

**FOXBOROUGH  
ADVISORY COMMITTEE  
ANNUAL TOWN MEETING**

**MAY 12, 2014**

**Advisory Committee  
Membership List**

**Fiscal Year 2014-2015**

<b><u>Member</u></b>	<b><u>Term Expires</u></b>
<b>Paul C. DeFazio (Chairman)</b>	<b>June 2014</b>
<b>Kevin Powers</b>	<b>June 2014</b>
<b>Jeffrey Anderson</b>	<b>June 2014</b>
<b>Tracey Vasile (Vice Chairman)</b>	<b>June 2015</b>
<b>Larry Stern</b>	<b>June 2015</b>
<b>Thom Freeman Jr.</b>	<b>June 2015</b>
<b>Larry Thomas</b>	<b>June 2016</b>
<b>Heidi Krockta</b>	<b>June 2016</b>
<b>Susan Dring</b>	<b>June 2016</b>
<b>Christopher Calnan</b>	<b>June 2016</b>
<b>Patrick Mosesso</b>	<b>June 2016</b>
<b>John Chlebek</b>	<b>June 2016</b>

**TOWN OF FOXBOROUGH  
ADVISORY COMMITTEE (2013-2014)  
COMMITTEE APPOINTMENTS & LIASIONS ASSIGNMENTS**

<b>Committee</b>	<b>ADCOM Liaisons (Lead bolded)</b>
<b>Audit Committee</b>	<b>Thomas</b> , DeFazio, Chlebek
<b>Capital Improvement Planning Committee</b>	<b>DeFazio</b> , Freeman, Chlebek
<b>Personnel Wage Board</b>	<b>Freeman</b> , Anderson, Dring
<b>Selectman, Administration</b>	<b>Thomas</b> , DeFazio, Krockta
<b>Finance, Legal</b>	<b>Vasile</b> , Anderson, Chlebek
<b>Town Debt Service, Insurance</b>	<b>Anderson</b> , Powers, Chlebek
<b>Conservation, Planning Board</b>	<b>Vasile</b> , Dring, Calnan
<b>Education</b>	<b>Thomas</b> , Stern, Krockta
<b>Police, Central Dispatch &amp; Animal Control</b>	<b>Stern</b> , Freeman, Mosesso
<b>Fire</b>	<b>Stern</b> , Freeman, Calnan
<b>Highway, Tree &amp; Park</b>	<b>Anderson</b> , Freeman, Calnan, Krockta
<b>Board of Health, Veterans, COA</b>	<b>Freeman</b> , Thomas, Dring, Chlebek
<b>Permanent Building Committee</b>	<b>Stern</b> , Anderson, Mosesso, Chlebek
<b>Library, Recreation, Historical Commission</b>	<b>Powers</b> , Dring, Calnan
<b>Water and Sewer</b>	<b>DeFazio</b> , Vasile, Calnan, Krockta
<b>Zoning</b>	<b>DeFazio</b> , Thomas, Mosesso

**ADVISORY COMMITTEE  
SUMMARY OF TOWN WARRANT RECOMMENDATIONS  
ANNUAL TOWN MEETING**

**MAY 12, 2014**

<b><u>Article</u></b>	<b><u>Topic</u></b>	<b><u>Recommendation</u></b>
Article #1	Annual Town Elections	Approval
Article #2	Annual Town Reports	Approval
Article #3	Reports of Committees	Approval
Article #4	Operating Budget	Approval
Article #5	CIP Budget	Approval
Article #6	Personnel By-Law	Approval
Article #7	Fire Contract	Approval
Article #8	Dispatcher Contract	No Action
Article #9	Highway Contract	Approval
Article #10	Boyden Library Employees Contract	Approval
Article #11	Middles Managers, Department Heads & Clerical Employees Contract	No Action
Article #12	FY '14 Budget Adjustments	Approval
Article #13	Unpaid Bills from Prior Year	Approval
Article #14	Department Revolving Funds Authorization	Approval
Article #15	Fund Qualified OPEB Trust	Approval
Article #16	Expend Highway Funds	Approval
Article #17	Personnel By-Law Recommended Changes	Approval

