

**WARRANT FOR  
ANNUAL TOWN MEETING  
May 5, 2014  
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 fifth day of May 2014, at 7:00 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 appropriate \$106,000 (One Hundred and Six Thousand Dollars) from the Renewable Energy Enterprise Fund to finance the operation of the Landfill Solar Array for the fiscal year beginning July 1, 2013 (*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.*

<b>I. Renewable Energy Enterprise Revenues</b>	
Sale of Solar Renewable Energy Certificates	90,000
Qualified Energy Conservation Bond Subsidy	18,000
<b>Total Revenues</b>	<b>108,000</b>
<b>II. Costs Appropriated in the Enterprise Fund</b>	
Maintenance Expenses	10,000
Debt Principal and Interest	90,000
Capital Outlay (Shed, )	6,000
<b>Total Costs Appropriated in E. F.</b>	<b>106,000</b>

**ARTICLE 2  
Finance Committee  
Board of Selectmen**

To see if the Town will vote to appropriate \$105,000 (One Hundred and 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, 2014 (*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.*

<b>I. Renewable Energy Enterprise Revenues</b>	
Sale of Solar Renewable Energy Certificates	120,000
Qualified Energy Conservation Bond Subsidy	18,000
<b>Total Revenues</b>	<b>138,000</b>
<b>II. Costs Appropriated in the Enterprise Fund</b>	
Maintenance Expenses	10,000
Debt Principal and Interest	90,000
Capital Outlay (Shed, )	5,000
<b>Total Costs Appropriated in E. F.</b>	<b>105,000</b>

**ARTICLE 3**  
**Finance Committee**  
**Board of Selectmen**

To see if the Town will vote to raise and appropriate \$17,980,668 (Seventeen Million, Nine Hundred and Eighty Thousand, Six Hundred and Sixty Eight 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, 2014, or act in any manner relating thereto. ***The Finance Committee recommends passage of this article***

**The Budget for Fiscal Year 2015 will be available at Town Meeting**

**ARTICLE 4**  
**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.

a. Fire Engine Purchase	
Amount:	\$50,000
Funds to be expended by:	Fire Department
Purpose:	Lease down payment for one (1) Engine for the Fire Department
Funding Source:	Capital Stabilization Fund

b. Thayer Field	
Amount:	\$40,000
Funds to be expended by:	Recreation Committee
Purpose:	To design, engineering, and permitting services for Thayer Field
Funding Source:	Capital Stabilization Fund

c. Police Department	
Amount:	\$39,000
Funds to be expended by:	Police Department
Purpose:	To purchase one (1) new police vehicle
Funding Source:	Sale of Town Owned Land

***The Finance Committee recommends passage of this article***

**ARTICLE 5**  
**Water Enterprise Fund**  
**Board of Public Works**

To see if the Town will vote to appropriate from the Water Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2014 (*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***

<b>I. Water Enterprise Revenues</b>	
User Charges	884,000
Connection Fees	12,000
Water Enterprise Available Funds	0
Investment Income	0
<b>Total Revenues</b>	<b>896,000</b>
<b>II. Costs Appropriated in the Enterprise Fund</b>	
Salaries and Wages	226,358
Expenses	156,700
Reserve Fund	30,000
Debt Principal and Interest	168,130
Cross Connection	12,000
Budgeted Surplus	145,763
Capital Outlay	35,000
<b>Indirect Costs to General Fund</b>	<b>122,049</b>
<b>Total Costs Appropriated in E. F.</b>	<b>896,000</b>

**ARTICLE 6**  
**Finance Committee**  
**Board of Selectmen**

To see of the Town will vote to transfer from Water Free Cash (Retained Earnings) 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.

**a. North Main Street Water Line**

Amount:	\$200,000
Funds to be expended by:	Board of Public Works
Purpose:	Clean and Reline North Main Street Water Line
Funding Source:	Water Retained Earnings

**b. Paint Water Storage Tank**

Amount:	\$150,000
Funds to be expended by:	Board of Public Works
Purpose:	Paint 1.5 million gallon storage tank
Funding Source:	Water Retained Earnings

**d. Neck Road Water Line**

Amount:	\$32,020
Funds to be expended by:	Board of Public Works
Purpose:	Continued Replacement of the Neck Road Water Line
Funding Source:	Water Retained Earnings

***The Finance Committee Recommends passage of this article***

**ARTICLE 7**  
**Finance Committee**

<b>Board of Selectmen</b>
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To see if the Town will vote to request the Board of Assessors to commit \$20,000 from the FY2015 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*

