

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WEST BOYLSTON  
SEMI-ANNUAL TOWN MEETING WARRANT  
MAY 20, 2024**

Worcester ss.

To the Constables of the Town of West Boylston.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of West Boylston qualified to vote in elections and Town affairs, to meet in the auditorium of the Middle/High School in said Town (at 125 Crescent Street) on Monday, May 20, 2024 at 7:00 p.m. in the evening, then and there to act on the following articles.

**ARTICLE 1 - AUTHORIZATION TO HEAR THE REPORTS OF OFFICERS AND  
COMMITTEES OF THE TOWN**

To see if the Town will vote to hear the reports of the officers and standing committees of the Town; or take any other action relative thereto.

**ARTICLE 2 - AUTHORIZATION TO BORROW IN ANTICIPATION OF REVENUE AND  
TO ENTER INTO A COMPENSATING BALANCE AGREEMENT WITH A BANK**

To see if the Town will vote to authorize the Town Treasurer/Tax Collector, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the Fiscal Year 2025, the period from July 1, 2024 through June 30, 2025, in conformity with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17, and to authorize the Treasurer/Tax Collector to enter into a compensating balance agreement or agreements for Fiscal Year 2025 pursuant to Massachusetts General Laws, Chapter 44, Section 53F; or take any other action relative thereto.

**ARTICLE 3 - AUTHORIZATION TO EXPEND FUNDS IN ANTICIPATION OF  
REIMBURSEMENT OF STATE HIGHWAY ASSISTANCE AID**

To see if the Town will vote to accept any and all state highway assistance funds authorized by the state legislature and approved by the Massachusetts Highway Department under the so-called Chapter 90 Highway Assistance Program to be expended for the maintenance, repair and construction of Town roads in anticipation of reimbursement under the direction of the Selectboard and the Town Administrator for work on roads located on the State Aid Primary System as approved by the Massachusetts Highway Department, and further to authorize the Town Treasurer/Tax Collector, with the approval of the Selectboard, to borrow money from time to time during Fiscal Year 2025, for the period from July 1, 2024 through June 30, 2025, in anticipation of reimbursement of said highway assistance in conformity with the provisions of Massachusetts General Laws, Chapter 44, Section 6A; or take any other action relative thereto.

**ARTICLE 4 - AUTHORIZATION TO AMEND THE PERSONNEL BYLAW AND TO AMEND THE CLASSIFICATION AND COMPENSATION PLAN SO AS TO PROVIDE EMPLOYEES A COST-OF-LIVING PAY INCREASE IN FY2025 (2%)**

To see if the Town will vote to amend Section 5, Part AA, Classification and Compensation Plan of the Personnel Bylaw to reflect a cost-of-living adjustment to all wage rates by 2%; or take any other action relative thereto.

**ARTICLE 5 - AUTHORIZATION TO SET THE SALARY OF ELECTED OFFICIALS**

To see if the Town will vote to determine and fix what salaries elective officers of the Town shall receive for Fiscal Year 2025 in conformity with the provisions of Massachusetts General Laws, Chapter 41, Section 108:

Moderator	\$1.00
Selectboard	\$1.00 each (5 members);
Planning Board	\$1.00 each (5 members);
Cemetery Trustees	\$1.00 each (3 members); and
Municipal Light Board	\$300.00 each (3 members);

or take any other action relative thereto.

**ARTICLE 6 - AUTHORIZATION TO TRANSFER UNEXPENDED FUNDS FROM FISCAL YEAR 2024 APPROPRIATIONS**

To see if the Town will vote to transfer from available funds, or Fiscal Year 2024 appropriations hitherto made, to Fiscal Year 2024 appropriation accounts; or take any other action relative thereto.

**ARTICLE 7 - AUTHORIZATION TO PAY BILLS FROM A PREVIOUS FISCAL YEAR**

To see if the Town will vote to appropriate a sum of money and/or transfer from available funds to pay bills from a previous fiscal year being held by the Town Accountant for which no encumbered funds are available; or take any other action relative thereto.

**ARTICLE 8 - AUTHORIZATION TO APPROPRIATE MONEY TO THE SEWER ENTERPRISE ACCOUNT FOR FISCAL YEAR 2025**

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Two Million, Four Hundred and Fifty-Five Thousand, Fifteen Dollars and No Cents (\$2,455,015.00) to the West Boylston Sewer Enterprise Account to be expended by the Selectboard, acting as the Board of Sewer Commissioners, for sewer development, administration, assessment, operation, and maintenance expenses in Fiscal Year 2025 as follows:

**Fiscal Year 2025 West Boylston Sewer Department Budget**

<b>Administration</b>	-	<b>\$ 297,782.00</b>
<b>Operations and Maintenance</b>	-	<b>\$1,812,500.00</b>

<b>Reserve Fund</b>	-	<b>\$ 20,000.00</b>
<b>Debt and Interest Payments</b>	-	<b>\$ 320,633.00</b>
<b>Capital Reserve</b>	-	<b><u>\$ 4,100.00</u></b>
<b>Total Budget Appropriation</b>	-	<b>\$2,455,015.00</b>

**and to meet said appropriation through:**

- (1) the appropriation of One Million, Five Hundred and Forty-Eight Thousand, Nine Hundred Dollars and No Cents (\$1,548,900.00) from Fiscal Year 2025 Sewer Enterprise Fund User Revenue, and**
- (2) the appropriation of Three Hundred and Twenty Thousand, Six Hundred and Thirty-Three Dollars and No Cents (\$320,633.00) from the Fund Balance Reserved For Sewer Betterment Debt Service, and**
- (3) the appropriation of Five Hundred and Eighty-Five Thousand, Four Hundred and Eighty-Two Dollars and No Cents (\$585,482.00) from Sewer Enterprise Retained Earnings.**

**or take any other action relative thereto.**

**ARTICLE 9 - FISCAL YEAR 2025 OMNIBUS BUDGET APPROPRIATION ARTICLE**

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, such sums of money as may be necessary to defray the expenses and charges of the Town of West Boylston in Fiscal Year 2025, the period of July 1, 2024 through June 30, 2025, including the costs of public education, debt and interest payments, and providing municipal services; and further, to raise and appropriate the additional sum of \$4,000,000 for the same purposes, provided, however, that the appropriation for such additional sum shall be directly contingent upon approval by the voters of a Proposition 2 ½, so-called, override question allowing the Town to raise such additional funds outside the otherwise applicable levy limit; provided further, however, that if such override passes, the Fiscal Year 2025 budget funding sources shall be adjusted by reducing the amount appropriated from Free Cash by \$300,000, and increasing the amount to be appropriated from taxation by the same amount, and, further, by increasing the total budgeted amount for public education by raising and appropriating the additional sum of \$300,000, or take any other action relative thereto.

