

Town of Webster

Town Meeting Guide

October 15, 2018

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Town Meeting Information

Thank you for taking an interest in the Town of Webster's Town Meeting. Town Meeting is part of a great tradition of democracy which has been taking place in Webster ever since its townspeople came together to found Webster in 1832. Town Meeting is the legislative body of the Town, acting much like our legislative counterparts at the State and Federal level, to fund a budget and to establish bylaws. One important difference is that in Webster's Open Town Meeting form of government, every registered voter of the Town is a Legislator and has the opportunity to participate in, and vote on, every issue.

Procedures

Webster's Town Meeting is governed by State law, the Town's Bylaws, tradition, and the book "Town Meeting Time: A Handbook of Parliamentary Law". Voters don't need to read these documents in order to participate in Town Meeting as your elected Town Moderator is there to guide the Town through the meeting while adhering to all applicable rules and regulations. Always remember that if you are not clear on the issue being voted on or the topic being discussed, you can always step up to the nearest microphone and ask questions.

At the front of the room, standing at a podium, you will find:

- The Town Administrator: Webster's Chief Administrative and Financial Officer

Sitting at tables, also at the front of the room, are the following Boards/Committees (from left to right):

- The Board of Selectmen: The Governing Body of the Town
- The School Committee: Recommends the School Department Budget
- The Finance Committee: Makes recommendations on all articles involving Town finances

The people on the stage are (from left to right):

- Town Counsel: the Town's attorney
- The Moderator: Elected to preside over Town Meeting
- The Town Clerk: Officially records the votes taken at Town Meeting

Town Meeting Warrant

The Board of Selectmen post a Warrant before the Town Meeting. The Warrant lists the agenda for what topics will be discussed and voted on at the Town Meeting. Each item on the agenda is called an "Article". An Article may be specific or broad. The booklet distributed at the Town Meeting includes both the Warrant that was posted by the Board of Selectmen as well as the Motions

expected to be presented following the reading of each Article. Keep in mind that these may change.

Motions

While a Warrant Article generally describes what topics will be discussed, a Motion is a statement of a specific action that is proposed to be taken. For example, a Motion to appropriate (designate) funds would specify the dollar amount, the source of the funds, and what purpose the funds are for. The Motions that are expected to be presented are printed in this booklet, but the actual Motion that ends up being presented may differ. It's important to realize the difference between the Warrant Article and the Motion: the Warrant Article is the agenda item describing the subject matter to be voted on, and the Motion outlines the specific action to be voted on.

Amendments to Motions

A Motion may also be made to amend the original Motion, in which case that amendment will be discussed and voted on before the original Motion. If the amendment passes, then discussion will return to the original Motion as amended. If the amendment is defeated, then discussion will return to the original Motion.

Motions to Pass Over

A Motion to "Pass Over" is a proposal to take no action on the Warrant Article at the Town Meeting. The Town's practice has been to either make a "Motion to Pass Over" or a "Motion to Pass Over for more information". The Town of Webster's General Bylaw, 253-14, prohibits an Article that received a favorable vote on a "Motion to Pass Over" from being re-considered prior to the next Annual Town Meeting. If the Motion to Pass Over is approved, then no action will be taken and the Town Meeting will move on to the next Article. If the motion is defeated, then the Town Meeting would ask for a Motion to take action as it relates to the Article being discussed.

Discussion

After a Motion is presented, the topic of the Article is then open for discussion, questions, and debate by everyone participating in the Town Meeting. In order for this to take place, registered voters may line up behind microphones stationed in each aisle if they have questions or would like to make comments. When recognized by the Moderator, the individual clearly states their name and address so that others in attendance know who is speaking. All comments should focus on the specific topic of the Article being discussed and not address a particular person or group other than the Moderator. Pursuant to rules accepted by Town Meeting (Annual Town Meeting: October, 2015), speakers are limited to 7 individuals in favor of the Article and 7 individuals against the article. Each speaker's time limit is 2 minutes. The Sponsor of the

Article will be allowed 5 minutes to speak and their presentation does not count toward the 7 speaker limit. Town Meeting can extend a speaker's time for an additional 2 minutes by taking a 2/3 majority vote.

