the written consent of the Planning Board. Upon written request from the Building Inspector addressed to the contact address provided and maintained by the owner and operator as required above, the owner or operator shall provide evidence to the Building Inspector demonstrating continued use of the installation. Failure to provide such evidence within thirty (30) days of such written request shall be conclusive evidence that the installation has been discontinued. The owner or operator shall physically remove the installation no more than one hundred fifty (150) days after the date of discontinuance or the proposed date of decommissioning operations. The owner or operator shall notify the Planning Board and Building Inspector by certified mail of their proposed date of discontinued operations and plans for removal. The notification shall consist of the methodology of physical removal of all structures, equipment, security barriers and transmission lines, disposal of all solid and hazardous waste, and stabilization or re-vegetation of the site. If the owner or operator fails to remove the installation in accordance with the above criteria, the Town may, after the receipt of an appropriate court order or consent of the property owner, enter the property and physically remove the installation at the owner's expense. As a condition of the Site Plan Review, a property owner shall agree to allow the Town entry to remove an abandoned or decommissioned installation. The cost for such removal will be charged to the property owner, and shall constitute a lien upon the land in accordance with the provisions of M.G.L. 139, Section 3A, or other applicable law.

Financial Security

Proponents of ground-mounted solar photovoltaic projects shall provide a form of surety, either through an escrow account, bond or otherwise to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Site Plan Review Authority, but in no event to exceed more than one hundred twenty-five (125) percent of the cost of removal and compliance with the additional requirements set forth herein. Such surety will not be required for municipally- or state-owned facilities. The project owner/operator shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal cost due to inflation.

Inclusionary Uses and Conflicts

Small accessory or ornamental solar products which do not generate electricity for use in a dwelling or structure are exempt from the provisions in this bylaw.

In the event that any part of this Section conflicts with other requirements of the Zoning Bylaw, the requirements of this Section shall apply.

2. Amend § 220-4 *Establishment of districts* to add the Solar Overlay District (SOD).
3. Amend § 220-5. B *Overlay districts* to add the following:

“(6) The Solar Overlay District (SOD) is defined on the Official Zoning Overlay Map, as specified at 220 Attachment 3.”

4. Amend § 220-8.6 of the *Use Regulation Schedule* to add "I. Solar Energy Facility", as follows:

		Zoning Districts						Notes
Item	Use	R	NB	LI	LI2	GI	EZ	
§ 220-8.6. INDUSTRIAL USES.								
Principal uses								
A.	Printing, publishing, and assembly, finishing, or packaging of products	N	N	P	P	P	P	See § 220-9E.
B.	Other general industrial uses, including manufacturing and processing	N	N	SP	SP	P	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	P	P	P	P	
D.	Garages for all types of repair of motorized equipment	N	N	N	N	P	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	P	P	P	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	

Item	Use	Zoning Districts						Notes
		R	NB	LI	LI2	GI	EZ	
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	P	P	P	PB	
I.	Solar Energy Facility	PB	PB	P	P	P	P	As regulated by Article XVII of Ch. 220.
Accessory uses								
AA.	One-family dwelling for personnel required for the safe operation or maintenance of a permitted use	N	N	N	N	P	PB	
BB.	Outdoor storage accessory to a principal use	N	N	N	N	P	PB	
CC.	Retail outlets for products of the principal industrial use	N	N	P	P	P	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	SP	SP	SP	SP	SP	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	

5. Amend the Official Zoning Overlay Map to add the Solar Overlay District (SOD) in the manner shown on the attached copy of said map. The SOD would overlay the zoning districts known as Light Industry (LI), Light Industry 2 (LI2), General Industry (GI), and Enterprise (EZ).