<b>ARTICLE 8</b>
<b>Board of Selectmen</b>

To see if the Town will vote to transfer the care, custody, management and control of that parcel of land and the improvements thereon located at 800 Main Street and depicted as Parcel 14 on Assessors' Map 34, from such board and for such purpose as it is presently held, to the Board of Selectmen for general municipal purposes and the purpose of conveyance, and further to authorize the Board of Selectmen, in accordance with Massachusetts General Laws Chapter 30B, to convey all or a portion of such land or interests in such land upon such terms and for such consideration as the Selectmen deem appropriate, and to enter into all agreements and take all other actions necessary or appropriate to carry out this transaction, or to act in any manner relating thereto

*The Finance Committee recommends passage of this article*

<b>ARTICLE 9</b>
<b>Finance Committee</b>
<b>Board of Selectmen</b>

To see if the Town will vote to authorize the following FY-2015 Revolving Funds, in accordance with G.L. c. 44, §53E½, or act in any manner relating thereto:

Revolving Fund	Authorized To Expend	Revenue Source	Use of Fund	Spending Limit	FY2013 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	\$8,000	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 Directors	Fees/charges	Program expenses	\$10,000	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	\$20,000	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	\$15,000	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
Conservation Consultants	Conservation Commission	Fee from applicants	Conservation consultant services	\$15,000	Available for Expenditure
Police Department	Board of Selectmen	Cruiser Fee	Operating Expenses	\$1,000	Available for

					Expenditure
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*The Finance Committee recommends passage of this article*

<p align="center"><b>Article 10</b> <b>Board of Selectmen</b></p>
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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.

*The Finance Committee recommends passage of this article*

<p align="center"><b>Article 11</b> <b>Conservation Commission</b></p>
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To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money to be expended by the Conservation Commission, upon such terms as the Commission deems appropriate, for the purchase and all costs related thereto of one or more interests in land, which may be a conservation restriction, in all or a part of five tracts of land in Lancaster totaling approximately 17.85 acres and being identified by map and parcel numbers in the Lancaster Assessor's records, and Book and Page numbers in the Worcester District Registry of Deeds, as follows:

	<u><b>Lancaster Assessor's Map/Parcel</b></u>	<u><b>Worcester District Book/Page</b></u>
<b>Tract I</b>	<b>28/007</b>	<b>7612/070</b>
<b>Tract II</b>	<b>28/008</b>	<b>7775/324</b>
<b>Tract III</b>	<b>28/012</b>	<b>5078/349</b>
<b>Tract IV</b>	<b>29/017</b>	<b>2905/251</b>
<b>Tract V</b>	<b>29/018</b>	<b>2942/446;</b>

such interests in land to be acquired for conservation purposes and to be held in the care, custody, control and management of said Conservation Commission pursuant to the provisions of General Laws Chapter 40, Section 8C, provided, however, that such funds may be expended by the Town only upon the award of a Conservation Partnership Grant by the Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs to the Lancaster Land Trust (the "Trust") for at least 50% of the price paid by the Trust to purchase the fee interest in said five tracts of land; and further, to authorize the Conservation Commission and/or the Board of Selectmen to enter into any and all agreements and execute any and all instruments to accomplish the foregoing, or act in any manner relating thereto.

<p align="center"><b>Article 12</b> <b>Conservation Commission</b></p>
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To see if the Town will vote to establish for the use of the Conservation Commission a Conservation Fund pursuant to the provisions of the Conservation Commission Act (M.G.L. Ch. 40 §8C; the “Act”). As described and authorized in the Act, the Treasurer shall be the custodian of said Conservation Fund (the “Fund”), shall make deposits to the Fund, invest proceeds, and credit to the Fund the income derived therefrom. The Conservation Commission shall have the sole authorization to make expenditures from the Fund for any purpose authorized by the Act, **except as may be otherwise directed by Town Meeting for any appropriation to the Fund authorized by Town Meeting**, and that no expenditure for a taking by eminent domain shall be made unless such expenditure has been approved in accordance with the Act. Town Meeting may appropriate money to the Conservation Fund in any year, and the Fund may receive gifts and donations; or act in any manner relating thereto.