Ending the Discussion

If a voter has heard sufficient discussion and wants to end further debate, they can make a Motion to end the debate which is often referred to as "moving the question". A voter cannot both comment on an Article and then "move the question" during the same turn at the microphone: he/she can only do one or the other. A motion to "move the question" is not debatable and requires a 2/3 majority vote in order to pass. If the motion to "move the question" passes, then further debate on the Article ends and Town Meeting will vote on the Motion. If the Motion to "move the question" is defeated, then the debate of the Motion continues.

Reconsideration

If substantial new information becomes available that could alter the outcome of a vote after it has already been taken, a voter can make a "Motion to Reconsider" that earlier vote. The Moderator will not entertain a Motion to Reconsider on the basis of having different voters present in the room or because some voters are unhappy with the outcome of the original vote. If the Motion to Reconsider is accepted by the Moderator, it will be discussed by the Town Meeting. If the majority of the Town Meeting vote in favor of Reconsideration, then the original Motion that was previously voted upon will again be read to the voters. A Motion to Reconsider can only be made by an individual who earlier voted on the prevailing side. The Town of Webster General Bylaw 253-13 requires a 2/3 majority vote in order to Reconsider.

Voting

After a successful trial period, we will continue using the electronic voting system. Rather than a voice vote or raising hands, each voter will be assigned an electronic voting device when they register at the door. Voters simply need to press a designated button, as instructed by the Moderator, for their vote to be recorded. Not only will this system be more accurate, but it also allows each vote to remain confidential. Additionally, the use of the electronic voting system will eliminate the need for any ballot votes, thus potentially reducing the length of Town Meeting. The electronic voting system will be tested prior to the Town Meeting to ensure that all votes will be accurate.

ANNUAL TOWN MEETING

ARTICLE 1: To hear and act upon the report and recommendations of the Board of Selectmen and the Finance Committee; or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Recommended by the Finance Committee

Recommended Motion: I move that the Town vote to approve the article as read.

Background: Allows reports from the Board of Selectmen and Finance Committee to be heard.

ARTICLE 2: To see if the Town will vote to transfer from any available funds in the Treasury, a sum sufficient to the Town Administrator Unpaid Bills account for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Finance Committee Recommends Passing Over for More Information

Recommended Motion: I move that the Town vote to transfer the following funds to pay for prior fiscal year bills.

Amount	From Acct #	From Description	To Acct #	To Description
\$270.00	0142052-524003	Hwy Vehicle Maintenance	0112352-579000	TA PY Bills
\$530.28	0142052-527000	Hwy Leases	0112352-579000	TA PY Bills
\$1.99	0154352-570000	Vet other charges	0112352-579000	TA PY Bills
\$67.20	0154152-527000	Sr Ctr leases	0112352-579000	TA PY Bills
\$869.47	TOTAL			

Background: This allows the Town to pay any bills that remain from the prior fiscal years (previous to July 1, 2018) out of the General Fund. Below is a list of the prior fiscal year vendors and amounts owed.

Amount	Vendor	Reason
\$270.00	Place Motors	Vendor billed wrong account
\$530.28	Pitney Bowes	Vendor's billing system error
\$1.99	W.B. Mason	Billed after fiscal year close
\$67.20	Konica Minolta	Billed after fiscal year close
\$869.47	TOTAL	

ARTICLE 3: To see if the Town will vote to transfer from any available funds in the Treasury, a sum sufficient to the Sewer Unpaid Bills account for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Finance Committee Recommends Passing Over for More Information

Recommended Motion: I move that the Town vote to transfer the following funds to pay for prior fiscal year bills.

Amount	From Acct #	From Description	To Acct #	To Description
\$23.08	6046052-524003	Sewer Vehicle Maint	6046052-579000	Sewer PY Bills
\$48.15	6046052-570000	Sewer Other Charges	6046052-579000	Sewer PY Bills
\$71.23	TOTAL			

Background: This allows the Town to pay any bills that remain from the prior fiscal year (previous to July 1, 2018) out of the Sewer Enterprise Fund. Below is a list of the prior fiscal year vendors and amounts owed.

Amount	Vendor	Reason
\$23.08	Place Motors	Vendor billed wrong account
\$48.15	Shred-it	Billed after fiscal year close
\$71.23	TOTAL	

ARTICLE 4: To see if the Town will vote to transfer from any available funds in the Treasury, a sum sufficient to the Water Unpaid Bills account for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Finance Committee Recommends Passing Over for More Information

Recommended Motion: I move that the Town vote to transfer the following funds to pay for prior fiscal year bills.