*(The proposed draft of the Fiscal Year 2025 Operating Budget, labeled as Appendix A, can be found after the text of the Annual Town Meeting Warrant. The budget format contains the budget figures for Fiscal Year 2024, and the Town Administrator's recommendations for Fiscal Year 2025.)*

**ARTICLE 10 - VOTE TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENT PURCHASES**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase or lease/purchase and equip capital items, including all costs incidental or related thereto, and, as needed, to authorize lease/purchase agreements for periods of up to or in excess of three years for such purposes, with each appropriation being treated as a separate item; or take any

other action relative thereto.

**ARTICLE 11 - BORROWING AUTHORIZATION TO PURCHASE A DPW DUMP TRUCK**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money, not to exceed Two Hundred Thirty-One Thousand Seven Hundred Ten Dollars (\$231,710.00), to pay costs of purchasing and/or equipping a dump truck for the use of the Department of Public Works, including the payment of all costs incidental and related thereto; or to take any other action relative thereto.

**ARTICLE 12 - BORROWING AUTHORIZATION TO PURCHASE A DPW DUMP TRUCK**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money, not to exceed Three Hundred Eight Thousand Fifty Dollars (\$308,050.00), to pay costs of purchasing and/or equipping a dump truck for the use of the Department of Public Works, including the payment of all costs incidental and related thereto or to take any other action relative thereto.

**ARTICLE 13 - VOTE TO ESTABLISH AND AMEND DEPARTMENTAL REVOLVING FUNDS**

To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, as most recently amended, to amend Article XL of the General Bylaws, Revolving Funds, to insert a new row, shown below in bolded, italicized text, to establish a new revolving fund, Technology Fee:

<b>Revolving Fund/Authorized Entity</b>	<b>Fees, Charges, Or Other Receipts Credited to Fund*</b>  <b>NOTE: any donations to the Town as listed below shall be treated in accordance with MGL Ch44 §53A</b>	<b>Program or Activity Expenses Payable from Fund</b>
<b><i>Technology Fee/Town Administrator, Building Department, Board of Health, or Select Board</i></b>	<b><i>Fees charged to utilize online permitting and licensing.</i></b>	<b><i>Pay expenses associated with permitting and licensing software.</i></b>

or take any other action relative thereto.

**ARTICLE 14 - DEPARTMENTAL REVOLVING FUNDS**

To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, as most recently amended, and Article XL of the General Bylaws, Revolving Funds, to establish the Fiscal Year 2025 spending limits for the authorized revolving funds listed below, with

such limits to be applicable from fiscal year to fiscal year unless changed by Town Meeting prior to July 1 for the ensuing fiscal year:

<b>Authorized Revolving Funds</b>	<b>Spending Limit</b>
ESCO	\$60,000
BOARD OF HEALTH	\$90,000
CEMETERY TRUSTEES	\$60,000
COUNCIL ON AGING	\$60,000
PLANNING BOARD	\$25,000
ZONING BOARD OF APPEALS	\$25,000
CONSERVATION COMMISSION	\$25,000
PARKS, PLAYGROUNDS, & FIELDS	\$50,000
HAZMAT	\$25,000
RECYCLING	\$25,000
CELEBRATIONS	\$20,000
BEAMAN MEMORIAL LIBRARY	\$25,000
ECONOMIC DEVELOPMENT TASK FORCE	\$15,000
RECREATION PROGRAM	\$50,000
LANDFILL LEASE	\$60,000
SENIOR MEALS PROGRAM	\$50,000
TECHNOLOGY FEE	\$50,000

or take any other action relative thereto.

**ARTICLE 15 - AUTHORIZATION TO APPROPRIATE FUNDS TO THE OPEB TRUST FUND**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Other Post Employment Benefits Trust Fund; or take any other action relative thereto.

**ARTICLE 16 - AUTHORIZATION TO APPROPRIATE FUNDS TO THE MUNICIPAL BUILDING FUND**

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Municipal Building Fund; or take any other action relative thereto.

**ARTICLE 17 - AUTHORIZATION TO APPROPRIATE FUNDS TO THE OPIOID SETTLEMENT FUND**

To see if the Town will vote to appropriate the sum of Fifty-Four Thousand and Sixty-Five Dollars and Ninety Five Cents (\$54,065.95) from Certified Free Cash to the Opioid Settlement Fund in accordance with MGL Ch 44 Sec 53(4) - (amended by Ch 77 of the Acts of 2023 Section 9), to be expended without further appropriation for all of the purposes allowed by law, including those outlined in applicable opioid litigation settlement documents; or take any other action relative thereto.

**ARTICLE 18 – FIVE-YEAR MUNICIPAL SOLID WASTE COLLECTION/DISPOSAL  
CONTRACT**

To see if the Town will vote to authorize the Select Board or its duly authorized agent, to enter into any contract for curbside trash and recycling for a term not to exceed five (5) years; or take any other action relative thereto.

**ARTICLE 19 - ACCEPTANCE OF MGL CHAPTER 44, SECTION 54(b) – “PRUDENT  
INVESTOR RULE”**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 44, Section 54, paragraph (b), allowing Town trust funds to be invested in accordance with Massachusetts General Laws Chapter 203C, the so-called “Prudent Investor Rule,”; or take any other action relative thereto.

**ARTICLE 20 - ACCEPTANCE OF MGL CHAPTER 32, SECTION 4(2)(b)**

To see if the Town will vote to accept the provisions of the Massachusetts General Laws Chapter 32, Section 4(2)(b), which allows call firefighters and reserve police officers who subsequently become permanent members of the Fire Department or Police Department, and thus members of the Worcester Regional Retirement System, to be credited for more than five (5) years of service allowed by statute; or take any other action relative thereto.

**ARTICLE 21 - AUTHORIZATION TO APPROPRIATE FUNDS FROM COMMUNITY  
PRESERVATION FUND REVENUES**

To see if the Town will vote to appropriate and/or reserve from the Community Preservation Fiscal Year 2025 estimated annual revenues the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2025, with each item to be considered a separate appropriation:

**Appropriations:**

Committee Administrative Expenses	<b>\$ 18,750</b>
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**Reserves:**

Historic Resources Reserve	<b>\$ 37,500</b>
Community Housing Reserve	<b>\$ 37,500</b>
Open Space Reserve	<b>\$ 37,500</b>
FY 2025 Budgeted Reserve	<b>\$ 243,750</b>

or take any other action relative thereto.

