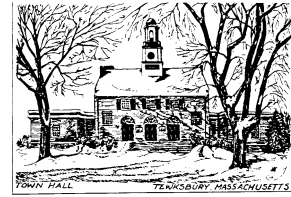


Town of Tewksbury

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876

OFFICE OF TOWN CLERK



Phone: 978-640-4355

Fax: 978-851-8610

dgraffeo@tewbury-ma.gov

DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

Tewksbury Memorial High School
320 Pleasant Street
Special Town Meeting
October 2, 2018

Moderator Jayne Wellman Miller called to order the October 2, 2018 Special Town Meeting at 7:00 PM given that a quorum of voters was present and a properly served and returned warrant was in possession.

On Tuesday, October 2, 2018, there were 238 voters and 18 visitors in attendance.

Selectman, Brian Dick, led the Assembly in the Pledge of Allegiance.

The Moderator made the following announcements:

- The First Annual Emergency Preparedness Event is slated for Oct 25th at the Knights of Columbus from 4:00 PM - 8:00 PM and will cover communications, emergency supplies, caring for animals, utility shut off and more.
- Half-Way to Earth Day will be on Saturday, October 27th from 9:00 AM - 2:00 PM. Join the Open Space group, the Beautification Committee, the Garden Club and others as they work on projects all over town. Sign up on the town website or come to the Town Common that morning. Supplies are provided. Last year over 175 bags of trash were collected from roadways, parks, Long Pond, the Shawsheen River, school yards and open spaces.
- Please join the Elementary School Building Committee for three community forums on the proposed elementary school project. They will be held on three Thursdays at 6:00 PM: October 6th at the Ryan School, November 1st at TMHS, and December 6th at Town Hall.

Moderator Miller made the following introductory comments:

Once again, welcome to Special Town Meeting. As registered voters, here at Open Town Meeting you are also members of one of the largest legislative bodies in the world. This is where we work together as a town to debate the merits of the articles before you in the warrant.

Before we get started with the warrant we have a few housekeeping items to take care of.

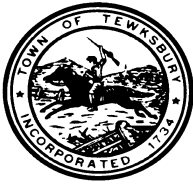
First, please take a moment to silence your cell phones.

Second, in case of emergency, please make a note of the exit nearest to you. There are exits into the cafeteria, and into the right hallway and left to the courtyard. There are also exits behind this curtain.

Third, visitors must sit in the reserved-for-visitors section. Members of the media may sit in the visitors section or the press table. Photographers should remain along the edges of the meeting.

Please be aware, this meeting is being recorded.

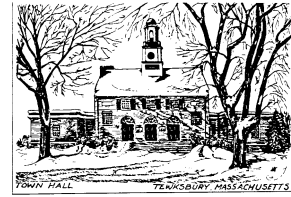
As we move through the articles, presenters on the articles will be allowed to speak first on the article before I open the floor to debate. A voter desiring to speak should approach the microphone podium, await recognition by me, and identify oneself by name and street address for the record. I ask members of Boards and staff members that speak do the same.



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Speakers are allowed up to five minutes to speak on an article. Please speak clearly into the microphone so the body can hear you. I will let you know when you have 30 seconds left by tapping the podium. When you hear that tapping, that is your signal to wrap up your remarks.

Speakers can disagree with any official, with any other voter, volunteer, or board. We have a strong tradition in Tewksbury of maintaining a respectful dialogue during Town Meeting. I will do everything I can to ensure that each speaker is shown respect and that your questions are answered. I ask that all participants kindly do the same.

I will accept a motion to Move the Question, however, I reserve the right to ensure we have had some dialogue on the motion. All questions on the floor are to be directed to the Moderator. For those who may be new to our meeting, by tradition we don't bother with the seconding of motions; the Moderator can be assumed to have seconded everything.

If you are amending an article, we will vote on the amendment first. Amendments must be presented to the Town Clerk, in writing. If the amendment passes it will then become part of the main motion and we will discuss it further. If the amendment does not pass, then we return to the Main Motion as written in the Warrant.

Each household in Tewksbury was mailed the warrant, but there are extra copies near the check-in stations, along with a handout on the Finance Committee recommendations, a supplemental handout from the Town Manager with detailed explanations of the articles and funds, and a new map to accompany Article 28.

Please be sure your ribbon is showing so that counters can clearly see it when we are doing standing vote counts.

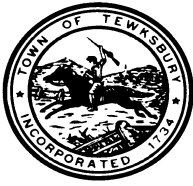
Officers, please close the doors. As a reminder, no one may enter this room during a vote.

Let me introduce Scott Wilson, the Chairman of the Finance Committee. The job of the Finance Committee is to advise Town meeting. Mr. Wilson will present motions on most articles.

Finance Committee Chairman, Scott Wilson, motioned to Waive the Reading of the Warrant Articles, and this motion was Adopted Unanimously 7:07 PM 10/2/18

Finance Committee Chairman, Scott Wilson motioned to admit Steve Sadwick, Mike Hazel, Chris Malone, Dave Libby, Brian Gilbert, and other non-resident employees to speak to answer residential questions, and this motion was Adopted. 7:08 PM 10/2/18

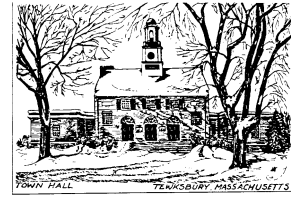
Finance Committee Chairman, Scott Wilson, motioned to Adjourn the October 2, 2018 Special Town Meeting Sine Die, and this motion was Adopted. 10:05 PM 10/2/18



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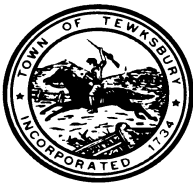
APPROPRIATION CERTIFICATE – SPECIAL TOWN MEETING –OCTOBER 2, 2018

Chief Assessor, Finance Director, Treasurer, Collector, Town Manager, Board of Selectmen, and Finance Committee: Pursuant to Section 15A, Chapter 41, Massachusetts General Laws, I hereby certify to the funds appropriated at the Annual Town Meeting, convened by proper Warrant, on October 2, 2018.

ARTICLE		RAISE & APPROPRIATE	TRANSFER FROM AVAILABLE FUNDS	TRANSFER FROM FREE CASH	CPA UNDESIGNATED RESERVE	CABLE ENTER FUND	WATER ENTER FUND
1	FY19 Budget	1,455,695.00					
2	Future Absence Liability	165,000.00					
3	FY18 Outstanding Bills	4,171.45					
4	3-Yard Hot Box						22,500.00
5	Transfer From Expenses to Salaries					No Change	
6	School Capital Expenditures			650,000.00			
7	Stabilization Fund			2,610,434.00			
8	Fencing/Skateboard Park Improvements Saunders Rec Area				42,000.00		
9	New Lights/Poles Saunders Rec Area				850,000.00		
10	Additional Funding Fitness Court Saunders Rec Area				60,000.00		
11	Software/Archivist for Historical Inventory				30,000.00		
12	New Fire Station Appropriation Increase		896,809.85				
TOTALS		1,624,866.45	896,809.85	3,260,434.00	982,000.00	0.00	22,500.00

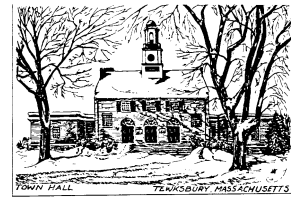
Raise & Appropriate	1,624,866.45					
Transfer From Available Funds		896,809.85				
Transfer From Free Cash			3,260,434.00			
CPA Undesignated Fund				982,000.00		
Cable Enterprise Retained					0.00	
Water Enterprise Fund						22,500.00

ATTEST: _____
DENISE GRAFFEO, TOWN CLERK



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ARTICLE 1

To see if the Town will vote to raise and appropriate the sum of \$1,455,695 to fund the following Fiscal Year (FY2019) Budgets; or take any other action relative thereto.