<p style="text-align: center;"><b>Article 13</b> <b>Conservation Commission</b></p>
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To see if the Town will vote to transfer the care, custody, and control of the following three parcels of land from such board and for such purpose as it is 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; 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>
28-0013.0	Brockelman Road	9.80 $\pm$	N/A
29-0015.0	Old County Road	24.00 $\pm$	50796/198
29-0016.0	Old County Road	7.60 $\pm$	3893/323

<p style="text-align: center;"><b>Article 14</b> <b>Planning Board</b></p>
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To see if the Town will vote to amend the Lancaster Zoning Bylaw and the Official Zoning Map as follows:

- Amend the Zoning Bylaw to delete all references to the Highway Business (HB) district;
- Amend §220-4 and §220-5 of the Zoning Bylaw and the Official Zoning Map to delete the Highway Business (HB) district in its entirety and place those parcels of land now located all or in part within that district within the following districts:
  - Assessor’s Map 38, Parcel 108 from the HB district into the NB district

- Assessor's Map 38, Parcel 107 from the HB district and Residential (R) district into the NB district
- Assessor's Map 38, Parcel 109 from the HB district and R district into the NB district
- Assessor's Map 38, Parcel 88 from the HB district and Light Industry (LI) district into the NB district
- Assessor's Map 38, Parcel 106 from the HB district and R district into the R district
- Assessor's Map 38, Parcel 109.A from the HB district and R district into the R district
- Assessor's Map 39, Parcel 4 from the HB district and R district into the R district

as shown on the "Lancaster, MA: Official Zoning Map" prepared by the Montachusett Regional Planning Commission dated January 2014; or act in any manner relating thereto.

<b>Article 15</b> <b>Planning Board</b>
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To see if the Town will vote to amend the Use Regulation Schedule of the Lancaster Zoning Bylaw, incorporated therein as §220-8, to change, add or delete uses as follows:

1. Add "farmers market" and "art galleries" as permitted uses in all districts;
2. Allow the following uses in the NB district by special permit issued by the Board of Appeals:
  - "living facility for seniors";
  - "multifamily dwelling other than a living facility for seniors";
  - "boarding, training, or veterinary care of more than two animals within a structure if not exempted by MGL, c.40A, §3";
  - "facilities for active outdoor recreation utilizing motorized equipment";
  - "other active outdoor recreation facilities in a predominantly natural setting";

- “day camp accessory to a permitted use”;
  - “long-term care facility”;
  - “car washing establishments”;
  - “medical clinics”;
3. Allow “dry-cleaning and laundry establishments” by special permit issued by the Board of Appeals in the NB, LI and LI2 districts and prohibit them in the GI district;
  4. Allow “Health and Fitness Centers” as of right in the LI and LI2 districts, and by special permit in the NB district;
  5. Change the special permit granting authority from the Board of Appeals to the Planning Board for “Personal wireless service facilities regulated under Article XI of Ch. 220” in the EZ district;

all as further shown on the amended Use Regulation Schedule set forth below, with the uses to be deleted or amended shown in strikethrough and the uses to be inserted shown by underlined text, or act in any manner relating thereto.

*220 Attachment 1*

**Town of Lancaster**

**Use Regulation Schedule  
§ 220-8**

**KEY:**

- P = A use permitted as a matter of right in the district, subject to all applicable dimensional and special regulations.
- SP = A use permitted only upon granting of a special permit by the Board of Appeals, subject to any additional limitations which may be required by the Board.
- PB = A use permitted only upon granting of a special permit by the Planning Board, subject to any additional limitations which may be required by the Board.
- N = A use prohibited in the district.

Item	Use	Zoning Districts							Notes
		R	NB	<del>HB</del>	LI	LI2	GI	EZ	
§ 220-8.1. RESIDENTIAL USES.									
Principal uses									
A.	Single-family detached dwelling	P	P	<del>N</del>	N	N	N	N	One per lot.
B.	Two-family dwelling	P	N	<del>N</del>	N	N	N	N	Only by conversion of single-family dwelling existing 2-13-1950, without exterior building change except for