<b>Article #18</b>	<b>Amend Senior Tax Program By-Law</b>	<b>Approval</b>
<b>Article #19</b>	<b>Special Legislation – State Hospital Property</b>	<b>Approval</b>
<b>Article #20</b>	<b>Easement (Mass General Electric)</b>	<b>Approval</b>
<b>Article #21</b>	<b>Solar</b>	<b>Approval</b>
<b>Article #22</b>	<b>Child Safety Committee</b>	<b>Approval</b>
<b>Article #23</b>	<b>Accept M.G.L. Chapter 40, Section 22G</b>	<b>Approval</b>
<b>Article #24</b>	<b>Accept M.G.L. Chapter 41, Section 81U</b>	<b>Approval</b>
<b>Article #25</b>	<b>Amend General By-Laws (Stadium Regulations)</b>	<b>Approval</b>
<b>Article #26</b>	<b>Amend General By-Laws (Scenic Roads)</b>	<b>Disapproval</b>
<b>Article #27</b>	<b>Amend General By-Laws (Complete Streets)</b>	<b>No Action</b>
<b>Article #28</b>	<b>Adoption of General By-Laws (Codification)</b>	<b>Approval</b>
<b>Article #29</b>	<b>Adoption of Zoning By-Laws (Codification)</b>	<b>Approval</b>
<b>Article #30</b>	<b>Amend Zoning By-Laws (Marijuana Dispensary)</b>	<b>Approval</b>
<b>Article #31</b>	<b>Amend Zoning By-Laws (Max Lot Coverage)</b>	<b>Disapproval</b>
<b>Article #32</b>	<b>Amend Zoning By-Laws (Drive-Through Facility)</b>	<b>Disapproval</b>
<b>Article #33</b>	<b>Amend Zoning By-Laws (Brew Pub)</b>	<b>Approval</b>
<b>Article #34</b>	<b>Amend Zoning By-Laws (Nonconforming Single &amp; Two-Family Residential Structures)</b>	<b>Approval</b>

**ADVISORY COMMITTEE  
TOWN WARRANT RECOMMENDATIONS  
ANNUAL TOWN MEETING**

**MAY 12, 2014**

**ARTICLE 4: Operating Budget**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

Please refer to the warrant.

**The Advisory Committee voted for Approval of article #4: Vote 8-2-0**

**ARTICLE 5: Capital Improvement Planning**

**(CIP Committee)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The Advisory Committee recommends approval of the Capital Improvement Planning Budget; this was developed by the CIP Committee and approved by the Board of Selectmen. The CIP Committee is responsible for reviewing spending for major non-recurring tangible assets and for vehicles and equipment. The total cost for the FY'15 CIP is \$ 5,585,973. Please refer to Appendix A in the Warrant for individual department expenditures, description of asset, cost and funding sources.

**The Advisory Committee voted for Approval of article #5: Vote 8-2-0**

**ARTICLE 6: Personnel By-Law (Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The Advisory Committee recommends the approval of Article #6, to raise and appropriate a sum of money to supplement the wage and salary amounts voted for under Article #4 of this same FY 2015 Warrant, in accordance with the terms and conditions put forth in the "Revised Consolidated Personnel By-Law 2015" document on file with the Town Clerk. Furthermore, to take action to meet said appropriation by taxation, the transfer from available funds, or to take other actions related to this Article's disposition forthwith.

**The Advisory Committee voted for Approval of article #6: Vote 10-0-1**

**ARTICLE 7: Fire Contract**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to see if the Town will vote to support by funding, an incremental cost of \$40,039 and \$72,191 for FY2014 and 2015 respectively for a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and Foxborough Permanent Firefighters Association, Local 2252, in accordance with Chapter 150E of the General Laws of the Commonwealth; or take any other action related thereto.