School Budget	
School Salaries	\$ 470,291
School Operating	\$ 50,000
School Capital Outlay	\$ 345,000
School Health Insurance	\$ 102,767
School Medicare	\$ 6,862
Total School	\$ 974,920
Town Budget	
Facilities and Grounds Salaries	\$ 5,264
Facilities and Grounds Leases and Contracts	\$ 22,272
Facilities and Grounds Capital Outlay	\$ 66,573
Town Manager's Salaries	\$ 4,229
Police Overtime	\$ 150,000
Fire Salaries	\$ 13,464
Fire Overtime	\$ 75,000
Fire Operating	\$ 16,473
DPW Administration Operating	\$ 50,000
DPW Administration Capital Outlay	\$ 10,000
DPW Fleet Capital Outlay	\$ 22,500
Solid Waste Operating	\$ 45,000
Total Town	\$ 480,775
Total	\$ 1,455,695

Town Manager

Motion: The Finance Committee motioned to Adopt; raise and appropriate \$1,455,695 for the purpose of the article
The Board of Selectmen recommended Adoption

Vote: Article 1 was Adopted 7:09 PM 10/2/18

Executive Summary: This article raises and appropriates funds to FY2019 Budgets. The additional funds are available since State and Local revenue will be higher than projected.

ARTICLE 2

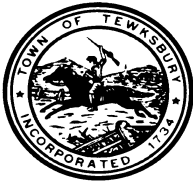
To see if the Town will vote to raise and appropriate the sum of \$165,000 to be expended by the Town Manager to fund future compensated absence liability for Town employees; or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; raise and appropriate \$165,000 for the purpose of the article
The Board of Selectmen recommended Adoption

Vote: Article 2 was Adopted Unanimously 7:10 PM 10/2/18

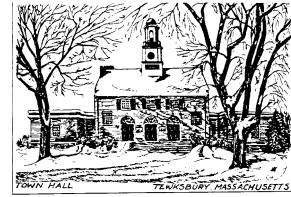
Executive Summary: This article raises and appropriates funds to be set aside to assist in addressing a future liability for benefits such as sick leave buyback benefits and accrued vacation.



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ARTICLE 3

To see if the Town will vote to raise and appropriate the sum of \$4,171.45 in order to pay for the following outstanding bills from the previous year; or take any other action relative thereto.

ATCO	\$	2,029.02
Keene Fire and Safety	\$	1,331.53
Kraft Power	\$	618.93
Midwest Tape	\$	191.97
Total	\$	4,171.45

Town Manager

Motion: The Finance Committee motioned to Adopt; raise and appropriate \$4,171.45 for the purpose of the article
The Board of Selectmen recommended Adoption

Vote: Article 3 was Adopted Unanimously (9/10 required) 7:10 PM 10/2/18

Executive Summary: According to M.G.L. c. 44 § 64, bills that are late must be approved by Town Meeting before payment. This article authorizes the charges to be paid.

ARTICLE 4

To see if the Town will vote to raise and appropriate \$22,500 from Water Rates to be expended by the Town Manager for the following purposes; or take any other action relative thereto.

3-yard tow-behind hot box	\$	22,500
Total	\$	22,500

Town Manager

Motion: The Finance Committee motioned to Adopt; raise and appropriate \$22,500 from Water Rate for the purpose of the article
The Board of Selectmen recommended Adoption

Vote: Article 4 was Adopted 7:11 PM 10/2/18

Executive Summary: This article raises funds within the Water Enterprise Budget to pay 50% of the cost of 3-yard hot box. The remaining 50% will come from the General Fund.

ARTICLE 5

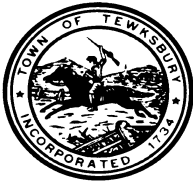
To see if the Town will vote to transfer the sum of \$350,000 from Cable Enterprise Fund Expenses to Cable Enterprise Fund Salaries; or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$350,000 from Cable Enterprise Fund Expenses to Cable Enterprise Fund Salaries
The Board of Selectmen recommended Adoption

Vote: Article 5 was Adopted 7:12 PM 10/2/18

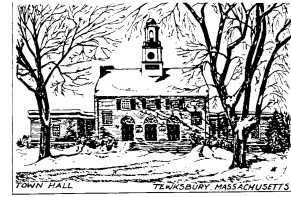
Executive Summary: This article transfers funds from Cable Enterprise Fund Expenses to Cable Enterprise Fund Salaries to allow the Town to hire employees to work within the Local Cable Access Television Department.



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ARTICLE 6

To see if the Town will vote to transfer from the certified General Fund Free Cash the sum of \$650,000 for School Department Capital Expenditures; or take any other action relative thereto.

Safety improvements to school entrances, walkways and vestibules	\$	600,000
Digital Filing System	\$	50,000
Total Schools	\$	650,000

Town Manager

Motion: The Finance Committee motioned to Adopt; transfer \$650,000 from Free Cash for School Department Capital Expenditures
The Board of Selectmen recommended Adoption

Vote: Article 6 was Adopted 7:12 PM 10/2/18

Executive Summary: This article transfers certified free cash for specific one time capital expenditures.

ARTICLE 7

To see if the Town will vote to transfer the sum of \$2,610,434 from certified General Fund Free Cash to the Town Stabilization Fund; or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt; raise and appropriate \$2,610,434 from certified Free Cash to the Stabilization Fund
The Board of Selectmen recommended Adoption

Vote: Article 7 was Adopted Unanimously (2/3 required) 7:13 PM 10/2/18

Executive Summary: This article seeks approval to set aside these funds in the Stabilization Fund to be used for future emergencies or one time purchases or projects.

ARTICLE 8

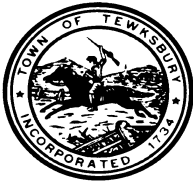
To see if the Town will vote to appropriate the sum of \$42,000 from the Community Preservation Fund Undesignated Reserve to be expended with the approval of the Town Manager for the purpose of installing and repairing fencing at Saunders Recreation Area on Livingston Street and improvements to the Skateboard Park at Saunders Recreation Area on Livingston Street. Pursuant to M.G.L. c. 44B or any other enabling authority, said funds to be expended under the direction of the Community Preservation Committee; or take any other action relative thereto.

Community Preservation Committee

Motion: The Finance Committee motioned to Adopt; appropriate \$42,000 from Community Preservation Fund Undesignated Reserve for the purpose of the article
The Board of Selectmen recommended Adoption

Vote: Article 8 was Adopted 7:14 PM 10/2/18

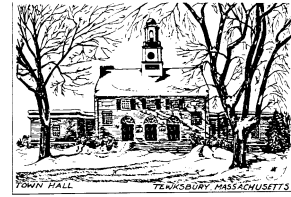
Executive Summary: This article will continue to fund the replacement of fencing at Saunders Recreation Area on Livingston Street and make improvements to the Skateboard Park by adding a half- pipe ramp.