									required exits and ventilation, and the total habitable floor area of at least 1,536 square feet.
C.	Living facility for seniors	SP	<del>N</del> <u>SP</u>	<del>N</del>	N	N	N	PB	See § 220-9A.
D.	Multifamily dwelling other than a living facility for seniors	SP	<del>N</del> <u>SP</u>	<del>N</del>	N	N	N	N	Either as provided at § 220-9C or as provided at § 220-15D.
E.	Mobile home as principal use	N	N	<del>N</del>	N	N	N	N	
<b>Accessory uses</b>									
AA.	Rental of one or two rooms within a single-family detached dwelling, without housekeeping facilities	P	P	<del>P</del>	P	P	P	P	
AB.	Accessory apartment in a single-family dwelling with no change in the principal use of the premises	SP	SP	<del>SP</del>	SP	SP	SP	SP	See § 220-9G.
BB.	Central dining, recreation and administrative facilities exclusively for the tenants of group facilities	P	P	<del>P</del>	P	P	P	P	
CC.	Home occupation or professional office, as provided at § 220-9D	P	P	<del>P</del>	P	P	P	P	Occupying no more than 300 square feet floor area.
		SP	P	<del>P</del>	P	P	P	P	Occupying over 300 square feet floor area.
DD.	Accessory buildings for noncommercial use by residents of the premises only, such as garages, boathouses, storage sheds, greenhouses	P	P	<del>P</del>	P	P	P	P	
EE.	Outdoor storage in side and rear yards only of no more than one of each: (1) unregistered motor vehicle; (2) unoccupied mobile home; (3) commercial vehicle with (except farm equipment on farms) not more than four wheels.	P	P	<del>P</del>	P	P	P	P	All parts are to be attached and in place, and at any subsequent change of ownership of the premises all partially disassembled or inoperative equipment shall no longer be stored outdoors.
FF.	A mobile home for temporary dwelling	P	P	<del>P</del>	P	P	P	P	Requires license application within three

	purposes								days of placing unit within Town; license to be for no more than 30 days.
<b>§ 220-8.2. RURAL USES.</b>									
<b>Principal uses</b>									
A.	Agriculture, horticulture, floriculture and viticulture exempted from prohibition by MGL c. 40A, § 3	P	P	<del>P</del>	P	P	P	P	
B.	Keeping of poultry or livestock on parcels of less than five acres or where otherwise not exempted by MGL c. 40A, § 3	SP	N	<del>N</del>	N	N	N	N	No building housing poultry shall be within 150 feet of a property line; no outdoor storage of odor-producing substances or fenced poultry shall be less than 100 feet from an off-premises dwelling, and no livestock shall be permitted within 50 feet of an off-premises dwelling.
C.	Retail sales of produce from agricultural and related uses, greenhouses, cider mills, sawmills, if not exempted by MGL c. 40A, § 3	SP	SP	<del>SP</del>	SP	SP	P	P	The major portion of goods sold must have been raised and prepared on the premises.
D.	Boarding, training, or veterinary care of more than two animals within a structure if not exempted by MGL c. 40A, § 3	SP	<del>N</del> <u>SP</u>	<del>P</del>	P	P	N	PB	
<u>E.</u>	<u>Farmers market</u>	<u>P</u>	<u>P</u>	<u>—</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b>Accessory uses</b>									
AA.	Roadside stands, as specified in MGL c. 40A, § 3	P	P	<del>P</del>	P	P	P	P	
BB.	Customary farm accessory buildings	P	P	<del>P</del>	P	P	P	P	
<b>§ 220-8.3. RECREATIONAL AND AMUSEMENT USES.</b>									
<b>Principal uses</b>									
A.	Seasonal cottages in institutional, group or commercial management, and camping grounds for tents or camp trailers	SP	N	<del>N</del>	N	N	N	N	Fire Department to be consulted re: adequacy of operating season access.
B.	Day camps, private playgrounds not part of a school	SP	N	<del>N</del>	N	N	N	N	No active play space within 100 feet of any residential lot line.

