

#130 (Finance/Salaries)
ADOPTED Item #130 – Finance/Salaries (\$1,032,006) **158 AFFIRMATIVE** **1 NEGATIVE** **8:28 P.M.**

#210 (Police/Salaries)
MOTION TO AMEND Moved, that the Town vote to increase budget line item 210 from \$4,054,953 to \$4,105,191.

Motion To Amend ADOPTED **99 AFFIRMATIVE** **60 NEGATIVE** **8:44 P.M.**

ADOPTED Item #210 – Police/Salaries (\$4,105,191) **93 AFFIRMATIVE** **48 NEGATIVE** **8:46 P.M.**

#210 (Police/Capital Outlay)
MOTION TO AMEND Moved, that the Town vote to increase budget line item 210 from \$170,160 to \$226,880.

HAND COUNT
Motion To Amend NOT ADOPTED **100 AFFIRMATIVE** **100 NEGATIVE** **8:56 P.M.**

**ADOPTED Unanimously Item #210 –
Police/Capital Outlay (\$170,160)** **201 AFFIRMATIVE** **0 NEGATIVE** **9:06 P.M.**

#220 (Fire/Salaries)
MOTION TO AMEND Moved, that the Town vote to increase budget line item 220 from \$3,377,779 to \$3,494,247.

Motion To Amend ADOPTED **139 AFFIRMATIVE** **64 NEGATIVE** **9:29 P.M.**

ADOPTED Item #220 – Fire/Salaries (\$3,494,247) **158 AFFIRMATIVE** **37 NEGATIVE** **9:30 P.M.**

#220 (Fire/Capital Outlay)
MOTION TO AMEND Moved, that the Town vote to increase budget line item 220 from \$0 to \$44,000.

Motion to Amend ADOPTED **117 AFFIRMATIVE** **42 NEGATIVE** **9:47 P.M.**

ADOPTED Item #220 – Fire/Capital Outlay (\$44,000) **126 AFFIRMATIVE** **31 NEGATIVE** **9:48 P.M.**

#235 (Joint Public Safety Building/Capital Outlay)
MOTION TO AMEND Moved, that the Town vote to increase budget line item 235 from \$24,440 to \$41,440.

Motion to Amend ADOPTED **96 AFFIRMATIVE** **56 NEGATIVE** **9:55 P.M.**

**ADOPTED Item #235 –
Joint Public Safety Building/Capital Outlay (\$41,440)** **103 AFFIRMATIVE** **46 NEGATIVE** **9:56 P.M.**

#423 (Snow & Ice/Capital Outlay)
MOTION TO AMEND Moved, that the Town vote to increase budget line item 423 from \$0 to \$11,000.

Motion to Amend ADOPTED **115 AFFIRMATIVE** **31 NEGATIVE** **10:04 P.M.**

**ADOPTED Item #423 –
Snow & Ice/Capital Outlay (\$11,000)** **106 AFFIRMATIVE** **29 NEGATIVE** **10:05 P.M.**

#450 (Water Enterprise/Salaries)
MOTION TO AMEND Moved, that the Town vote to increase budget line item 450 from \$1,602,935 to \$1,647,435.

HAND COUNT
Motion to Amend NOT ADOPTED **72 AFFIRMATIVE** **90 NEGATIVE** **10:24 P.M.**

**ADOPTED Item #450 –
Water Enterprise/Salaries (\$1,602,935)** **150 AFFIRMATIVE** **12 NEGATIVE** **10:26 P.M.**

#450 (Water Enterprise/Expenses)
MOTION TO AMEND Moved, that the Town vote to decrease budget line item 450 from \$2,232,520 to \$2,214,520.

Motion to Amend ADOPTED **108 AFFIRMATIVE** **24 NEGATIVE** **10:34 P.M.**
ADOPTED Item #450 –
Water Enterprise/Expenses (\$2,214,520) **121 AFFIRMATIVE** **9 NEGATIVE** **10:35 P.M.**

#610 (Library/Capital Outlay)

MOTION TO AMEND Moved, that the Town vote to increase budget line item 610 from \$0 to \$3,000.

Motion to Amend ADOPTED **121 AFFIRMATIVE** **15 NEGATIVE** **10:40 P.M.**
ADOPTED Item #610 – Library/Capital Outlay (\$3,000) **119 AFFIRMATIVE** **6 NEGATIVE** **10:41 P.M.**

#915 (Group Health/Life Insurance)

MOTION TO AMEND Moved, that the Town vote to increase budget line item 915 from \$8,610,906 to \$8,643,906.