Pertinent details of the contract are:

- 1) A 2% COLA retroactive July 1<sup>st</sup> 2013
- 2) Increases in yearly FY2015 educational and certification stipends paid to EMT's of \$750 to \$4,500. Increases in yearly educational and certification stipends paid to Paramedics of \$2,950 to \$7,000
- 3) Change to implement bi-weekly payroll system

The contract as presented appears to be favorable to both sides. The 2% COLA adjustment is in line with what the non-union town employees got for the same time period. The stipend increase was agreed to as a trade-off to eliminate overtime usage to cover training and certification hours in the future starting in FY2015. Moving to a bi weekly payroll will allow the town to realize efficiencies in payroll management.

**The Advisory Committee voted for approval of article #7: Vote 10-0-0**

**ARTICLE 8: Dispatcher Contract**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS NO ACTION

There was no contract available at the time of creation of this document.

**The Advisory Committee voted for No Action of article #8: Vote 10-0-0**

**ARTICLE 9: Highway Contract**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to see if the Town will vote to fund the Fiscal Year 2014 collective bargaining contract between the Town of Foxborough and the Foxborough Highway and Water Employees Union in accordance with Chapter 150E of the General Laws of the Commonwealth. This is a one year agreement between the parties. The material changes over the current expiring agreement includes: (1) raise of 2% retroactive to July 1, 2013, (2) \$50 increase on longevity categories retroactive to July 1, 2013, (3) mechanic tools stipend increased by \$50, (4) weekend on-call duty increased from \$200 to \$250 (only for Highway plowing support) and straight time pay from 15 hours to 17 hours (only for Water/Sewer support), and designating the day after Thanksgiving as an official holiday (which was already taken off). According to Town's Finance Director, these changes (if funded) are forecasted to increase the Town's FY14 budget by a total of \$33,052, comprised of \$25,921 for the raise, \$850 for longevity, \$150 for tools, \$3,000 for on-call Highway, \$2,658 for on-call Water/Sewer support, and \$473 for the Town's increased share of the Medicare tax based on above wage increases.

The Advisory Committee has discussed this matter with all of the relevant parties and concluded that the Town should support this article. The main reasons for the Committee's support are: (a) the 2% raise is in line with the other departments, (b) given the Town's recent experience with various natural emergencies (i.e., hurricanes, snow, power outages and the like), there is a proven need for greater on-call coverage, and (c) the term of the agreement is 1 year.

**The Advisory Committee voted for Approval of article #9: Vote 8-0-2**



**ARTICLE 10: Boyden Library Employees Contract**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

If passed, this article will appropriate funding for the Fiscal Year 2014 and Fiscal Year 2015 Boyden Library Employees Contract. The most significant fiscal changes in this contract include:

- Longevity pay increases by \$50 at each incremental step
- The Town gains the right to change health insurance under Massachusetts General Laws Chapter 32B
- Sick Leave Bank is established
- Wages are increased by 2% for Fiscal Year 2014 and by 2% for Fiscal Year 2015
- Provisions covering Sunday hours are added
- Other changes are noted in the March 8, 2014 Memorandum of Agreement between the Town Of Foxborough and the unions representing Boyden Library employees.

The incremental compensation percentage increases in this contract are consistent with the incremental compensation increases in other Town-Union contracts, including DPW and schools. Of the three prior Library contracts, two provided lower compensation increases, while one provided lower compensation increases during the worst years of the economic recession. In addition, the Library union agreed to bi-weekly pay as part of the terms.

**The Advisory Committee voted for Approval of article #10: Vote 12-0-0**

**ARTICLE 11: Middle Managers, Department Heads, & Clerical Employees Contract**

THE ADVISORY COMMITTEE RECOMMENDS NO ACTION

**(Board of Selectmen)**

There was no contract available at the time of creation of this document.

**The Advisory Committee voted for No Action of article #11: Vote 10-0-0**

**ARTICLE 12: FY 2014 Budget Adjustments**

**(Town Manager)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

Each year the inspections budget is level funded yet due to many larger projects currently underway in town (Schneider Electric, MEDITECH, and the stadium expansion) this projected amount will be exceeded. The access of \$80,000 will be covered through surplus amounts in the Unemployment Expense and Workers Compensation Budgets.