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ARTICLE 9

To see if the Town will vote to appropriate the sum of \$850,000 from the Community Preservation Fund Undesignated Reserve to be expended with the approval of the Town Manager for the purpose of new lights, poles and associated electrical work at Saunders Recreation Area on Livingston Street. Pursuant to M.G.L. c 44B or any other enabling authority, said funds to be expended under the direction of the Community Preservation Committee; or take any other action relative thereto.

Community Preservation Committee

Motion: The Finance Committee motioned to Adopt; appropriate \$850,000 from Community Preservation Fund Undesignated Reserve for the purpose of the article
The Board of Selectmen recommended Adoption

Vote: Article 9 was Adopted 7:14 PM 10/2/18

Executive Summary: This article will fund installation of new lights, poles and associated electrical work at Saunders Recreation Area on Livingston Street.

ARTICLE 10

To see if the Town will vote to appropriate the sum of \$60,000 from the Community Preservation Fund Undesignated Reserve for the purpose of providing a fitness court at Saunders Recreation Area on Livingston Street. Pursuant to M.G.L. c 44B or any other enabling authority, said funds to be expended under the direction of the Community Preservation Committee; or take any other action relative thereto.

Community Preservation Committee

Motion: The Finance Committee motioned to Adopt; appropriate \$60,000 from Community Preservation Fund Undesignated Reserve for the purpose of the article
The Board of Selectmen recommended Adoption

Vote: Article 10 was Adopted 7:14 PM 10/2/18

Executive Summary: Additional funding is needed for the installation of the Fitness Court at Saunders Recreation Area on Livingston Street approved at Annual Town meeting in May 2018.

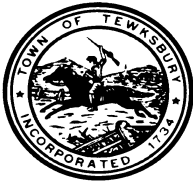
ARTICLE 11

To see if the Town will vote to appropriate the sum of \$30,000 from the Community Preservation Fund Undesignated Reserve to be expended with the approval of the Town Manager for the purpose of purchasing software and hiring an Archivist to create an historical inventory for the Town and Historic Society. Pursuant to M.G.L. c 44B or any other enabling authority, said funds to be expended under the direction of the Community Preservation Committee; or take any other action relative thereto.

Community Preservation Committee

Motion: The Finance Committee motioned to Adopt; appropriate \$30,000 from Community Preservation Fund Undesignated Reserve for the purpose of the article
The Board of Selectmen recommended Adoption
Elizabeth Carey motioned to Amend Article 11

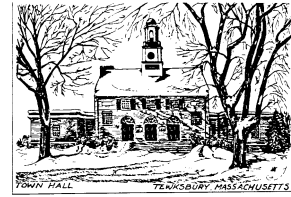
Vote: The Amendment was Adopted Unanimously 7:18 PM 10/2/18
Article 11 was Adopted as Amended Unanimously 7:19 PM 10/2/18



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AMENDMENT: To see if the Town will vote to appropriate the sum of \$30,000 from the Community Preservation Fund Undesignated Reserve to be expended with the approval of the Town Manager for the purpose of purchasing software and hiring an Archivist to create an historical inventory for the ~~Town~~ **Tewksbury Historic Commission** and ~~Historic Society~~ **the Tewksbury Historical Society, Inc.** Pursuant to M.G.L. c 44B or any other enabling authority, said funds to be expended under the direction of the Community Preservation Committee.

ARTICLE 11 AS AMENDED: To see if the Town will vote to appropriate the sum of \$30,000 from the Community Preservation Fund Undesignated Reserve to be expended with the approval of the Town Manager for the purpose of purchasing software and hiring an Archivist to create an historical inventory for the Tewksbury Historic Commission and the Tewksbury Historical Society, Inc. Pursuant to M.G.L. c 44B or any other enabling authority, said funds to be expended under the direction of the Community Preservation Committee

Executive Summary: This article will allow the Town and the Historic Society to properly inventory historic items of the Town.

ARTICLE 12

To see if the Town will increase the \$15,000,000 appropriation made under Article 15 at the May 1, 2017, Annual Town Meeting to a total of \$15,896,809.85, and to fund the increased amount by appropriating for such purpose the \$896,809.85 premium received in the sale of \$15,000,000 General Obligation Unlimited Tax Fire Station Bonds dated September 21, 2017; or to take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt
The Board of Selectmen recommended Adoption

Vote: Article 12 was Adopted Unanimously 7:19 PM 10/2/18

Executive Summary: This \$896,809.85 is the amount of premium received by the Town in connection with \$15,000,000 of bonds issued for the Project as part of the Town's 2017 bond issue and can be appropriated by a majority vote of the Town for the Project under M.G.L. c. 44, §20.

ARTICLE 13

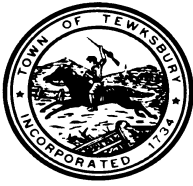
To see if the Town will vote to amend the Town's General Bylaw Chapter 3.14 Section 3.14.050 Table of Authorized Revolving Funds to amend an existing revolving fund for the Council on Aging by including facilities and grounds maintenance and utilities as an additional purpose for the use of funds; or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt
The Board of Selectmen recommended Adoption

Vote: Article 13 was Adopted Unanimously 7:20 PM 10/2/18

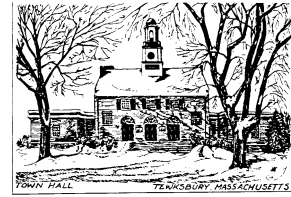
Executive Summary: This article adds an additional purpose for the Council on Aging Revolving Fund. Currently it is limited to trips and activities.



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ARTICLE 14

To see if the Town will vote to amend the Town's General Bylaw Chapter 3.14 Section 3.14.050 Table of Authorized Revolving Funds to amend an existing revolving fund for Parks and Recreation by including facilities and grounds maintenance and utilities as an additional purpose for the use of funds; or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt
The Board of Selectmen recommended Adoption

Vote: Article 14 was Adopted Unanimously 7:20 PM 10/2/18

Executive Summary: This article adds an additional purpose for the Parks and Recreation Revolving Fund. Currently the fund is limited to summer programs and activities.

ARTICLE 15

To see if the Town will vote to accept M.G.L. c. 40U §2 regarding municipal fines and liens for unpaid Town General and Zoning By-Law violations or take any other action relative thereto.

Town Manager

Motion: The Finance Committee motioned to Adopt Article 15 as Amended
The Board of Selectmen recommended Adoption

Vote: The Amendment was Adopted 7:21 PM 10/2/18
Article 15 was Adopted as Amended 7:22 PM 10/2/18

AMENDMENT: To see if the Town will vote to accept M.G.L. c. 40U §2 regarding municipal fines and liens for unpaid Town General and Zoning By-Law violations or take any other action relative thereto.

ARTICLE 15 AS AMENDED: To see if the Town will vote to accept M.G.L. c. 40U regarding municipal fines and liens for unpaid Town General and Zoning By-Law violations or take any other action relative thereto.

Executive Summary: The acceptance of this statute will allow the Town to adopt procedures regarding fines for Town General and Zoning By-Law violations.

ARTICLE 16

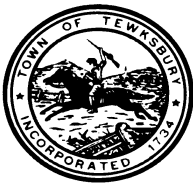
To see if the Town will vote to amend the real estate tax exemption granted under M.G.L. c. 59 §5, Clause 41C to taxpayers who are granted personal exemptions on their domiciles under M.G.L. c. 59 §5, by modifying the Minimum Age Requirement from 70 to 65 and modifying the Gross Receipts Limit from \$13,000 to \$20,000 for single persons and from \$15,000 to \$30,000 for married persons and modifying the Whole Estate Limit from \$28,000 to \$40,000 for single persons and from \$30,000 to \$55,000 for married persons, to be effective for exemptions granted for any fiscal year beginning on or after July 1, 2019; or take any other action relative thereto.