**ARTICLE 22 - AUTHORIZATION TO AMEND THE PERSONNEL BYLAW OF THE  
GENERAL BYLAWS**

To see if the Town will vote to amend the General Bylaws, Article XXI Personnel Bylaws, AA-CLASSIFICATION AND COMPENSATION PLAN 1- Classification Plan as follows (deletions are shown in ~~strikeout~~ and additions in ***bold italics*** for emphasis only); or take any other action relative thereto:

<b>Grade</b>	<b>Pay Range</b>	<b>Title</b>
<b>A</b>	<del>\$13.25 – \$17.38</del>	<ul style="list-style-type: none"> <li>• <del>Laborer</del></li> <li>• Clerk</li> <li>• Recreation Worker</li> </ul>
<b>B</b>	<del>\$15.11 – \$19.84</del>	<ul style="list-style-type: none"> <li>• Animal Control Officer- Dog Officer</li> <li>• Clerk- Treasurer/Collector</li> <li>• Production Assistant</li> <li>• Custodian <del>–(all locations)</del></li> </ul>
<b>C</b>	<del>\$17.23 – \$22.60</del>	<ul style="list-style-type: none"> <li>• Board Secretary <del>–Planning Board</del></li> <li>• Secretary <del>–Conservation Board</del></li> <li>• <del>Secretary –ZBA</del></li> <li>• <del>Dining Room Manager</del></li> <li>• <b><i>Food Service Manager</i></b></li> </ul>
<b>D</b>	<del>\$18.52 – \$24.29</del>	<ul style="list-style-type: none"> <li>• Van Driver</li> <li>• <del>Access Coordinator</del> <b><i>Cable Access Director</i></b></li> <li>• <b><i>Department Assistant (may be general or may be specific to a Department or Departments)</i></b></li> <li>• <del>Department Assistant –Assessing</del></li> <li>• <del>Department Assistant –Building</del></li> <li>• <del>Department Assistant –COA</del></li> <li>• <del>Department Assistant –Fire</del></li> <li>• <del>Department Assistant –Heath</del></li> <li>• <del>Department Assistant –Inspections</del></li> <li>• <del>Department Assistant –DPW</del></li> <li>• Library Assistant <del>–(all divisions)</del></li> </ul>
<b>E</b>	<del>\$19.91 – \$26.13</del>	<ul style="list-style-type: none"> <li>• Assistant Tax Collector</li> <li>• Assistant Treasurer</li> <li>• Assistant Town Clerk</li> <li>• <del>Accounting Assistant</del></li> <li>• <del>Administrative Assistant –DPW</del></li> <li>• <del>Administrative Assistant –Police</del></li> <li>• <b><i>Administrative Assistant (may be general or may be specific to a Department or Departments)</i></b></li> <li>• Assistant Children’s Librarian</li> <li>• Young Adult Librarian</li> </ul>
<b>F</b>	<del>\$24.09 – \$31.60</del>	<ul style="list-style-type: none"> <li>• Assistant Library Director</li> <li>• Assistant Town Accountant</li> </ul>

		<ul style="list-style-type: none"> <li>• Children’s Librarian</li> <li>• <del>Municipal Assistant</del></li> <li>• <b>Executive Assistant</b></li> </ul>
<b>G</b>	\$29.15 – \$38.26	<ul style="list-style-type: none"> <li>• COA- Senior Center Director</li> <li>• Library Director</li> <li>• Principal Assessor</li> <li>• Treasurer/Collector</li> <li>• Town Accountant</li> <li>• Town Clerk</li> </ul>
<b>H</b>	\$33.23 – \$43.59	<ul style="list-style-type: none"> <li>• DPW Director</li> <li>• Building Commissioner</li> <li>• <b>Town Planner</b></li> <li>• <b>Finance Director</b></li> </ul>

**Grades A through E shall be non-exempt and grades F through H shall be exempt. Positions in Grades F through H may be compensated outside of the Compensation Plan through an Employment Agreement authorized by the Select Board or in the case of Library Personnel, the Library Trustees.**

**ARTICLE 23 - AUTHORIZATION TO AMEND THE PERSONNEL BYLAW OF THE GENERAL BYLAWS**

To see if the Town will vote to amend the General Bylaws, Article XXI Personnel Bylaws, as follows: (1) amend Section 4(B) (Application); (2) amend Section 4(F) (Types of Employees); (3) amend Section 4(P) (Personal Days); (4) amend Section 4(AA) (Classification and Compensation Plan 1- Classification Plan); and (5) amend Section 4(CC) (Step Increases); (deletions are shown in strikeout and additions in **bold italics** for emphasis only); or take any other action relative thereto:

1) Amend Section 4(B), Application, as follows:

**B- APPLICATION**

All town departments and all regular, temporary, and ~~seasonal~~ **temporary/intermittent** positions in the town service, other than the School Department, the Municipal Light Plant, except as otherwise provided for in Part J herein, and positions under their control and those employees covered under collective bargaining agreement, and all other employees covered by collective bargaining agreement and employment contract shall be subject to the provisions of this bylaw.

2) Amend Section 4(F), Types of Employees, as follows:

**F- TYPES OF EMPLOYEES**

<b>1</b>	<b>Full – time;</b>	A person who works 32.5 hours in a year round position
<b>2</b>	<b>Part – time;</b>	A person who works a minimum of 20 hours regularly scheduled weekly but less than 32.5 hours in a year round full-time position
<b>3</b>	<del>Seasonal</del> <b>Temporary/Intermittent:</b>	A person who is employed for a specific and limited period of time



4	<b>Fractional – time;</b>	A person who works less than 20 hours weekly in the regularly scheduled year round position
5	<b>Emergency Fire Personnel;</b>	All persons reporting to the Fire Chief, including Call and Per Diem. (Call personnel respond to events or stand by when needed. Per Diem personnel fill actual time slots.)
6	<b>Exempt Employee;</b>	An employee who is classified as either an exempt or an excluded employee under the provisions of the Fair Labor Standards Act.
7	<b>Non-Exempted Employee;</b>	An employee who is not classified as either an exempt or an excluded employee under the provisions of the Fair Labor Standards Act.

3) Amend Section 4(P), Personal Days, as follows:

**P-PERSONAL DAYS**

Personal Days/Hours will be based on an employee's weekly number of hours worked.

-Full Time Employees, as defined in Section F-TYPES OF EMPLOYEES, 32.5 + hours per week year-round, are entitled to 3 days a year at 3/5 week's hours. For example: 40 hours worked a week= 24 Personnel Hours, 32.5 hours worked a week= 19.5 hours.

-Part Time Employees, as defined in Section F-TYPES OF EMPLOYEES, 20- less than 32.5 hours a week year-round, are entitled to 2 days a year at 2/5 week's hours. For example: 20 hours worked a week= 8 hours per year. 24 hours worked a week= 10 hours per year. 30 hours worked a week= 12 hours per year.

-Fractional & ~~Seasonal~~ **Temporary/Intermittent** Employees, as defined in Section F-TYPES OF EMPLOYEES, are not entitled to any Personal Days/Hours.

Department heads should be notified at least three days before the intended absence except in the case of emergency. Time off is generally authorized in whole days but may be taken in half-day increments by full-time employees only at the department head's discretion. Part-time employees shall only take authorized personal days in whole day increments.

Personal days are not cumulative and may not be carried from one year to another.