The Town's Plumbing, Gas, and Electrical Inspectors are paid 65% of permit fees collected. The increase in fees collected will increase revenue back to the Town.

**The Advisory Committee voted for Approval of article #12: Vote 12-0-0**

**ARTICLE 13: Unpaid Bills from Prior Year**

**(Town Manager)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to see if the Town will vote to pay for a bill from the previous fiscal year. It has been confirmed that the services being billed for were actually performed. The reason for the request is that municipal finance laws do not allow for the current fiscal year budget to pay bills from a prior fiscal year. Non approval of this article would open the town up to law suits and other collection activity.

**The Advisory Committee voted for Approval of article #13: Vote 12-0-0**

**ARTICLE 14: Department Revolving Funds Authorization**

**(Town Manager)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

As required by State Law, an annual vote at Town Meeting is required to authorize the Spending Authority, Revenue Sources, Use of Funds, and Spending Limits for established revolving funds. The Spending Limits as listed are in line with projected balances of said accounts for FY2015.

**The Advisory Committee voted for Approval of article #14: Vote 10-0-1**

**ARTICLE 15: Fund Qualified OPEB Trust**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The funding of our Qualified OPEB (Other Post-Employment Benefits) Trust fund is now a perennial warrant article at Annual Town Meeting. Beginning at the ATM in May of 2010, the town complied with the GASB (Governmental Accounting Standard Board) requirement that the unfunded liability for healthcare and other post-employment benefits, which had been extended to employees of the Town of Foxborough, must be recorded in its financial statements. In order to prevent the cost of these promised benefits from growing larger and larger as a percentage of the town's annual budget, the OPEB Trust fund was established. As this fund grows, it will serve to defray the growing burden of post-employment benefits in future years.

**The Advisory Committee voted for Approval of article #15: Vote 12-0-0**

**ARTICLE 16: Expend Highway Funds**

**(Town Manager)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to see if the Town will authorize the Town Manager to expend any funds received from the State and/or County for construction, reconstruction, or any other highway improvements or related activities. A vote at Town Meeting to approve this Article authorizes the Town Manager to accept and spend funds provided by the State and/or County for highway expenditures. This vote is to ensure that the Town accepts the respective State/County funds for such expenditures and that the Town Manager spends these funds accordingly.

**The Advisory Committee voted for Approval of article #16: Vote 11-0-0**

**ARTICLE 17: Personnel By-Law Recommended Changes**

**(Town Manager)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The Advisory Committee has voted its approval of the revisions to the Personnel By-Laws as accepted and as listed in the FY 2015 Warrant. These adjustments are necessary to bring the By-Laws into compliance with revised State and Federal statutes. The subset provisions declare:

- (1) The change in the designation of ‘Town Administrator’ to Town Manager or Town Manager’s Designee.
- (4) A re-codification to the regulations regarding COBRA coverage afforded to town employees.

**The Advisory Committee voted for Approval of article #17: Vote 11-0-0**

**ARTICLE 18: Amend Senior Tax Program By-Law**

**(Board of Assessors)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The Advisory Committee has voted to approve and accept the revisions to the Senior Tax Program By-Law. This is a Program that has already been accepted and implemented successfully. The effect of these revisions will bring the Program into compliance with Federal and State taxation reporting requirements. This new language will further define compliance, participation eligibility and execution for applicants and the Town of Foxborough. It will allow the Town to continue to employ seniors and benefit from the experience and knowledge they provide.

**The Advisory Committee voted for Approval of article #18: Vote 10-0-1**

**ARTICLE 19: Special Legislation-State Hospital Property**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

If passed, this article will authorize the Selectmen to seek special legislation from the Massachusetts Legislature to remove the “recreation use only” restriction on the former State Hospital theater building and several nearby buildings. These buildings have deteriorated over the years that the Town has owned them, and costs to demolish or renovate them (including potential remediation of asbestos and other interior conditions) could range from tens of thousands of dollars to millions of dollars, depending on the use that the Town wanted to put these buildings to. Retaining these buildings also risks subjecting the Town to liability for attractive nuisance actions in the event that people are injured on the premises.