Town Manager
Board of Assessors

Motion: The Finance Committee motioned to Adopt
The Board of Selectmen recommended Adoption

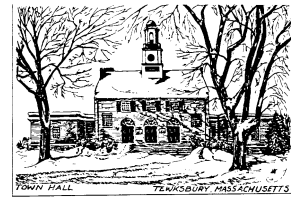
Vote: Article 16 was Adopted 7:23 PM 10/2/18

Executive Summary: This article will lower the Minimum Age Requirement and change the Gross Receipt Limit and the Whole Estate Limit for individuals applying for a 41C exemption. This will hopefully allow more seniors over the age of 65 to take advantage of the exemption.



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ARTICLE 17

To see if the Town will vote to raise and appropriate or transfer a sum of money regarding the reconstruction of the bridge on Mill Street known as Bridge No. T-03-003 as shown on plans entitled "Massachusetts Department of Transportation Highway Division, Plan of Mill Street (Bridge No. T-03-003) in the Town of Tewksbury, Middlesex County" dated 6/22/2018, prepared by the Massachusetts Department of Transportation Highway Division; such plans currently being at the 25% design level are subject to change through subsequent review and approval by the Massachusetts Department of Transportation Highway Division. The Board of Selectmen is authorized to expend these sums on behalf of the Town to acquire any fee, easement, or other interest in land by purchase, gift, eminent domain, or otherwise, and to authorize the Board of Selectmen to apply for, accept and expend any federal, state or other grants that may be available for the project, or take any other action relative thereto. A copy of the plans may be viewed at the Department of Public Works, Engineering Division, 999 Whipple Road, Tewksbury, MA 01876, and the Town Clerk's Office, Town Hall, 1009 Main Street, Tewksbury, MA 01876.

Town Manager

Motion: The Finance Committee motioned to Adopt
The Board of Selectmen recommended Adoption

Vote: Article 17 was Adopted Unanimously 7:24 PM 10/2/18

Executive Summary: To allow the Town to obtain the necessary easements for the bridge reconstruction on Mill Street, known as Bridge No. T-0-003

ARTICLE 18

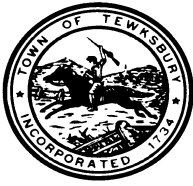
To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town to issue six (6) additional licenses for the sale of all alcoholic beverages to be consumed on premises, two (2) additional licenses for the sale of wine and malt beverages to be consumed on premises; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition; or take any other action relative thereto.

Board of Selectmen

Motion: The Finance Committee motioned to Adopt
The Board of Selectmen recommended Adoption

Vote: Article 18 was Adopted 7:24 PM 10/2/18

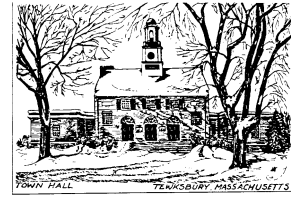
Executive Summary: Since the Town has reached its maximum of all alcoholic beverage and wine and malt beverage licenses allowed, this article seeks an increase above the current State quota.



Town of Tewksbury

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DENISE GRAFFEO, CMC/CMMC
TOWN CLERK

ARTICLE 19

To see if the Town will vote to amend the Tewksbury General Bylaw, Title 18 – Environment by adding a new Chapter 18.10 Prohibition Single-Use Plastic Bags that would provide as follows:

Chapter 18.10 Prohibition Single-Use Plastic Bags

18.10.010 Purpose and Intent

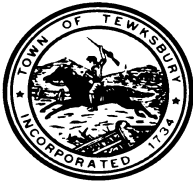
- A. The purpose of this bylaw is to regulate the retail use of single-use plastic checkout bags and adopt the use of reusable, recyclable and biodegradable bags in the Town.
- B. The manufacture and use of single-use checkout bags has a significant impact on the environment, including, but not limited to: contributing to pollution of land, waterways, and oceans; contributing to the death of marine animals through ingestion and entanglement; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil.
- C. Plastic bags also affect human health by adding pollutants to the air breathed during the process of extracting oil from the ground, when they are disposed of by incineration, and when they break down adding toxic chemicals to the groundwater.
- D. Plastic bags are rarely recycled and are not biodegradable. The reduction of plastic bags demonstrates the Town's concern for the Town and planet.

18.10.020 Definitions

- A. Single-use plastic bag shall mean a plastic bag including but not limited to bags with integral handles made of non-biodegradable plastic that is less than 3.0 mils in thickness and is intended for single-use transport of purchased items provided by an establishment to a customer at the point of sale.
- B. Recyclable paper bag means a paper bag that is 100% recyclable and displays in a visible manner on the outside of the bag the word "recyclable" or a symbol identifying the bag is recyclable and contains at least 40% post-consumer paper content and be marked as such.
- C. Reusable checkout bag shall be a bag with handles that is specifically designed for multiple use, preferably made of natural fibers, that is at least 3.0 mils or thicker.
- D. Retail establishment shall mean any business or vendor that sells or provides food, merchandise, goods, or personal services to the public. However, the term "retail establishment" does not include bazaars or festivals operated by nonprofit organizations or religious institutions.

18.10.030 Regulations

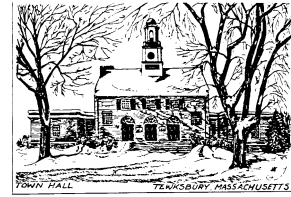
- A. Except as otherwise provided herein, single-use plastic checkout bags shall not be distributed, used or sold for checkout or other purposes by any retail establishment within the Town. Existing stocks of single-use checkout bags shall be phased out within six months following the effective date of this bylaw.
- B. Other thin-film bags used to contain dry cleaning, newspapers, produce, meat bulk foods, wet items, perishables and other similar merchandise, typically without handles, are still permissible.
- C. If a retail establishment provides or sells checkout bags to customers, the bags must be one of the following:
 1. Recyclable paper bag, as defined above or
 2. Reusable checkout bag, as defined above
- D. Retail establishments are encouraged to make reusable bags available for free or for sale to customers at a reasonable price.



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18.10.040 Enforcement and Penalties

A. This bylaw shall be enforced by the Board of Health, the Public Health Director, and/or the Board's designated agent and may be enforced by any lawful means in law or in equity including, but not limited to, a non-criminal disposition as provided in the M.G.L. c. 40 § 21D and/or appropriate provisions of the General Bylaws of the Town. The following penalties shall apply:

- First Offense: written warning
- Second Offense: \$100
- Additional Offenses: \$200

B. Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense.

18.10.040 Effective Date

A. This bylaw shall take effect April 1, 2019

B. Each section of this bylaw shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be invalid for any reason, the remainder of this bylaw shall continue in force. or take any other action relative thereto.