4) Amend Section 4(AA), Classification and Compensation Plan 1- Classification Plan, by adding the following at the end of the section:

<i>Temporary or Intermittent Employees</i>
<ul style="list-style-type: none"> <li>• <i>Seasonal Snowplow Drivers (Utilizing Town Equipment)</i></li> <li>• <i>Seasonal Laborer</i></li> <li>• <i>Constable</i></li> <li>• <i>Special Traffic Constable</i></li> <li>• <i>Police Matron</i></li> <li>• <i>Wiring Inspector (including Assistant Wiring Inspector)</i></li> </ul>

- ***Plumbing and Gas Inspector (including Assistant Plumbing and Gas Inspector)***

***The hourly compensation for all temporary or intermittent employees shall be set by the Select Board. Temporary or Intermittent employees are paid by the hour and are not entitled to any benefits (Sick Leave, Vacation, Personal Days, Health Insurance) during the term of their employment.***

5) Amend Section 4(CC), Step Increases, as follows:

### **CC- STEP INCREASES**

All permanent, full-time, part-time, and fractional-time employees who are not department heads shall receive a step increase after the completion of two (2) years of service and every two (2) years thereafter, provided the employees are in good standing and in active service of the town. No step or longevity increases shall be given when an employee reaches Step Twelve on the employee's respective Pay Grade. ~~Seasonal~~ ***Temporary/intermittent*** employees shall not be entitled to step increases, but are eligible for wage increases or cost-of-living increases approved by Town Meeting.

Department heads shall receive a step increase after completion of two (2) years of service and every two (2) years thereafter, provided the department heads are in good standing and in the active service of the town, and subject to a satisfactory performance evaluation. On or before July 1st of each calendar year, the Town Administrator or appropriate elected board, commission or committee, based upon department work priorities, goals and objectives, shall meet with the appropriate department heads to establish department performance goals and supervisory goals and methods of measuring performance for the subsequent fiscal year commencing July 1st.

The Town Administrator or appropriate elected board, commission or committee shall ensure that the annual performance goals and methods of measuring performance are formalized in writing on appropriate forms approved by the Personnel Board and that the department head understands the goals and methods of measuring performance. The Town Administrator or appropriate elected board, commission or committee shall review annual performance goals and performance measurements intermittently during the fiscal year with the department head and more formally on or before January 15th and shall review annual performance on or before June 30th. The annual performance evaluation shall be formalized in writing on appropriate forms approved by the Personnel Board and shall become a permanent part of the department head's personnel record. No bi-annual step increase shall be granted to a department head should the normal performance evaluation for the preceding year not be satisfactory. Should a step increase be denied due to unsatisfactory performance, the department head shall be eligible to receive any other wage increases or cost-of-living increases approved by Town Meeting.

As of the appropriate effective dates of the Non-Exempt Emergency Fire and Medical Services Employees Classification and Compensation Plan for each class of department employees (January 1, 2000 for Grades 3F, 4F, and July 1, 2000 for Grades IF and 2F), all active employees in good standing with the Fire Chief, shall receive a step increase after two (2) years of service and every two (2) years thereafter.

## ARTICLE 24 - AUTHORIZATION TO AMEND THE GENERAL BYLAWS

To see if the Town will vote to amend Article XXXIII- Stormwater Bylaw as follows (deletions are shown in ~~strikeout~~ and additions in ***bold italics*** for emphasis only); or take any other action relative thereto:

### 1.0- SECTION 1 - PURPOSE

A) The purpose of this Bylaw is to protect the public health, safety, environment and general welfare by establishing requirements and procedures to manage stormwater runoff, promote groundwater recharge and to prevent water pollution from new development and redevelopment.

This Bylaw seeks to meet that purpose through the following objectives:

1. Establish regulations for land development activities that preserve the health of water resources;
2. Require that the quantity and quality of stormwater discharging from new development both during and after construction maintains or improves these characteristics compared to pre- development conditions in order to reduce flooding, stream erosion, pollution, property damage and harm to aquatic life;
3. Establish stormwater management standards and design criteria to control the quantity and quality of stormwater runoff;
4. Encourage the use of “low impact development practices”, such as reducing impervious cover and preserving greenspace and other natural areas;
5. Establish maintenance provisions to ensure that stormwater treatment practices will continue to function as designed and pose no threat to public safety;
6. Establish procedures for the Town’s review and enforcement of stormwater management plans and for the Town’s inspection of approved stormwater treatment practices.

B) Nothing in this Bylaw is intended to replace the existing regulations or bylaws of the Town of West Boylston. All activities are subject to all of the existing provisions of the Town of West Boylston and must comply with the specifications of each regulation or bylaw. ***The requirements of this article should be considered minimum requirements, and where any provision of this chapter imposes restrictions different from those imposed by any other bylaw, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.***

### 2.0- SECTION 2 - DEFINITIONS

***The following*** definitions are in Appendix A of this Bylaw and shall apply in the interpretation and implementation of ~~the~~ ***this*** Bylaw. Terms not defined in this Appendix ***Bylaw*** shall be understood according to their customary and usual meaning. Additional definitions may be adopted by separate regulation.

***ALTER: Any activity, which will measurably change the ability of a ground surface area to absorb water or will temporarily or permanently change existing surface drainage patterns.***

*Alter may be similarly represented as “alteration,” “alteration of drainage characteristics,” and “conducting land disturbance activities.”*

**APPLICANT:** *Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government, to the extent permitted by law, requesting a Stormwater Management Permit.*

**BEST MANAGEMENT PRACTICE (BMP):** *Structural, non-structural and managerial techniques that are recognized to be the most effective and practical means to prevent and/or reduce increases in stormwater volumes and flows, reduce point source and nonpoint source pollution, and promote stormwater quality and protection of the environment. “Structural” BMPs are devices that are engineered and constructed to provide temporary storage and treatment of stormwater runoff. “Non-structural” BMPs are measures to reduce pollution levels through managerial measures that reduce impacts through sound planning, design, or operational standards. Nonstructural BMPs do not require extensive construction efforts, but they do promote pollutant reduction by eliminating or reducing the pollutant source.*

**HOTSPOT:** *Land uses or activities with higher potential pollutant loadings, such as, but not limited to, auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high intensity use, road salt storage areas, commercial nurseries and landscaping, golf courses, outdoor storage and loading areas of hazardous substances, or marinas.*

**LAND DISTURBANCE:** *Any action that causes clearing of vegetation (including tree cutting) or that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material. See also ALTER.*

**LOW IMPACT DEVELOPMENT PRACTICES:** *Innovative stormwater management systems that are modeled after natural hydrologic features. See 310 CMR 10 for further clarification.*

**MASSACHUSETTS STORMWATER HANDBOOK:** *The handbook issued by the Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act (G.L. c. 131§ 40) and Massachusetts Clean Waters Act (G.L. c. 21, §. 23-56). The handbook includes the Massachusetts Stormwater Management Standards, which implement performance criteria to reduce or prevent pollutants from reaching water bodies and control the quantity and quality of runoff from a site.*

**NEW DEVELOPMENT:** *Any construction or land disturbance of a parcel of land that is currently in a natural vegetated state and does not contain alteration by man-made activities including but not limited to creation of impervious cover.*

**NONPOINT SOURCE POLLUTION:** *Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it transports natural and human-made pollutants, finally depositing them into wetland and/or water resource areas.*

**PERSON:** Any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town Bylaws, administrative agency, public or quasi-public corporation or body, the Town of West Boylston, and any other legal entity, its legal representatives, agents, or assigns.

