

# **FOXBOROUGH**

## **ANNUAL TOWN ELECTION and ANNUAL TOWN MEETING WARRANT**



**Annual Town Elections, May 5, 2014**

**Annual Town Meeting May 12, 2014**

PLEASE BRING THIS COPY WITH YOU TO THE ANNUAL TOWN MEETING

# **LEGAL NOTICE**

## **TOWN WARRANT**

### **ANNUAL TOWN MEETING**

**Tuesday, the fifth day of May, A.D., 2014**

**COMMONWEALTH OF MASSACHUSETTS**

**NORFOLK S.S.**

**To either of the Constables of the Town of Foxborough:**

Greetings:

In the name of the Commonwealth of Massachusetts and in accordance with the provisions of the BY-LAWS of said Town, and Amendments thereof, you are hereby required to notify and warn the inhabitants of the Town of Foxborough, qualified to vote at elections and town affairs to assemble for the election of officers: those voting in Precinct No. 1, Precinct No. 2, Precinct No. 3, Precinct No. 4 and Precinct No. 5 in the gymnasium of the John J. Ahern Middle School on Mechanic St. in said Town on Tuesday, the fifth day of May A.D., 2014 between the hours of seven o'clock in the forenoon and eight o'clock in the afternoon, then and thereafter by adjournment of the voters of all Precincts to reassemble in the auditorium of Foxborough High School on South Street at 7:30 o'clock in the afternoon on Monday, the twelfth day of May A.D., 2014 to act on the following articles:

**ARTICLE 1**

**(Annual Town Elections)**

To bring their votes for one Selectmen for three years; one Assessor for three years; one School Committee member for three years; one Water and Sewer Commissioner for three years; one Board of Health member for three years; two Planning Board members for three years and one Housing Authority member for five years.

**ARTICLE 2**

**(Annual Town Reports)**

To hear the report of the Town Officers and act thereon.

**Board of Selectmen**

**ARTICLE 3**

**(Reports of Committees)**

To hear the report of any committee and act thereon, and to choose any committee that may be wanted, and to see if the town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute such sums of money deemed necessary for expenses of any committee chosen under this article; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 4**

**(Operating Budget)**

To determine the compensation for elected officials and to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute sums of money for the operation of various town boards, officers, commissions and departments of the town during the Fiscal Year 2015, beginning July 1, 2014 and ending June 30, 2015; or take any other action related thereto.

**Board of Selectmen**

**FY 2015 OPERATING BUDGET - ARTICLE 4 ANNUAL TOWN MEETING MAY 12, 2014**

GENERAL GOVERNMENT:	FY 13 EXPENDED	FY 14 BUDGET	FY 15 REQUEST	Town Manager Recommend	Selectmen Recommend	Advisory Recommend	Recommended Funding Source(s)
122 SELECTMEN Expenses	6,284	10,400	11,400	11,400	11,400	11,400	Taxation, State Aid & Local Receipts
123 ADMINISTRATION							
Salaries	352,202	354,224	293,951	293,951	293,951	293,951	Taxation, State Aid & Local Receipts
Expenses	57,913	62,000	62,100	62,100	62,100	62,100	Taxation, State Aid & Local Receipts
	410,115	416,224	356,051	356,051	356,051	356,051	
125 AUDIT TOWN FINANCIAL RECORDS Annual Financial	38,000	39,500	39,500	39,500	39,500	39,500	Taxation, State Aid & Local Receipts
127 HUMAN RESOURCES							
Salaries	0	116,991	116,991	116,991	116,991	116,991	Taxation, State Aid & Local Receipts
Expenses	0	24,700	22,700	22,700	22,700	22,700	Taxation, State Aid & Local Receipts
	0	141,691	139,691	139,691	139,691	139,691	
130 FINANCE							
Salaries	677,598	764,422	770,986	770,986	770,986	770,986	Taxation, State Aid & Local Receipts
Expenses	298,682	303,122	221,184	221,184	221,184	221,184	Taxation, State Aid & Local Receipts:
	976,280	1,067,544	992,170	992,170	992,170	992,170	173,184; Ambulance Receipts: 48,000;
141 ADVISORY COMMITTEE Expenses	1,706	2,500	2,500	2,500	2,500	2,500	Taxation, State Aid & Local Receipts
142 RESERVE FUND ( <i>Appropriated for Transfer, Not Expended.</i> )	8,495	75,000	75,000	75,000	75,000	75,000	Taxation, State Aid & Local Receipts
151 LEGAL	187,999	130,000	150,000	150,000	150,000	150,000	Taxation, State Aid & Local Receipts
156 GIS Department Expenses	4,449	14,044	14,044	14,044	14,044	14,044	Taxation, State Aid & Local Receipts
161 TOWN CLERK Compensation	71,256	75,583	78,966	78,966	78,966	78,966	Taxation, State Aid & Local Receipts
Salaries	52,923	53,142	47,082	47,082	47,082	47,082	Taxation, State Aid & Local Receipts
Expenses	7,627	10,425	10,425	10,425	10,425	10,425	Taxation, State Aid & Local Receipts
	131,806	139,150	136,473	136,473	136,473	136,473	
162 ELECTION & REGISTRATION							
Salaries	47,125	40,575	40,681	40,681	40,681	40,681	Taxation, State Aid & Local Receipts
Expenses	16,598	14,875	15,175	15,175	15,175	15,175	Taxation, State Aid & Local Receipts
	63,723	55,450	55,856	55,856	55,856	55,856	

GENERAL GOVERNMENT (Continued):

	FY 13 EXPENDED	FY 14 BUDGET	FY 15 REQUEST	Town Manager Recommend	Selectmen Recommend	Advisory Recommend	Recommended Funding Source(s)
<b>171 CONSERVATION COMMISSION</b>							
Salaries	56,147	58,093	58,712	58,712	58,712	58,712	Taxation, State Aid & Local Receipts
Expenses	3,164	3,170	13,280	3,280	3,280	3,280	Taxation, State Aid & Local Receipts
	59,311	61,263	71,992	61,992	61,992	61,992	
<b>175 PLANNING BOARD</b>							
Salaries	116,619	119,643	149,379	149,379	149,379	149,379	Taxation, State Aid & Local Receipts
Expenses	32,282	32,283	47,950	47,950	47,950	47,950	Taxation, State Aid & Local Receipts
	148,901	151,926	197,329	197,329	197,329	197,329	
<b>176 APPEALS BOARD</b>							
Expenses	2,052	2,900	2,900	2,900	2,900	2,900	Taxation, State Aid & Local Receipts
<b>192 MUNICIPAL BUILDING</b>							
Salaries	26,476	27,133	27,501	27,501	27,501	27,501	Taxation, State Aid & Local Receipts
Expenses	48,931	56,500	336,500	336,500	336,500	336,500	Taxation, State Aid & Local Receipts
	75,407	83,633	364,001	364,001	364,001	364,001	
<b>195 TOWN BUILDINGS</b>							
Expenses	24,838	25,000	25,000	25,000	25,000	25,000	Taxation, State Aid & Local Receipts
<b>TOTAL GENERAL GOVERNMENT</b>	<b>2,139,367</b>	<b>2,416,225</b>	<b>2,633,907</b>	<b>2,623,907</b>	<b>2,623,907</b>	<b>2,373,907</b>	
<b>PUBLIC SAFETY:</b>							
<b>210 POLICE</b>							
Salaries	2,740,097	3,057,931	3,343,287	3,343,287	3,343,287	3,343,287	Taxation, State Aid & Local Receipts
Expenses	271,404	290,690	304,990	304,990	304,990	304,990	Taxation, State Aid & Local Receipts
Capital Outlay	68,500	72,000	75,000	75,000	75,000	75,000	Taxation, State Aid & Local Receipts
	3,080,000	3,420,621	3,723,277	3,723,277	3,723,277	3,723,277	
<b>220 FIRE</b>							
Salaries	2,544,854	2,581,375	2,587,820	2,587,820	2,587,820	2,587,820	Taxation: 2,090,231; Ambulance: 497,589
Expenses	259,527	294,725	294,725	294,725	294,725	294,725	Taxation: 244,725; Ambulance 50,000
Capital Outlay	32,556	48,800	35,500	35,500	35,500	35,500	Taxation, State Aid & Local Receipts
	2,836,937	2,924,900	2,918,045	2,918,045	2,918,045	2,918,045	
<b>230 CENTRAL DISPATCH &amp; SERVICES</b>							
Salaries	446,937	450,360	465,990	465,990	465,990	465,990	Taxation, State Aid & Local Receipts
Expenses	14,061	21,050	16,550	16,550	16,550	16,550	Taxation, State Aid & Local Receipts
	460,997	471,410	482,540	482,540	482,540	482,540	
<b>235 JOINT PUBLIC SAFETY BUILDING</b>							
Salaries	54,021	55,636	58,728	58,728	58,728	58,728	Taxation, State Aid & Local Receipts
Expenses	215,534	185,301	188,001	188,001	188,001	188,001	Taxation, State Aid & Local Receipts
Capital Outlay	-	-	5,600	5,600	5,600	5,600	Taxation, State Aid & Local Receipts
	269,555	240,937	252,329	252,329	252,329	252,329	

**PUBLIC SAFETY (Continued):**

	FY 13 EXPENDED	FY 14 BUDGET	FY 15 REQUEST	Town Manager Recommend	Selectmen Recommend	Advisory Recommend	Recommended Funding Source(s)
241 INSPECTION							
Salaries	315,806	283,676	286,446	286,446	286,446	286,446	Taxation, State Aid & Local Receipts
Expenses	6,108	8,880	11,880	11,880	11,880	11,880	Taxation, State Aid & Local Receipts
	<u>321,914</u>	<u>292,556</u>	<u>298,326</u>	<u>298,326</u>	<u>298,326</u>	<u>298,326</u>	
292 ANIMAL CONTROL							
Salaries	47,120	48,252	48,854	48,854	48,854	48,854	Taxation, State Aid & Local Receipts
Expenses	5,411	8,980	8,980	8,980	8,980	8,980	Taxation, State Aid & Local Receipts
	<u>52,530</u>	<u>57,232</u>	<u>57,834</u>	<u>57,834</u>	<u>57,834</u>	<u>57,834</u>	
<b>TOTAL PUBLIC SAFETY</b>	<b>7,021,934</b>	<b>7,407,656</b>	<b>7,732,351</b>	<b>7,732,351</b>	<b>7,732,351</b>	<b>7,732,351</b>	

**EDUCATION:**

300 FOXBOROUGH PUBLIC SCHOOLS

Salaries & Expenses

	28,131,465	29,408,477	30,508,585	30,508,585	30,508,585	30,508,585	Taxation, State Aid & Local Receipts
	<u>28,131,465</u>	<u>29,408,477</u>	<u>30,508,585</u>	<u>30,508,585</u>	<u>30,508,585</u>	<u>30,508,585</u>	

390 SOUTHEASTERN REGIONAL

Salaries & Expenses

	288,566	228,016	246,995	246,995	246,995	246,995	Taxation, State Aid & Local Receipts
	<u>288,566</u>	<u>228,016</u>	<u>246,995</u>	<u>246,995</u>	<u>246,995</u>	<u>246,995</u>	

**TOTAL EDUCATION**

	<u>28,420,031</u>	<u>29,636,493</u>	<u>30,755,580</u>	<u>30,755,580</u>	<u>30,755,580</u>	<u>30,755,580</u>	
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**PUBLIC WORKS:**

410 PUBLIC WORKS

Salaries  
Expenses  
Capital Outlay

	1,132,226	1,201,325	1,203,468	1,203,468	1,203,468	1,203,468	Taxation, State Aid & Local Receipts
	429,926	398,713	426,740	426,740	426,740	426,740	Taxation, State Aid & Local Receipts
	8,145	43,500	21,500	21,500	21,500	21,500	Taxation, State Aid & Local Receipts
	<u>1,570,296</u>	<u>1,643,538</u>	<u>1,651,708</u>	<u>1,651,708</u>	<u>1,651,708</u>	<u>1,651,708</u>	