The Advisory Committee views this to be a source of revenue, both from the initial sale and recurrent property taxes once these buildings are sold to private ownership.

**The Advisory Committee voted for Approval of article #19: Vote 9-1-1**

**ARTICLE20: Easement**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to authorize the Board of Selectman to Grant Massachusetts Electric Company certain rights and easements for a consideration of \$30,000.00. Recent maintenance from previous storms uncovered weaknesses in the Union Loop, which is an integral part of electrical service to this region. The easements are necessary to perform the construction, maintenance and operation of electric transmission lines over, across and upon certain parcels of land owned by the Town of Foxborough. This will result in a stronger more reliable electrical grid to service this region including the town of Foxborough.

**The Advisory Committee voted for Approval of article #20: Vote 12-0-0**

**ARTICLE 21: Solar**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

This article has been on the town warrant and been approved in the past, yet the bid and contract process had never been executed to fruition. The article is appearing once again requesting approval to enter into a 20 year contract with a solar firm to erect and manage a solar farm on two pieces of land including the former landfill on East Belcher Road and Elm Street across from the DPW garage.

The owner of the photo voltaic solar energy system who wins the bid will design, develop, install, operate, and maintain said system. No monies will be paid to the town yet electric credits will be issued back toward municipal electric bills. Typically this hovers in the one million dollar range per year for all municipal buildings in Foxboro. Additional savings will be realized as the contract winner will take over all maintenance duties and fees associated with the landfill site which was in the \$70,000 range last year. Town leaders have been in contact with other surrounding towns which have entered into similar contracts for solar farms and are hopeful to begin this year.

**The Advisory Committee voted for Approval of article #21: Vote 9-1-2**

**ARTICLE 22:Child Safety Committee**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

Last November, the Board of Selectmen formed the Child Safety Committee to combat child abuse. In a short period of time the group has accomplished a great deal. Recently, working with the Foxboro Police they have organized two sessions of *Darkness to Light* training to Foxboro sports coaches and officials as well as other interested individuals. About 90 men and women took part in the training.

In order to ensure that the work of this group continues uninterrupted into the future this warrant article was prepared to ask the town to transform the committee from one sponsored by the Board of Selectmen to a town sponsored committee. This new committee would consist of 7 volunteers appointed by the Board of Selectmen. Each member would serve a three year term. The committee will have one member from each of the following groups: Foxboro Public Schools, Foxboro Board of Recreation, Foxboro Public Safety, Foxboro Religious Institutions, Foxboro Council on Aging & Human Services, Relative Private Education or Social Institution and one member at large.

**The Advisory Committee voted for Approval of article #22: Vote 8-0-3**

**ARTICLE 23:Accept M.G.L. Chapter 40, Section 22G**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to see if the Town will vote to accept M.G.L. Chapter 40, Section 22G. If adopted, this Section would require the Town to deposit all fines for handicap parking violations into an account managed by the Foxborough Commission on Disability (“FCoD”). These funds would be used for the benefit of persons with disabilities upon the recommendation of the FCoD; however, any disbursement shall be in accordance with the accepted procedures of the town of Foxborough, including the approval of the town manager or the Board of Selectmen.

The Advisory Committee has had an opportunity to review and discuss the article. Two years ago, the Town voted to adopt Chapter 40, Section 8J and establish a Commission on Disabilities. That provision also allowed for the adoption of this Section 22G. It is the understanding of the Advisory Committee that the purpose of this article is to provide the FCoD with a source of funding to support education, training, and municipal accessibility improvements. Furthermore, it has been explained to us that the funds cannot be used to fund personal or private projects for homeowners with disabilities (such as ramps, home renovations, etc.). According to Chief O’Leary, this article will cost the Town approximately \$3,000 per year in lost revenue from the reallocation of the parking fines.

The Advisory Committee has discussed this matter and concluded that the Town should support this article. The main reasons for the Committee’s support are: (a) the funding source is directly linked to the previously approved objectives of the FCoD, (b) the forecasted funding should be sufficient to achieve the goals of the FCoD, and (c) the financial impact to the Town in projected lost revenue is de minimis.