Tewksbury Beautification Committee

Motion: The Finance Committee motioned to Adopt Article 19 as Amended
The Board of Selectmen recommended Adoption

Vote:	The Amendment was Adopted	7:42 PM	10/2/18
	Article 19 was Adopted as Amended by a Standing Count (137 Yes/78 No)	7:47 PM	10/2/18

AMENDMENT:

18.10.040 Enforcement and Penalties

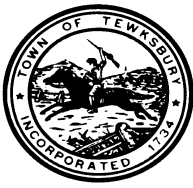
A. This bylaw shall be enforced by the ~~Board of Health, the Public Health Director,~~ **Town Manager** and/or the ~~Board's~~ **Town Manager's** designated agent and may be enforced by any lawful means in law or in equity including, but not limited to, a non-criminal disposition as provided in the M.G.L. c. 40 § 21D and/or appropriate provisions of the General Bylaws of the Town. The following penalties shall apply:

ARTICLE 19 AS AMENDED: To see if the Town will vote to amend the Tewksbury General Bylaw, Title 18 – Environment by adding a new Chapter 18.10 Prohibition Single-Use Plastic Bags that would provide as follows:

Chapter 18.10 Prohibition Single-Use Plastic Bags

18.10.010 Purpose and Intent

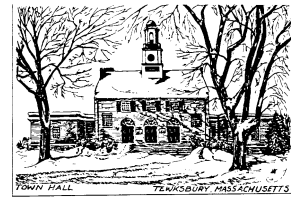
- A. The purpose of this bylaw is to regulate the retail use of single-use plastic checkout bags and adopt the use of reusable, recyclable and biodegradable bags in the Town.
- B. The manufacture and use of single-use checkout bags has a significant impact on the environment, including, but not limited to: contributing to pollution of land, waterways, and oceans; contributing to the death of marine animals through ingestion and entanglement; creating a burden to solid waste collection and recycling facilities; clogging storm drainage systems; and requiring the use of millions of barrels of crude oil.
- C. Plastic bags also affect human health by adding pollutants to the air breathed during the process of extracting oil from the ground, when they are disposed of by incineration, and when they break down adding toxic chemicals to the groundwater.
- D. Plastic bags are rarely recycled and are not biodegradable. The reduction of plastic bags demonstrates the Town's concern for the Town and planet.



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- B. Recyclable paper bag means a paper bag that is 100% recyclable and displays in a visible manner on the outside of the bag the word "recyclable" or a symbol identifying the bag is recyclable and contains at least 40% post-consumer paper content and be marked as such.
- C. Reusable checkout bag shall be a bag with handles that is specifically designed for multiple use, preferably made of natural fibers, that is at least 3.0 mils or thicker.
- D. Retail establishment shall mean any business or vendor that sells or provides food, merchandise, goods, or personal services to the public. However, the term "retail establishment" does not include bazaars or festivals operated by nonprofit organizations or religious institutions.

18.10.030 Regulations

- A. Except as otherwise provided herein, single-use plastic checkout bags shall not be distributed, used or sold for checkout or other purposes by any retail establishment within the Town. Existing stocks of single-use checkout bags shall be phased out within six months following the effective date of this bylaw.
- B. Other thin-film bags used to contain dry cleaning, newspapers, produce, meat bulk foods, wet items, perishables and other similar merchandise, typically without handles, are still permissible.
- C. If a retail establishment provides or sells checkout bags to customers, the bags must be one of the following:
 - 3. Recyclable paper bag, as defined above or
 - 4. Reusable checkout bag, as defined above
- D. Retail establishments are encouraged to make reusable bags available for free or for sale to customers at a reasonable price.

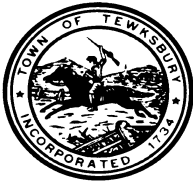
18.10.040 Enforcement and Penalties

- A. This bylaw shall be enforced by the Town Manager, and/or the Town Manager's designated agent and may be enforced by any lawful means in law or in equity including, but not limited to, a non-criminal disposition as provided in the M.G.L. c. 40 § 21D and/or appropriate provisions of the General Bylaws of the Town. The following penalties shall apply:
 - First Offense: written warning
 - Second Offense: \$100
 - Additional Offenses: \$200
- B. Subsequent offenses shall be determined as offenses occurring within two years of the date of the first noticed offense. Each day or portion thereof shall constitute a separate offense.

18.10.040 Effective Date

- A. This bylaw shall take effect April 1, 2019
- B. Each section of this bylaw shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be invalid for any reason, the remainder of this bylaw shall continue in force. or take any other action relative thereto.

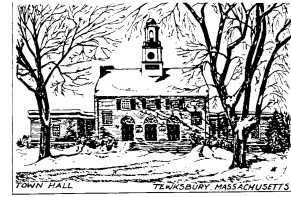
Executive Summary: This new bylaw would eliminate the use of single use plastic bags by retail establishments.



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ARTICLE 20

To see if the Town will vote to amend the Tewksbury General Bylaw, Title 5--- Business Licenses and Regulations by adding a new Chapter 5.10 Marijuana Establishments that would provide as follows:

Chapter 5.10 Marijuana Retailers

Consistent with M.G.L. c. 94G, § 3(a)(2), all types of marijuana retailers as defined in M.G.L. c. 94G, § 1, including all types of licensed marijuana retail-related businesses, shall be prohibited within the Town; or take any other action relative thereto.

Board of Selectmen

Motion: The Finance Committee recommended Not to Adopt
The Board of Selectmen motioned to Adopt
Police Chief, Timothy Sheehan recommended a prohibition on all Retail Marijuana Establishments
Bruce Panilaitis motioned to Amend Article 20
Lisa Kuegler motioned to Move the Question

Vote:	The motion to Move the Question was Adopted	8:37 PM	10/2/18
	The Amendment made by Bruce Panilaitis Failed	8:43 PM	10/2/18
	Article 20 was Adopted by a Standing Count (148 Yes/64 No)	8:47 PM	10/2/18

AMENDMENT: After “shall be prohibited within the Town” add “This provision will expire December 31, 2020”

Executive Summary: With the passage of M.G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed, a local option allowing Towns to ban recreational marijuana was codified. Since Tewksbury voters opposed ballot question 4 in 2016, The Regulation and Taxation of Marijuana Act, the Town has the ability through Town Meeting to ban these types of establishments.

ARTICLE 21

To see if the Town will vote to amend the Tewksbury Zoning Bylaw by replacing the existing in its entirety Section 6800—Interim Restriction/ Moratorium for Marijuana Establishments with the following:

Section 6800.1 Marijuana Retailers

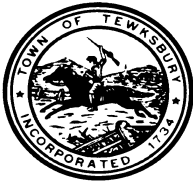
Consistent with M.G.L. c. 94G, § 3(a)(2), all types of marijuana retailers as defined in M.G.L. c. 94G, § 1, including all types of licensed marijuana retail-related businesses, shall be prohibited within the Town; or take any other action relative thereto.

Board of Selectmen

Motion: The Finance Committee recommended Not to Adopt
The Board of Selectmen motioned to Adopt
The Planning Board recommended Adoption

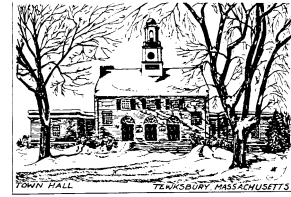
Vote:	Article 21 was Adopted (148 Yes/60 No-2/3 required=139)	8:52 PM	10/2/18
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Executive Summary: With the passage of M.G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed, a local option allowing Towns to ban recreational marijuana was codified. Since Tewksbury voters opposed ballot question 4 in 2016, The Regulation and Taxation of Marijuana Act, the Town has the ability through Town Meeting to ban these types of establishments.