411 SOLID WASTE (LANDFILL)

Salaries  
Expenses

	0	0	2,300	2,300	2,300	2,300	Taxation, State Aid & Local Receipts
	0	0	35,900	35,900	35,900	35,900	Taxation, State Aid & Local Receipts
	<u>0</u>	<u>0</u>	<u>38,200</u>	<u>38,200</u>	<u>38,200</u>	<u>38,200</u>	

412 SOLID WASTE (COLLECTION)

Expenses

	0	0	38,450	38,450	38,450	38,450	Taxation, State Aid & Local Receipts
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423 SNOW & ICE

Salaries  
Expenses  
Capital Outlay

	180,386	33,500	33,500	33,500	33,500	33,500	Taxation, State Aid & Local Receipts
	351,546	170,800	170,800	170,800	170,800	170,800	Taxation, State Aid & Local Receipts
	8,695	9,100	11,000	11,000	11,000	11,000	Taxation, State Aid & Local Receipts
	<u>540,627</u>	<u>213,400</u>	<u>215,300</u>	<u>215,300</u>	<u>215,300</u>	<u>215,300</u>	

424 STREET LIGHTING

	145,807	130,000	135,000	135,000	135,000	135,000	Taxation, State Aid & Local Receipts
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**PUBLIC WORKS (Continued):**

	FY 13 EXPENDED	FY 14 BUDGET	FY 15 REQUEST	Town Manager Recommend	Selectmen Recommend	Advisory Recommend	Recommended Funding Source(s)
<b>430 SOLID WASTE ENTERPRISE (LANDFILL)</b>							
Salaries	0	2,100	0	0	0	0	0
Expenses	22,945	0	0	0	0	0	0
	22,945	2,100	0	0	0	0	0

NOTE: Costs for Solid Waste Operation contained in other budgets:

123/125/192 Admin. & 130/156 Finance/GIS	36,265	0	0	0	0	0	0
410 Public Works	29,555	20,000	0	0	0	0	0
911/913/915/945 Insurance	21,407	0	0	0	0	0	0
	87,227	20,000	0	0	0	0	0

<b>433 SOLID WASTE ENTERPRISE (COLLECTION)</b>	122,484	27,250	0	0	0	0	0
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<b>450 WATER ENTERPRISE</b>							
Salaries	902,735	1,076,800	1,127,523	1,127,523	1,127,523	1,127,523	Water Receipts
Expenses	985,706	1,157,010	1,252,660	1,252,660	1,252,660	1,252,660	Water Receipts
Debt Service	1,174,629	1,135,084	1,113,113	1,113,113	1,113,113	1,113,113	Water Receipts
Capital Outlay	0	32,000	0	0	0	0	
	3,063,070	3,400,894	3,493,296	3,493,296	3,493,296	3,493,296	

NOTE: Costs for Water Operation contained in other budgets:

123/124/125/192 Admin. & 130/156 Finance/GIS	109,298	123,197	81,184	81,184	81,184	81,184	Water Receipts
760 Debt Service	1,657	2,000	2,000	2,000	2,000	2,000	Water Receipts
911/913/915 Fringe Benefits	340,592	354,042	376,342	376,342	376,342	376,342	Water Receipts
945 Insurance	87,250	88,200	95,200	95,200	95,200	95,200	Water Receipts
	538,797	567,439	554,726	554,726	554,726	554,726	

<b>460 SEWER ENTERPRISE</b>							
Salaries	96,994	146,908	138,894	138,894	138,894	138,894	Sewer Receipts
Expenses	765,970	787,750	854,750	854,750	854,750	854,750	Sewer Receipts
Debt Service	94,466	96,889	93,885	93,885	93,885	93,885	Sewer Receipts
	957,430	1,031,547	1,087,529	1,087,529	1,087,529	1,087,529	

NOTE: Costs for Sewer Operation contained in other budgets:

123/125/192 Admin. & 130/156 Finance/GIS	26,296	29,810	27,243	27,243	27,243	27,243	Sewer Receipts
911/913/915 Fringe Benefits	39,414	53,432	57,528	57,528	57,528	57,528	Sewer Receipts
945 Insurance	8,376	8,483	9,270	9,270	9,270	9,270	Sewer Receipts
	74,086	91,725	94,041	94,041	94,041	94,041	

<b>TOTAL PUBLIC WORKS</b>	6,422,659	6,448,729	6,659,483	6,659,483	6,659,483	6,659,483	
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HUMAN SERVICES:	FY 13	FY 14	FY 15	Town Manager	Selectmen	Advisory	Recommended
	EXPENDED	BUDGET	REQUEST	Recommend	Recommend	Recommend	Funding Source(s)
510 BOARD OF HEALTH							
Salaries	168,860	180,181	182,397	182,397	182,397	182,397	Taxation, State Aid & Local Receipts
Expenses	7,514	7,750	7,750	7,750	7,750	7,750	Taxation, State Aid & Local Receipts
	176,375	187,931	190,147	190,147	190,147	190,147	
520 HEALTH AGENCIES							
Expenses	36,007	36,532	37,068	37,068	37,068	37,068	Taxation, State Aid & Local Receipts
541 COUNCIL ON AGING/HUMAN SERVICES							
Salaries	279,946	304,619	330,629	320,050	320,050	330,629	Taxation, State Aid & Local Receipts
Expenses	41,819	43,413	44,863	44,863	44,863	44,863	Taxation, State Aid & Local Receipts
Capital Outlay	0	23,100	6,000	6,000	6,000	6,000	Taxation, State Aid & Local Receipts
	321,766	371,132	381,492	370,913	370,913	381,492	
543 VETERANS							
Salaries	71,264	80,000	70,742	70,742	70,742	70,742	Taxation, State Aid & Local Receipts
Expenses	144,931	123,159	129,425	129,425	129,425	129,425	Taxation, State Aid & Local Receipts
	216,195	203,159	200,167	200,167	200,167	200,167	
<b>TOTAL HUMAN SERVICES</b>	<b>750,342</b>	<b>798,754</b>	<b>808,874</b>	<b>798,295</b>	<b>798,295</b>	<b>808,874</b>	
<b>CULTURE &amp; RECREATION:</b>							
610 LIBRARY							
Salaries	629,960	723,174	736,597	736,597	736,597	736,597	Taxation, State Aid & Local Receipts: 716,597 and Library Gift Funds: 20,000
Expenses	182,017	276,184	300,050	300,050	300,050	300,050	Taxation, State Aid & Local Receipts
Capital Outlay	2,484	3,000	3,000	3,000	3,000	3,000	Taxation, State Aid & Local Receipts
	814,462	1,002,358	1,039,647	1,039,647	1,039,647	1,039,647	
630 RECREATION							
Salaries	52,067	41,724	42,108	42,108	42,108	42,108	Taxation, State Aid & Local Receipts
Expenses	34,115	34,135	34,135	34,135	34,135	34,135	Taxation, State Aid & Local Receipts
Capital Outlay	0	0	11,090	11,090	11,090	11,090	Taxation, State Aid & Local Receipts
	86,182	75,859	87,333	87,333	87,333	87,333	
691 HISTORICAL COMMISSION							
Expenses	16,000	16,000	29,925	29,925	29,925	29,925	Taxation, State Aid & Local Receipts
Capital Outlay	6,395	0	0	0	0	0	
	22,395	16,000	29,925	29,925	29,925	29,925	
<b>TOTAL CULTURE &amp; RECREATION</b>	<b>923,039</b>	<b>1,094,217</b>	<b>1,156,905</b>	<b>1,156,905</b>	<b>1,156,905</b>	<b>1,156,905</b>	



	FY 13 EXPENDED	FY 14 BUDGET	FY 15 REQUEST	Town Manager Recommend	Selectmen Recommend	Advisory Recommend	Recommended Funding Source(s)
<b>DEBT SERVICE:</b>							
710 DEBT - PRINCIPAL	2,130,000	2,116,500	2,105,000	2,105,000	2,105,000	2,105,000	Taxation, State Aid & Local Receipts
751 DEBT - INTEREST	1,075,791	992,985	926,654	926,654	926,654	926,654	Taxation, State Aid & Local Receipts
760 DEBT - ISSUANCE & EXPENSES	16,657	25,000	25,000	25,000	25,000	25,000	Taxation, State Aid & Local Receipts
<b>TOTAL DEBT SERVICE</b>	<b>3,222,448</b>	<b>3,134,485</b>	<b>3,056,654</b>	<b>3,056,654</b>	<b>3,056,654</b>	<b>3,056,654</b>	
<b>INSURANCE &amp; OTHER:</b>							
911 PENSIONS/RETIREMENT	2,492,582	2,595,996	3,028,356	3,028,356	3,028,356	3,028,356	Taxation, State Aid & Local Receipts:
913 WORKERS COMPENSATION	200,280	220,000	220,000	220,000	220,000	220,000	Taxation, State Aid & Local Receipts
914 UNEMPLOYMENT COMPENSATION	38,694	100,000	100,000	100,000	100,000	100,000	Taxation, State Aid & Local Receipts
915 GROUP HEALTH/LIFE INSURANCE	6,197,954	6,057,553	6,035,316	6,035,316	6,035,316	6,035,316	Taxation, State Aid & Local Receipts: 5,320,987; Free Cash: 700,864; and Recreation Revolving: 13,465
945 GENERAL INSURANCE	410,065	421,000	456,000	456,000	456,000	456,000	Taxation, State Aid & Local Receipts
<b>TOTAL INSURANCE &amp; OTHER</b>	<b>9,339,575</b>	<b>9,394,549</b>	<b>9,839,672</b>	<b>9,839,672</b>	<b>9,839,672</b>	<b>9,839,672</b>	
<b>TOTAL ALL OPERATING BUDGETS</b>	<b>58,239,394</b>	<b>60,331,108</b>	<b>62,643,426</b>	<b>62,622,847</b>	<b>62,622,847</b>	<b>62,383,426</b>	

**ARTICLE 5**

**(CIP BUDGET)**

To see if the town will adopt the recommendations of the Capital Improvement Planning (CIP) Committee and to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute the sums requested for the purposes herein mentioned as listed in Appendix A in order to implement the CIP budget request for Town Departments for FY 2015; or take any other action related thereto.

**See APPENDIX A for a detailed breakdown of capital items**

DEPARTMENT	CIP FY 14			CIP FY 15			Recommended Funding Sources
	Appropriated	CIP Committee Recommend	Selectmen Recommend	AdComm Recommend			
Information Systems	300,000	71,150	71,150	71,150	71,150	Free Cash	
Conservation	-	16,500	16,500	16,500	16,500	Free Cash	
Municipal Building	-	250,000	250,000	250,000	250,000	Free Cash	
Fire	43,076	294,804	294,804	294,804	294,804	Ambulance Receipts	
Central Dispatch	-	47,500	47,500	47,500	47,500	Free Cash	
Animal Control	-	32,334	32,334	32,334	32,334	Free Cash	
Public Schools	659,750	565,688	565,688	565,688	565,688	Free Cash	
Highway	316,000	335,000	335,000	335,000	335,000	Free Cash	
Highway (Chapter 90)	600,000	618,215	618,215	618,215	618,215	Chapter 90 State Allocation	
Highway (Roads)	295,000	879,782	879,782	879,782	879,782	\$610,782 Free Cash, & \$269,000 from Meals Tax Receipts	
Historical Commission	-	350,000	350,000	350,000	350,000	\$175,000 Free Cash, & \$175,000 Grant Funded	
Water Enterprise	1,222,000	2,025,000	2,025,000	2,025,000	2,025,000	\$1,025,000 Water Receipts, & \$1,000,000 from prior year capital appropriations for Building Improvements & Paint Water Storage Tanks accounts	
<b>Sewer Enterprise</b>	-	100,000	100,000	100,000	100,000	\$50,000 Sewer Receipts, & \$50,000 from Retained Earnings	
	<b>3,435,826</b>	<b>5,585,973</b>	<b>5,585,973</b>	<b>5,585,973</b>	<b>5,585,973.00</b>		

**Funding Summary:**

Free Cash	2,103,954
Ambulance Receipts	294,804
Historical Commission Grant	175,000
Chapter 90	618,215
Meals Tax Receipts	269,000
Borrowing	-
Water Receipts	1,025,000
Water Enterprise Prior Year CIP Appropriation:	1,000,000
Sewer Receipts	50,000
Sewer Retained Earnings	50,000
<b>Total</b>	<b>5,585,973</b>

**ARTICLE 6**

**(Personnel By-Law)**

To see if the Town will vote to raise and appropriate a sum of money to supplement the wage and salary amounts voted under Article 4 of the Warrant in accordance with the terms and conditions of a document entitled "Revised Consolidated Personnel By-Law 2015", a copy of which is on file with the Town Clerk; and to determine whether to meet said appropriation by taxation or by transfer from available funds; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 7**

**(Fire Contract)**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute such sums of money deemed necessary to fund the cost items for Fiscal Year 2014 in 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.