**The Advisory Committee voted for Approval of article #23: Vote 12-0-0**

**ARTICLE 24: Accept M.G.L. Chapter 41, SECTION 81U**

**(Planning Board)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The Planning Board is asking if the Town will vote to adopt the paragraph from Massachusetts General Law, Chapter 41, Section 81U.

MGL requires that the town Planning Board obtains money, in the form of a bond or deposit, from developers to be used, in the event of a default, to complete the work as specified in an approved plan. Currently and without the adoption of this paragraph, this money can only be spent by an appropriation at Town Meeting which takes place only two times per year. In the past, this has resulted in a significant lag time between the time of default and the completion of the work in the subdivision.

By adopting this paragraph, the Planning Board would be able to immediately begin working with the Board of Selectmen to quickly contract and complete the subdivision plans. In turn, the residents would have the unfinished subdivision work completed in a much more timely manner.

At their public meeting on April 9, 2014, the Planning Board voted unanimously to recommend positive action on this article to the Town Meeting.

**The Advisory Committee voted for Approval of article #24: Vote 11-0-1**



**ARTICLE 25: Amend General by-Laws**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

This Article amends the Stadium Regulations to allow the town to assess a fine against a licensee for concerts which extend past the license time. Should a concert extend past the licensed time, a fine will be assessed based upon the duration of the extension and the number of attendees (including paid, complimentary, and promotional tickets).

The Building Commissioner, or their designee, will advise the licensee of the licensed end time applicable to the performance. Should the performance extend past that end time, the Building Commissioner or their designee will record the amount of the extension and apply a scaled fine on a per attendee basis.

The fine structure and schedule is configured as follows:

Time past licensed performance ending time	Fines
Less than 5 minutes	up to 0.10 per attendee
Less than 15 minutes	up to 0.25 per attendee
Less than 30 minutes	up to 0.50 per attendee
Less than 45 minutes	up to 0.75 per attendee
Less than 1 hour	up to \$1.25 per attendee
Over 1 hour	up to \$1.75 per attendee

The ability to assess fines will not limit the powers of the Selectmen to modify, suspend, or revoke the license in accordance with the provisions of Section 6 - Stadium Regulations and M.G.L. Chapter 140, Section 183A.

**The Advisory Committee voted for Approval of article #25: Vote 12-0-0**

**ARTICLE 26: Amend General By-Laws  
Scenic Roads**

**(Planning Board)**

**THE ADVISORY COMMITTEE RECOMMENDS DISAPPROVAL**

To see if the Town will vote to:

- Amend Section 11 of the Town of Foxborough General By-Laws by adding the following streets to the list of designated scenic roads: Bentwood, Carpenter, Chestnut, Cross, Garfield, Leonard (from Cocasset Street to Leonard Terrace), Maple Avenue, Sherman, South Cross, West Leonard and West (from Mill Street west to the Wrentham town line).
- Amend Section 11.D which would allow the Planning Board to adopt rules and regulations for carrying out its duties under this by-law.
- Amend Section 11 by adding Section G which outlines the enforcement guidelines and violations & penalties associated with the cutting or removing of trees or destruction of any portion of a stone wall within any designated scenic road.

At the request of the Planning Board, the Advisory Committee voted for disapproval on this article as the Board will be amending the list of streets at the Town Meeting.

At the Town Meeting, the amended list of streets will include: Bentwood, Carpenter, Chestnut, Cross, Maple Avenue, South Cross and West (from South Street to the Wrentham town line). Garfield, Leonard, Sherman and West Leonard will be removed from the list entirely.

The Advisory Committee re-voted article #26 with the AMENDED STREETS. The vote was 4-6-1 RECOMMENDING DISAPPROVAL.

There were a number of reasons for the final vote of disapproval including concerns regarding the number of residents on each of the roads that were not in support of the designation, potential future costs to town residents (i.e. for replacing trees) and the potential burden that it would place on the residents of these roads. In addition, there was the question of the need to add to the list of designated scenic roads given that this by-law covers areas of the roadway already owned and, thus, governed by the Town.