Amount	From Acct #	From Description	To Acct #	To Description
\$135.00	6245052-524003	Water Vehicle Maint	6246052-579000	Water PY Bills
\$50.00	6245052-530021	Testing Services	6246052-579000	Water PY Bills
\$205.00	6245052-530021	Testing Services	6246052-579000	Water PY Bills
\$390.00	TOTAL			

Background: This allows the Town to pay any bills that remain from the prior fiscal year (previous to July 1, 2018) out of the Water Enterprise Fund. Below is a list of the prior fiscal year vendors and amounts owed.

Amount	Vendor	Reason
\$135.00	Place Motors	Vendor billed wrong account
\$50.00	Microbac	Billed after fiscal year close
\$205.00	Cyn Enviro. Svs.	
\$390.00	TOTAL	

ARTICLE 5: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, sums sufficient to adjust the FY19 Operating Budget; or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Finance Committee Recommends Passing Over for More Information

Recommended Motion: I move that the Town vote to pass over this article.

Background: This is a generic article to amend the budget if needed. It was inserted as a place holder. There is no anticipated need to amend the budget at this time.

ARTICLE 6: To see if the Town will vote to supplement each prior vote of the Town that authorizes the borrowing of money to pay costs of capital projects to provide that, in accordance with Chapter 44, Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of

issuance of such bond or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied; or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Finance Committee Recommends Passing Over

Recommended Motion: I move that the Town pass over this article.

Background: There is an article to allow the premium received from any past sale of bonds to be used to pay down the project cost for which the borrowing was authorized. Previously state law required this to be counted a general fund revenue. However, an identical article was passed in May 2018 so there is no need to take action on this article.

ARTICLE 7: To see if the Town will vote to accept the provisions of MGL, Chapter 32, section 20 (6) relative to Retirement Board members compensation; or take any action thereon.

Sponsored by the Town Accountant

Recommended by the Board of Selectmen

Finance Committee Refers to Sponsor

Suggested Motion: I move that the Town vote to accept the provisions of MGL, Chapter 32, section 20 (6) and allow the Retirement Board to increase their annual stipend from \$3,000 to the maximum of \$4,500.

Background: The Town previously accepted the provisions of MGL Chapter 32, section 20 (6); however, on February 16, 2012 this provision was re-written. By approving the motion, the Town accepts the current provisions of MGL Chapter 32, section 20 (6). If accepted, it would allow the Retirement Board to increase the Board Member stipend to \$4,500 and the ex officio Board Member shall receive an annual stipend of not more than \$4,500 in the aggregate for services rendered in the active administration of the Retirement System. The increase in the stipend amount would not come from the Town's General Fund; rather, it would be paid from the retirement system. However, it is likely that a portion of the increase in compensation will later be charged back to the Town through the pension assessment.

ARTICLE 8: To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, sums sufficient to the Highway Roof Improvements capital account (0142058-582500); or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Finance Committee Recommends Passing Over for More Information

Recommended Motion: I move that the Town vote transfer \$X from the Landfill Remediation account (0242018-580000-10017) to the Highway Roof Improvements capital account (0142058-582500).

Background: At the May Town Meeting, the Town approved \$150,000 for a new roof on the Highway Garage. This was based off of an estimate from a local roofing company. As our engineer was putting together the bid specs for the project, he strongly recommended that we take a different approach to the roof repairs. The original estimate was to install a rubber roof over the existing metal roof. The engineer believes that replacing the existing metal roof with a new metal roof will be a better long-term investment. The cost will be more than the original \$150,000 approved at the May Town Meeting. The metal roof replace project is currently out to bid and we will have a firm amount by the October Town Meeting.

The extra costs for this investment will come from the funds that were set aside to remediate the landfill. As a reminder, DEP originally thought that a portion of the refuse at the Town's closed landfill on Cudworth Road was not capped. However, samples were taken and it was determined that an appropriate cap is in place. Originally, \$200,000 was budgeted in case the uncapped refuse or excess compost had to be removed. The cost to remove the excess compost was \$49,895. The engineer's costs to provide samples and analysis will be approximately \$12,000, leaving approximately \$138,000 available.

ARTICLE 9: To see if the Town will vote to appropriate the following Cable Access Budget in accordance with General Laws Chapter 44, Section 53F¾; or take any action thereon.