C.	Facilities for active outdoor recreation utilizing motorized equipment	SP	<del>N</del> <u>SP</u>	<del>SP</del>	SP	SP	N	PB	
D.	Other active outdoor recreation facilities in a predominantly natural setting	SP	<del>N</del> <u>SP</u>	<del>P</del>	P	P	N	P	
E.	Commercial indoor amusement or recreation place or place of assembly	N	N	<del>P</del>	N	N	N	P	See disturbance standard of § 220-36A.
F.	Airport, air landing strip	N	N	<del>N</del>	SP	SP	SP	N	
G.	Drive-in movie theater	N	N	<del>N</del>	N	N	N	N	
H.	Health and fitness center	N	<del>N</del> <u>SP</u>	<del>N</del>	<del>PB</del> <u>P</u>	<del>PB</del> <u>P</u>	N	P	
I.	Adult entertainment uses	N	N	<del>N</del>	N	--	N	N	
<b>Accessory uses</b>									
AA.	Accessory structures customarily incidental and subordinate to permitted principal uses	SP	P	<del>P</del>	P	P	P	P	Such accessory uses as food service, lounges, repair or sale of sporting equipment, etc., to be intended primarily for the convenience of members or customers of the principal facility.
BB.	Structures accessory to the practice of a sport, such as ski tows or jumps, boat landings or bath houses	SP	N	<del>N</del>	N	N	N	N	
CC.	Summer schools as part of a seasonal camp, sport instruction	SP	N	<del>N</del>	N	N	N	P	
DD.	Dwellings for the owners and staff of uses permitted in § 220-8.3	P	P	<del>P</del>	P	P	P	P	
EE.	Day camp accessory to a permitted use	SP	<del>N</del> <u>SP</u>	<del>N</del>	N	N	N	P	
<b>§ 220-8.4. PUBLIC, HEALTH, EDUCATIONAL AND INSTITUTIONAL USES.</b>									
<b>Principal uses</b>									
A.	Underground or overhead communications, gas, electrical, sewerage, drainage, water, traffic, fire, and police system services, appurtenant equipment, and	SP	SP	<del>SP</del>	SP	SP	SP	<del>SP</del> <u>PB</u>	If personal wireless service facilities regulated under Article XI of Ch. 220.
		P	P	<del>P</del>	P	P	P	P	If not regulated under Article XI, and provided by a public service corporation or

	installations								governmental agencies.
		SP	SP	<del>SP</del>	SP	SP	SP	PB	If not regulated under Article XI, and provided by other than a public service corporation or governmental agency.
B.	Religious and educational uses	P	P	<del>P</del>	P	P	P	P	If exempt from prohibition under MGL c. 40A, § 3.
		SP	P	<del>P</del>	N	N	N	P	If a use, such as a commercial school, not exempt from prohibition under MGL c. 40A, § 3.
C.	Nonprofit community centers, places of public assembly, lodges, service or fraternal or civic corporations	P	P	<del>P</del>	P	P	P	P	If no more than 500 square feet used for assembly; to include no use customarily conducted as a business.
		SP	P	<del>P</del>	N	N	N	PB	If containing more than 500 square feet used for assembly; or a use customarily conducted as a business.
D.	Long-term care facility.	SP	<del>N</del> <u>SP</u>	<del>N</del>	N	N	N	PB	See § 220-9B.
<b>Accessory uses</b>									
AA.	Customary accessory uses if adjacent to the principal use or if permitted as a principal use	P	P	<del>P</del>	P	P	P	P	No play area to be within 100 feet of a residential district.
BB.	Other customary accessory uses	SP	SP	<del>SP</del>	SP	SP	SP	PB	
CC.	Heliports	N	N	<del>N</del>	PB	PB	PB	PB	
<b>§ 220-8.5. RETAIL, SERVICE AND OFFICE USES.</b>									
<b>Principal uses</b>									
A.	Retail stores; craft, consumer, professional or commercial establishments dealing directly with the general public, unless more specifically listed below	N	P	<del>P</del>	P	P	N	P	1. If all displays, storage and sales conducted within a building; and no motorized vehicles handled. And 2. Within the EZ district, permitted only within sub-district EZ-A, and the gross floor area is less than 5,000 sq. ft.
		N	SP	<del>P</del>	SP	SP	N	PB	1. If having displays, storage or sales conducted outside a building; or if motorized vehicles are handled. Or 2. Within the EZ district, permitted only within

									sub-district EZ-A, and the gross floor area is between 5,000 and 100,000 sq. ft.
B.	Shopping center	N	N	<del>P</del>	N	N	N	PB	Within EZ district, permitted only within sub-district EZ-A See definition, § 220-3.
C.	Gasoline service stations, including minor repairs only	N	SP	<del>P</del>	P	P	N	PB	
D.	Sales, rental, and repairs of motor vehicles, mobile homes, farm implements or boats	N	N	<del>P</del>	P	P	N	P	
E.	Car washing establishments	N	<del>N</del> <u>SP</u>	<del>SP</del>	SP	SP	N	PB	
F.	Dry-cleaning and laundry establishments	N	<del>P</del> <u>SP</u>	<del>P</del>	<del>P</del> <u>SP</u>	<del>P</del> <u>SP</u>	<del>P</del> N	PB	
G.	Funeral parlor, undertaking establishments	N	SP	<del>SP</del>	N	N	N	PB	
H.	Hotels, motels, inns	N	SP	<del>SP</del>	N	N	N	PB	
I.	Restaurants	N	P	<del>P</del>	P	P	P	P	If no drive-in or drive-through facility, no entertainment.
		N	SP	<del>SP</del>	N	N	SP	PB	If having drive-in or drive-through facilities or entertainment.
J.	Medical clinics	N	<del>PB</del> <u>SP</u>	<del>PB</del>	PB	PB	N	PB	
K.	Administrative offices of non-profit organizations	N	P	—	P	P	P	P	
L.	Other offices, banks	N	P	<del>P</del>	P	P	P	P	
<u>M.</u>	<u>Art galleries</u>	<u>P</u>	<u>P</u>	<u>—</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<b>Accessory uses</b>									
AA.	Outdoor storage or display of goods	N	N	<del>P</del>	P	P	N	P	See § 220-9F.
BB.	Manufacture, assembly, packaging or treatment of goods sold or handled on the premises in connection with the principal use	N	P	<del>P</del>	P	P	N	P	(1) Such operations not to occupy more than half of the floor area occupied by the principal use alone;
									(2) Not more than three persons to be so employed on the premises in a NB District <del>or more than five in a HB District.</del>