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ARTICLE 22

To see if the Town will vote to amend the Tewksbury General Bylaw, Title 5--- Business Licenses and Regulations by adding a new Chapter 5.10 Marijuana Establishments that would provide as follows:

Chapter 5.10 Marijuana Establishments

Consistent with M.G.L. c. 94G, § 3(a)(2), all types of marijuana establishments as defined in M.G.L. c. 94G, § 1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, and/or any other types of licensed non-retailer marijuana-related businesses, except, however, marijuana retailers previously prohibited, shall be prohibited within the Town. This provision will expire December 31, 2019; or take any other action relative thereto.

Board of Selectmen

Motion: The Finance Committee recommended Not to Adopt
The Board of Selectmen motioned to Adopt
Bruce Panilaitis motioned to Amend Article 22
Paul J. Fansel motioned to Amend Article 22

Vote:	The Amendment made by Bruce Panilaitis Failed	9:00 PM	10/2/18
	The Amendment made by Paul J. Fansel Failed	9:05 PM	10/2/18
	Article 22 was Adopted by a Standing Count (143 Yes/68 No)	9:09 PM	10/2/18

AMENDMENT (Panilaitis): Delete “independent testing laboratories”

AMENDMENT (Fansel): Delete “This provision will expire December 31, 2019”

Executive Summary: With the passage of M.G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed, a local option allowing Towns to ban recreational marijuana was codified. Since Tewksbury voters opposed ballot question 4 in 2016, The Regulation and Taxation of Marijuana Act, the Town has the ability through Town Meeting to ban these types of establishments.

ARTICLE 23

To see if the Town will vote to amend the Tewksbury Zoning Bylaw by replacing the existing in its entirety Section 6800—Interim Restriction/ Moratorium for Marijuana Establishments with the following:

Section 6800.2 Marijuana Establishments

Consistent with M.G.L. c. 94G, § 3(a)(2), all types of marijuana establishments as defined in M.G.L. c. 94G, § 1, including marijuana cultivators, independent testing laboratories, marijuana product manufacturers, and/or any other types of licensed non-retailer marijuana-related businesses, except, however, marijuana retailers previously prohibited, shall be prohibited within the Town. This provision will expire December 31, 2019; or take any other action relative thereto.

Board of Selectmen

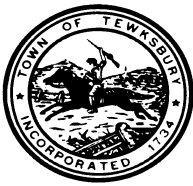
Motion: The Finance Committee recommended Not to Adopt
The Board of Selectmen motioned to Adopt
The Planning Board recommended Adoption
Bruce Panilaitis motioned to Amend Article 23, but rescinded the Amendment prior to a vote
Paul J. Fansel motioned to Amend Article 23, but rescinded the Amendment prior to a vote

Vote:	Article 23 was Adopted (143 Yes/64 No-2/3 Required=138)	9:15 PM	10/2/18
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AMENDMENT (Panilaitis): Delete “independent testing laboratories”

AMENDMENT (Fansel): Delete “This provision will expire December 31, 2019”

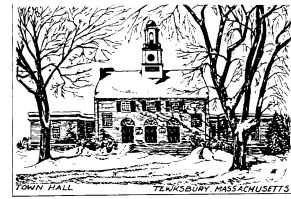
Executive Summary: With the passage of M.G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed, a local option allowing Towns to ban recreational marijuana was codified. Since Tewksbury voters opposed ballot question 4 in 2016, The Regulation and Taxation of Marijuana Act, the Town has the ability through Town Meeting to ban these types of establishments.



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ARTICLE 24

To see if the Town will vote to amend the Tewksbury Zoning Bylaw by adding the new section below:

5290. Off-premise Signs. Electronic Message Center (“EMC”) Signs and Billboards (collectively “off-premise signs”).

5291. Locations. Off-premise signs shall be permitted in the Heavy Industrial and Office/ Research Zoning Districts located adjacent to either Interstate 93 or Interstate 495. No off-premise sign edge shall be located further than 25 feet from the Interstate highway right-of way.

5292. Special Permit. Off-premise signs are allowed only upon the grant of a special permit by the Board of Selectmen (Selectmen). Special permits may be limited to a term of the number of years specified by the Selectmen and subject to an agreement executed with the Town.

5293. Application and Fee. Each application shall be submitted to the Selectmen accompanied by a filing fee of \$2,500. Ten copies of the application filing documents shall be submitted with the information outlined below:

a. Site Plan and area maps identifying the following features:

1. Location of any existing buildings, parking spaces, and traffic circulation patterns on the subject parcel;
2. Proximity of nearest residentially used or residentially zoned property, utilizing current area photographs and Tewksbury Assessors Maps;
3. Specific location of the proposed off-premise sign;
4. Details of proposed buffer/landscaping areas around the off-premise sign including species and caliper of any trees or shrubbery one foot or more above the ground in height;
5. Location of any existing off-premise sign(s) on the parcel; and
6. Photographs or illustrations of the proposed design of the off-premise sign.

b. Additional Information – An application for an off-premise sign shall include the following additional information:

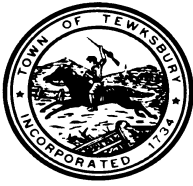
1. Detailed dimensions and area of any proposed off-premise sign;
2. Detail sheet of any proposed support structure specifying dimensions and construction type. Upon request by the Selectmen or the Building Commissioner, the applicant shall provide a structural analysis of the support structure, stamped by a licensed structural engineer; and,
3. Lighting proposal, including specifications of all proposed lighting fixtures to be either attached to the billboard, structure, or affixed to the ground.

c. Additional Requirements:

1. Written authorization from the property owner or lawful occupant (such as a lessee with a lease of at least 5 years) granting permission to install the proposed off-premise sign; and
2. Any additional information as may be required by the Selectmen to assist them in determining whether the application complies with the provisions and requirements of this Section 5290.

5294. Dimensional Restrictions and Design Guidelines. All off-premise signs shall be in compliance with the following requirements:

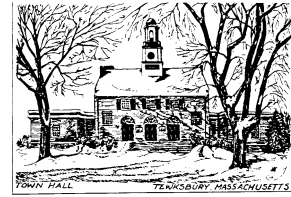
- a. All off-premise signs shall be permanently affixed to a main support structure. No portable off-premise signs shall be permitted.



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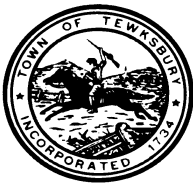
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- b. Off-premise signs shall not have excessive lighting. EMC signs shall use automatic level controls to reduce light levels at night and under cloudy or other darkened conditions.
- c. Exposed backs of off-premise signs, poles, and other support structures shall be of a color and finished so as to present an attractive and finished appearance that will blend with the natural surroundings.
- d. The following types of off-premise signs are prohibited:
 - 1. Animated, projected, moving or giving the illusion of movement (including any moving parts), scrolling, flashing, revolving, and blinking, and intermittently flashing illuminated billboards, beacons (or any light directed at any location other than the billboard itself), searchlights, pennants, and inflatable billboards, including balloons;
 - 2. Billboards with physical movements of any kind;
 - 3. EMC signs that change at intervals of less than once every 10 seconds. Changes of image shall be instantaneous as seen the human eye and shall not use fading, rolling, window shading, dissolving or similar effects;
 - 4. Tri-vision billboards;
 - 5. Video billboards or billboards that otherwise give the illusion of video or moving images;
 - 6. Billboards with sound;
 - 7. Billboards with pyrotechnics; and
 - 8. Billboards that by reason of position, wording, illustration, size, shape or color obstruct, impair, obscure, interfere with the view of, or may be confused with, any traffic control signal or device, or that may otherwise obstruct or interfere with traffic.
- e. An off-premise sign shall not be located within 1500 linear feet of any other off-premise sign.
- f. An off-premise sign may be double sided. No individual off-premise sign or sign face shall exceed 672 square feet in total area on each side or shall exceed 14 feet in height by 48 feet in width.
- g. An off-premise sign shall be mounted on a pedestal or other support structure.
- h. No off-premise sign shall be located on any building, whether erected or otherwise placed or painted on the building.
- i. No off-premise sign shall be located on or otherwise attached to a tree, utility pole, fence, or rock.
- j. Lighting or other illumination related to the off-premise sign shall not project glare or negatively impact abutting properties and shall not shine onto abutting roadways;
- k. There shall be a 10-foot wide landscaped buffer installed around the base of the support structure to minimize its visual impact.