**RECHARGE:** The replenishment of underground water reserves.

**REDEVELOPMENT:** Development, rehabilitation, expansion, demolition, construction, land alteration, or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites.

**STORMWATER AUTHORITY:** The Town of West Boylston Stormwater Authority shall be the West Boylston Director of Public Works or its authorized designee as outlined in Section 3.

**STORMWATER MANAGEMENT PERMIT (SMP):** A permit issued by the Stormwater Authority, after review of an application, plans, calculations, and other supporting documents, which is designed to protect the environment of the Town from the deleterious effects of uncontrolled and untreated stormwater runoff.

**3.0- SECTION 3 - ADMINISTRATION**

A) The Stormwater Authority shall be the West Boylston Director of Public Works *or their designee as outlined in the table below*. The Stormwater Authority shall administer, implement and enforce this Bylaw. All powers granted to or duties imposed upon the Stormwater Authority are extended to the Stormwater Authority’s designees. The Stormwater Authority’s designees for various projects that disturb more than 10,000 square feet are as follows:

<b>Designee</b>	<b>Projects <del>Disturbing</del> Distributing More Than 10,000 Square Feet</b>
Planning Board	Subdivisions, Site Plans
Zoning Board of Appeals	Special Permits, Variances, 40B
Earth Removal Board	Earth Removal Permits
Conservation Commission	Projects <del>required</del> and <b>requiring an</b> Order of Conditions that do not fall within the categories listed above
Building Inspector	Projects requiring a Building Permit <del>the</del> <b>that</b> do not fall within the categories listed above

B) **Stormwater Rules and Regulations.** The *Planning Board, in consultation with the Stormwater Authority*, may adopt, and periodically amend, rules and regulations relating to the terms, conditions, definitions, enforcement, fees (including application, *clerical*, inspection, and/or consultant fees), procedures and administration of this Stormwater Bylaw by majority vote of the *Planning Board Stormwater Authority*, after conducting a public hearing to receive comments on any proposed revisions. Such hearing dates shall be advertised *on the Town*

~~website and a conspicuous public posting location in the Town Hall in a newspaper of general local circulation~~, at least fourteen (14) days prior to the hearing date. After public notice and public hearing, the **Planning Board Stormwater Authority** may issue rules and regulations to fulfill the purposes of this Bylaw. Failure by the **Planning Board Stormwater Authority** to issue such rules and regulations or a legal declaration of their invalidity by a court shall not act to suspend or invalidate the effect of this Bylaw.

**C) Stormwater Management Manual. Performance Standards.** The Stormwater Authority will utilize the policy, criteria and information including specifications and standards of the latest edition of the Massachusetts Stormwater Management Policy *Handbook* (see Appendix B), *as amended from time to time, for criteria and information including specification and standards for the execution of* to execute the provisions of this Bylaw. ~~This Policy~~ *These* includes a list of acceptable stormwater treatment practices, including the specific design criteria for each. ~~The Policy may be updated and expanded periodically, based on improvements in engineering, science, monitoring, and local maintenance experience.~~ Unless specifically altered in the Stormwater **Rules and Regulations**, stormwater *best* management practices that are designed, constructed, and maintained in accordance with these design and sizing criteria will be presumed to be protective of Massachusetts water quality standards to the extent authorized. *Additional criteria for erosion and sediment control and postconstruction stormwater management, including stormwater performance standards, may be defined and included as part of the Rules and Regulations promulgated under Section 3.B of this bylaw. If the requirements of this Bylaw and the Stormwater Handbook conflict, the more stringent provision shall control.*

**D) Actions by the Stormwater Authority.** The Stormwater Authority may take any of the following actions as a result of an application for a Stormwater Management Permit: Approval, Approval with Conditions, Disapproval, or Disapproval without Prejudice.

**E) Appeals of Action by the Stormwater Authority.** A decision of the Stormwater Authority shall be final. Further relief of a decision by the Stormwater Authority made under this Bylaw shall be reviewable in the Superior Court in an action filed within sixty (60) days thereof, in accordance with M.G.L. c. 249, §4.

**F) Right of Entry.** ~~Filing~~ *And* application for a stormwater management permit **shall include permission for the** Stormwater Authority or its designee to enter the site to verify the information in the application and to inspect for compliance with permit conditions.

#### **4.0- SECTION 4 - AUTHORITY**

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, *the Home Rule Statutes*, and pursuant to the regulations of the Federal Clean Water Act, ~~and as authorized by the residents of the Town of West Boylston at Town Meeting, dated October 15, 2007.~~

#### **5.0- SECTION 5 - APPLICABILITY**

**A)** ~~This bylaw shall be applicable to all new development and redevelopment; including, but not limited to, site plan applications and subdivision applications. The Bylaw shall apply to any activities that will result in an increased amount of stormwater runoff or pollutants from a parcel of land, or that will alter the drainage characteristics of a parcel of land, unless exempt~~

~~under Section 5.C of this Bylaw. All new development and redevelopment under the jurisdiction of this Bylaw shall be required to obtain a Stormwater Management Permit.~~

~~**B)** An alteration, redevelopment, or conversion of land use to a hotspot (as determined by the Stormwater Authority in conformance with Standard 5 of the Massachusetts Stormwater Management Policy) including, but not limited to, auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high intensity use, road salt storage areas, commercial nurseries and landscaping, outdoor storage and loading areas of hazardous substances, or marinas, shall require a Stormwater Management Permit.~~

*This Bylaw shall be applicable to the any activity that results in a land disturbance of 10,000 (gross) square feet or greater of all contiguous properties within the Town of West Boylston. Activities that result in a land disturbance include but are not limited to:*

- *new development and redevelopment; including site plan applications and subdivision applications; and/or*
- *activities that will result in an increased amount of stormwater runoff or pollutants from a parcel of land, or that will alter the drainage characteristics of a parcel of land; and/or*
- *alteration, redevelopment, or conversion of land use to a hotspot (as determined by the Stormwater Authority in conformance with Standard 5 of the Massachusetts Stormwater Management Handbook) including, but not limited to, auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high intensity use, road salt storage areas, commercial nurseries and landscaping, outdoor storage and loading areas of hazardous substances, or marinas.*

*Activities that meet the applicability criteria of this section shall be required to obtain a Stormwater Management Permit.*

⊖ **EXEMPTIONS** No person *who meets the applicability of this bylaw* shall alter land within the Town of West Boylston without having *first* obtained a Stormwater Management Permit (SMP) for the property with the following exceptions:

1. Any activity that will disturb an area less than 10,000 (gross) square feet of all contiguous properties;
2. Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04 and MGL Chapter 40A Section 3;
3. Maintenance of existing landscaping, gardens or lawn areas associated with a single, two, or three family dwelling;
4. Repair or replacement of an existing roof;
5. Construction of a single-family dwelling, where approval is not required as defined in the Subdivision Control Law, unless the associated land disturbance activity ~~exceeds~~ *is* 10,000 (gross) square feet *or greater*. Prior to land disturbance activities, persons constructing single-family dwellings are strongly encouraged to consult with the town's Stormwater Authority about actions to reduce stormwater impacts during and after construction. It is also recommended that individuals constructing single-family dwellings prepare and grade lots in such a manner that development of the lot does not ~~cause detrimental~~ *direct* drainage on another lot or onto streets either during construction or upon completion.