CC.	Retail sales or restaurant	N	P	<del>P</del>	SP	SP	SP	P	Not to occupy more than 10% of the floor area of a structure chiefly devoted to other permitted uses.
DD.	Heliports	N	N	<del>N</del>	PB	PB	PB	PB	
<b>§ 220-8.6. INDUSTRIAL USES.</b>									
<b>Principal uses</b>									
A.	Printing, publishing, and assembly, finishing, or packaging of products	N	N	<del>N</del>	P	P	P	P	See § 220-9E.
B.	Other general industrial uses, including manufacturing and processing	N	N	<del>N</del>	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	<del>N</del>	P	P	P	P	
D.	Garages for all types of repair of motorized equipment	N	N	<del>N</del>	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	<del>N</del>	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	<del>N</del>	N	N	N	N	
H.	Research and development, engineering, assembly and construction of models, prototypes, samples and experimental products	N	N	<del>N</del>	P	P	P	PB	

	in connection with research, engineering, or development activities								
<b>Accessory uses</b>									
AA.	One-family dwelling for personnel required for the safe operation or maintenance of a permitted use	N	N	<del>N</del>	N	N	P	PB	
BB.	Outdoor storage accessory to a principal use	N	N	<del>N</del>	N	N	P	PB	
CC.	Retail outlets for products of the principal industrial use	N	N	<del>N</del>	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	<del>SP</del>	SP	SP	SP	PB	The accessory use must not substantially derogate from the public good, per MGL c. 40A, § 9.
EE.	Heliports	N	N	<del>N</del>	PB	PB	PB	PB	

**Article 16**  
**Planning Board**

To see if the Town will vote to amend the “Lancaster, MA: Official Zoning Map” and §220-5 of the Lancaster Zoning Bylaw, as follows:

- Remove the following parcel from the Light Industry (LI) district and place it within the Neighborhood Business (NB) district:

Assessors’ Map 38, Parcel 138

- Remove the following parcel from the Residential (R) district and place it within the Light Industry (LI) district:

Assessors' Map 38, Parcel 87

or act in any manner relating thereto.

<p style="text-align: center;"><b>Article 17</b> <b>Planning Board</b></p>
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To see if the Town will vote to amend the Lancaster Zoning Bylaw and the Official Zoning Overlay Map as follows to create a Medical Marijuana Overlay District in the location of the existing Light Industry 2 (LI2) district, within which district the operation of a Registered Marijuana Dispensary and associated uses would be allowed pursuant to a special permit from the Planning Board, or act in any manner relating thereto:

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

**MEDICAL MARIJUANA OVERLAY DISTRICT**

1. Establishment: The Medical Marijuana Overlay District ("MMOD") is established as an overlay district. The boundaries of the MMOD are shown on the Zoning Map on file with the Town Clerk. Within the MMOD, all requirements of the underlying district(s) remain in effect, except where these regulations provide an alternative to such requirements. Land within the MDOD may be used either for (1) a Registered Marijuana Dispensary ("RMD"), in which case the requirements set forth in this section shall apply; or (2) a use allowed in the underlying district, in which case the requirements of the underlying district shall apply. If the provisions of the MMOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MMOD conflict with the requirements of the underlying district, the requirements of the MMOD shall control.
2. Purpose: To provide for the placement of RMDs, in accordance with the Humanitarian Medical Use of Marijuana Act, G.L. c.94C, App. §1-1, et seq., in locations suitable for lawful medical marijuana facilities and to minimize adverse impacts of RMDs on adjacent properties, residential neighborhoods, historic districts, schools, playgrounds and other locations where minors congregate by regulating the siting, design, placement, security, and removal of RMDs.