5295. Criteria for Approval. The Selectmen shall approve an application for a Special Permit under Section 5290 unless it finds that all of the following conditions are not met. The conditions shall be incorporated into any Special Permit decision:

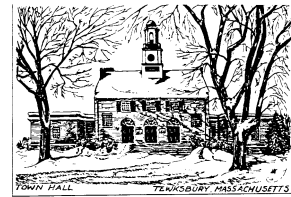
- a. The specific site is an appropriate location for the proposed off-premise sign and the design and layout complies with the standards and requirements set forth in this bylaw;
- b. The proposed off-premise sign shall not adversely affect the abutting neighborhood or have the effect of causing a hazard to motorists;
- c. The off-premise sign, including supports, braces, guys, and anchors, shall be kept in good repair.
- d. All special permit approvals are subject to any necessary approvals, restrictions, and conditions required or issued by the Commonwealth of Massachusetts and/or the federal government.



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- e. The Selectmen, in granting a special permit, may require additional conditions and safeguards as it deems necessary for protection of the public health, safety, and welfare.

5296. Off-premise Sign Maintenance and Removal. Off-premise signs shall be maintained and be required to be removed in accordance with the following:

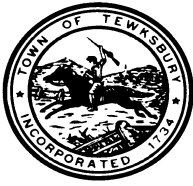
- a. All off-premise signs and supporting structures shall be kept in good repair and free of wear and tear, rust, and other indices of deterioration.
- b. An off-premise sign permitted under Section 5290 that is abandoned, discontinued, blank, or is in disrepair for a period of 120 days shall be cause for its removal. For purposes of this section, an off-premise sign will satisfy this condition if:
 1. There is no advertising paid for by a person or company other than the off-premise sign owner or advertising an interest other than specified in the rental agreement of the off-premise sign;
 2. The off-premise sign advertises a business, service, enterprise, or activity that is no longer operating or being offered or conducted; or
 3. The advertising message of the off-premise sign displays becomes illegible in whole or substantial part.
- c. The Building Commissioner shall notify the off-premise sign owner, lessee, and manager of the off-premise sign, as the case may be, in writing, specifying a 45-day period to remove or repair the off-premise sign. If the off-premise sign has not been removed or repaired within such time period to the satisfaction of the Building Commissioner, the Building Commissioner may revoke the off-premise sign building permit and take appropriate action forthwith to remove the sign. All expenses for the removal shall be borne by the off-premise sign owner, lessee, and/or manager as determined by the Building Commissioner.
- d. If the Building Commissioner determines that an off-premise sign is an immediate threat to public safety irrespective of any stays granted to the off-premise sign owner, lessee, or manager, the Building Commissioner may cause any off-premise sign, abandoned or not, and any portion of its support structure if deemed part of the public threat, to be immediately removed, or the threatened area to be cordoned off. All expenses for protecting the public, including the removal of the off-premise sign or stabilization of the public safety threat, shall be borne by the off-premise sign owner, lessee, as determined by the Building Commissioner. An off-premise sign that is not abandoned may be returned to its original position, but only after repairs have been made and the public safety threat has been abated, to the satisfaction of the Building Commissioner.

5297. Surety. The Applicant shall provide a financial surety to the Town in accordance with M.G.L. c. 44 § 53G ½, that will secure the full cost of the removal of any off-premise sign which is found to be abandoned, discontinued, blank, or is in disrepair, as determined under Section 5296. d above. The Applicant shall deposit with the Town Treasurer a surety in an amount that shall be determined by the Selectmen. Upon removal of the off-premise sign, any remaining funds shall be returned to the Applicant in accordance with M.G.L. c. 44 § 53G ½.

5298. On-premise Signs. Nothing in Section 5290 shall be applicable to on-premise signs.

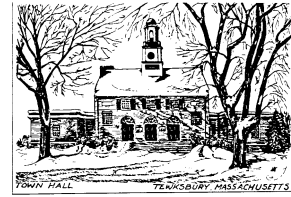
5299. Definitions.

- a. **Billboard:** An advertising sign or other commercial sign that directs attention to a business, commodity, service or attraction sold, offered or existing elsewhere than upon the same lot where the sign is displayed. This is also known as an off-premise commercial sign.
- b. **Electronic Message Center:** An off-premise electronically activated changeable message sign whose variable message or graphic presentation capability can be electronically programmed. EMCs typically use Light Emitting Diodes (LEDs) as a lighting source.
- c. **Off-premise sign:** A permanent sign erected, maintained, or used in the outdoor environment for the purpose for the display of commercial or noncommercial messages not appurtenant to the use of, or products sold on, the property where the sign is located.



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TOWN CLERK

- d. On-premise sign: A sign erected, maintained, or used in the outdoor environment for the purpose of the display of commercial and noncommercial messages appurtenant to the use of, or products sold on, the premises on which it is located.
- e. Outdoor Advertising: Any outdoor sign, display, light, device, figure, painting, drawing, message, plaque, poster, billboard, or other thing that is designed, intended, or used to advertise or inform; any part of the advertising or information contents of which are visible from any public way, public park, or public reservation.

or take any other action relative thereto.

Board of Selectmen

Motion: The Finance Committee motioned to Adopt as Amended
The Planning Board recommended Adoption
The Board of Selectmen recommended Adoption

Vote:	Amendment #1 was Adopted	9:39 PM	10/2/18
	Amendment #2 was Adopted	9:40 PM	10/2/18
	Article 24 Failed (100 Yes/73 No-2/3 Required=116)	9:44 PM	10/2/18

AMENDMENT #1: Section 5291. Locations. Off-premise signs shall be permitted in the Heavy Industrial and Office/ Research Zoning Districts located adjacent to either Interstate 93 or Interstate 495. No off-premise sign edge shall be located further than ~~25~~ **100** feet from the Interstate highway right-of way.

AMENDMENT #2: Section 5294. Add a new subsection **I** to read “**There shall be no waivers or variances granted for any dimensional restrictions or design guidelines.**”

Executive Summary: To allow for off-premise signs (electronic message boards and billboards) along the interstate highways in accordance with State and Federal regulations.