Motion to Amend ADOPTED **124 AFFIRMATIVE** **17 NEGATIVE** **10:44 P.M.**
ADOPTED Item #915 –
Group Health/Life Insurance (\$8,643,906) **120 AFFIRMATIVE** **13 NEGATIVE** **10:45 P.M.**

FUNDING SOURCES

ADOPTED **138 AFFIRMATIVE** **0 NEGATIVE** **10:49 P.M.**

ARTICLE 5: MOVED, that the Town vote to raise and appropriate, transfer from available funds, or borrow pursuant to applicable statute the sum of \$3,556,990 for the Capital Improvement Planning Budget for Departments: Information Systems; Municipal Buildings; Joint Public Safety Building; Foxborough Public Schools; Recreation Commission; Historical Commission; Highway; Highway Road Improvements; Highway Chapter 90; Water Enterprise; and Sewer Enterprise for expenditures within the Fiscal Year July 1, 2019 through June 30, 2020, and to meet said appropriation by transfer from Free Cash the sum of \$984,213; transfer from Mitigation Fund the sum of \$50,000; transfer from State Chapter 90 Allocation the sum of \$650,000; transfer from Meals Tax Receipts the sum of \$238,777; transfer from Water Retained Earnings the sum of \$875,000; transfer the sum of \$519,000 from Water Receipts; and transfer the sum of \$240,000 from Sewer Receipts.

<u>DEPARTMENT</u>	<u>CIP FY20</u>	<u>RECOMMENDED FUNDING SOURCES</u>
Information Systems	175,000	Free Cash
Municipal Buildings	50,000	Mitigation Funds
Police	--	
Fire	--	
Joint Public Safety Building	150,000	Free Cash
Public Schools	390,000	Free Cash
Recreation Commission	85,213	Free Cash
Historical Commission	25,000	Free Cash
Highway	159,000	Free Cash
Highway (Chapter 90)	650,000	Chapter 90 State Allocation
Highway (Roads)	238,777	Meals Tax Receipts
Water Enterprise	1,394,000	\$875,000 Water Retained Earning; \$519,000 Water Receipts
Sewer Enterprise	<u>240,000</u>	Sewer Receipts
	<u>3,556,990</u>	

UNHELD ITEMS

ADOPTED **142 AFFIRMATIVE** **0 NEGATIVE** **10:55 P.M.**

HELD ITEM

ADOPTED UNANIMOUSLY – Water Enterprise

140 AFFIRMATIVE 0 NEGATIVE 10:57 P.m.

ARTICLE 6: MOVED, to raise and appropriate and transfer from available funds the sum of Two Hundred Seven Thousand Five Hundred Fifty-Nine Dollars (\$207,559), to fund the cost items for Fiscal Years 2019 and 2020 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.

ADOPTED UNANIMOUSLY 147 AFFIRMATIVE 0 NEGATIVE 11:01 P.m.

ARTICLE 7: MOVED, to raise and appropriate and transfer from available funds, the sum of Forty Thousand Four Hundred Twelve Dollars (\$40,412), to fund the cost items for Fiscal Years 2019 and 2020 in a collective bargaining contract between the Town of Foxborough (represented by the Board of Selectmen) and Foxborough Public Safety Dispatchers Association/MASS COP Local 440, AFL-CIO, in accordance with Chapter 150E of the General Laws of the Commonwealth.

ADOPTED UNANIMOUSLY 142 AFFIRMATIVE 0 NEGATIVE 11:03 P.M.

ARTICLE 8: MOVED, to raise and appropriate, and transfer from available funds the sum of Seventy Thousand Two Hundred Nine Dollars (\$70,209), to fund the cost items for Fiscal Years 2019 and 2020 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.

ADOPTED UNANIMOUSLY 136 AFFIRMATIVE 0 NEGATIVE 11:06 P.M.

ARTICLE 9: MOVED, to vote to authorize annual spending limits for the Town’s Revolving Funds pursuant to Massachusetts General Laws Chapter 44, Section 53E ½ for the Fiscal Year 2020, beginning July 1, 2019; as follows:

<i>Name of Revolving Fund</i>	<i>FY 2020 Spending Limit</i>
Recreation Revolving Fund	\$375,000
Police and Fire Apparatus Utilization Revolving Fund	\$100,000
Highway Department Revolving Fund	\$40,000
Council on Aging Senior Trips & Programs Fund	\$60,000

ADOPTED UNANIMOUSLY 131 AFFIRMATIVE 0 NEGATIVE 11:08 P.M.

ARTICLE 10: MOVED, to vote to raise and appropriate or transfer from available funds the sum of Nine Hundred Sixty-Four Thousand and Sixty-Nine Dollars (\$964,069) 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. Nine Hundred Thousand Dollar (\$900,000) to be funded from Meals Tax receipts, Fifty-one Thousand Two Hundred Fifty-Six Dollars (\$51,256) from Water Enterprise receipts, and Twelve Thousand Eight Hundred Thirteen Dollars (\$12,813) from Sewer Enterprise receipts.