**Board of Selectmen**

**ARTICLE 8**

**(Dispatcher Contract)**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute such sums of money deemed necessary to fund the cost items for Fiscal Year 2015 in a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and Foxborough Dispatcher Department, Massachusetts Coalition of Police, AFL-CIO, Local 440, in accordance with Chapter 150E of the General Laws of the Commonwealth; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 9**

**(Highway Contract)**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute such sums of money deemed necessary to fund the cost items for Fiscal Year 2014 in a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and the Foxborough Highway and Water Employees Union, AFSCME, in accordance with Chapter 150E of the General Laws of the Commonwealth; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 10**

**(Boyden Library Employees Contract)**

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute such sums of money deemed necessary to fund the cost items for Fiscal Year 2014 and Fiscal Year 2015 in a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and the Boyden Library Employees Association, MLSA, MFT, AFT, AFL-CIO, in accordance with Chapter 150E of the General Laws of the Commonwealth; or take any other action related thereto.

**Board of Selectmen**

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

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute such sums of money deemed necessary to fund the cost items for Fiscal Year 2015 in a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and the Middle Managers, Department Heads and Clerical Employees of the Town of Foxborough, United Steel Workers, AFL-CIO CLC in accordance with Chapter 150E of the General Laws of the Commonwealth; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 12 (FY '14 Budget Adjustments)**

To see if the Town will vote to raise and appropriate or transfer from available funds amounts requested to amend Article 4 of the May 13, 2013, FY 2014 Annual Operating Budget in order to fund the expenses associated with: 1) Inspections by part-time inspectors that are projected to be beyond plan due to increased development activity, requiring a one-time adjustment to the salary budget as follows:

<u>Item #</u>	<u>Dept. #</u>	<u>Department</u>	<u>Budget</u>	<u>Adjust</u>	<u>Revised FY '14 Budget</u>	<u>Funding Source</u>
1)	241	Inspection: Salaries	286,335	80,000	366,335	\$50,000 from Dept. 914:  Unemployment Expense Budget and \$30,000 from Dept. 913: Workers Compensation Expense Budget

Or take any other action related thereto.

**Town Manager**

**ARTICLE 13 (Unpaid Bills from Prior Year)**

To see if the Town will vote to fund one FY 2013 unpaid bill totaling one hundred forty-eight dollars (\$148) from Sturdy Memorial Hospital related to routine medical tests; and to fund \$74 of said bill from the FY 2014 Public Works Expense budget and \$74 from the Water Enterprise Expense budget; or take any other action related thereto.

**Town Manager**

**ARTICLE 14 (Department Revolving Funds Authorization)**

To see what revolving funds the Town may authorize and reauthorize pursuant to Massachusetts General Laws Chapter 44, Section 53E ½ for the Fiscal Year 2015, beginning July 1, 2014; or take any other action related thereto.

<i>Revolving Fund #</i>	<i>Name of Revolving Fund</i>	<i>Spending Authority</i>	<i>Revenue Sources</i>	<i>Use of Funds</i>	<i>FY '15 Spending Limit</i>
1	Recreation Revolving Fund	Board of Recreation	Funds from Program Participation	Recreation Department Programs	\$190,000
2	Police and Fire Apparatus Utilization	Town Manager	Vehicle apparatus rental fees collected from	Repair, replacement or purchase of	\$60,000

	Revolving Fund		vendors hiring Police and/or Fire details requiring the use of Police and/or Fire vehicles	equipment for Fire and Police vehicles	
3	Highway Department Revolving Fund	Town Manager	Fee for services and various Town department payments	Highway department labor and/or materials costs	\$40,000
4	Conservation Rental Property Revolving Fund	Conservation Commission	Annual property rental income in excess of \$18,000	Repair and maintenance of Conservation Rental Properties	\$24,000

**Town Manager**

**ARTICLE 15**

**(Fund Qualified OPEB Trust)**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of Six Hundred Sixty-Four Thousand and Sixty-Nine Dollars (\$664,069) into the Other Post-Employment Benefits (OPEB) Liability Trust fund to be used towards the unfunded actuarial liability of health care and other post-employment benefits for Town of Foxborough retirees. \$600,000 to be funded from Meals Tax receipts and \$51,256 from Water Enterprise receipts and \$12,813 from Sewer Enterprise receipts; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 16**

**(Expend Highway Funds)**

To see if the Town will vote to authorize the Town Manager to expend any funds received or to be received from the State and/or County for the construction, reconstruction, improvements or other highway related activities; or take any other action related thereto.

**Town Manager**

**ARTICLE 17**

**(Personnel By-Law Recommended Changes)**

To see if the Town will vote to amend the Revised Consolidated Personnel By-Laws as follows;

**Article I – Application & Definitions**

Change # 27 as follows:

Replace Town Administrator with Town Manager or Town Manager’s designee.

**Article IV – Reduction in Force**

F – Keep the first sentence and replace the remaining sentences with:

However, under COBRA, the employee is entitled to choose continuation of coverage under the group policy. COBRA coverage can last from 18 to 36 months, depending on various factors. If you were involuntarily terminated on or after September 1, 2008 or had your hours reduced on or after September 1, 2008 and then were involuntarily terminated after March 2, 2010 and you are not eligible for other health coverage (such as a spouse’s health plan or Medicare), then you may

be eligible for a 65 percent reduction of your COBRA premium for up to fifteen months. Further information and forms can be obtained from the Town' Treasurer's office; or take any other action related thereto.

**Town Manager**

**ARTICLE 18**

**(Amend Senior Tax Program By-Law)**

To see if the Town will vote to amend Section 19 of Article V of the Town of Foxborough General By-Laws by replacing the existing language in its entirety and replace with new language to read;

Section 19 – Senior Tax Program By-Law

Purpose: The Senior Tax Program allowing the Town of Foxborough the opportunity to utilize the knowledge and skills of its senior residents in exchange for credit toward the residents' tax bill. The purposes of this program are to enhance municipal services and alleviate senior residents' tax burden. A qualified resident will be paid \$10 per hour toward a maximum gross credit of \$1,000 per household during the fiscal year.

Eligibility:

1. Foxborough residents who have reached age 60 and over; and
2. Pay real estate taxes to the Town of Foxborough on their primary residence; and
3. Can produce a copy of a current real estate tax bill.

Job Development: The Foxborough Senior Tax Program is a jobs program. Qualified seniors will be hired to work for town departments, including the schools. The Council on Aging and Human Services ("COA"/"HS") will work with the departments and applicants to develop specific jobs, conduct interviews, and place qualified people. Each department will be contacted and asked to review their service procedures and requirements to determine whether they may benefit from the assistance of a senior resident.

The Subcommittee of the Senior Tax Program, the Town Manager, and the Board of Selectmen will approve the specific criterion and guidelines.

Job Placement/Selection: Applicants will be referred to departments based on their skills and the needs of the departments. Jobs will be offered based on qualifications and availability.

Earnings: \$10 per hour for all jobs. A maximum gross amount of \$1,000, less required federal withholdings, per tax year to be applied as a rebate to each resident's Town of Foxborough property tax.

Application Procedure:

1. A review to determine eligibility and an application form
2. An initial interview with COA/HS staff
3. A referral by COA/HS staff to the department

### Foxborough Senior Tax Program Guidelines

1. Applicants must meet all eligibility requirements
2. Applications must be filled out completely
3. A copy of the applicant's most recent field card requested from Assessor's Office by COA/HS must accompany application.
4. Referrals by the COA/HS must be made based on the applicant's skills, preferences and the needs/availability of jobs in the departments
5. Placement by COA/HS must be decided based on the match of the applicant's skills with the interest of the various departments.
6. Each applicant will have a maximum of two interviews. Applicants have the right to refuse placements or to defer placement pending the possibility of other opportunities. However, there is no guarantee other positions will become available.
7. Prior to the applicant beginning their job placement, COA/HS Office will work with applicant to ensure the required employee forms (I9, W4, OBRA, policy documents) and a new hire personal action form is complete and forwarded to Human Resources.
8. Human Resources will verify that all required paperwork is complete and send final sign off to COA/HS. Applicant will be added as a Town employee.
9. Once a person is placed, that person will be responsible to the appropriate department head. The department head will assign all duties and evaluate job performance.
10. All qualified applicants must be treated equally regarding their opportunity for referrals, interviews, and placement, regardless of their race, age, religion, national origin and gender.
11. Applicants shall submit all hours worked in a calendar year to the COA/HS office by NOVEMBER 1<sup>ST</sup> in order to receive credit on 3<sup>rd</sup> and 4<sup>th</sup> quarter tax bills. COA/HS shall submit hours worked via the Town's payroll process.
12. The Town Financial Director's Office will process the appropriate transactions to issue credit that is the NET of the earned amount less federal tax, Medicare, and OBRA withholdings.
13. Participants must have their own transportation.
14. Applicants must be CORI-checked.
15. The COA/HS office shall keep organized files for each participant and shall maintain a record for each participant which includes the number of hours of service and the total amount by which the real property tax has been reduced. A copy of such record shall be provided (1) to the assessor so that the tax bill may reflect the reduced rate, and (2) to the taxpayer prior to the issuance of the actual tax bill.
16. To protect the privacy rights of applicants and the fairness of the program, information regarding any particular job referrals, job interviews or job placements shall only be released officially through the COA/HS office.  
Or take any other action related thereto.

**Board of Assessors**

**ARTICLE 19**

**(Special Legislation – State Hospital Property)**

To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to petition the General Court for a special act to release the deed restrictions on portions of Lot H-1, portions of Lot H-2, and a portion of Lot E-2 as shown on a plan entitled Approval Not Required Subdivision Plan prepared by Rizzo Associates Inc. dated December 10, 1998, a copy of which is on file with the Town Clerk, to allow the Board of Selectmen to sell by auction, dispose, or convey said premises for appropriate redevelopment; or take any action related thereto.

**Board of Selectmen**

**ARTICLE 20**

**(Easement)**

To see if the Town will vote, for a consideration of thirty thousand dollars ( \$30,000.00), to authorize the Board of Selectmen to grant Massachusetts Electric Company, a Massachusetts corporation, certain rights and easements for the construction, maintenance and operation of electric transmission lines over, across and upon certain parcels of land, in a strip of land 30 feet in width, owned by the Town of Foxborough, commencing at land now or formerly of Timothy F. Lynch and extending to land now or formerly of the S. S. Wilbur Heirs, crossing the intervening Elm Street and the intervening state highway known as Interstate 95, identified as Assessor Map 107 Parcel 2786, Assessor Map 107 Parcel 3151, Assessor Map 122 Parcel 3472 and Assessor Map 122 Parcel 3473, said strip of land shown on a plan entitled "Union Light and Power Company PRELIMINARY SURVEY FOR HIGH TENSION LINE Foxboro to Mansfield", dated November 1914, sheets No. 2 and 3 of 6 sheets, which were filed in the Norfolk Registry of Deeds as Plan No. 3729 and No. 3730 in Plan Book 77, copies of which are on file with the Town Clerk, and to authorize, empower and direct the Selectmen to execute, acknowledge and deliver in the name of and on behalf of said Town such deeds or other instruments to be in such form and upon such terms as the Selectmen may deem proper; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 21**

**(Solar)**

To see if the town will vote:

- 1) to authorize the Town Manager to negotiate and, subject to the approval of the Board of Selectmen, enter into a lease or license agreement to enable the lessee or licensee to design, develop, install, operate and maintain a photovoltaic solar energy system on certain Town-owned properties, as authorized by and pursuant to MGL chapter 164, Section 137, said Town-owned properties being (i) a parcel of land commonly known as the "former landfill" located on East Belcher Road and identified on Assessor Map 108 as Lot 3174, on Map 94 as Lot 2848 and on Map 108 as Lot 2847; and (ii) a parcel of land commonly known as the "former town filter beds and compost site" located on Elm Street across from the DPW garage site and identified on Assessor Map 107 as Lot 2786;
- 2) to authorize the Town Manager to negotiate and, subject to the approval of the Board of Selectmen, enter into an agreement pursuant to and in accordance with the provisions of MGL chapter 59, Section 38H, to provide for payments in lieu of property taxes (a



PILOT Agreement) with the owner of the photovoltaic solar energy system to be installed on said Town-owned properties, as described herein; or to take any action relative thereto.