ARTICLE 25

To see if the Town will vote to amend the Tewksbury Zoning Bylaw as follows, with deletions shown as a strikethrough and additions bold and underlined:

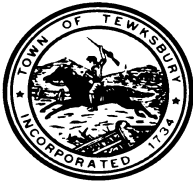
9370. Lapse. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within ~~24 months~~ **three (3) years** following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in M.G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

Town Manager

Motion: The Finance Committee motioned to Adopt
The Planning Board recommended Adoption
The Board of Selectmen recommended Adoption

Vote:	Article 25 was Adopted (More than 30 Yes/10 No-2/3 required)	9:46 PM	10/2/18
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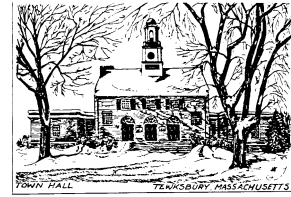
Executive Summary: This amendment reflects the change to M.G.L. c. 40A, § 9, as amended by the Acts of 2016 Chapter 219, Section 30.



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ARTICLE 26

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 82, Sections 21-24, as amended, and any other applicable statutes, to accept the laying out as a town way by order of the Board of Selectmen:

A certain parcel of land situated in Tewksbury, Middlesex County, Massachusetts shown as Harvest Lane shown on a plan entitled, "Street Acceptance Plan, Harvest Lane, Tewksbury, MA dated July 1, 2018 prepared by Civil Design Consultants, Inc. 30 River Street Methuen, MA 01844", a copy of which plan has been filed with the office of the Town Clerk and Department of Community Development; and such plan is referred to for more particular description and to authorize the Board of Selectmen to take by eminent domain, an easement, or in fee; or take any other action relative thereto.

Matthew Ginsburg

Motion: Matthew Ginsburg motioned to Adopt
The Board of Selectmen recommended Adoption

Vote: Article 26 was Adopted 9:47 PM 10/2/18

Executive Summary: The purpose of this article is to accept Harvest Lane as a public way (Town Street).

ARTICLE 27

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 82, Sections 21-24, as amended, and any other applicable statutes, to accept the laying out as a town way by order of the Board of Selectmen:

A certain parcel of land situated in Tewksbury, Middlesex County, Massachusetts shown as Winterberry Lane on a plan entitled, "Street Acceptance Plan of Land in Tewksbury, Massachusetts (Middlesex County) prepared for A.M.C. Realty Group, LLC"; dated January 12, 2018; prepared by LJR Engineering, Inc. 234 Park Street North Reading, MA 01864, a copy of which plan has been filed with the office of the Town Clerk and the Department of Community Development; and such plan is referred to for more particular description and to authorize the Board of Selectmen to take by eminent domain, an easement, or in fee; or take any other action relative thereto.

Richard Cuoco

Motion: Richard Cuoco motioned to Adopt
The Board of Selectmen recommended Adoption
Salem Road resident, Linda Madden stood in opposition

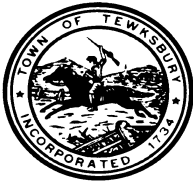
Vote: Article 27 Failed 9:54 PM 10/2/18

Executive Summary: The purpose of this article is to accept Winterberry Lane as a public way (Town Street).

ARTICLE 28

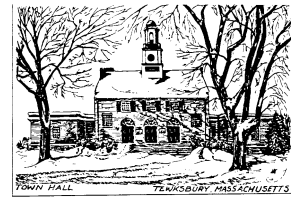
To see if the Town will vote to allow a zoning change from ONLY Residential (R40) to BOTH Heavy Industrial-1 (HI-1) AND R-40 for the parcel of land located in North Tewksbury, at 602-604 Clark Road. Said parcel is indicated as Lot #20 on the Tewksbury Assessors Map # 11 and incorporates approximately 10.4 acres more or less.

Michael Ginieres



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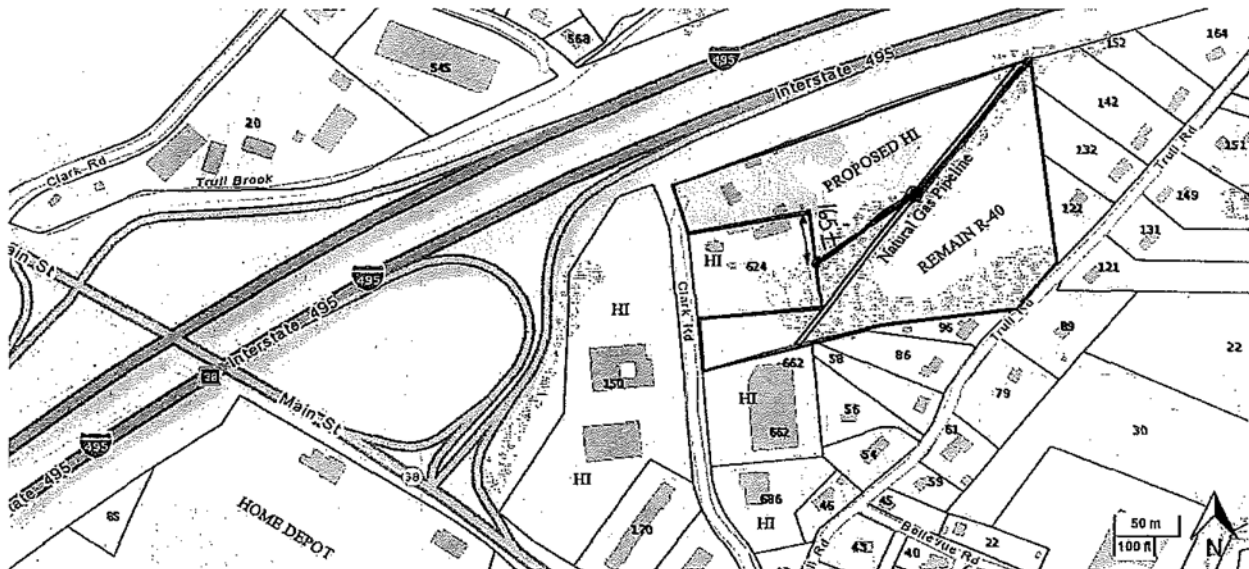
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TOWN CLERK

Motion: The Finance Committee deferred to the Planning Board
The Planning Board recommended Adoption
The Board of Selectmen recommended Adoption
Michael Ginieres motioned to Amend Article 28 and Adopt the Article as Amended

Vote: The Amendment was Adopted 10:02PM 10/2/18
Article 28 Failed (60 Yes/79 No-2/3 Required) 10:05 PM 10/2/18

AMENDMENT: To see if the Town will vote to allow a zoning change from R 40 (Residential) to HI-1 (Heavy Industrial-1) for approximately 5 acres of the northerly portion of land at 602-604 Clark Road. Bounded and described as follows: Beginning at the northwest corner of land indicated as Lot #20 on the Tewksbury Assessors Map # 11, thence running northeasterly by the southerly line of Interstate Route 495 to the intersection with the centerline of the Kinder -Morgan Gas Transmission Pipe, thence; southwesterly by the centerline of said pipe, by two courses 234 feet+/- and 580 feet +/-, to a point on the easterly line of land of now or formerly Clark Western New England, thence; northerly by said Clark Western land 248 feet +/- to a point, thence; westerly by said Clark Western land to Clark Road, thence northerly by Clark Road to the point of beginning.

Executive Summary: To see if the Town will vote to allow a zoning change from Residential (R40) to BOTH Heavy Industrial-1 (HI-1) AND R-40 for the parcel of land located in North Tewksbury, at 602-604 Clark Road.



Finance Committee Chairman, Scott Wilson motioned to Adjourn the October 2, 2018 Special Town Meeting Sine Die, and this motion was Adopted. 10:05 PM 10/2/18

RESPECTFULLY SUBMITTED:

DENISE GRAFFEO, TOWN CLERK