ADOPTED UNANIMOUSLY 129 AFFIRMATIVE 0 NEGATIVE 11:09 P.M.

ARTICLE 11: MOVED, to vote to transfer from Free Cash the sum of One Hundred Thousand Dollars (\$100,000) into the Stabilization fund for reserve balance purposes.

ADOPTED UNANIMOUSLY 127 AFFIRMATIVE 0 NEGATIVE 11:11 P.M.

ARTICLE 12: MOVED, to vote to transfer from Free Cash the sum of Fifty-two Thousand Fifty-Seven Dollars (\$52,057) for the payment of certain unpaid bills of the prior fiscal year as indicated below:

Vendor	Amount	Explanation
MIIA	\$ 7,500	Deductible due after settlement
MIIA	7,500	Deductible due after settlement
MIIA	7,500	Deductible due after settlement
MIIA	4,518	Deductible due after settlement
MIIA	4,518	Deductible due after settlement
MIIA	4,518	Deductible due after settlement
MIIA	4,518	Deductible due after settlement
MIIA	7,500	Deductible due after settlement
National Grid	3,985	Net amount due after applying credits from LED Lighting Initiative
Total	\$ 52,057	

ADOPTED UNANIMOUSLY 120 AFFIRMATIVE 0 NEGATIVE 11:14 P.M.

Article 13: MOVED, that the Town vote to appropriate the amount of Sixty-Four thousand Dollars (\$64,000) for the purpose of paying costs of the renovation and addition to the Mabelle M. Burrell Elementary School, located at 16 Morse Street, Foxborough including the payment of all costs incidental or related thereto (the “Project”), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended under the direction of the School Building Committee. To meet this appropriation, the Town Treasurer, with the approval of the Selectmen, is authorized to borrow Sixty-Four Thousand Dollars (\$64,000) under M. G. L. c. 44, or pursuant to any other enabling authority. Said amount to be added to the previously authorized to borrow Thirty Million Six Hundred Seven Thousand Five Hundred Sixty-Seven Dollars (\$30,607,567) to pay costs of the Burrell School Building renovation and addition project. The Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that Foxborough may receive from the MSBA for the Project shall not exceed the lesser of (1) 56.01

percent (%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

2/3rds vote required

ADOPTED UNANIMOUSLY

124 AFFIRMATIVE 0 NEGATIVE

11:18 P.M.

ARTICLE 14: MOVED, to vote to delete existing Chapter 175. Parking in its entirety and replace it with a new Chapter 175. Parking as follows:

Chapter 175. Parking

[HISTORY: Adopted by the Town Meeting of the Town of Foxborough as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and ways — See Ch. 235.

Article I. Temporary Accessible Parking Permits

[Adopted as Art. V, Sec. 1, Para. 41 through 44, of the General Bylaws]

§ 175-1. Issuance.

The Chief of Police may issue a temporary accessible parking permit to any person upon application with supporting medical affidavit signed by a licensed physician designating the applicant as physically disabled.

§ 175-2. Term; display.

Said temporary permit shall be issued with an expiration date not to exceed 60 days from the date of issue and shall be displayed in the front left windshield of any vehicle parked in a designated accessible parking space. If medically necessary, the permit may be extended.

§ 175-3. Accessible Parking Generally.

Prohibits standing or leaving vehicles unattended within parking spaces designated as reserved for vehicles owned and operated by disabled veterans or persons with a disability and within certain other areas such as the cross hatch areas, or obstructing a curb ramp designed for use by a person with a disability as a means of egress to a street or public way.

In addition to any other available enforcement remedy and as an alternative to initiating criminal proceedings, this Parking Bylaw may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D, in which case the enforcement persons shall be the Town of Foxborough Building Commissioner or any officer of the Town of Foxborough Police Department and the penalty for each violation shall be \$300.00

§ 175-4. Display of State Issued Disabled Persons Parking Identification Placards.

Disabled Persons Parking Identification placards shall be hung from rear view mirrors with the registration information and expiration date clearly visible from outside the vehicle. In the alternative non-hanging placards shall be placed on the dashboard above the steering wheel with registration information and expiration dates clearly visible from outside the vehicle.

In addition to any other available enforcement remedy and as an alternative to initiating criminal proceedings, failing to properly display a Disabled Persons Parking Identification placard may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D, in which case the enforcement persons shall be the Town of Foxborough Building Commissioner or any officer of the Town of Foxborough Police Department and the penalty for each violation shall be \$20.00

§ 175-5. Notice and posting of accessible violation fines.

Within six months of the passage of this by law it shall be the responsibility of the public or private land owner to add the stated by-law fines to the accessible parking signs to provide the public with notice of said fines.

§ 175-6. Violations and penalties.

The unauthorized use of a temporary permit or state issued placard shall be punishable by a fine up to the maximum allowed by MGL c. 40, § 21D.