Account	Description	Budget
3702-510000	Salaries	\$14,000
3702-570000	Other Charges	\$29,500

Sponsored by the Town Administrator
Recommended by the Board of Selectmen
Recommended by the Finance Committee

Recommended Motion: I move that the Town vote to approve the article as read.

Background: Last year we created a cable access special revenue fund. A budget for this has to be approved by Town Meeting. This is a simple budget that pays for wages of those who tape meetings and show them on cable access. The salaries include \$12,000 flat amount for the IT Director to record,

produce and display Board of Selectmen, Finance Committee and other various meetings.

Under other charges, the budget includes \$18,000 for Charter Communications payments; \$3,500 for the GIS database; and \$5,000 for improvements to the Board of Selectmen's meeting room for better TV productions including TVs or screens and associated equipment so the public in attendance and viewing via TV or the internet can view presentations that are given at the meeting. There is \$3,000 available for unexpected costs that may arise which could include recording and producing Bartlett High School athletic events to show on the PEG channels. Last year the revenue from Charter was \$124,695; as a reminder these funds have to be used to improve PEG television access or productions.

ARTICLE 10: To see if the Town will vote to authorize the Board of Selectmen to convey to public utilities such easements in Town property presently held in the care, custody and control of the Board of Selectmen for general municipal purposes, as in the Board's opinion are deemed necessary or appropriate in the best interest of the town, and upon such terms as the Board deems appropriate, and to sign any deeds or other instruments required to make such conveyances; or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Recommended by the Finance Committee

Recommended Motion: I move that the Town vote to approve the article as read.

Background: This article will allow the Board of Selectmen to approve municipal purpose utility easements on town-owned property without waiting for a Town Meeting. This doesn't happen often, but it could delay a project if it was required to wait six months for a Town Meeting.

ARTICLE 11: To see if the Town will vote to amend the Town of Webster General By-laws to amend Part II, Regulatory By-laws, by adding a new Chapter, Chapter 445 – Marijuana, which would prohibit Marijuana Retailers, as defined the Massachusetts General Laws, Chapter 94G, § 1, in the Town of Webster, or take any other action relative thereto, as follows:

Chapter 445 – Marijuana

§ 445 -1. Recreational Marijuana Retailers Prohibited.

Consistent with G.L. c. 94G, § 3(a)(2), "marijuana retailers" as defined in G.L. c. 94G, § 1 shall be prohibited within the Town of Webster.

This section shall be effective only upon passage by the voters at the Town Election on May 6, 2019.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Not Recommended by the Finance Committee

Recommended Motion: I move that the Town vote to approve the article as read.

Background: This would adopt a General by-law to prohibit retail marijuana dispensaries. If Town Meeting does not vote to prohibit retail marijuana dispensaries, we'll have to have another Special Town Meeting prior to the expiration of our moratorium to adopt by-laws to regulate retail dispensaries. To prohibit dispensaries will require a follow-up ballot vote our May 2019 election.

There are arguments for and against allowing recreational marijuana retail sales in Town. The most prevalent argument for allowing recreational marijuana retails sales is the ability for the Town to tax the sale of the marijuana. According to information from Curaleaf, the cultivator in town, if allowed, the Town could potentially see revenue of up to \$300,000 in marijuana sales taxes the first year with revenues decreasing as more and more recreational retail facilities are opened.

The arguments for prohibiting recreational retail facilities include concerns about safety, increased access to vulnerable populations (including children) an the potential degradation of the commercial areas the retail dispensaries are located in.

ARTICLE 12: To see if the Town will vote to amend the Town of Webster General By-laws to amend Part II, Regulatory By-laws, by adding a new Chapter, Chapter 445 – Marijuana, which require the licensure of all other Marijuana Establishments, namely Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, Marijuana Product Manufacturers, and Marijuana Testing Facilities, or take any other action relative thereto, as follows:

Chapter 445 – Marijuana

§ 445-2. Marijuana License Required.

A. No person shall operate as a Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, Marijuana Product Manufacturers, Marijuana Testing Facilities, or other type of Marijuana Establishment as defined by

Massachusetts General Laws Chapter 94G within the Town unless first duly licensed thereof by the Board of Selectmen annually.

§ 445-3. Regulations.

A. The Board may adopt reasonable rules and regulations related to the issuance of such licenses, including the fees to be paid therefore and the conditions to be satisfied by any applicant for such a license.

§ 445-4. Applications.