6. Repair or replacement of an existing septic system when approved by the Board of Health. Persons repairing or replacing septic systems are strongly encouraged to consult with the Town of West Boylston Board of Health or Conservation Commission about actions to reduce stormwater impacts during and after construction.
7. The construction of any fence that will not alter existing terrain or drainage patterns;
8. Construction of a deck, patio, retaining wall, expansion of an existing driveway, construction of a shed, garage, swimming pool, tennis or basketball court associated with a single, two, or three family dwelling that does not disturb more than 10,000 square feet.
9. Construction of utilities (gas, water, electric, telephone, etc.) other than drainage, which will not alter terrain, ground cover, or drainage patterns and for which the total area to be disturbed (even if linear in nature) does not exceed 10,000 sq. ft. at one time, defined as more than one week of exposed surface area;
10. Emergency repairs to any stormwater management facility or drainage structure or practice that poses a threat to public health or safety, or as deemed necessary by the Stormwater Authority; ~~and~~
11. Any work or projects for which all necessary approvals and permits have been issued before the effective date of this Bylaw.
12. Normal maintenance of Town owned public land, ways, and appurtenances *that disturb less than 10,000 square feet.*
13. *Ground disturbances in the course of customary cemetery use and regular maintenance.*

#### **6.0- SECTION 6 - PROCEDURES**

Permit Procedures and Requirements shall be defined and included as part of any rules and regulations issued as permitted under Section-4 **3.B** of this Bylaw.

#### **7.0- SECTION 7 - ENFORCEMENT**

The Stormwater Authority or its designee shall enforce this Bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations. Enforcement shall be further defined and included as part of any Stormwater regulations issued as permitted under Section 4 **3.B** of this Bylaw.

#### **8.0- SEVERABILITY**

~~The invalidity of any section, provision, paragraph, sentence, or clause of this Bylaw shall not invalidate any section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.~~

#### **9.0- APPLICATION FEES**

~~The Stormwater Authority shall receive with each submission an Application Fee ESTABLISHED BY THE Stormwater Authority to cover expenses connected with the review of the Stormwater Management Permit and a technical review fee sufficient to cover professional review services for the project. The Stormwater Authority is authorized to retain a Registered Professional Engineer or other professional consultants to advise the Stormwater Authority on any or all aspects of these plans. Applicants must pay review fees before the review process may begin.~~

#### **10.0- SECTION 8 - WAIVERS**



A. The Stormwater Authority, *or its designee*, may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where *such action is*:

1) ~~Such action is~~ allowed by federal, state, and local statutes and/or regulations *and the MS4 Permit; and*

2) ~~Is in overriding~~ *in the* public interest, and

3) ~~Is not~~ inconsistent with the purpose and intent of this bylaw.

B. Any applicant may submit a written request to be granted such a waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the bylaw does not further the purposes or objectives of this bylaw.

### **SECTION 9 - SURETY**

*The Stormwater Authority may require the applicant to post before the start of land disturbance or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by the Stormwater Authority and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Stormwater Authority may release part of the bond as each phase is completed in compliance with the permit. If the permittee defaults on any obligations imposed by the Stormwater Management Permit, the Stormwater Authority may (after notification of the permittee) inform the holder of the security (and the municipal treasurer if the treasurer is not holding the funds) of the default, in which event the Town shall be entitled to the security funds.*

### **SECTION 10 - SEVERABILITY**

*The invalidity of any section, provision, paragraph, sentence, or clause of this Bylaw shall not invalidate any section, provision, paragraph, sentence, or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.*

### **APPENDIX A: DEFINITIONS**

~~ALTER: Any activity, which will measurably change the ability of a ground surface area to absorb water or will temporarily or permanently change existing surface drainage patterns. Alter may be similarly represented as “alteration,” “alteration of drainage characteristics,” and “conducting land disturbance activities.”~~

~~**BEST MANAGEMENT PRACTICE (BMP): Structural,** non-structural and managerial techniques that are recognized to be the most effective and practical means to prevent and/or reduce increases in stormwater volumes and flows, reduce point source and nonpoint source pollution, and promote stormwater quality and protection of the environment. “Structural” BMPs are devices that are engineered and constructed to provide temporary storage and treatment of stormwater runoff. “Non-structural” BMPs are measures to reduce pollution levels through managerial measures that reduce impacts through sound planning, design, or operational standards. Non-structural BMPs do not require extensive construction efforts, but they do promote pollutant reduction by eliminating or reducing the pollutant source.~~

~~**BETTER SITE DESIGN:** Approaches and techniques used as non-structural BMPs that can reduce a site’s impact on the watershed through the use of nonstructural stormwater management practices. Better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover, and using natural features for stormwater management.~~

**HOTSPOT:** Land uses or activities with higher potential pollutant loadings, such as, but not limited to, auto salvage yards, auto fueling facilities, fleet storage yards, commercial parking lots with high intensity use, road salt storage areas, commercial nurseries and landscaping, outdoor storage and loading areas of hazardous substances, or marinas.

**MASSACHUSETTS STORMWATER MANAGEMENT POLICY:** The Policy issued by the Department of Environmental Protection, as amended, that coordinates the requirements prescribed by state regulations promulgated under the authority of the Massachusetts Wetlands Protection Act M.G.L. c. 131§ 40 and Massachusetts Clean Waters Act M.G.L. c. 21, §. 23-56. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity and quality of runoff from a site.

**NEW DEVELOPMENT:** Any construction or land disturbance of a parcel of land that is currently in a natural vegetated state and does not contain alteration by man-made activities.

**NONPOINT SOURCE POLLUTION:** Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it transports natural and human-made pollutants, finally depositing them into wetland and/or water resource areas.

**PERSON:** Any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to Town Bylaws, administrative agency, public or quasi-public corporation or body, the Town of West Boylston, and any **other legal entity, its legal representatives, agents, or assigns.**

**PRE-DEVELOPMENT:** The conditions that exist prior to clearing or grading of a site at the time that plans for the land development of a tract of land are submitted to the town. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

**POST-DEVELOPMENT:** The conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post development refers to the phase of a new development or redevelopment project after completion, and does not refer to the construction phase of a project.

**RECHARGE:** The replenishment of underground water reserves.

**REDEVELOPMENT:** Any construction, alteration, or improvement exceeding land disturbance of 10,000 (gross) square feet, where the existing land use is commercial or industrial.