In addition to any other available enforcement remedy and as an alternative to initiating criminal proceedings, this Parking Bylaw may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D, in which case the enforcement persons shall be the Town of Foxborough Building Commissioner or any officer of the Town of Foxborough Police Department and the penalty for each violation shall be \$300.00

§ 175-7. Disposition of Revenue.

All funds received from fines assessed for accessible parking violations in Foxborough shall be allocated to the Foxborough Commission on Disability and deposited by the Town Treasurer in a separate account and used solely for the benefit of persons with disabilities.

Article II. General Restrictions

[Adopted 5-14-2012 ATM by Art. 24 (Art. V, § 1, of the General Bylaws)]

§ 175-8. Parking during concerts and special events.

No person shall park, cause to be parked, or solicit any other person to park on any property any vehicle for a fee for any concert, dance, exhibition, cabaret, public show of any description, theatrical exhibition, public amusement, exhibition of every description, game, sport, fair, exposition, play, entertainment or public diversion for which the number of tickets available for sale exceeds 15,000 unless otherwise authorized by a license issued by the Board of Selectmen pursuant to the "Licensing Procedure and Regulations for Commercial Parking."

§ 175-9. Prohibited parking.

No person shall park, cause to be parked, or solicit any other person to park on any property any vehicle which parking causes or contributes to any risk to the safety, health and/or welfare of the public by contributing to traffic congestion, preventing or impeding access to any building, property or structure by emergency response vehicles, or by creating or contributing to a general nuisance to the neighborhood.

§ 175-10. Violations and penalties.

Any violation of this Parking Bylaw shall be punishable by a fine of \$100. Each vehicle parked in violation of this Parking Bylaw shall constitute a separate offense. Each day any vehicle is parked in violation of this Parking Bylaw shall constitute a separate offense.

§ 175-11. Noncriminal disposition.

In addition to any other available enforcement remedy and as an alternative to initiating criminal proceedings, this Parking Bylaw may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D, in which case the enforcement persons shall be the Town of Foxborough Building Commissioner or any officer of the Town of Foxborough Police Department and the penalty for each violation shall be \$100.

Article III. Winter Parking Ban

[Adopted 5-8-2017 ATM by Art. 20]

§ 175-12. Authorization; purpose; duration; location.

A. The Town Manager, or its designees, may declare a winter parking ban on all ways within the Town during the period beginning November 1 through April 30 for the purposes of snow and ice removal.

B. No motor vehicle shall be parked on any way within the Town during the winter parking ban.

§ 175-13. Vehicle removal.

The Chief of Police and/or the Director of Public Works or their designee may remove or cause to be removed any motor vehicle parked in violation of the winter parking ban.

§ 175-14. Responsibility of owner.

The owner or operator of a motor vehicle which is removed pursuant to this bylaw shall be subject to an additional fine and shall be fully responsible for all charges and expenses incurred for removal and storage of such motor vehicle.

§ 175-15. Violations and penalties.

In addition to any other available enforcement remedy and as an alternative to initiating criminal proceedings, this Parking Bylaw may be enforced by noncriminal disposition pursuant to MGL c. 40, § 21D, in which case the enforcement persons shall be the Town of Foxborough Building Commissioner or any officer of the Town of Foxborough Police Department and the penalty for each violation shall be \$50.00.

Pending A.G. approval/REC

ADOPTED UNANIMOUSLY

122 AFFIRMATIVE 0 NEGATIVE

11:19 P.M.

ARTICLE 15: Moved, to vote to amend the Code of the Town of Foxborough, Massachusetts, Chapter 213: Signs, as follows:

1. Amend the first sentence of Section 213-3.B.(1) to read as follows:
An applicant seeking to erect, alter, modify, replace or relocate a sign shall submit to the Building Commissioner a completed sign permit application, the required application fee, and all supporting information and materials that the Building Commissioner may require.
2. Amend Section 213-3.B.(3) to read as follows:
A permit application shall be acted upon by the Building Commissioner within thirty (30) days of receipt thereby of a complete permit application. The Building Commissioner may approve or deny any such

application, or may refer it to the Board of Appeals. Permit applications for signs that require a special sign permit or an integrated sign permit in accordance with Sections 213-3.C. or 213-3.D. of this bylaw shall be referred to the Board of Appeals. Any permit application that is referred to the Board of Appeals shall be subject to the provisions set forth in Section 213-3.E. of this bylaw.