A. Applicants for a license annually shall file an application on a form by the Board of Selectmen, signed under the penalties of perjury by the applicant, containing such information as the Board of Selectmen may reasonably require from time to time. Each applicant annually shall pay an application fee as may be reasonably determined from time to time by the Board of Selectmen.

§ 445-5. Hearing.

A. The Board of Selectmen must act upon the application at one of their next three regularly scheduled meetings with due written notice provided to the applicant of the time, date and location where such appeal will be heard.

§ 445-6. Decision.

A. The Board of Selectmen may approve, deny or approve the application with conditions. Such decision shall be based on the evidence taken at the public hearing, consistent with the protection of the health, safety and welfare of the public, and consistent with the regulations promulgated by such board.

§ 445-7. Orders and Fines for Licensed Premises.

A. The Board of Selectmen may issue orders as appropriate to aid in the enforcement of this regulation and may enforce these provisions in equity, including the request for injunctive relief, in a court of competent jurisdiction. Any failure to comply with any Order issued hereunder shall result in the issuance of a formal warning. Any failure to comply with such a warning shall result in a fine of \$100.00. Any failure to comply after the issuance of said initial fine may be punishable by a subsequent fine of \$300.00. Each day of a continued non-compliance shall constitute a separate violation. Further, the Board of Selectmen may hold a hearing, with notice to the licensee, to determine if such license should be modified, suspended or revoked.

§ 445-8. Enforcement.

A. This By-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to Massachusetts General Laws Chapter 40, section 21, as amended, or by noncriminal disposition pursuant to Massachusetts General Laws Chapter

40, section 21D, as amended, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer.

§ 445-9. Authority.

A. Home Rule Amendment [art. 89 of the Amendments to the Massachusetts Constitution]; Massachusetts General Laws, Chapter 94G, § 3, 935 CMR 500.000.

and further to amend the Table of Contents to add Chapter 445.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Recommended by the Finance Committee

Recommended Motion: I move that the Town vote to approve the article as read.

Background: Requires marijuana users other than recreational retail sales to apply for a license with the Board of Selectmen.

ARTICLE 13: To see if the Town will vote to amend the Zoning By-law by replacing Chapter §650:92 - Temporary Moratorium on Recreational Marijuana Establishments to extend the same for Marijuana Retailers only, or take any other action relative thereto, as follows:

SECTION VIII. TEMPORARY MORATORIUM ON MARIJUANA RETAILERS

VIII-A. PURPOSE

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law entitled the Regulation and Taxation of Marijuana Act, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed, as amended by Chapter 351 of the Acts of 2016 and Chapter 55 of the Acts of 2017, codified in G.L. c. 94G (the "Act"), regulating the control, production and distribution of marijuana under a system of licenses and regulations. The Town has proposed general and zoning by-law amendments to prohibit Marijuana Retailers in the Town of Webster. These by-laws, and a companion by-law allowing other types of Marijuana Establishments, including Cultivators, Product Manufacturers, and Testing Facilities, is being presented to Town Meeting concurrently with this moratorium. The prohibitive by-laws require a ballot measure to be valid. Consequently, the Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Marijuana Retailers to permit the Town to ratify its prohibitive by-law through a local ballot measure as required by Chapter 94G.

VIII-B. DEFINITIONS

1. All terms herein shall have the meanings set forth in the Act.

VIII-C. TEMPORARY MORATORIUM

For the reasons set forth above, and notwithstanding any other provision of the Zoning By-law to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Marijuana Retailers as defined by the Act, which shall not include Medical Marijuana Treatment Centers, Marijuana Cultivators, Marijuana Product Manufacturers, or Marijuana Testing Facilities. No building permit, special permit, variance, site plan or other permit may be issued under this zoning by-law for the purpose of establishing Marijuana Retailers. The moratorium shall remain in effect through June 15, 2019. During the moratorium period, the Town shall prepare a ballot question for approval of the voters at the Annual Town Election on May 6, 2019.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Recommended by the Finance Committee

Recommended Motion: I move that the Town vote to approve the article as read.

Background: This article will allow the Town to extend the moratorium until June, 2019, so a ballot election can be held at our regular local election in May to determine whether or not recreational marijuana retail sales are allowed.