**Board of Selectmen**

**ARTICLE 22**

**(Child Safety Committee)**

To see if the Town will vote to approve the formation of the Foxborough Child Safety Committee as follows:

**THE FOXBOROUGH CHILD SAFETY COMMITTEE**

**Section 1. Eligibility, Appointment, and Tenure**

There shall be a **Child Safety Committee** consisting of seven (7) volunteers. At or immediately after each annual meeting, the Board of Selectmen shall appoint 7 eligible volunteers to the committee, each for a term of three years commencing July 1 or following said annual meeting, and expiring on June 30<sup>th</sup> or end of annual town meeting, whichever is later, three years hence. In addition, the Board of Selectmen shall, at the same time, make any appointment necessary to fill the unexpired term of any vacated position in the committee. Any member may be reappointed after one term has elapsed since the expiration of their most recent term. The Board of Selectmen shall fill any vacancy occurring in the committee's membership after an annual town meeting.

**Section 2. Powers and Duties**

The members of the Committee shall serve without compensation. They shall meet to elect officers, appoint sub-committees, and adopt rules as soon as practicable following each annual town meeting. If any member is absent from five consecutive meetings, the Committee may vote that his/her position is vacated.

The goal and objectives of the Child Safety Committee are to raise awareness of the prevalence and circumstances in which children are being sexually abused and promote simple and effective ways for the public to be aware of risk factors and educate to reduce the opportunity of abuse in the Town of Foxborough. Every day adults come in contact with children of all ages and groups in Foxborough. The Foxborough Child Safety Committee will provide guidance when adults are interacting with children on town property.

To attain these goals and objectives, the Committee shall gather information provided by the many public and private groups, agencies and institutions that disseminate relative information to the prevention of sexual abuse to children. The Committee shall work with Foxborough's Boards, Committees and Departments and participate and/or direct meetings and informational sessions towards accomplishing the published goals and objectives. The Committee shall act as liaison to public and private groups that use town property related to children's activities.

With these Powers and Duties, the Child Safety Committee will work to provide:

1. a code of conduct
2. training of individuals (town employees and volunteers) and organizations
3. protocol for reporting incidents
4. a yearly curriculum to be dispensed for training to organizations including but not limited to private schools, churches and youth leagues
5. a written progress report with recommendations to the Board of Selectmen by October 1<sup>st</sup> each year

**Section 3. Appointed Officials**

The Child Safety Committee shall have representatives from the following sectors:

1. Foxborough Public Schools
2. Foxborough Board of Recreation
3. Foxborough Public Safety
4. Foxborough Religious Institution
5. Foxborough Council on Aging and Human Services
6. Relative Private Educational or Social Institution
7. Member at Large

Or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 23**

**(Accept M.G.L. Chapter 40, Section 22G)**

To see if the Town will vote to accept Chapter 40, Section 22G: - Funds received from fines for handicap parking violations; deposits in accounts; expenditures.

Section 22G. Foxborough which has accepted the provisions of section 8J is hereby authorized to allocate all funds received from fines assessed for violations of handicap parking in Foxborough to the Foxborough Commission on Disability.

Funds so received shall be deposited by the town treasurer in a separate account and shall be used solely for the benefit of persons with disabilities. Said account shall be established by the town treasurer and shall be kept separate and apart from all other monies. Expenditures from said account, including accrued interest, if any, shall be made upon the recommendation of the Foxborough Commission on Disability in accordance with the accepted procedures of the town of Foxborough for the disbursement of funds, including the approval of the town manager or the board of selectmen. The town accountant shall submit annually a report of said account to the town manager and board of selectmen for review and a copy of said report shall be forwarded to the bureau of accounts; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 24**

**(Accept M.G.L. Ch. 41, Sec. 81U)**

To see if the Town will vote to adopt the following paragraph from M.G.L. Chapter 41 s. 81U:

In any town which accepts the provisions of this paragraph, the proceeds of any such bond or deposit shall be made available to the town for expenditure to meet the cost and expenses of the municipality in completing the work as specified in the approved plan. If such proceeds do not exceed one hundred thousand dollars, the expenditure may be made without specific appropriation under section fifty-three of chapter forty-four; provided, however, that such expenditure is approved by the board of selectmen. The provisions of this paragraph shall not apply to cities or to towns having town councils; or take any other action related thereto.

**Planning Board**

**ARTICLE 25**

**(Amend General By-Laws)**

To see if the Town will vote to amend General By-Law Article V, Section 6 – Stadium Regulations, by adding a new subsection 6.9 – Fines for Violations to read:

For each concert performance the Building Commissioner or his designee shall determine the exact time the concert concludes. The Building Commissioner or his designee shall identify himself to the management of the licensee and advise the management of the time he or she considers applicable to the performance. In the event that a performance continues past the license time, the Building Commissioner or his designee shall further determine in minutes by how much the concert has concluded beyond the licensed time. Such information shall be submitted to the licensing authority only for those concerts that have continued after the specified licensed time. In the event of a violation of these rules and regulations for a performance, which runs over the licensed time period, the Selectmen may assess fines against the licensee in accordance with the following fine structure and schedule. Such fines may be assessed only after providing the licensee with an opportunity for a show cause hearing preceded by written notice mailed or delivered to the licensee not less than ten (10) days prior to the hearing date.

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

Overtime:

**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 stadium shall make available to the Board of Selectmen attendance figures/records for each performance which continues past the required end time. Attendance records must be forwarded

to the Selectmen within a reasonable time not to exceed seven days after the notice from the Town. These figures must be taken and certified as accurate directly from ticket sales and shall include all ticket sales for the performance including complimentary and or promotional tickets; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 26**

**(Amend General By-Laws)**

To see if the Town will vote to amend Section 11 of the Town of Foxborough General By-Laws by adding to section B:

Bentwood Street  
Carpenter Street  
Chestnut Street  
Cross Street  
Garfield Street  
Leonard Street from Cocasset Street to Leonard Terrace  
Maple Avenue  
Sherman Street  
S. Cross Street  
W. Leonard Street  
West Street from Mill Street west to the Wrentham town line

Amend Section 11.D by adding 4. The Planning Board may adopt rules and regulations for carrying out its duties under this By-Law.

Amend Section 11.E.3 by adding the following at the end of the section: Trees shall be replaced on a caliper-inch-per-caliper-inch basis (combined area of the replacement trees measured four feet above ground level to equal total area of the caliper of the removed original tree trunk as measured four feet above ground level) at locations specified by the Town Warden.

Amend Section 11 by adding section G as follows:

G. Enforcement; violations and penalties.

1. Failure to file with the Planning Board for permission to cut or remove trees or for destruction of any portion of a stone wall within any designated scenic road shall require an immediate filing as detailed above, and the applicant shall be required to restore features. This restoration shall consist of replacing the stone wall as necessary and replacing the trees cut on a caliper-inch-per-caliper-inch basis (combined area of the replacement trees measured four feet above ground level to equal total area of the original tree trunk as measured at the stump) at locations specified by the Town Warden.

2. Failure to comply with a duly issued decision of the Planning Board shall be subject to restoration as detailed above and other remedial measures that the Planning Board deems necessary. Any decision not exercised within two years of the filing of the planning board's decision shall be void and shall require a new filing.
3. The Building Commissioner, the Tree Warden, or other tree official authorized by the Town Manager shall have the authority to enforce the provisions of this article.
4. Any violation of this article, MGL c. 40, § 15C (Scenic Roads) or a Planning Board decision issued under this article or MGL c. 40, § 15C may be subject to noncriminal disposition. Violations shall be subject to a fine of \$300, each day to be considered a separate offense; or take any other action related thereto.

**Planning Board**

**ARTICLE 27**

**(Amend General By-Laws)**

To see if the Town will vote to amend Section 22 into ARTICLE V of the Town of Foxborough General By-Laws by inserting;

**Section 22 Complete Streets By-Law**

- A. Purpose: The purpose of this By-Law is to provide safe, convenient and comfortable routes for all modes of transportation, including vehicular, walking, bicycling, and public transportation within the Town of Foxborough, to support the use of all modes of transportation, enable convenient travel as part of daily activities, improve public welfare by addressing a wide array of health and environmental problems, and meet the needs of all users of streets, including children, older adults, and persons with disabilities.
- B. Applicability: In order to develop and maintain a safe, efficient, balanced and environmentally sound transportation system for people of all ages and abilities, the Town shall integrate Complete Streets planning into all types of projects, including new construction, reconstruction, rehabilitation, repair, and maintenance where such measures are practicable during the construction, reconstruction or other changes of transportation facilities on streets and in redevelopment projects.
- C. Definitions

The following words and phrases, whenever used in this By-Law, shall have the meanings defined in this section unless the context clearly requires otherwise:

"Complete Streets" is the planning, scoping, design, implementation, operation, and maintenance of roads in order to reasonably address the safety and accessibility needs of users of all ages and abilities. Complete Streets considers the needs of motorists, pedestrians, transit users and vehicles, bicyclists, and commercial and emergency vehicles moving along and across roads, intersections, and crossings in a manner that is sensitive to the local context and recognizes that the needs vary in urban, suburban, and rural settings.

“Complete Streets Infrastructure” means physical street features that contribute to a safe, convenient, or comfortable travel experience for users, including but not limited to features such as: sidewalks; shared use paths; bicycle lanes; automobile lanes; paved shoulders; street trees and landscaping; planting strips; curbs; accessible curb ramps; bulb outs; crosswalks; refuge islands; pedestrian and traffic signals, including countdown and accessible signals; signage; street furniture; bicycle parking facilities; public transportation stops and facilities; transit priority signalization; traffic calming devices such as rotary circles, traffic bumps, and surface treatments such as paving blocks, textured asphalt, and concrete; narrow vehicle lanes; raised medians; and dedicated transit lanes.

“Street” means any right of way, public or private, including arterials, connectors, alleys, ways, lanes, and roadways by any other designation, as well as bridges, tunnels, and any other portions of the transportation network.

“Street Project” means the construction, reconstruction, retrofit, maintenance, alteration, or repair of any Street, and includes the planning, design, approval, and implementation processes, except that “Street Project” does not include minor routine upkeep such as cleaning, sweeping, mowing, spot repair, or interim measures on detour routes.

#### D. Implementation

1. The Town of Foxborough shall make Complete Streets practices a routine part of everyday operations, shall approach every transportation project and program as an opportunity to improve streets and the transportation network for all users, and shall work in coordination with other departments, agencies, and jurisdictions to achieve Complete Streets.
2. As feasible, the Town of Foxborough shall incorporate Complete Streets Infrastructure into existing streets to improve the safety and convenience of users, construct and enhance the transportation network for each category of users, and create employment. Complete Streets may include street and sidewalk lighting; sidewalks and pedestrian safety improvements such as median refuges or crosswalk improvements; improvements that provide ADA (Americans with Disabilities Act) compliant accessibility; transit accommodations including improved pedestrian access to transit stops and bus shelters; bicycle accommodations including bicycle storage, bicycle parking, bicycle routes, shared-use lanes, wide travel lanes or bike lanes as appropriate; street trees, boulevard landscaping, street furniture and adequate drainage facilities; and reduction in the number of travel lanes or removal of on-street parking.
3. If the safety and convenience of users can be improved within the scope of pavement resurfacing, restriping, or signalization operations on streets, such projects shall implement Complete Streets Infrastructure to increase safety for users.
4. The Town of Foxborough will incorporate, where practicable, one or more "Complete Streets" elements into public transportation projects in order to provide appropriate

accommodation for bicyclists, pedestrians, transit users and persons of all abilities, while promoting safe operation for all users, in comprehensive and connected networks in a manner consistent with, and supportive of, the surrounding community.