3. Amend Section 213-3.B.(4) by adding the following sentence:
The Building Commissioner in granting a sign permit may impose such reasonable conditions, restrictions or limitations on the location, number, size, illumination, condition or materials of the sign as he deems appropriate in his discretion.
4. Amend the first sentence of Section 213-E.(6) to read as follows:
Any party aggrieved by a decision of the Board of Appeals may appeal the decision to a court of competent jurisdiction within thirty (30) days of its filing with the Town Clerk.
5. Amend Section 213-3.F.(2) to read as follows:
Any alteration that includes, but is not limited to, significant alterations to illumination mechanisms, building materials and/or structure, digitization, illumination, and/or increase in sign area or dimension, shall be subject to review and approval by the Board of Appeals at the discretion of the Building Commissioner.
6. Amend Section 213-3.F. by adding the following new subsection:
(4) Any alteration that involves the replacement of an existing sign, including any preexisting sign and any nonconforming sign, shall be considered a new sign and shall be required to conform to the provisions of this bylaw, including, but not limited to, any requirement to obtain a permit or a special sign permit for such sign, as the case may be.
7. Amend Section 213-3.G.(5) to read as follows:
(5) Any party aggrieved by the decision of the Board of Appeals may file an appeal to a court of competent jurisdiction within thirty (30) days of its filing with the Town Clerk.
8. Amend Section 213-3.G. adding the following new subsection:
(6) No appeal of a decision of the Building Commissioner to deny a sign permit application that has been upheld by the Board of Appeals may be acted upon within two (2) years of the date of the decision by the Board of Appeals unless such board determines that there are specific and material changes in the conditions upon which such denial was based and describes such changes in detail in the record of its proceedings.
9. Amend Section 213-3 by re-lettering subsection J. as subsection K., and adding the following as subsection J.:
J. Assignments, etc. No permit, special sign permit or integrated sign permit that has been issued or granted pursuant to this bylaw may be assigned, transferred or otherwise conveyed by the owner of such sign without the prior written authorization of the Building Commissioner in the case of a sign for which a permit was issued thereby, or of the Board of Appeals in the case of a sign for which a special sign permit or an integrated sign permit was issued by such board.
10. Delete Section 213-5.D.(9) in its entirety.
11. Amend Section 213-5.D.(14) to read as follows:
Institutional uses are allowed to have (i) one wall sign and (ii) one freestanding sign, marquee sign or monument sign (which such signs may include an electronic message board that displays public service information and information concerning the activities, events or services that are available or provided at the location of the institutional use). Such signs are subject to the dimensional requirements applicable to commercial uses in the sign district in which the institutional use is located.
12. Renumber Sections 213-5.D.(10) through (15) as Sections 213-5.D.(9) through (14).
13. Amend Section 213-5.D. by adding the following new subsection:

- (15) Governmental signs are subject to the dimensional requirements applicable to commercial uses in the sign district in which the governmental sign is located.
14. Amend Section 213-6.A.(2)(b) to read as follows:
 - (b) General advertising signs are only permitted on billboards, provided that billboards may display public service information subsidiary to such general advertising purposes.
15. Amend Section 213-6.B.(2)(a) to read as follows:
 - (a) Freestanding signs or wall signs may be combination signs that include message boards with automatic or manual changeable copy.
16. Amend the first sentence of Section 213-8.B. to read as follows:

Any preexisting sign and any nonconforming sign that the Building Commissioner determines to be enlarged or otherwise structurally altered, and any such sign that is to be replaced by a different sign, shall be considered a new sign and shall be required to conform to the provisions of this bylaw, including, but not limited to, any requirement to obtain a permit or a special sign permit for such sign, as the case may be.

Approved by A.G. September 4, 2019/REC

ADOPTED

118 AFFIRMATIVE 2 NEGATIVE

11:25 P.M.

ARTICLE 16: MOVED, to vote to amend the Code of the Town of Foxborough, Massachusetts, Chapter 213: Signs, as follows:

1. Amend the definition of BILLBOARD in Section 213-2 to read as follows:

BILLBOARD – Any outdoor General Advertising Sign, whether double-faced, back-to-back, or V-shaped, that is six hundred (600) square feet or larger and serves as a structure or device to advertise, direct or call attention to any business, commodity, product or service that may or may not be available on the premises on which such sign is located. An “electronic billboard” for purposes of this bylaw is a billboard the face of which is digitally or electronically projected.
2. Amend Section 213-3.C.(2) by deleting item (j).
3. Amend Section 213-5.B. by deleting item (9).
4. Amend the first sentence of Footnote 2 to Table 2: Sign District 1 Dimensional Requirements in Section 213-6.A.(1) to read as follows:

Billboards not exceeding six hundred seventy-two (672) square feet in sign area and a maximum height of fifty (50) feet are allowed, provided that no electronic billboard is placed within a one thousand (1,000) foot radius of another such electronic billboard, or within a five hundred (500) foot radius of a static billboard, and provided that no static billboard is placed within a five hundred (500) foot radius of another static billboard.
5. Amend Section 213-6.A.(2)(a) by adding the following sentence:

Billboards shall not contain moving content or video, and shall not change images more than once every ten (10) seconds
6. Amend Section 213-3.E.(10) by adding the following sentence:

The Board of Appeals in granting a special sign permit application for an electronic billboard or to alter a static billboard by converting it to an electronic billboard, or in granting an integrated sign permit that includes a request to erect an electronic billboard or to alter a static billboard by converting it to an electronic billboard, shall require as a condition to any such permit an executed mitigation agreement by and between the applicant and the Town of Foxborough Board of Selectmen or

the authorized designee thereof.