ARTICLE 14: To see if the Town will vote to amend the Town of Webster Zoning By-laws by amending Chapter 650, Attachment 1, Table of Use Regulations, which would prohibit recreational Marijuana Retailers as defined in G.L. c. 94G § 1 in the Town of Webster, and to amend the definitions section or take any other action relative thereto, as follows:

Principal Use	District											
	1	2	3	4	5	5A	6	7	8	9	10	11
	SFR	ASFR	MFR	B-4	B-5	B-5A	IND	LR	FP	CD	WP	ROD
Marijuana Retailer	N	N	N	N	N	N	N	N	N	N	N	N

This section shall be effective only upon passage by the voters at the Town Election on May 6, 2019.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Not Recommended by the Finance Committee

Recommended Motion: I move that the Town vote to approve the article as read.

Background: This will create a Zoning by-law which will prohibit marijuana dispensaries to go along with the general by-law.

ARTICLE 15: To see if the Town will vote to amend the Town of Webster Zoning By-laws by amending Chapter 650, Attachment 1, Table of Use Regulations, which would allow Marijuana Establishments, excluding Marijuana Retailers, as defined in G.L. c. 94G § 1 in the Town of Webster by special permit or take any other action relative thereto, as follows:

Principal Use	District											
	1	2	3	4	5	5A	6	7	8	9	10	11
	SFR	ASFR	MFR	B-4	B-5	B-5A	IND	LR	FP	CD	WP	ROD
Marijuana Cultivators***	N	N	N	N	N	N	SP	N	*	N	*	*
Craft Marijuana Cooperative	N	N	N	N	N	N	SP	N	*	N	*	*
Marijuana Product Manufacturer***	N	N	N	N	N	N	SP	N	*	N	*	*
Marijuana Independent Testing Laboratory***	N	N	N	N	N	N	SP	N	*	N	*	*
Marijuana Establishments as an Accessory Use***	N	N	N	N	N	N	N	N	N	N	N	N

Sponsored by the Town Administrator
Recommended by the Board of Selectmen
Finance Committee Recommends Passing Over for More Information

Recommended Motion: I move that the Town vote to approve the article as read.

Background: This amended Zoning by-law will allow other marijuana uses in industrial zones with a special permit.

ARTICLE 16: To see if the Town will vote to amend the Town of Webster Zoning By-laws by amending the footnotes in Chapter 650, Attachment 1, Table of Use Regulations, to define marijuana related terms or take any other action relative thereto, as follows:

*** = Term(s) shall have the definitions established by M.G.L. c. 94G, § 1.

**Sponsored by the Town Administrator
Recommended by the Board of Selectmen
Not Recommended by the Finance Committee**

Recommended Motion: I move that the Town vote to approve the article as read.

Background: This article will amend the Town's Zoning by-laws to exclusively use the marijuana-related definitions and terms provided in state statutes in our by-laws.

ARTICLE 17: To see if the Town will vote to amend the Town of Webster Zoning By-laws by amending Chapter §650-20B., by adding new subsections to permit Marijuana Cultivators, Product Manufacturers, Testing Laboratories and Craft Marijuana Cooperatives, except Marijuana Retailers, by special permit in the industrial zone, and to impose additional special conditions to said Marijuana Establishments in Sections E. and F. or take any other action relative thereto, as follows:

- (3) Marijuana Cultivator
- (4) Craft Cultivator Cooperative
- (5) Marijuana Product Manufacturer
- (6) Marijuana Independent Testing Laboratory

E. All Marijuana Establishments shall be equipped with a heating, ventilation, air conditioning, filtration system or other accepted system which is designed to minimize attendant odors and noise escaping the structure which are associated with said use. It is the Applicant's burden to establish that such system is sufficient to mitigate odor and noise impacts to the surrounding neighborhood so that such impacts do not constitute a health hazard or nuisance, as may be reasonably determined by the Planning Board.

F. All Marijuana Establishments shall operate within a fully enclosed building that is monitored by surveillance cameras, alarm systems, and all other security measures in accordance with CCC Regulations deemed appropriate to ensure community safety and deter unauthorized access to the premises.

**Sponsored by the Town Administrator
Recommended by the Board of Selectmen
Recommended by the Finance Committee**

Recommended Motion: I move that the Town vote to approve the article as read.

Background: This article will update the special permit section of the Town's Zoning by-laws to address marijuana uses outside of dispensaries.