5. The Town of Foxborough recognizes that "Complete Streets" may be achieved through single elements incorporated into a particular project or incrementally through a series of smaller improvements or maintenance activities over time.
6. The Town of Foxborough shall enhance the safety, access, convenience and comfort of all users of all ages and abilities, including pedestrians (including people requiring mobility aids), bicyclists, transit users, motorists and freight drivers, through the design, operation and maintenance of the transportation network so as to create a connected network of facilities accommodating each mode of travel that is consistent with and supportive of the local community, recognizing that all streets are different and that the needs of various users will need to be balanced in a flexible manner.
7. Bicycle, pedestrian, and transit facilities shall be included in Street Projects, reconstruction, repaving, and rehabilitation projects.
8. The Town of Foxborough shall follow The Massachusetts Project Development & Design Guide (2006) that:
  - a. Provides guidance on basic design controls;
  - b. In developed areas, continuous sidewalks should be provided on both sides of a roadway, minimizing the number of pedestrian crossings required. If sidewalks are only on one side of the street, the sidewalk should be provided on the side that minimizes the number of pedestrian crossings;
  - c. Pedestrian requirements must be fully considered in the design of intersections including taking into consideration the following concerns: crossings and pedestrian curb cut ramp locations; walking speed, pedestrian flow capacity, traffic control, yielding and delays;
  - d. All new and reconstructed sidewalks must be accessible to and usable by person with disabilities in accordance with the Americans with Disabilities Act and the Massachusetts Architectural Access Board; and
  - e. Along roadway segments, greater separation of motor vehicle and non-motorized users can be provided by including shoulders, bicycle lanes, or buffered sidewalks.
9. All initial planning and design studies, health impact assessments, environmental reviews, and other project reviews for projects requiring funding or approval by boards and committees in Foxborough shall:
  - a. evaluate the effect of the proposed project on safe travel by all users; and

b. identify measures to mitigate any adverse impacts on such travel that are identified.

10. The Town and its boards and departments shall review and either revise or develop proposed revisions to all appropriate plans, zoning and subdivision codes, laws, procedures, rules, regulations, guidelines, programs, templates, and design manuals to integrate Complete Streets principles in all Street Projects on streets.

11. In preparing design guidelines, the Department of Public Works shall coordinate templates with street classifications and revise them to include Complete Streets Infrastructure, such as bicycle lanes, sidewalks, street crossings, and planting strips. The design of new or reconstructed facilities should anticipate likely future demand for bicycling, walking and transit facilities.

E. Reporting

The head of each affected board or department shall report annually to the Board of Selectmen:

1. the steps taken to implement this By-Law;
2. additional steps planned; and
3. any desired actions that would need to be taken by Town Meeting or others to implement the steps taken or planned.

F. Severability: In the event that a court or agency of competent jurisdiction holds that a federal or state law, rule, or regulation invalidates any clause, sentence, paragraph, or section of this by-law or the application thereof to any person or circumstances, it is the intent of the by-law that the court or agency sever such clause, sentence, paragraph, or section so that the remainder of this Ordinance remains in effect.

G. Effective Date: August 14, 2014;  
Or take any other action related thereto.

**Planning Board**

**ARTICLE 28**

**(Adoption of General By-Laws)**

To see if the Town shall vote to accept the renumbering and revision of the various bylaws of the Town from their original numbering or their numbering in the General By-Laws, as amended through May 13, 2013, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the General By-Laws as set forth in the Final Draft of the Code of the Town of Foxborough, dated February 2014, a copy of which is on file with the Town Clerk said codification having been done under the direction of the Board of Selectmen and Town Attorney, and said Code being a compilation and comprehensive revision of the present by-laws of the Town. All by-laws of a general and permanent nature, as amended,



heretofore in force and not included in the Code shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law, and such repeal shall not apply to or affect any by-law, order or article heretofore adopted accepting or adopting the provisions of any statute of the Commonwealth. These by-laws shall be referred to as the “Code of the Town of Foxborough, Massachusetts”; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 29**

**(Adoption of Zoning By-Law)**

To see if the Town shall vote to accept the renumbering and revision of the Zoning By-Law of the Town from its original numbering, as amended through May 13, 2013, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the Zoning By-Law as set forth in the Final Draft of the Code of the Town of Foxborough, dated February 2014, a copy of which is on file with the Town Clerk said codification of the Zoning By-Law having been done under the direction of the Planning Board, and being a compilation and comprehensive revision of the present Zoning By-Law, including amendments thereto. All Zoning By-Laws, as amended, heretofore in force, shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law. The Zoning By-Law shall be codified as Chapter 275 of the “Code of the Town of Foxborough, Massachusetts”; or take any other action related thereto.

**Board of Selectmen**

**ARTICLE 30**

**(Amend Zoning By-Laws)**

To see if the Town will vote to amend Table 3-1 of the Foxborough Zoning By-Laws by inserting a new use category as follows:

		R-15	R-40	GB	NB	HB	GI	LI	S-1
D.12	Registered Marijuana Dispensary	N	N	N	N	N	N	N	PB

And to amend the Foxborough Zoning By-Laws by inserting the following as Section 7.5:

**7.5 REGISTERED MARIJUANA DISPENSARIES**

**7.5.1 Purpose.** The purpose of this Section 7.5 is to:

1. Provide for the establishment of Registered Marijuana Dispensaries in appropriate places and under strict conditions in accordance with the passage of Initiative Petition 11-11 (Question #3 on the November, 2012 state ballot).
2. Minimize the adverse impacts of Registered Marijuana Dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Dispensaries.
3. Regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Registered Marijuana Dispensaries.

**7.5.2 Applicability.**

1. The commercial cultivation, production, processing, assembly, packaging, retail or

wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Registered Marijuana Dispensary under this Section.

2. No Registered Marijuana Dispensary shall be established except in compliance with the provisions of this Section.
3. Nothing in this By-Law shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

### **7.5.3 General Requirements for all Registered Marijuana Dispensaries.**

1. Marijuana or Marihuana, Marijuana-Infused Product (MIP), Registered Marijuana Treatment Dispensary (including definition of registered marijuana dispensary), Registration Card, and Production Area are defined in 105 CMR 725.000.
2. All Registered Marijuana Dispensaries shall be contained within a building or structure.
3. No Registered Marijuana Dispensary shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet.
4. The hours of operation of Registered Marijuana Dispensaries shall be set by the Planning Board, but in no event shall said Facilities be open and/or operating between the hours of 8:00 PM and 8:00 AM.
5. No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Medical Marijuana Dispensary.
6. No Registered Marijuana Dispensary shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.
7. Signage shall comply with the Town of Foxborough Sign By-Law and 105 CMR 725.000. Signs shall only contain the name of the Dispensary, the address, hours, contact information for the permit holder, and the following language: "Registration card issued by the MA Department of Public Health required." All text shall be a minimum of two inches in height. Signage shall not include the marijuana leaf icon or other imagery that would detract from the professional and medical nature of the Dispensary.
8. Registered Marijuana Dispensaries shall provide the Police Department and Building Commissioner with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment.

### **7.5.4 Special Permit Requirements.**

1. A Registered Marijuana Dispensary shall only be allowed by special permit from the Planning Board.

2. A special permit for a Registered Marijuana Dispensary shall be limited to one or more of the following uses that shall be prescribed by the Special Permit Granting Authority:
  - a. Cultivation of Marijuana for Medical Use (horticulture).
  - b. Processing and packaging of Marijuana for Medical Use, including Marijuana, Marijuana-Infused Products (MIP), and other products.
  - c. Retail sale or distribution of Marijuana for Medical Use to Qualifying Patients.
3. Site Plan Review by the Planning Board is required.
4. In addition to the application requirements set forth in these By-Laws, a special permit application for a Registered Marijuana Dispensary shall include the following:
  - a. The name and address of each owner of the Dispensary;
  - b. Copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Dispensary;
  - c. Evidence of the Applicant's right to use the site for the Dispensary, such as a deed or lease;
  - d. If the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
  - e. A written report from the Foxborough Police Department detailing minimum security measures for The Dispensary.
  - f. Proposed security measures for the Medical Marijuana Dispensary meeting or exceeding the requirements of the Police Department, including lighting, fencing, police details, guards, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.

**7.5.5 Findings.** The Planning Board shall not issue a special permit for a Registered Marijuana Dispensary unless it finds that the Dispensary meets the criteria listed in Section 10.4.2 and that:

1. The Dispensary is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest.
2. The Dispensary is not within one thousand feet (1000') of any school serving persons under 21 years of age, a church or other religious facility, or a public park located within Foxborough or any abutting community.

3. The Dispensary demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations.

#### **7.5.6 Conditions of Approval.**

1. A special permit granted under this Section shall have a term limited to the duration of the applicant's ownership of the premises as a Registered Marijuana Dispensary.
2. The Board shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Registered Marijuana Dispensary in the event the Town must remove the Dispensary. The value of the bond shall be based upon the ability to completely remove all the items noted in 7.5.3 and 7.5.4 and properly clean the Dispensary at prevailing wages.
3. Each Registered Marijuana Dispensary permitted under this By-Law shall as a condition of its special permit file an annual report to the Planning Board, Board of Health, and the Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the Dispensary and/or its owners and demonstrate continued compliance with the conditions of the Special Permit. The Planning Board may require such report to be made at a meeting.
4. Registered Marijuana Dispensaries shall provide the Police Department and Building Commissioner the contact information required in 7.5.3.8 each year, no later than January 31<sup>st</sup>.
5. Registered Marijuana Dispensaries shall meet with Police Department annually to review security provisions and submit any revisions to the Police Department and Building Commissioner no later than January 31<sup>st</sup>.
6. The Planning Board may impose other conditions as they deem necessary.

#### **7.5.7 Abandonment or Discontinuance of Use.**

1. A Special Permit shall lapse if not exercised within one year of issuance.
2. A Registered Marijuana Dispensary shall be required to remove all material, plants equipment and other paraphernalia:
  - a. prior to surrendering its state issued licenses or permits; or
  - b. within six months of ceasing operations; whichever comes first.

Or take any other action related thereto.

**Planning Board**

**ARTICLE 31**

**(Amend Zoning By-Laws)**

To see if the Town will vote to amend the Foxborough Zoning By-Laws, Table 4-1, to insert a column entitled "MAXIMUM LOT COVERAGE" to the right of MINIMUM LOT WIDTH and insert 40% for all R-15 & Two family categories and 25% for all R-40 and NB categories. Add 4.1.2.5 to read as follows: Maximum lot coverage may be modified by the provisions of special district regulations; or take any other action related thereto.

**Planning Board**

**ARTICLE 32**

**(Amend Zoning By-Laws)**

To see if the Town will vote to amend the Foxborough Zoning By-Laws, Table 3-1 TABLE OF USES Section L. 15. Drive-Through Facility to read:

	R-15	R-40	GB	NB	HB	GI	LI	S-1
L.15. Drive-Through Facility	N	N	N	N	PB	N	N	PB

Or take any other action related thereto.

**Planning Board**

**ARTICLE 33**

**(Amend Zoning By-Laws)**

To see if the Town will vote to amend the Foxborough Zoning By-Laws as follows:

Amend Table 3-1 TABLE OF USES to delete existing use category B.1. and insert the following:

1. All land and buildings used for the storage, manufacture, processing or bottling of non-combustible materials, beverages, and low hazard wares that do not ordinarily burn rapidly and which are not High Hazard Uses.

Amend Table 3-1 of the Foxborough Zoning By-Laws by inserting a new use category as follows:

	R-15	R-40	GB	NB	HB	GI	LI	S-1
C.11 Brew Pub	N	N	PB	PB	N	N	N	N

Amend Section 11 of the Foxborough Zoning By-Laws by inserting the following in the appropriate alphabetical order:

**Brew Pub:** Restaurant licensed by the United States Department of Alcohol, Tobacco and Firearms and the Commonwealth of Massachusetts under the farmer's brewers statutes to produce and sell beer and ale at the location and whose primary business is the sale and preparation of food to be consumed on the premises, but which also produces beer and ale on the premises, of which not more than 20% of the production capacity may be sold wholesale to other establishments.