**The Advisory Committee voted for Disapproval of article #26: Vote 0-10-1**

**ARTICLE 27: Amend General By-Laws  
Section 22 Complete Streets By-Law**

**(Planning Board)**

THE ADVISORY COMMITTEE RECOMMENDS NO ACTION

The Planning Board has requested NO ACTION on this article.

**The Advisory Committee voted for No action on article #27: Vote 11-0-0**

**Article 28: Adoption of General By-Laws**

**(Board of Selectmen)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

If passed, this article will replace all current general by-laws in the Town with a reorganized and re-edited set of general by-laws. This project was authorized by an article at the Fall 2011 Special Town Meeting that initiated what was to be a \$45,000 project by General Code LLC. Annual updating by General Code LLC will cost the Town a variable sum in the range of a few thousand dollars, depending on how many by-laws are enacted or passed in any given year.

Voters at Town Meeting should be aware that this article will completely replace the Town's current by-laws with the revised by-laws, which entails swapping hundreds of pages of text. The current by-laws, to the extent that they differ in any way from the new by-laws, will be null and void. The Advisory Committee discussed what safeguards the Town has taken in order to ensure that inadvertent omissions or additions of a few key words will not accidentally create a new by-law that is inconsistent with the current-by law in a particular area. A majority of Advisory Committee members felt that it would not be a responsible use of additional Town dollars to ask Town Counsel to review these revised by-laws to ensure consistency; the Town Clerk, formerly serving as Acting Town Manager, has reviewed the new by-laws. The Town Clerk's revisions, as written on the formal printed copy that was placed on file at Town Hall earlier this year, from the most current draft, and it is that version that the Town is voting on at Town Meeting.

This project will result in a reorganized, searchable Town Code that should be more accessible for Town personnel and citizens generally. The Advisory Committee's discussions on this article were confined to safeguards against accidental clerical errors only.

**The Advisory Committee voted for Approval of article #28: Vote 12-0-0**

**ARTICLE 29: Adoption of Zoning by-Laws**

**(Planning Board)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to see if the Town shall vote to accept the renumbering and revision of the Zoning By-Laws of the Town from its original numbering. This modernization of the zoning by-laws will allow electronic access to information that is current, up to date and will include any future changes in a timelier manner. The comprehensive revisions to the text of the Zoning By-Laws have been done under the direction of the Planning Board.

**The Advisory Committee voted for Approval of article #29: Vote 12-0-0**

**ARTICLE 30: Amend General By-Laws  
Registered Marijuana Dispensaries**

**(Planning Board)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

Whatever controversies may accompany the topic of medical marijuana dispensaries, this article is ultimately relatively non-controversial in its implications. Like adult entertainment land uses, medical marijuana businesses can be regulated but not prohibited by a town. If a town does not specifically zone for such a use, then by law such use is permitted in any part of the town that is zoned for business.

This by-law attempts to deal with this issue pre-emptively, by zoning for medical marijuana dispensaries in order to control where they may locate. Dispensaries would be required to obtain a Special Permit from the Planning Board, go through site plan approval, and work with the Police Department to develop security procedures. Even then, this by-law would only allow a dispensary in the S-1 district, comprised of the southern three-quarters of Route 1. Dispensaries would be prohibited within one thousand feet of any school, any church, and any public park in Foxborough or an abutting community. This by-law also restricts the advertising and signage that a dispensary may use.

Most importantly, this by-law contains a severability clause, which means that if a court ever ruled that part of this by-law was an unconstitutional restriction on speech (e.g., if a court ever ruled that certain restrictions on advertising infringed on the First Amendment rights of dispensary owners), the remainder of the by-law would remain in force.

The Advisory Committee considers this article to be the best and most responsible mechanism for controlling where a medical marijuana dispensary could operate, in the event that one ever did come to Foxborough.