**STORMWATER AUTHORITY:** The Town of West Boylston Stormwater Authority or its authorized designees. The Stormwater Authority or its designee is responsible for coordinating the review, approval and permit process as defined in this Bylaw. The Stormwater Authority shall be the West Boylston Director of Public Works. All powers granted to or duties imposed upon the Stormwater Authority are extended to the Stormwater Authority's designees. The Stormwater Authority's designees for various projects that disturb more than 10,000 square feet are as follows:

<b>Designee</b>	<b>Projects Distributing More 10,000 Square Feet</b>
Planning Board	Subdivisions, Site Plans
Zoning Board of Appeals	Special Permits, Variances, 40B
Earth Removal Board	Earth Removal Permits

<del>Conservation Commission</del>	<del>Projects required and Order of Conditions that do not fall within the categories listed above</del>
<del>Building Inspector</del>	<del>Projects requiring a Building Permit the do not fall within the categories listed above</del>

~~STORMWATER MANAGEMENT PERMIT (SMP): A permit issued by the Stormwater Authority, after review of an application, plans, calculations, and other supporting documents, which is designed to protect the environment of the Town from the deleterious effects of uncontrolled and untreated stormwater runoff.~~

**ARTICLE 25 - AUTHORIZATION TO AMEND THE GENERAL BYLAWS**

To see if the Town will vote to amend the General Bylaws by adding a new Article XLII, “Discharges to the Drainage System”, as follows:

*Article XLII- Discharges to the Drainage System*

**SECTION 1 – PURPOSE**

This Bylaw is intended to protect public health, safety, welfare, the environment, and to ensure the proper and safe operation of the Town’s storm drains by regulating discharges to the public or municipal separate storm sewer system (MS4), hereafter referred to as the drainage system.

The objectives of this Bylaw are to:

- a. Prevent pollutants from entering the Town of West Boylston’s drainage system;
- b. Prohibit illicit connections and unauthorized discharges to the drainage system;
- c. Require the removal of all such illicit connections;
- d. Comply with state and federal statutes and regulations relating to stormwater discharges; and
- e. Establish the legal authority to ensure compliance with the provisions of this Bylaw through inspection, monitoring, and enforcement.

**SECTION 2 – DEFINITIONS**

For the purposes of this Bylaw, the following shall mean:

**AUTHORIZED ENFORCEMENT AGENCY:** The Department of Public Works, its employees or designated agents (including but not limited to consultants and/or other municipal staff).

**CLEAN WATER ACT:** The Federal Water Pollution Control Act (33 U.S.C. § 1251, *et seq.*) as hereafter amended.

**DISCHARGE OF POLLUTANTS:** The addition from any source of any pollutant or combination of pollutants into the drainage system or into the waters of the United States or Commonwealth from any source.

**GROUNDWATER:** Water below the land surface in a saturated zone, including perched ground water.

**ILLICIT CONNECTION:** A surface or subsurface drain or conveyance, which allows an illicit discharge into the drainage system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this Bylaw.

**ILLICIT DISCHARGE:** Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 6. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit or resulting from fire fighting activities exempted pursuant to Section 6, subsection 6.2, of this Bylaw.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.

**INFEASIBLE:** Not technologically possible, or not economically practicable and achievable in light of best industry practices.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or DRAINAGE SYSTEM:** A conveyance or system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of West Boylston.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT:** A permit issued by United States Environmental Protection Agency or jointly with the State that authorizes the discharge of pollutants to waters of the United States.

**NON-STORMWATER DISCHARGE:** Discharge to the drainage system not composed entirely of stormwater.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**POLLUTANT:** Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works, ground water, or surface water. Pollutants shall include without limitation:

- (1) paints, varnishes, and solvents;
- (2) oil and other automotive fluids;
- (3) non-hazardous liquid and solid wastes and yard wastes;

- (4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
- (5) pesticides, herbicides, and fertilizers;
- (6) hazardous materials and wastes; sewage, fecal coliform and pathogens;
- (7) dissolved and particulate metals;
- (8) animal wastes;
- (9) rock, sand, salt, and soils, with the exception of winter salting and sanding in quantities that are necessary for public safety and are applied in accordance with approved best practices;
- (10) construction wastes and residues; and
- (11) and noxious or offensive matter of any kind.

**PROCESS WASTEWATER:** Water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

**RECHARGE:** The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

**STORMWATER:** Storm water runoff, snow melt runoff, and surface water runoff and drainage.

**SURFACE WATER DISCHARGE PERMIT.** A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.

**TOXIC OR HAZARDOUS MATERIAL or WASTE:** Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

**UNCONTAMINATED PUMPED GROUNDWATER:** Discharges of pumped groundwater which has not come into contact with any pollutants as described above. Such discharges must originate outside of a structure (residence, commercial building, etc.) to meet the exemption criteria outlined in Section 6.2.

**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

**WATERS OF THE COMMONWEALTH:** All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, costal waters, and groundwater.

**WASTEWATER:** Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

### **SECTION 3 – APPLICABILITY**

This Bylaw shall apply to all flows entering the Town's drainage system.

### **SECTION 4 – AUTHORITY**

This Bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule statutes, and pursuant to the regulations of the Federal Clean Water Act.

### **SECTION 5 – RESPONSIBILITY FOR ADMINISTRATION**

The Authorized Enforcement Agency is responsible for day-to-day administration, implementation, and enforcement of this bylaw.

### **SECTION 6 – USE OF THE DRAINAGE SYSTEM**

#### 6.1 Prohibited Activities

All non-stormwater discharges to the Town's drainage system shall be prohibited. Non-stormwater discharges include, but are not limited to, the following:

- Illicit Discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge to the drainage system, into a watercourse, or into the waters of the Commonwealth.
- Illicit Connections. No person shall construct, use, allow, maintain, or continue any illicit connection to the drainage system, regardless of whether the connection was permissible under applicable law, regulation, or custom at the time of construction.
- Obstruction of the Drainage System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the drainage system without prior written approval from the Authorized Enforcement Agency.
- Alteration of the Drainage System. No person shall modify or remove any part of the drainage system including surface drainage or piping that crosses private property if it serves the public as part of the drainage system.
- Sump Pump Discharges. Discharges of a sump pump to the drainage system are prohibited unless a permit has been obtained from the Authorized Enforcement Agency.

#### 6.2 Exemptions

The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwater discharges provided that the source is not a significant contributor of a pollutant to the drainage system:

- Waterline flushing;
- Flow from potable water sources;
- Springs;
- Natural flow from riparian habitats and wetlands;

- Diverted stream flow;
- Rising groundwater;
- Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater as defined in Section 2 of this Bylaw;
- Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
- Discharges from landscape irrigation or lawn watering;
- Water from individual residential car washing;
- Discharges from dechlorinated swimming pool water (less than one ppm chlorine) provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
- Street wash waters;
- Residential building wash waters without detergents;
- Discharge or flow from fire-fighting activities, except where they are identified as significant contributors of pollutants to surface waters or ground water;
- Dye testing, provided verbal notification is given to the Authorized Enforcement Agency prior to the time of the test;
- Non-stormwater discharges permitted under a NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
- Discharge for which advanced written approval is received from the Town as necessary to protect public health, safety, welfare or the environment.