Approved by A.G. September 4, 2019/REC

ADOPTED

90 AFFIRMATIVE

20 NEGATIVE

11:31 P.M.

ARTICLE 17: Moved, to vote to amend the Code of the Town of Foxborough, Massachusetts, Chapter 213: Signs, by adding the following new subsection to Section 213-5.D.:

Any non-profit entity that is a place of assembly the principal purpose of which is the performance and display of cultural events and the arts is authorized pursuant to a special sign permit to have one electronic message board that faces a public way; provided that (i) only information concerning the programs and events performed and held at such location and public service information requested by the Town of Foxborough may be displayed on such sign, (ii) such sign shall be situated on the premises at which such programs and events are performed and held, (iii) the colors of the message board shall be restricted to a white background with black lettering or a black background with white lettering, and (iv) such sign shall be subject to the dimensional requirements that are applicable to commercial uses for that type of sign in the sign district in which such sign is located.

Approved by A.G. September 4, 2019/REC

ADOPTED

117 AFFIRMATIVE

1 NEGATIVE

11:39 P.M.

ARTICLE 18: MOVED, to vote to amend the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, as follows:

- a. Amend Section 4.1.1., Table 4-1 Dimensional Regulations for Uses in Residential and Neighborhood Business Districts, by deleting the reference in such table to Planned Development – S-1 District.
- b. Amend Section 4.1.3. Notes to Table 4-2 by deleting Note 7 in its entirety and renumbering Notes 8 and 9 as Notes 7 and 8 respectively.
- c. Amend Section 5.3.4. by numbering the second paragraph of such section as Section 5.3.5.
- d. Amend Section 9.4.6 by deleting subsection 9.4.6.4 in its entirety and renumbering Sections 9.4.6.5, 9.4.6.6, 9.4.6.7, 9.4.6.8, 9.4.6.9, and 9.4.6.10, by renumbering such sections as Sections 9.4.6.5, 9.4.6.6, 9.4.6.7, 9.4.6.8, and 9.4.6.9 respectively.

Approved by A.G. September 4, 2019/REC

2/3rds vote required

ADOPTED UNANIMOUSLY

114 AFFIRMATIVE 0 NEGATIVE

11:41 P.M.

ARTICLE 19: MOVED, to vote to amend Section 3.1.6., Table 3-1 Table of Uses in the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning, as follows:

- a. Amend Use Designation B.1., by deleting that designation's definition and replacing it with the following:

All land and buildings that are used for the assembly, bottling, fabrication, manufacture processing or storage of noncombustible materials, beverages and low-hazard materials, products or wares that do not ordinarily burn rapidly and that are not high-hazard uses, and the accessory and incidental sale on such premises of such materials, products, wares and beverages.

- b. Amend Use Designation C.5., by deleting the words “or arcade uses” therefrom, such that this Use Designation shall read as follows:

Vending machines and entertainment devices, except that vending machines shall be allowed in all districts on property owned or leased by the Town of Foxborough, or any board, committee or department thereof, and where such property is used for municipal purposes.

- c. Amend Use Designation D.12., by adding the word “Medical” between “Registered” and “Marijuana” so the section reads: “Registered Medical Marijuana Dispensary”

- d. Amend Use Designation M.5., by redesignating such Use Designation as Use Designation L.17., and deleting such Use Designation’s definition and replacing it with the following:

All land and buildings that are used for the sale of used or previously-owned vehicles where such sales activities are accessory to a use that is permitted under this bylaw.

Approved by A.G. September 4, 2019/REC

2/3rds vote required

ADOPTED UNANIMOUSLY

112 AFFIRMATIVE 0 NEGATIVE

11:43 P.M.

ARTICLE 20: Moved, to vote to amend the Code of the Town of Foxborough, Massachusetts, Chapter 275, as follows:

- a. Amend Section 3.1.6., Table 3-1 Table of Uses, Use Designation C. Mercantile/Retail, by deleting the term “Mercantile/Retail” and replacing it with the term “Retail Uses”.
- b. Amend Section 3.1.6., Table 3-1 Table of Uses, Use Designation C.3., by deleting such Use Designation, and renumbering Use Designations C.4. to C.11 as Use Designations C.3. to C.10., respectively.
- c. Amend Note 7 of Section 3.1.7., Notes to Table of Use Regulations, by deleting the words “mercantile or retail uses and” therefrom, such that this note shall read as follows:

The total gross floor area of retail establishments, except for restaurants with seating, shall not exceed 75% of the gross square footage of the buildings or structures in which any such use is situated, provided that the Planning Board may grant a special permit to increase the gross floor area that is used for such purposes to more than 75% of the gross square footage of any such buildings and structures.