**The Advisory Committee voted for Approval of article #30: Vote 10-1-1**

**ARTICLE 31:Amend Zoning By-Laws  
Maximum Lot Coverage**

**(Planning Board)**

THE ADVISORY COMMITTEE RECOMMENDS DISAPPROVAL

The purpose of this article is to see if the Town will vote to set limits on how much area of a lot can be covered by man-made materials such as buildings, driveways and pools. Man-made structures allow less water to seep into the ground which impacts water supplies because some of the runoff water created by impervious material can be more polluted. However, this is a problem for cities such as Boston or Everett where the percentage of impervious surfaces is over 68% as opposed to Foxboro where it is only 14%. An owner with a lot less than 20,000 square feet may not be able to build a shed on their property or may have the burden of proving their lot has not reached the maximum coverage. This would affect many lots in Foxboro and burden the small lot owner unfairly.

**The Advisory Committee voted for Disapproval of article #31: Vote 3-6-2**

**ARTICLE 32:Amend Zoning By-Laws  
Drive –Through Facility**

**(Planning Board)**

THE ADVISORY COMMITTEE RECOMMENDS DISPPROVAL

This article focuses on an aspect of the Master Plan Downtown Strategy. It seeks to amend Table 3-1 TABLES OF USES Section L. 15. Drive-Through Facility to be in line with the Master Plan. The Downtown Strategy recommends enhancing the walkability and streetscape appearance of our Downtown by prohibiting additional drive-troughs in the center of town. All existing drive-throughs will be grandfathered.

Members of the Advisory Committee spoke with members of the Planning Board concerning this article. There were concerns with prohibiting a drive-through in any area, unless it was listed under “Route 1” or “Highway”. A recommendation was made to prohibit drive-throughs in residential areas, and further, or additional drive-throughs in the designated Downtown area. All other areas in town would be subject to a Planning Board Permit. The Planning Board accepted this recommendation at their April 10, 2014 meeting and amended the article accordingly.

**The Advisory Committee voted for Disapproval of article #32: Vote 0-12-0**

An amendment to this article is expected at Town Meeting.

**ARTICLE 33:Amend Zoning By-Laws**

**(Planning Board)**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

This is an all-encompassing article, combining what the Planning Board hopes are relatively non-controversial by-laws generally dealing with the center of Town.

The first three sections were proposed as a “Brew Pub” article originally scheduled for the Fall 2013 Special Town Meeting; the correction to the Design Review district was “left over from the 2012 Annual town Meeting when the Town Meeting adjourned after quorum was lost; and the bulk of the article, the Foxborough Center Overlay District by-law, was a South Coast Rail-funded zoning rewrite that MAPC prepared for the Town, incorporating many of the recommendations of the Master Plan Downtown Strategy.

The Foxborough Center Overlay District or FCOD was modeled after the Chestnut-Payson Overlay District. It explicitly allows multiple uses in a single building, including retail, commercial, office, institutional, residential, and other, and allows the users to be easily and quickly changed to respond to market conditions and demands. It incentivizes higher quality building and site design and implements the Master Plan’s downtown strategy.

**Advisory Committee voted for Approval of article #33: Vote 10-0-1**

**ARTICLE 34: Amend Zoning By-Laws**

**(Planning Board)**

**Nonconforming Single and Two-Family Residential Structures**

THE ADVISORY COMMITTEE RECOMMENDS APPROVAL

The purpose of this article is to see if the Town will vote to change the wording of section 5.4 of the zoning by-laws. The change would require a Special Permit where none is required presently. This change would only affect non-conforming structures that would increase by more than 25% or would increase their nonconformity. A Special Permit would become required to allow the Board of Appeals to impose conditions to the nonconforming addition when appropriate.

The Advisory Committee voted to approve this article. As the zoning by-law now reads, the Zoning Board of Appeals can either approve a 25% increase to a non-conforming structure or can deny the increase. If this change is made to the zoning by-laws, the Board now has the option of applying conditions to the approval through the Special Permit. The home owner can have the addition to their house that they desire, while the ZBA can place conditions on that addition to make sure the addition will not be substantially more detrimental to the neighborhood.

**Advisory Committee voted for Approval of article #34: Vote 11-0-0**