**Mixed Use:** A tract of land or building or structure developed for two or more different uses including residential, Retail, business, service, or office, assembly uses, and institutions.

Amend Section 9.2.2 by adding Howard Avenue, Rockhill Street, and Shaw Place in appropriate alphabetical order and after Granite Street add the phrase “(Main Street to Union Street)”

Amend Section 9.2.4 by striking the existing section and inserting the following:

**9.2.4 Applicability.** Review by the Design Review Board is required for exterior activities within the Design Review District when Site Plan Review or a Special Permit is required or when the Building Commissioner determines that the proposed exterior activities are sufficiently extensive to materially affect the character of surrounding area.

Amend Section 9.2.6 striking sections 1 and 2 and replacing with the following:

1. Upon receipt of an application, the Design Review Board shall, within twenty-one (21) days, submit any written findings, comments, conditions, and recommendations to the applicant, Building Commissioner, and referring board. Failure of the Design Review Board to report within the twenty-one (21) day period shall be deemed a lack of opposition thereto.
2. The referring board shall incorporate the Design Review Board’s report in its decision. Should the referring board deviate from the Design Review Board’s report, the reasons shall be specifically cited in their decision.

Amend the Zoning By-Laws by inserting a new Section 9.7 entitled Foxborough Center Overlay District (FCOD)

## **9.7 FOXBOROUGH CENTER OVERLAY DISTRICT (FCOD)**

**9.7.1 Vision and Purpose.** Foxborough Center is recognized as the heart of the town. Anchored by the Common, the Center is a walkable, mixed-use area that fulfills many of the community’s governmental, spiritual, service, residential, and social needs. The purpose of this Overlay is to:

1. Promote development or redevelopment of a mix of non-residential and residential uses in downtown Foxborough
2. Encourage a mix of uses on a lot or in a building that are appropriate to the needs of the community and the scale of surrounding neighborhoods
3. Promote an active pedestrian environment and innovative approaches to parking

4. Provide opportunities for housing, employment and/or shopping in close proximity to residents, municipal facilities and other services
5. Maintain a consistently high level of design quality throughout the district
6. Preserve the historic character of the Center and promote compatible development

**9.7.2 Overlay District.** The Foxborough Center Overlay District (FCOD) is established as an overlay district encompassing the area more particularly delineated on the plan entitled “Foxborough Center Overlay District (FCOD) Plan in Foxborough, MA” prepared by Metropolitan Area Planning Council, dated May 29, 2013. This map shall be considered as superimposed over other districts established by these By-Laws. The map as it may be amended from time-to-time, is on file with the office of the Town Clerk and with the Building Commissioner, and together with any explanatory material thereon, is hereby incorporated in and made part of these By-Laws.

**9.7.3 Relationship to Existing Zoning and Other Regulations.** The FCOD by-law shall not restrict the rights of any owner who elects to utilize the existing underlying zoning district regulations to develop or redevelop land. If an owner elects to utilize the FCOD to develop or redevelop land, the project shall conform to all applicable requirements of this by-law, including any regulations or guidelines that may be adopted to support this by-law.

In the FCOD, all requirements of the underlying district(s) shall remain in effect except where these regulations supersede or provide an alternative to such requirements.

If the provisions of this by-law are in conflict with any other section of the Foxborough Zoning By-law, the regulations of the FCOD shall govern.

**9.7.4 Pre-Application Process**

Prior to submitting a building application for a project within the FCOD, the applicant shall contact the Town Planner to arrange a Pre-Application meeting to review the project. The Town Planner will coordinate, if applicable, further pre-application meetings with the Planning Board and/or a joint administrative meeting. The purpose of the pre-application process is to answer questions and concerns in order to streamline the review process for applicants.

**9.7.5 Use Provisions.**

1. **Permitted Uses.** The following uses are Permitted Uses, allowed by-right for any project developed within the FCOD. The projects are subject to any

Performance Standards, Section 6.5; Site Plan Review requirements pursuant to Section 10.5 and Design Review pursuant to Section 9.2.

**C. Mercantile/Retail**

1. Retail establishment
2. Restaurant
3. Mercantile/retail uses, except restaurants with seating which use more than twenty-five (25) percent of the gross area of a building

**D. Business, Service, or Office**

1. All land and buildings which are used for the transaction of business, for the rendering of professional or tradesman services or for the other services that involve stocks of goods, wares, or merchandise in limited quantities for use incidental to business office uses or similar purposes, except for other uses specified in this Use
3. Laundry or dry cleaning facilities—drop off only, no on-premises facilities
5. Funeral Establishments

**E. Assembly**

1. Theatres
4. Museums, with or without an auditorium in which persons assemble for amusement, entertainment or recreation, and incidental motion picture, dramatic or educational presentations, lectures or similar purposes
5. Use of land or structures for religious purposes
8. Use of land or structures for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation
9. Child care center

**G. Residential**

**Mixed Use: up to 3 dwelling units in a mixed use project; over 3 dwelling units by special permit from the Planning Board**

5. Two (2) family dwelling
6. Single family dwellings
11. Accessory Apartment
13. Bed and Breakfast

**H. Agricultural Uses**

1. Use of land for the primary purpose of agriculture, horticulture, floriculture or viticulture on a parcel of more than five acres in area.

**I. Public and Quasi-Public Facilities**

2. Essential services



3. Municipal facilities and structures necessary to the service of the Town, excluding storage yards, power plants, water, filter plants, sewage treatment plants and refuse facilities.

7. Municipal Recreation Facility

**L. Accessory Uses**

3. Residential accessory uses and structures. Gross area of residential storage structures shall not exceed 400 square feet or 1.5 stories; the gross area of temporary wayside stands shall not exceed 400 sq. ft.

4. Residential garages which do not exceed one and a half stories in height and a "footprint" not to exceed one and a half stories in height and a "footprint" not to exceed 625 square feet.

7. Accessory uses to multifamily dwellings which are located within the principal building and are limited to eating establishments, personal service establishments; retail sales establishments selling convenience merchandise

10. Home occupation

11. Home occupation, non-intensive

**2. Uses Not Permitted in the FCOD.** For developments proposed to utilize the optional Overlay, the following uses permitted within the underlying zoning district(s) are not permitted.

C.6 Commercial Storage Garages/motor vehicle repair shops

D.3 Laundry and Dry Cleaning (Commercial facility)

L.2 Seasonal Worker Housing as Accessory Use

L-13 Keeping of Livestock on 2+acres

M-3 Excess Parking Spaces

The following Uses, authorized by grant of a special permit in the underlying zoning district(s), are Not Permitted in any development utilizing the Overlay.

A.3. Motor Vehicle Fuel Facility (BA)

B.4 Temporary Parking Lots (PB)

D.2 Research and Development (PB)

D.8 Truck Terminal/public warehouse (PB)

D.9 Automobile Storage or auction facility (PB)

F.1 Hospitals, sanitariums, orphanages (BA)

G.3 Dormitories (BA)

I.4 Telecommunications (BA)

J.7 Wellness and Recreation Center (PB)

L.1. Accessory Storage of Waste Materials (BA)

L.12 Keeping of Livestock on less than 2 acres (BA)

L.15 Drive-Through Facility (PB)

**3. Uses Allowed by Special Permit.**

The following uses may be authorized by grant of a special permit from either the Planning Board or the Board of Appeals, as noted below.

- Mixed Use Project** with more than 3 dwelling units (Planning Board)
- C.11 Brew Pub (Planning Board)
- E.2 Night clubs, dance halls (Planning Board)
- L.9 Nonresidential accessory uses and structures which do not exceed 15% of the gross area of the principal building or buildings (Board of Appeals)

**9.7.6 Dimensional Requirements.** The following Dimensional Requirements shall apply in the FCOD:

<b>Table 9-2 DIMENSIONAL REGULATIONS FOR FOXBOROUGH CENTER OVERLAY DISTRICT (FCOD)</b>										
USE	AREA (sq.ft.)	FRONTAGE (ft)	YARDS (ft)			BUILDING HEIGHT		MAXIMUM LOT COVERAGE	MINIMUM LOT WIDTH (ft)	
			Front	Side	Rear	Stories	Feet		Distance from Street	Width
All		20	10	10	10	3.5	40	85%	0	0

**9.7.7 Notes to Dimensional Regulation Table**

1. The Planning Board, by grant of a Special Permit, may vary any of the above dimensional requirements. Consistent with Section 4.4.2, any principal structure may not exceed sixty (60) feet, nor more than four (4) stories in height in the FCOD.
2. When any yard (front, side, rear) of a multi-family or non-residential structure abuts a single or two-family home, Site Plan Review will include specific review of all proposed landscaping in order to provide a year-round visual buffer between uses.

**9.7.8 Parking.**

**Parking Requirements:** Within the FCOD, the following parking requirements apply. Parking shall not be allowed within the front or side yard dimensional setbacks.

Use	Minimum Parking Spaces:	Maximum Parking Spaces
Studio/1 Bedroom	1 per unit	1 per unit
All other residential units	1.5 per unit	2 per unit

Retail business and service establishments	1 space for each 300 s.f. of gross floor area on the first floor of a building, and one space for each 500 square feet of gross floor area thereafter for all floors used businesses, excluding basement storage area	1 space for each 250 s.f. of gross floor area on the first floor of a building, and one space for each 400 square feet of gross floor area thereafter for all floors used for office, retail or service businesses, excluding basement storage area
Mixed uses	See Section 6.1.5 Notes to Table 6.1 Off Street Parking Requirements	Spaces required will be the sum of the requirements of the various individual uses
All other uses		SEE Table 6.1

**9.7.9 Notes on Parking Requirements:**

1. Section 6.1.6 Reduction in off-street parking applies in the FCOD, with the modification that within the FCOD, no percentage is specified.
2. Section 6.1.2(2) Relation to Use applies for all uses in the FCOD.

**9.7.10 Shared On-Site Parking for Mixed Use Development**

1. Non-competing Uses. In mixed-use developments, applicants may propose a reduction in parking requirements based on an analysis of peak demands for noncompeting uses. Up to 50% of the requirements for the predominant use may be waived by the Planning Board if the applicant can demonstrate that the peak demands for two uses do not overlap.
2. Competing Uses. In mixed-use developments, applicants may propose a reduction in parking requirements where peak demands do overlap. In these cases, the Planning Board may reduce the parking requirements of the predominant use by up to 30%.

**9.7.11 Criteria for Review:** Projects developed utilizing the Foxborough Center Overlay District are subject to the review provisions of the Foxborough Zoning By-Law Section 6.5 Performance Standards; Section 105 Site Plan Review and Section 9.2 Design Review Overlay District.

In addition, the Planning Board shall ensure that the following criteria are met during any special permit or site plan review:

1. **Context:** To ensure development that is in harmony (or contextual) with Foxborough Center, the Standards of the Design Review Overlay District (Section 9.2.5) for proportions, roof design, scale of structure, facades, etc. should be addressed. Proposed development should be consistent with the Town Master Plan.

## 2. Entrances

- a. For visibility and accessibility, all primary commercial building entrances shall be visible from the right-of-way and the sidewalk, and shall have an entrance directly accessible from the sidewalk.
- b. Where parking is located to the rear of a building, any rear entrance is to be visible and accessible from the parking lot. Directional signage to the building entrance(s) shall be installed. All entrances are to have sufficient illumination at night time.

## 3. External Materials and Appearance

- a. External building treatments shall relate to and be in harmony with surrounding structures.
- b. Predominant wall materials shall have the appearance of wood, brick or stone.
- c. Except for minor trim, the building shall avoid the appearance of reflective materials such as porcelain enamel or sheet metal. Window panes shall be non-reflective.
- d. Ground floor commercial building facades facing streets, shall contain transparent windows encompassing a minimum of 35 percent of the facade surface.

## 4. Vehicle and Bicycle Parking

- a. Parking areas shall be located behind or beside buildings wherever possible.
- b. Bicycle parking shall be provided for all new developments.
- c. Any property owner required to have bicycle parking may elect to establish a shared bicycle parking facility with any other property owner within the same block to meet these requirements.