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, or otherwise, two certain parcels of land, located at 46 Main Street and 38 Main Street, being shown on Assessor's Map 1, Block X, Parcels 10 and 9, and described in a deed recorded with the Worcester Registry of Deeds in Book 53968, Page 77 (46 Main Street) and in a deed recorded with said Registry in Book 9043, Page 11 (38 Main Street); or take any action thereon.

Sponsored by the Town Administrator

Recommended by the Board of Selectmen

Finance Committee Recommends Passing Over for More Information

Recommended Motion: I move that the Town vote to pass over this article.

Background: This article would allow the Board of Selectmen to purchase 46 and 38 Main Street, the properties destroyed by the tornado. The original intent of this article was to purchase the properties for a nominal amount if state funding for the debris cleanup was received. However, that funding is unlikely and it is recommended that we pass over this article. If funding had been received, the Town would take ownership of the properties and then use the state funding to remove the debris. The cleanup costs are estimated to be more than the value of the land. This would have helped the owners while greatly enhancing the Town's ability to redevelop these properties.

ARTICLE 19: To see if the Town will vote to amend the Town of Webster Zoning Map referenced in Section 650-13 of the code of the Town of Webster to re-zone two parcels of land totaling 54,249 square feet (1.25 acres) from the current zoning of Multi-Family Residential (MR) to a zone of Business with Sewer (B-4) District as said Real Estate in the Town of Webster located on Thompson Road in the County of Worcester Massachusetts as shown on the map entitled "Proposed 100 & 104 Thompson Road Zoning Map Amendment" dated August 20, 2018, and as shown on the Plan entitled "Plan of Land 104 Thompson Rd, Webster, MA" dated August 1, 2018, prepared by HS&T Group, Inc., 75 Hammond Street — 2nd Floor, Worcester, Massachusetts, 01610, and on file with the Board of Selectmen; or take any action thereon.