3. Definitions: Where not expressly defined in the Zoning Bylaws, terms used in the MMOD Bylaw shall be interpreted as defined in the Humanitarian Medical Use of Marijuana Act, G.L. c. 94C, App. §1-1, et seq. and the Department of Public Health Regulations promulgated thereunder, 105 CMR 725.001, et seq., and otherwise by their plain language.

a. Registered Marijuana Dispensary: also known as a Medical Marijuana Treatment Center, means a not-for-profit entity registered under 105 CMR 725.100, that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products (“MIPs”), tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana.

#### 4. Location

a. RMDs may be permitted in the MMOD pursuant to a Special Permit.

b. RMDs may not be located within 1,000 feet of the following:

- (1) School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
- (2) Child Care Facility;
- (3) Library;
- (4) Playground;
- (5) Public Park;
- (6) Youth center;
- (7) Public swimming pool;
- (8) Video arcade facility; or
- (9) Similar facility in which minors commonly congregate.

c. The distance under this section is measured in a straight line from the nearest point of the property line of the protected uses identified in Section 4.b. to the nearest point of the property line of the proposed RMD.

d. The distance requirement may be reduced by twenty-five percent or less, but only if:

- (1) The applicant demonstrates that the RMD would otherwise be effectively prohibited within the municipality;

- (2) The applicant demonstrates that the RMD will employ adequate security measures to prevent diversion of medical marijuana to minors who are not qualifying patients pursuant to 105 CMR 725.004.
5. Procedure: The **Planning Board** shall be the Special Permit Granting Authority (SPGA) for a RMD special permit.
  - a. Application: In addition to the special permit application, the applicant shall include:
    - (1) A copy of its registration as an RMD from the Massachusetts Department of Public Health (“DPH”);
    - (2) A detailed floor plan of the premises of the proposed RMD that identifies the square footage available and describes the functional areas of the RMD, including areas for any preparation of MIPs;
    - (3) A detailed site plan that includes the following information:
      - (a) Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, and all other provisions of this Bylaw;
      - (b) Convenience and safety of vehicular and pedestrian movement on the site and for the location of driveway openings in relation to street traffic;
      - (c) Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected to be substantially affected by on-site changes;
      - (d) Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises, including designated parking for home delivery vehicle(s), as applicable;
      - (e) Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and
      - (f) Adequacy of water supply, surface and subsurface drainage and light.
    - (4) A description of the security measures, including employee security policies, approved by DPH for the RMD;

- (5) A copy of the emergency procedures approved by DPH for the RMD;
  - (6) A copy of the policies and procedures for patient or personal caregiver home-delivery approved by DPH for the RMD;
  - (7) A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between RMDs approved by DPH;
  - (8) A copy of proposed waste disposal procedures; and
  - (9) A description of any waivers from DPH regulations issued for the RMD.
- b. The SPGA shall refer copies of the application to the Building Department, Fire Department, Police Department, Board of Health, Conservation Commission, and the Department of Public Works. These boards/departments shall review the application and shall submit their written recommendations. Failure to make recommendations within 35 days of referral of the application shall be deemed lack of opposition.
  - c. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and departments, the SPGA may act upon such a permit.
6. Special Permit Conditions on RMDs: The SPGA shall impose conditions reasonably appropriate to improve site design; traffic flow; public safety; protection of water quality, air quality, and significant environmental resources; preservation of the character of the surrounding area and otherwise serve the purpose of this section. In addition to any specific conditions applicable to the applicant's RMD, the SPGA shall include the following conditions in any special permit granted under this Bylaw:
- a. Hours of Operation, including dispatch of home deliveries.
  - b. The permit holder shall file a copy of any Incident Report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer and the SPGA within 24 hours of creation by the RMD. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
  - c. The permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the RMD with the Zoning Enforcement Officer and SPGA within 48 hours of receipt by the RMD.