5. **Sustainable Building Design:** It is desirable that new buildings incorporate green building techniques (such as those developed by the U.S. Green Building Council) to the maximum extent feasible.

6. **Historic Structures,** as designated by the Foxborough Historic Commission.

- a. Wherever possible, existing historic structures on the site shall be preserved and renovated for use as part of the development.

- b. Any alteration of or addition to an existing historic structure shall employ materials, colors and textures as well as massing, size, scale and architectural features that are compatible with the original structure. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved. Awnings and canopies shall be compatible with the architectural style of the building;

or take any other action related thereto.

**Planning Board**

**ARTICLE 34**

**(Amend Zoning By-Laws)**

To see if the Town will vote to amend the Foxborough Zoning By-Laws to delete the existing Section 5.4 and insert the following new Section 5.4:

**5.4 NONCONFORMING SINGLE AND TWO-FAMILY RESIDENTIAL STRUCTURES**

Nonconforming single and two-family residential structures may be reconstructed, extended or altered as of right upon a determination by the Building Commissioner that such reconstruction, extension or alteration does not increase the nonconforming nature of the structure, and does not increase the habitable floor area of the structure by more than twenty-five (25%) percent.

**5.4.1 No Increase in Nonconforming Nature**

The reconstruction, extension or alteration of a structure that is described in each of the following circumstances shall not be deemed to increase the nonconforming nature of a structure:

1. **Insufficient Areas.** Reconstruction, extension or alteration of a structure that is located on a lot with insufficient lot area, but that complies with all current dimensional requirements for front, side and rear yards, building coverage, and building height.
2. **Insufficient Frontage.** Reconstruction, extension or alteration of a structure that is located on a lot with insufficient frontage, but that complies with all current dimensional requirements for front, side and rear yards, building coverage, and building height.
3. **Yard Encroachment.** Reconstruction, extension or alteration of a structure that does not further encroach upon one or more nonconforming front, side or rear yards, but that complies with current dimensional requirements for building coverage and building height.

**5.4.2 Increase in Nonconforming Nature or Increase in Habitable Floor Area by Twenty-Five (25%) or More.**

In the event that the Building Commissioner determines that the reconstruction, extension or alteration increases the nonconforming nature of the structure, or in the event that such

reconstruction, extension or alteration increases the habitable floor area of the structure by twenty-five (25%) percent or more, a Special Permit granted by the Board of Appeals shall be required to allow such reconstruction, extension or alteration. A Special Permit may be granted by the Board of Appeals only if there is a finding by the Board of Appeals that the reconstruction, extension or alteration shall not be substantially more detrimental to the neighborhood in which the structure is located than the existing nonconforming structure.

Or take any other action related thereto.

**Planning Board**

And you are requested to serve this warrant by posting attested copies thereof, one at the Town Office, and one at each place where the meeting is to be held, seven days at least before the day appointed for the holding of said meeting.

Hereof, fail not, and make due return of this warrant with your doings to the Town Clerk, at the time and place of said meeting.

Given under our hands and the seal of said Town this twenty second day of April the year of our Lord Two Thousand and Fourteen.

**BOARD OF SELECTMEN, TOWN OF FOXBOROUGH**

**Mark S. Sullivan, Chairman**

**Lorraine A. Brue, Vice Chairman**

**John R. Gray, Clerk**

**Virginia M. Coppola**

**James J. DeVellis**

**A True Copy**

**Attest**

..... **Constable, Town of Foxborough**

## APPENDIX A

<u>DEPARTMENT/Description</u>	<u>FY 15</u> <u>C.I.P. Plan</u>	<u>Funding Sources</u>
<b>INFORMATION SYSTEMS</b>		
<b>Equipment</b>		
Relocate Fiber Hub from Town Hall to Data Center	71,150	Free Cash
<b>CONSERVATION</b>		
<b>Facilities</b>		
89 North Street Rental Property Repairs	16,500	Free Cash
<b>MUNICIPAL BUILDING</b>		
<b>Equipment</b>		
Town Hall Furniture & Fixtures	250,000	Free Cash
<b>FIRE</b>		
<b>Vehicles &amp; Equipment</b>		
42 Self Contained Breathing Apparatus-Final Pmnt	206,628	Ambulance Receipts
Command Vehicle	53,676	Ambulance Receipts
Thermal Imaging Cameras	34,500	Ambulance Receipts
<b>CENTRAL DISPATCH</b>		
<b>Equipment</b>		
Power Phone for EMS Dispatch	47,500	Free Cash
<b>ANIMAL CONTROL</b>		
<b>Vehicles &amp; Equipment</b>		
Ford F150 Crew Cab 4WD Pickup	32,334	Free Cash
<b>PUBLIC SCHOOLS</b>		
<b>Vehicles &amp; Equipment</b>		
Computer/Software/Printer Upgrades & Replacement	168,750	Free Cash
2 School buses	160,000	Free Cash
Network Switch Upgrade (3 Year Build Out)	156,938	Free Cash
4 Copiers	40,000	Free Cash
AMS - Wireless Infrastructure Installation	40,000	Free Cash
<b>PUBLIC WORKS</b>		
<b>Vehicles &amp; Equipment</b>		
6 Wheel Dump/Sander #19	175,000	Free Cash
1 Ton Diesel Rack Truck #30	60,000	Free Cash
Used Asphalt Spreader	40,000	Free Cash
Manhole/Catch Basin Cutter Backhoe Attachment	30,000	Free Cash
72" Mower	30,000	Free Cash
<b>Infrastructure</b>		
Street Reconstruction	618,215	Chapter 90 Roads Program
Street Reconstruction	610,782	Free Cash (accumulated from Meals Tax)
Street Reconstruction	269,000	Meals Tax Receipts
<b>HISTORICAL COMMISSION</b>		
<b>Facilities</b>		
Memorial Hall Roof Replacement	55,000	Free Cash
Memorial Hall Copper Gutter & PVC Downspout Rplc	25,000	Free Cash
Restoration of Civil War Sentry Statue atop cupola	25,000	Free Cash
Memorial Hall Ceiling Repair	25,000	Free Cash
Memorial Hall Restoration of Windows	50,000	\$45,000 Free Cash, \$5,000 from Grant
Masonry Repair: Memorial Hall, Reservoir Bldg	50,000	Grant Funded
Memorial Hall Restoration of Flooring/Asbestos Abtmt	50,000	Grant Funded
Memorial Hall Preservation & ADA Assessment	70,000	Grant Funded
<b>WATER</b>		
<b>Vehicles</b>		
Ford Escape	25,000	Water Receipts
<b>Infrastructure</b>		
Hill St Water Tank Rehabilitation	1,000,000	Prior Year Water Capital Appropriations
Water System Improvements and Rehab	450,000	Water Receipts
Mechanic St Water Improvement Project	350,000	Water Receipts
Chlorine Contact System for Pumping Station #2	200,000	Water Receipts
<b>SEWER</b>		
<b>Infrastructure</b>		
Inflow & Infiltration Study - IMA Requirement	100,000	\$50,000 Sewer Receipts, and \$50,000 Retained Earnings
<b>TOTAL</b>	<u>5,585,973</u>	



**5 YEAR CAPITAL PLAN and ASSUMED FUNDING**

DEPARTMENT/Description	5 YEAR HISTORY					5 YEAR PLAN					TOTAL FY 10-14	TOTAL FY 15-19	
	FY 10 Budget	FY 11 Budget	FY 12 Budget	FY 13 Budget	FY 14 Budget	FY 15 Plan	FY 16 Plan	FY 17 Plan	FY 18 Plan	FY 19 Plan			
<b>TOWN WIDE</b>													
Vehicles & Equipment													
Management Information Systems				50,000						71,150			71,150
<b>Infrastructure</b>													
Conservation-Dam Repairs								132,000	240,000	90,000	280,000		742,000
<b>MUNICIPAL BUILDINGS</b>													
Facilities & Equipment													
Town Hall										250,000	8,656,000		8,906,000
Conservation Rental Property								16,500	45,800				62,300
Upgrade Telephone & Email Systems				300,000									
<b>POLICE</b>													
Vehicles & Equipment													
Vehicles & Equipment	25,000			58,500	112,000					36,000	28,000		64,000
Communications System Upgrade										300,000	400,000		700,000
Security Cameras for Public Bldgs.										225,000			225,000
<b>CENTRAL DISPATCH / PUBLIC SAFETY BLDG</b>													
Vehicles & Equipment													
Database Management Software										47,500			47,500
PC & Server Replacements					48,750								
<b>ANIMAL CONTROL</b>													
Vehicles & Equipment													
Vehicles										32,334			32,334
<b>FIRE</b>													
Vehicles & Equipment													
Ambulance & Related Equipment	271,000	49,738	315,000							362,250	383,985		746,235
Ladder Truck			325,000										
Fire Support & Rescue										34,500	63,595		98,095
Engine #25													
Engine #21				570,000									
S.C.B.A. System				51,406	43,076					206,628			206,628
Squad 1				54,572									
Engine #23 / Pumper													
Cars 1, 2, 4 & Pick-Up	325,000									53,676			53,676
<b>INSPECTIONS</b>													
Vehicles & Equipment													
Vehicles										28,000			28,000
<b>HIGHWAY</b>													
<b>Infrastructure</b>													
Street Reconstruction	411,187	434,399	669,113	742,759	895,000					1,497,997	618,215	618,215	4,070,857
Storm water Plan													
Parking Lot										40,000			40,000
Sidewalk Reconstruction													
<b>Facilities</b>													
Replace Furnace/Generator				60,000									
Building Improvements										150,000	50,000		200,000
<b>Vehicles &amp; Equipment</b>													
Highway Division	157,000		169,000		269,000					305,000	150,000	185,000	925,000
Tree & Park Division	45,000	26,000		126,000	47,000					30,000	38,000	35,000	103,000

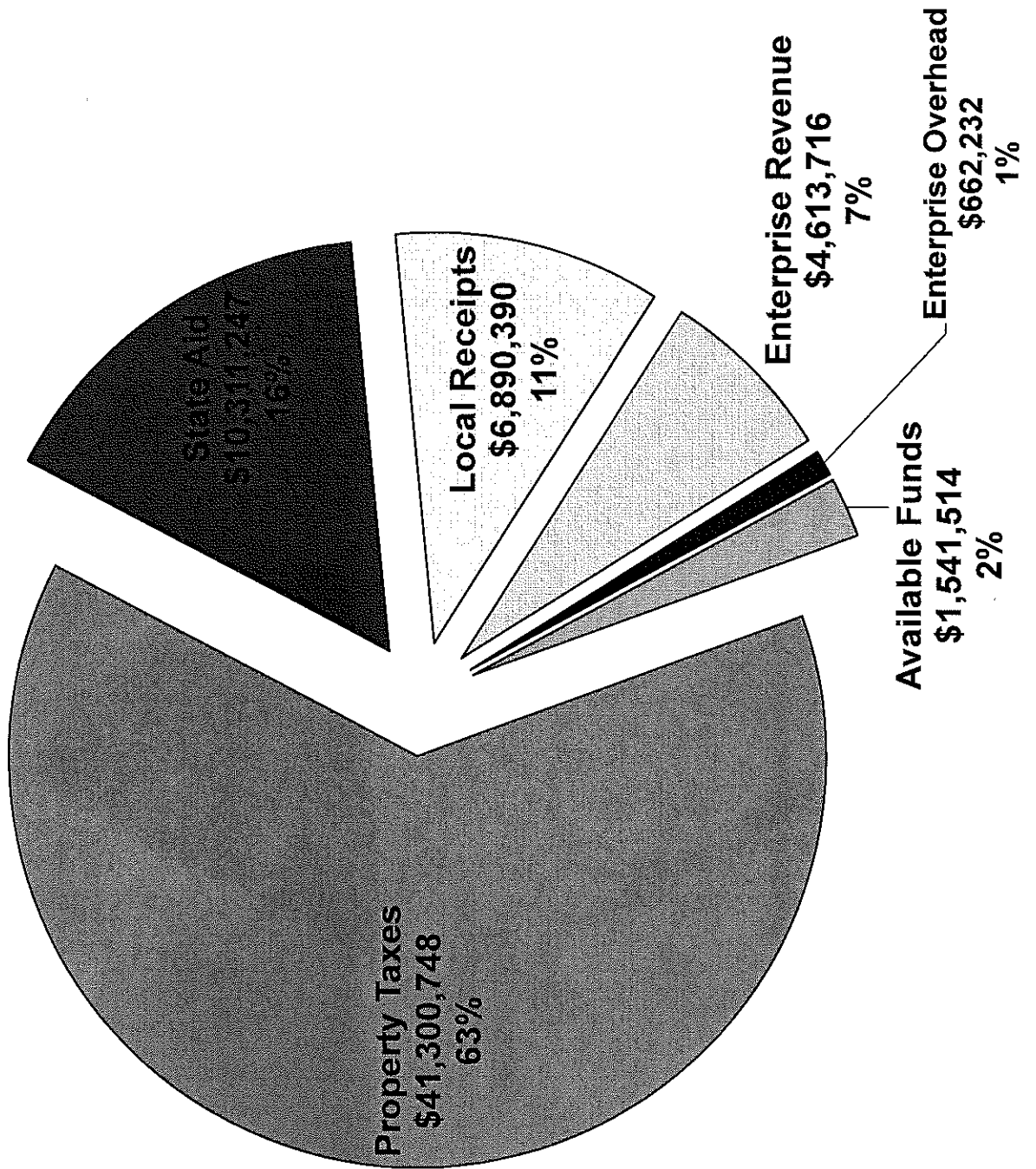
**5 YEAR CAPITAL PLAN and ASSUMED FUNDING**