- d. Amend Section 6.1.4. by replacing the words “Retail Stores” as they appear in the third and fourth lines of such section with the words “Retail Establishments.”
- e. Amend the first sentence of Section 9.1.3. by deleting the words “mercantile or retail uses and” therefrom, such that this section shall read as follows:

The total gross floor area of retail establishments, except restaurants with seating, shall not exceed 75% of the gross square footage of the buildings or structures located on a lot in which any such use is situated, provided that the Planning Board may grant a special permit to increase the gross floor area that is used for such purposes to more than 75% of the gross square footage of any such buildings or structures.

- f. Amend Section 9.5.4.3. by deleting all references in such section to “mercantile or retail uses,” such that this section shall read as follows:

Retail establishments, provided that (i) the total gross floor area used for such uses shall not exceed 75% of the gross square footage of the buildings or structures located on a lot in which any such use is situated, and (ii) the Planning Board may grant a special permit to increase the gross floor area that is used for such

uses to more than 75% of the gross square footage of any such buildings or structures, and (iii) for the purpose of this provision any such use within a stadium or associated directly with and accessory to a stadium shall not be subject to the total gross floor area restriction.

- g. Amend Section 9.6.5.7. by deleting the first sentence of such section and replacing it with the words “Retail establishments and restaurants with seating.”
- h. Amend Section 9.6.5.8. by deleting such section, and amend Sections 9.6.5.9. through 9.6.5.26. by renumbering such sections as Sections 9.6.5.8. through 9.6.5.25., respectively.
- i. Amend Section 9.7.5.1.C. by deleting the term “Mercantile/Retail” as the heading of such section and replacing it with the term “Retail Uses”, and by deleting item 3. from such section in its entirety.
- j. Amend Section 9.7.8. by replacing the words “Retail business” with the words “Retail establishments” under the Use heading.

*Approved by A.G. September 4, 2019/REC
2/3rds vote required*

ADOPTED UNANIMOUSLY 113 AFFIRMATIVE 0 NEGATIVE 11:44 P.M.

ARTICLE 21: MOVED, to vote to amend Chapter 275 of the Code of the Town of Foxborough, Massachusetts, as follows:

- (a) Amend Section 10.5.11. Performance Guarantee; as-built plan by removing the words “as-built plan” from the title of the section;
- (b) Amend Section 10.5 “Site Plan Review” by adding a new subsection 12. As-Built Plan to read as follows:
 - 10.5.12. As-Built Plan. Prior to the release of performance guarantee, and prior to issuance of a full Certificate of Occupancy, an as-built plan shall be submitted to the Planning Board. An As-Built Plan shall be defined as a construction engineering plan prepared after the completion of construction in such a manner as to accurately identify and depict the location of all on-site improvements, which shall include, but are not limited to, the following:
 - 1. All buildings and structures;
 - 2. All utilities, including septic system, leaching area, underground piping, vent pipes, drainage facilities, water wells, well piping, electric, gas, telecommunications lines, bounds, curbs, gutters, easements, pavement striping, sidewalks, and lighting;
 - 3. Topography at the same contour interval and scale as the approved Site Plan, spot grades as appropriate, rims and inverts of all drainage systems including retention, detention or recharge elements with the outlet control structures and emergency bypass provisions, septic systems, and sewer systems; and
 - 4. All property lines and easements of record with metes and bounds, and shall be on the NAD83 horizontal datum and NAVD88 vertical datum.

The as-built plan shall bear the stamp and signature of a Registered Land Surveyor and a Registered Professional Civil Engineer, and shall include certification that all construction has been completed in accordance with the approved Site Plan or, if it has not, listing any deviations therefrom. The as-built plan shall be submitted to the Planning Board in hard copy, in pdf format, and in AutoCAD format.

- (c) Amend current Sections 10.5.12., 10.5.13., 10.5.14., and 10.5.15. by renumbering such sections as Sections 10.5.13., 10.5.14., 10.5.15., and 10.5.16. respectively.

(d) Amend Section 10.4 “Special Permits” by adding a new subsection 6. As-Built Plan to read as follows:

10.4.6. As-Built Plan. When a Site Plan is required, an as-built plan shall be submitted prior to the release of performance guarantee or issuance of a full Certificate of Occupancy.

(e) Amend current Section 10.4.6. by renumbering such section as Section 10.4.7.