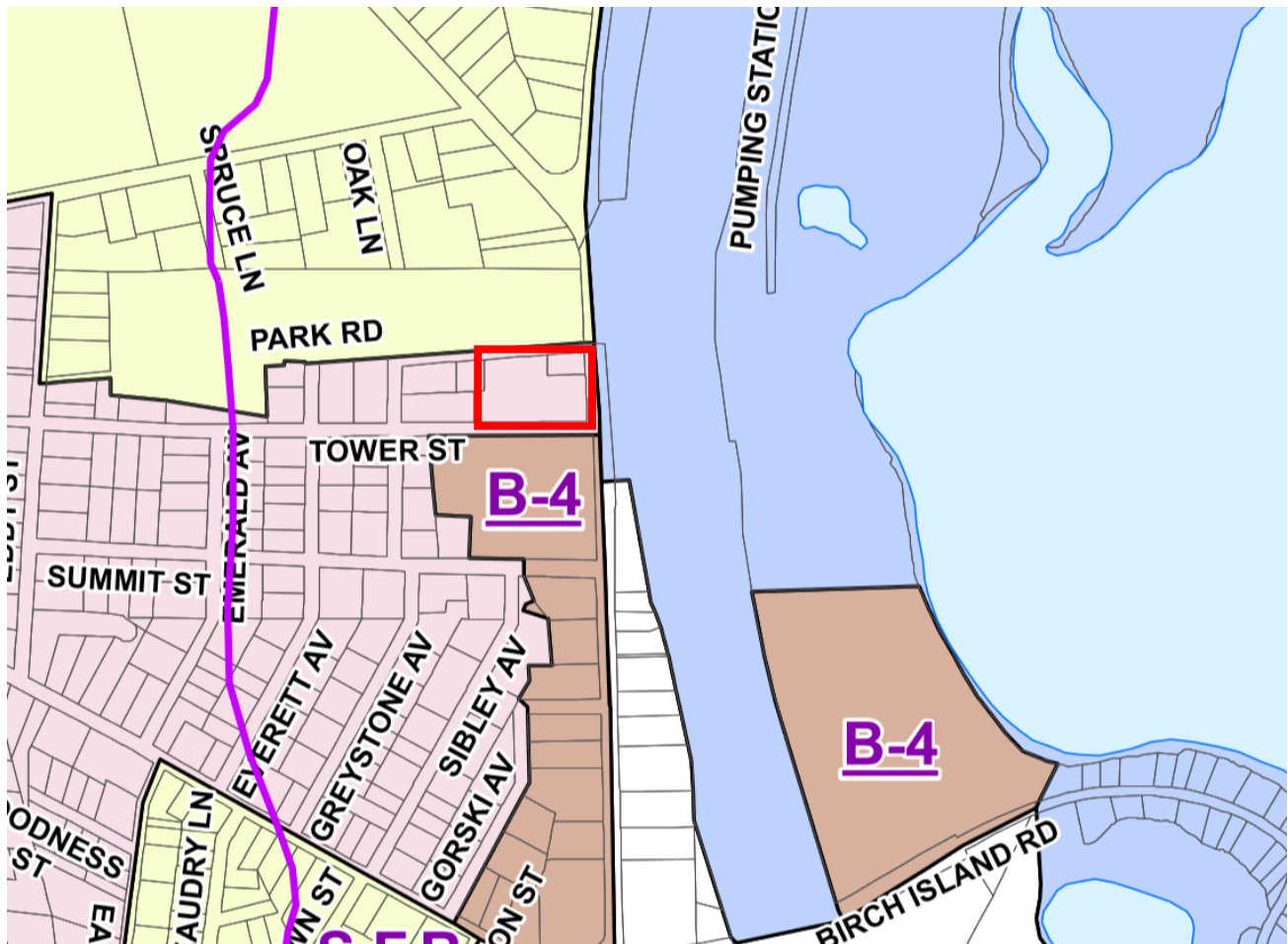
Sponsored by the Planning Board

Recommended by the Board of Selectmen

Recommended by the Finance Committee

Recommended Motion: I move that the Town vote to approve the article as read.

Background: This article would allow the rezoning of two lots next to the new Fallon Adult Day Care facility on Thompson Road from residential to business. See map below.



ARTICLE 20: To see if the Town will vote to amend the Town of Webster Solar Use Facilities By-laws, Chapter 650 by amending section 91(c)(3), or take any other action relative thereto, as follows:

Current text: Large-scale solar photovoltaic installations shall be allowed in all zones by special permit by the Planning Board, acting in their capacity as the Special Permit Granting Authority. The Planning Board shall review the special permit application for conformance with the Special Permit Criteria under these bylaws as well as Massachusetts General Law.

Proposed text: Large-scale solar photovoltaic installations shall be allowed in all zones by special permit by the Planning Board, acting in their capacity as the Special Permit Granting Authority, in zones designated as District 4-General Business (within Sewer), District 5-General Business (Without Sewer), District 5A-Gore Business District, or District 6-Industrial. Large-scale solar photovoltaic installations shall not be an allowed use in zones designated as District 1-Single-Family Residential, District 2-Agricultural-Single Family Residential, District 3-Multiple-Family Residential, District 7-Lake Residential, or District 9-Conservation. The Planning Board shall review the special permit application for conformance with the Special Permit Criteria under these by-laws as well as Massachusetts General Law.

Citizen's Petition

Recommended Motion: Refer to sponsor.

Background: The proposed by-law amendment would only allow large-scale solar photovoltaic installations in business and industrial districts. For your reference, [here](#) is the Town's zoning map.

ARTICLE 21: To see if the Town will vote to have the Board of Selectmen petition the State Legislature for a special act, or take any other action relative thereto, as follows:

"An Act Authorizing the town of Webster to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises.

Section 1. Notwithstanding section 17 of chapter 138 of the general laws or any other general or special law to the contrary, the licensing authority of the town of Webster may grant a license for the sale of all alcoholic beverages to be drunk on the premises under section 12 of said chapter 138 to Waterfront Mary's LLC, at 103 Birch Island Road in Webster, Massachusetts. The license shall be subject to all of said chapter 138, except said section 17. The licensing authority shall not approve the transfer of the license to any other person, organization or location but it may grant the license to a new applicant at the same location if the applicant files a letter from the department of revenue indicating that the license is in good standing with the department and all applicable taxes have been paid. Upon the issuance of the license authorized in this act, Waterfront Mary's, LLC, shall return to the licensing authority the license it currently holds for the sale of wines and malt beverages to be drunk on the premises.

If the license granted under this act is cancelled, revoked or no longer in use it shall be returned physically with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority and the licensing

authority may then grant the license to a new applicant at the same location under the same terms and conditions as specified in this act.

Citizen's Petition

Recommended Motion: Refer to sponsor.

Background: Citizen's petition for Waterfront Mary's to have a year round liquor license. Currently, their license is only seasonal.