DEPARTMENT/Description	6 YEAR HISTORY					5 YEAR PLAN						
	FY 10 Budget	FY 11 Budget	FY 12 Budget	FY 13 Budget	FY 14 Budget	TOTAL FY 10-14	FY 15 Plan	FY 16 Plan	FY 17 Plan	FY 18 Plan	FY 19 Plan	TOTAL FY 15-19
<b>Five-Year CIP Plan (FY 15-19)</b>												
<b>BOARD OF HEALTH</b>												
Vehicles & Equipment												
SUV				25,000		25,000						
<b>COUNCIL ON AGING</b>												
Facilities												
Senior Center												
Vehicles & Equipment											905,335	905,335
Van					51,000	51,000						
<b>BOYDEN LIBRARY</b>												
Facilities												
Building Renovation & Expansion		11,674,707				11,674,707						
<b>HISTORICAL COMMISSION</b>												
Facilities												
Memorial Hall Renovations							350,000					350,000
<b>TOTAL MUNICIPAL</b>	1,077,187	12,387,314	1,153,113	2,063,237	1,765,826	18,446,677	2,895,285	10,644,860	1,428,215	1,710,200	1,898,550	18,577,110
<b>FOXBOROUGH PUBLIC SCHOOLS</b>												
Facilities												
H.S. Building Rehabilitation	19,725,407					19,725,407						
MSBA Feasibility Studies							300,000		50,000	275,000		625,000
Asbestos Removal												
Athletic Fields/Facilities	160,000			1,265,000		1,425,000						
Blacktop/Playground Equipment												
Emergency Power/Lighting												
Elevator												
HVAC/Replace Oil Tanks/Boilers												
Gyms/Bleachers/Dividers												
Paving	230,000		820,000			1,050,000						
Energy Management Systems												
School Carpets/Floors												
HS Water Tanks												
Roofs/Doors/Windows												
Fire Alarm / Security Systems					112,000	112,000						
Locker rooms/Bathrooms												
<b>Vehicles &amp; Equipment</b>												
Buses & Vans	220,000	195,000	220,000	164,000	216,000	1,015,000	160,000	290,000	164,000	316,500	166,000	1,096,500
Technology/Networking	232,000	117,000	145,000	168,750	253,750	916,500	365,688	310,000	293,750	281,250	156,250	1,406,938
Office Copiers	36,000	45,000	45,000	56,000	40,000	222,000	40,000	40,000	40,000	40,000	40,000	200,000
Music/Band / Tech Ed Equipment					38,000	38,000						
<b>TOTAL FOXBOROUGH SCHOOLS</b>	20,373,407	587,000	1,230,000	1,663,750	659,750	24,503,907	565,688	940,000	547,750	912,750	362,250	3,328,438

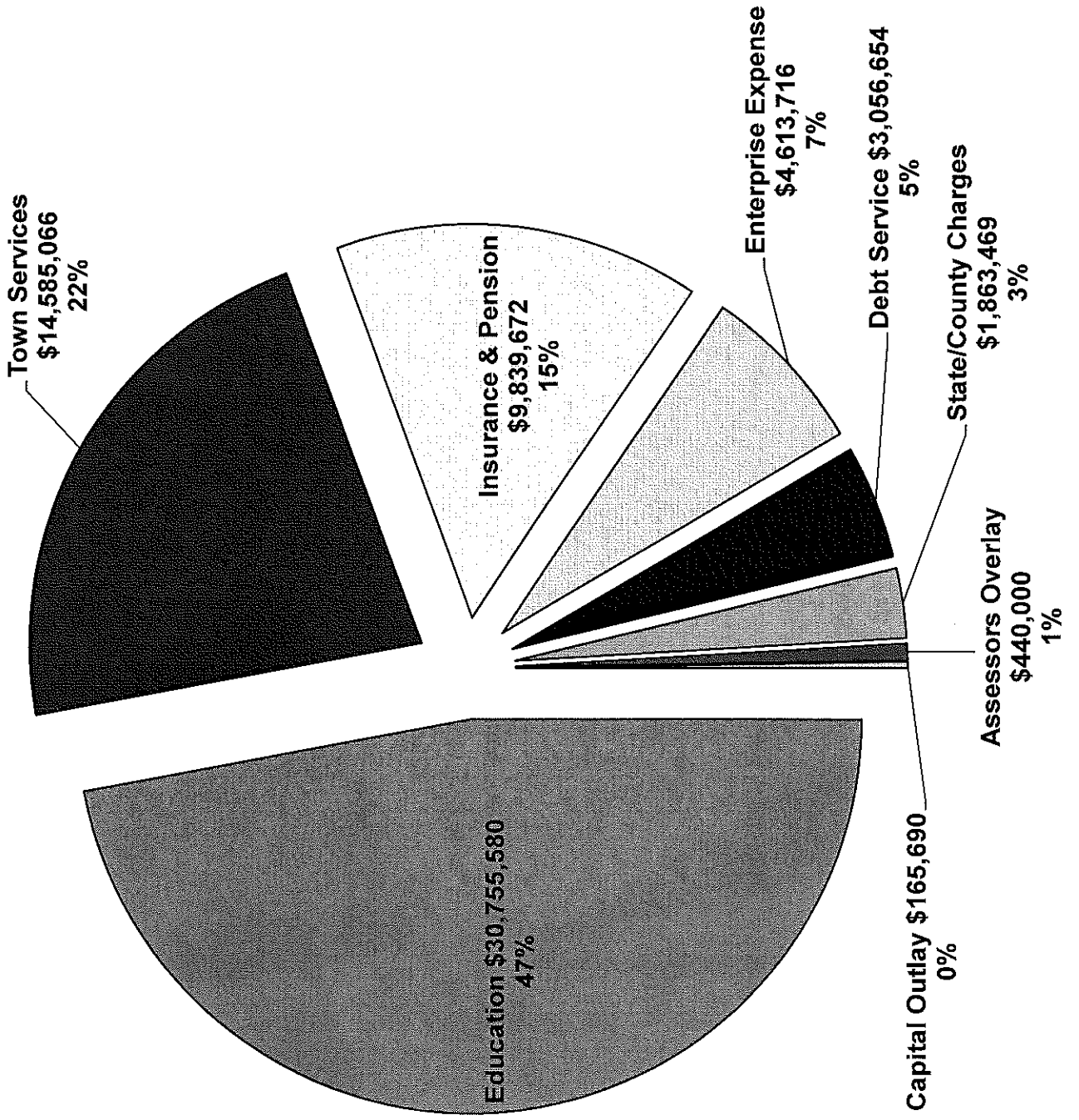
**5 YEAR CAPITAL PLAN and ASSUMED FUNDING**

DEPARTMENT/Description	5 YEAR HISTORY					5 YEAR PLAN					TOTAL FY 10-14	TOTAL FY 15-19	
	FY 10 Budget	FY 11 Budget	FY 12 Budget	FY 13 Budget	FY 14 Budget	FY 15 Plan	FY 16 Plan	FY 17 Plan	FY 18 Plan	FY 19 Plan			
<b>LANDFILL</b>													
Infrastructure													
Capping & Expansion													
<b>WATER</b>													
Infrastructure													
Site Investigation Test Wells													
Recondition Wells	40,000	60,000	50,000	60,000	60,000	210,000	TBD	TBD	TBD	TBD	440,000		
Main Replacement	350,000	350,000				350,000	TBD	TBD	TBD	TBD	350,000		
Meter Replacement & Meter Reading	100,000	80,000	175,000			355,000							
System Security & Improvements													
Facilities													
Storage Tanks	200,000	200,000	200,000	250,000	500,000	1,350,000	1,000,000	100,000	100,000	10,000	1,310,000		
Water System Treatment & Pipe Lines	7,600,000	7,600,000	150,000	500,000	8,250,000	8,250,000	450,000				450,000		
Modular Building							600,000				600,000		
Vehicles & Equipment													
Vehicle Replacement		47,400	80,000		222,000	127,400	25,000	88,000	25,000		138,000		
Compressor/ Generator / Other						222,000							
<b>SEWER</b>													
Infrastructure													
Town WWTF & Collection System													
Infiltration & Repair													
Mansfield Sludge Building & WWTF	190,000	210,000	235,370	220,530	855,900	855,900	692,412	691,686	1,018,652	1,200,000	3,602,750		
Vehicles & Equipment													
Vehicle Replacement		530,000	8,547,400	740,370	680,530	11,720,300	2,725,000	1,040,412	976,686	1,278,652	7,390,750		
<b>TOTAL ENTERPRISE FUNDS</b>													
	21,980,594	21,521,714	3,123,483	4,397,517	3,647,576	54,670,884	6,185,973	12,625,272	2,952,651	3,901,602	29,296,298		
<b>GRAND TOTAL</b>													
<b>Actual / Proposed Funding:</b>													
General Obligation Bonding	10,400,000	14,500,000				24,900,000					8,811,335		
MSBA / State Grant Reimbursement	9,275,407	3,634,686				12,910,093					308,188		
Taxation													
Free Cash and / or Deferral	893,000	770,000	749,000	1,047,000	1,359,600	4,818,600	2,103,954	1,586,870	1,283,095	1,310,148	7,021,317		
Stabilization-Capital								550,000			550,000		
Ambulance Receipts	271,000	95,208	315,000	629,978	34,777	1,345,963	294,804	425,845		383,985	1,104,634		
Overlay Surplus	100,000			125,000	50,000	275,000		50,000		50,000	100,000		
Chapter 90	411,187	434,399	594,113	594,113	600,000	2,633,812	618,215	618,215	618,215	618,215	3,091,075		
Meals Tax			75,000	100,000	295,000	470,000	269,000	100,000			369,000		
Reallocation of Prior Yr. Vote	50,000	250,000	600,000	1,048,646	8,299	1,956,945	1,000,000				1,000,000		
Special Revenue Funds	50,000	540,021	50,000	172,250	77,900	890,171	175,000		50,000	125,000	550,000		
Trade Value													
Water Receipts	340,000	812,400	505,000	460,000	622,000	2,739,400	1,025,000	248,000	185,000	160,000	1,688,000		
Water Surplus		275,000			600,000	875,000	600,000				600,000		
Sewer Receipts	190,000	210,000	235,370	220,530		855,900	50,000	792,412	791,686	1,118,652	4,052,750		
Sewer Surplus							50,000				50,000		
	21,980,594	21,521,714	3,123,483	4,397,517	3,647,576	54,670,884	6,185,973	12,625,272	2,952,651	3,901,602	29,296,298		

**FY 2015 OPERATING BUDGET SOURCES of FUNDS**  
Town of Foxborough



**FY 2015 OPERATING BUDGET USES of FUNDS**  
**Town of Foxborough**



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