ARTICLE 18
Board of Selectmen
Finance Committee

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of Three Hundred Thousand and 00/100 Dollars (\$300,000.00) for the purpose of designing, developing, constructing, and renovating new and existing outdoor recreational facilities for public use on the Town-owned land located at 695 Main Street, shown as Assessor's Map 34, Parcel 91, consisting of seventeen acres, more or less, and shown on a plan entitled "Plan of Land in Lancaster, made by CABCO, dated 8/25/11", which recreational facilities may include, but are not limited to, park facilities, playground equipment, athletic fields, and any manner of buildings and structures to support and carry out such purpose;

and further to transfer the care, custody, management and control of the said land from the Board of Selectmen for the purpose for which it is currently held to the Recreation Committee for active and passive outdoor recreation purposes in accordance with the provisions of G.L. c. 45, Section 14, as amended, and any other enabling authority with respect to recreation property; and further to dedicate the said property to public recreation and playground purposes forever;

and further to authorize the Recreation Committee and/or its designees to file on behalf of the Town any and all applications for grants and/or reimbursements from the Commonwealth of Massachusetts under the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897) or other sources in any way connected with the scope of this article, and to accept funds therefrom and any other gifts and/or grants therefor;

and to enter into any and all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town to undertake the purposes of the article, and that to meet this appropriation, the Treasurer-Collector with the approval of the Board of Selectmen, is hereby authorized to borrow said sum pursuant to the provisions of G.L. c. 44, Section 7, or any other enabling authority, and to issue bonds or notes of the Town therefor, said funds to be expended under the direction of the Board of Selectmen;

or act in any manner relating thereto. *The Finance Committee recommends passage of this article.*

ARTICLE 19
Board of Selectmen

To see if the Town will vote, pursuant to the provisions of G.L. c. 41, §2 and G.L. c. 39, §14, to establish a three-year term for Moderator beginning with the 2017 Annual Town Election, or act in any manner relating thereto.

<p style="text-align: center;">ARTICLE 20 Board of Selectmen</p>

To see if the Town will vote to amend its general bylaws, by deleting sections 17-18 through 17-21 of Chapter 17 Article IX and replacing them with the following sections 17-18 through 17-21:

§17-18 Coordination of programs.

The Council on Aging shall coordinate or carry out programs designed to meet the problems of aging in coordination with programs of the Department of Elder Affairs.

§ 17-19 Records and reports.

The Council on Aging shall keep records of its meetings and actions and shall file an annual report which shall be printed in the Annual Town Report and a copy shall be submitted to the Department of Elder Affairs. The Council shall conduct at least 10 meetings annually. The COA and each of its Board members must abide by the following Massachusetts General Laws: Open Meeting Laws - Chapter 30A, Sections 18-25; Public records Law - Chapter 4, Section 7 and Chapter 66, Section 10; Conflict of Interest Laws - Chapter 268A.

§ 17-20 Membership; terms; removal; vacancies; Chairperson.

Said council shall consist of nine citizens appointed at-large by the Select Board. The terms of the first members of the Council shall be for one, two or three years, and so arranged that the term of not more than three of the members expires each year, and their successor shall be appointed for terms of three years each. Any member of said Council may, after a public hearing, be removed for cause by the Select Board. Any member missing more than three (3) meetings without cause, or without notification to the Chairperson of the need for the absence, shall be considered cause for removal. A vacancy occurring otherwise than by expiration of a term, shall be filled for the unexpired term in the same manner as the original appointment. The Chairperson and other officers shall be chosen by a majority vote of said Council members. No officer shall serve more than three (3) one year terms in succession. No salary or compensation shall be paid to any member of the Council on Aging for services rendered.

§ 17-21 Private nature of certain information.

The names, addresses, telephone numbers, or other identifying information about elderly persons in the possession of the Council shall not be public records, but the use of these records shall comply with MGL c. 19A, § 14 et seq., as a condition of receiving a government contract, program grant or other benefit, or as otherwise required by law.

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


Stanley B. Starr, Jr., Chairman


Walter F. Sendrowski, Clerk


Date of Execution

4/11/16

CONSTABLE'S CERTIFICATION

I hereby certify under the pains and penalties of perjury that I posted an attested 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 Signature

LYLE W PRINCE
Print

Date: 4-22-16

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.