- d. The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
  - e. The special permit shall lapse within **five** years of its issuance. If the permit holder wishes to renew the special permit, an application to renew the special permit must be submitted at least 120 days prior to the expiration of the special permit.
  - f. The special permit shall be limited to the current applicant and shall lapse if the permit holder ceases operating the RMD.
  - g. The special permit shall lapse upon the expiration or termination of the applicant's registration by DPH.
  - h. The permit holder shall notify the Zoning Enforcement Officer and SPGA in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH.
7. Exemption from RMD Special Permit Requirement: RMDs that demonstrate that they are protected pursuant to the agricultural exemption under G.L. c.40A §3 are not required to obtain a special permit, but shall apply for Site Plan Approval pursuant to Section **220-34**. The requirements of Section 220-34 shall apply by their terms to RMD's not protected pursuant to G.L. c.40A §3.
8. Prohibition Against Nuisances: No use shall be allowed in the MMOD which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.
9. Severability: The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.
2. Amend § 220-4 *Establishment of districts* to add the Medical Marijuana Overlay District (MMOD).
3. Amend § 220-5. B *Overlay districts* to add the following:
- “(5) The Medical Marijuana Overlay District (MMOD) is defined on the Official Zoning Overlay Map, as specified at 220 Attachment 3.”

4. Amend § 220-8.4 of the *Use Regulation Schedule* to add “E. Registered marijuana dispensary”, as follows:

	Use	Zoning Districts							Notes
		R	NB	HB	LI	LI2	GI	EZ	
§ 220-8.4 PUBLIC, HEALTH, EDUCATIONAL AND INSTITUTIONAL USES.									
A.	Underground or overhead communications, gas, electrical, sewerage, drainage, water, traffic, fire, and police system services, appurtenant equipment, and installations	SP	SP	SP	SP	SP	SP	SP	If personal wireless service facilities regulated under Article XI of Ch. 220.
		P	P	P	P	P	P	P	If not regulated under Article XI, and provided by a public service corporation or governmental agencies.
		SP	SP	SP	SP	SP	SP	PB	If not regulated under Article XI, and provided by other than a public service corporation or governmental agency.
B.	Religious and educational uses	P	P	P	P	P	P	P	If exempt from prohibition under MGL c. 40A, § 3.
		SP	P	P	N	N	N	P	If a use, such as a commercial school, not exempt from prohibition under MGL c. 40A, § 3.
C.	Nonprofit community centers, places of public assembly, lodges, service or fraternal or civic corporations	P	P	P	P	P	P	P	If no more than 500 square feet used for assembly; to include no use customarily conducted as a business.
		SP	P	P	N	N	N	PB	If containing more than 500 square feet used for assembly; or a use customarily conducted as a business.
D.	Long-term care facility	SP	N	N	N	N	N	PB	See § 220-9B.
E.	Registered marijuana dispensary	N	N	N	N	-	N	N	As regulated by Article XVI of Ch. 220.

Item	Use	Zoning Districts							Notes
		R	NB	HB	LI	LI2	GI	EZ	
Accessory uses									
AA.	Customary accessory uses if adjacent to the principal use or if permitted as a principal use	P	P	P	P	P	P	P	No play area to be within 100 feet of a residential district.
BB.	Other customary accessory uses	SP	SP	SP	SP	SP	SP	PB	

Item	Use	Zoning Districts							Notes
		R	NB	HB	LI	LI2	GI	EZ	
CC.	Heliports	N	N	N	PB	PB	PB	PB	

5. Amend the Official Zoning Overlay Map to add the Medical Marijuana Overlay District (MMOD) in the manner shown on the attached copy of said map. The MMOD would overlay the zoning district known as Light Industry 2 (LI2).

**ARTICLE 18**  
**Minuteman Regional Vocational School District**

To see if the Town will vote, consistent with Section VII of the existing “Agreement With Respect to the Establishment of a Technical and Vocational Regional School District” for the Minuteman Regional Vocational School District, to accept the amendments to said Agreement which have been initiated and approved by a majority of the Regional School Committee and which have been submitted to the Board of Selectmen of each member town prior to its vote on this article, or act in any manner relating thereto.

**Article 19**  
**Citizen’s Petition**

To see if the Town will vote to appropriate \$415,000 (Four Hundred and Fifteen Thousand Dollars) from Free Cash to the Other Post Employment Benefits Trust, or act in any manner relating thereto.

**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***

**Jean M. Syria, Chair**

Susan M. Smiley, Vice  
Chair.-Clerk

\_\_\_\_\_

Stanley B. Starr Jr.,  
Member

\_\_\_\_\_

Date of Execution

<p><i>CONSTABLE'S CERTIFICATION</i></p> <p><i>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, § <input type="checkbox"/>10.</i></p> <div><div><p>_____</p><p>_____</p></div><div><p><i>Attest:</i></p><p><i>Constable</i></p></div><div><p><i>Date:</i></p><p>_____</p></div></div>	
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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.