Approved by A.G. September 4, 2019/REC

2/3rds vote required

ADOPTED 109 AFFIRMATIVE 0 NEGATIVE 11:47 P.M.

ARTICLE 22: MOVED, to vote to accept as a public way Shea Lane located within the “Village Estates” subdivision, which has been constructed pursuant to the Planning Board Subdivision Control Regulations and approved by the Planning Board under the Subdivision Control Law as follows:

Shea Lane – from its intersection with Chestnut Street generally southwesterly approximately 667 feet more or less to its terminus at a cul-de-sac.

ADOPTED 109 AFFIRMATIVE 0 NEGATIVE 11:48 P.M.

Article 23: MOVED, that Eleven Million Dollars (\$11,000,000) be appropriated to be spent by the Water and Sewer Commissioners for the purposes of system improvements including but not limited to installing a new raw water main from the well field at Sprague Road to the Warren McKay Treatment Plant at Witch Pond, to reconstruct wells 5, 6 and 7 at Sprague Road, to install a new 12 inch water main along North Street from Beach Street to Ashcroft Road including transfer of existing water services and main connections along North Street, and to reconstruct wells 9 and 10 at Lamson Road, including all testing, engineering, design, specifications, contract documents, permitting, construction and construction administration costs relating thereto, and to meet this appropriation, the Town Treasurer, with the approval of the Board of Selectmen, be hereby authorized to borrow Eleven Million Dollars (\$11,000,000) pursuant to any applicable statute under Mass G.L., Ch. 44, Sec. 7(3A), Sec. 8(4), 8(5), 8(6), 8(7), or any other enabling authority, and to issue bonds and notes of the town for this purpose as general obligations of the town with the intent that the principal and interest payments thereon shall be paid out of water revenues.

2/3rds vote required

ADOPTED UNANIMOUSLY 110 AFFIRMATIVE 0 NEGATIVE 11:50 P.M.

ARTICLE 24: MOVED, to vote to allow the following parcels that have so requested to be incorporated in to the Sewer Service Area, and to amend the Sewer Service Area Map with the parcels so designated as follows:

<u>ADDRESS</u>	<u>Map</u>	<u>Lot</u>	<u>Estimated Capacity</u>
Old Green St	165	026	333
202 Old Green St	173	003	333
Hampshire St	172	017	6000
Green St	172	016	6000
2 Hampshire St	172	018	6000
Walnut Terrace	133	022	3000
71 Walnut St	134	022	6500
72 Walnut St	121	038	1000
30 Commercial St	121	034	5250
32 Commercial St	121	036	6000
268 Central St	134	005	333
317 Cocasset St	097	063	333

ADOPTED UNANIMOUSLY 109 AFFIRMATIVE 0 NEGATIVE 11:52 P.M.

ARTICLE 25: MOVED, to vote to amend Section 9.43 and Attachment 5 of Chapter 275 of the Town of Foxborough Code (“Zoning”), by replacing the current Water Resources Protection Overlay District (“WRPOD”) map entitled “WATER RESOURCE PROTECTION DISTRICT FOXBOROUGH, MASSACHUSETTS SPECIAL TOWN MEETING OCTOBER 1, 2018” with a new map with the following title and date “Water Resource Protection District Foxborough, Massachusetts Annual Town Meeting May 13, 2019” a copy of which is in file with the Town Clerk.

*Approved by A.G. September 4, 2019/REC
2/3rds vote required*

ADOPTED UNANIMOUSLY 112 AFFIRMATIVE 0 NEGATIVE 11:54 P.M.

ARTICLE 26: MOVED, to vote to amend Section 11.0 Definitions, of Chapter 275: Zoning of the Code of the Town of Foxborough, Massachusetts, by adding the following new definition in alphabetical order:

ADULT-ONLY RETAIL TOBACCO STORE: An establishment that is not required to possess a retail food permit whose primary purpose is to sell or offer for sale but not for resale, tobacco products and tobacco paraphernalia, in which the sale of other products or offer of services is merely incidental, and in which the entry of persons under the minimum legal sales age is prohibited at all times, and which maintains a valid permit for the retail sale of tobacco products as required by the Foxborough Board of Health.

And further, Amend Section 3.1.6., Table 3-1 Table of Uses, of Chapter 275: Zoning of the Code of the Town of Foxborough, Massachusetts, Chapter 275: Zoning by (i) adding the following new use item to Use Group D. Business, Service, or Office, and (ii) including the letter “SP” for each such use item under the S-1 District and the letter “N” for each such use item under each of the other districts in such table.

13. Adult-Only Retail Tobacco Store

*Approved by A.G. September 4, 2019/REC
2/3rds vote required*

ADOPTED UNANIMOUSLY 110 AFFIRMATIVE 0 NEGATIVE 11:56 P.M.