### 6.3 Emergency Suspension of Drainage System Access

The Town or its employee, agent, or other authorized party may suspend access to the drainage system to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. If any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

### 6.4 Notification of Spills

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the West Boylston Fire and Police Departments, the Department of Public Works and the Massachusetts Department of Environmental Protection. In the event of a release of non-hazardous material, the reporting person shall provide the Authorized Enforcement Agency written

confirmation of all telephone, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain a written record of the discharge and the actions taken to prevent its recurrence onsite. Such records shall be retained for at least three years.

## **SECTION 7 – PERMITS FOR DISCHARGE AND/OR CONNECTION TO THE DRAINAGE SYSTEM**

The Authorized Enforcement Agency shall issue permits for certain discharges and/or connections to the drainage system where applicants can indicate that onsite management of that discharge is infeasible. Connections to the drainage system shall meet the requirements of this section and this Bylaw in their entirety.

- 7.1 No user, owner, or applicant shall construct, uncover, make connection with or opening into, use, alter, or disturb any part of the drainage system, or appurtenance thereof, without first obtaining a written permit from the Authorized Enforcement Agency. Any user, owner, or applicant proposing a new discharge to the drainage system shall notify the Authorized Enforcement Agency no less than 30 days prior to the proposed connection, and shall obtain a written permit, as required.
- 7.2 The Authorized Enforcement Agency shall not issue a permit for any discharge which the agency believes can threaten public health and safety, the environment, the drainage system, or any watercourse or receiving waters.
- 7.3 All costs and expenses relating to the installation or connection of a building drain, roof leader, yard drain, or sump pump to the drainage system shall be the sole responsibility of the owner or user. The owner or user shall compensate the Town for any damage or loss that have been directly or indirectly caused by the installation of any such connection.
- 7.4 The size, slope, alignment, and materials used, and the methods used in excavating, placing of pipes, jointing, testing, and backfilling shall all conform to the Commonwealth of Massachusetts' Building, Wiring, Plumbing, and Fuel Gas Codes, as well as the Town's Zoning Bylaws, or other applicable Town regulations that may exist at the time the permit is issued. If no such code provisions exist, the materials and procedures outlined in appropriate specifications of the American Society for Testing and Materials (ASTM) shall apply.
- 7.5 No connection of roof downspouts, exterior foundation drains, or other sources of surface runoff or groundwater shall be made to a building sanitary sewer or connected directly or indirectly to the Town's Sewerage System.
- 7.6 No connection of a building sanitary sewer or a building drain conveying wastewater from plumbing fixtures within the building shall be made directly or indirectly to the drainage system.
- 7.7 An applicant shall notify the Authorized Enforcement Agency when the building drain, roof leader, yard drain, or sump pump is ready for inspection and connection to the



drainage system, as appropriate. The connection shall be made under the supervision of the Town or their designated representative(s), and no backfilling shall occur until all appropriate inspections are made.

- 7.8 All excavations for connections to the drainage system shall, at all times, be equipped with adequate lighting and appropriately isolated with barricades, fencing, or other suitable means so as to protect the public from access and potential hazards. Any streets, sidewalks, and other public property and/or private property disturbed over the course of the work shall be restored to its prior condition, or better, and shall be approved by the Department of Public Works.
- 7.9 All plans showing proposed connections to the drainage system shall be prepared and stamped by a registered professional engineer and/or registered land surveyor licensed in the Commonwealth of Massachusetts. Licensing, bond, and insurance requirements for all contractors performing work within the public right-of-way or on private ways shall be in accordance with Department of Public Works standards.
- 7.10 This Bylaw does not preclude the use of low-impact development strategies for onsite stormwater management as required by the Town of West Boylston Stormwater Bylaw and the Town's Stormwater Management Rules and Regulations.

#### **SECTION 8 – WAIVER REQUESTS**

- 8.1 The Authorized Enforcement Agency reserves the authority to waive any portion(s) of this Bylaw that may:
  - a. Cause undue hardship;
  - b. Occur during emergency conditions; or
  - c. Be deemed to be in the Town's best interest.
- 8.2 Each request for a waiver shall be made in writing to the Authorized Enforcement Agency.
- 8.3 Nothing stated in this section shall be interpreted to mean that the Town has the right to waive any Massachusetts General Laws, State or Federal regulations, requirements, and/or policies as referenced herein or otherwise applicable.

#### **SECTION 9 – POWERS AND AUTHORITY**

- 9.1 The Authorized Enforcement Agency and other duly authorized employees or agents of the Town bearing proper credentials shall be permitted to request permission to enter any properties for the purposes of inspection, observation, and testing in accordance with the provisions of this Bylaw.
- 9.2 The Authorized Enforcement Agency and other duly authorized employees or agents of the Town, bearing proper credentials, shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, testing, repair, and maintenance of any portion of the

public drain lying within said easement. All entry and subsequent work (if any) on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

- 9.3 The Authorized Enforcement Agency and other duly authorized employees or agents of the Town bearing proper credentials shall be permitted to make tests of the sewer system and drainage system, including smoke and dye tests, and shall be permitted to perform reasonable visual inspections inside buildings in order to test for illicit connections to the drainage system and/or unauthorized or excessive discharges to the drainage system.

## **SECTION 10 – ENFORCEMENT**

- 10.1 The Authorized Enforcement Agency shall enforce this Bylaw, regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations.
- 10.2 Civil Relief. If a person violates the provisions of this Bylaw, regulations, permit, notice, or order issued thereunder, the Town may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.
- 10.3 Orders. The Authorized Enforcement Agency may issue a written order to enforce the provisions of this Bylaw or the regulations thereunder, which may include:
- Elimination of illicit connections or discharges to the drainage system;
  - Performance of monitoring, analyses, and reporting;
  - That unlawful discharges, practices, or operations shall cease and desist; and/or
  - Remediation of contamination in connection therewith.

If the Authorized Enforcement Agency determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, pursue a court order allowing the Town to undertake such work at the expense of the violator. In the case where a violation poses an immediate threat to public health and the environment and requires emergency repair, the Town may, at its discretion, perform the necessary repair without administering a written order or pursuing a relief in court. Such emergency work will also be conducted at the expense of the violator.

Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town, including administrative costs. The violator and/or property owner may file a written protest with the Authorized Enforcement Agency objecting to the amount or basis of costs with the Town within thirty (30) days of receipt of the notification of the costs incurred. The Authorized Enforcement Agency shall issue a

written decision within ten (10) days of receipt of a written protest either modifying or affirming the amount of costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the Authorized Enforcement Agency affirming or reducing the costs, or from a final decision of a court of competent jurisdiction affirming or reducing the costs, the costs shall constitute a municipal charge for purposes of G.L. c. 40, §58, and a lien may be imposed on the property for the amount of the unpaid charge, pursuant to G.L. c. 40, §58. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in M.G.L. c. 59 § 57 on the 31st day after the costs first become due.

- 10.4 Criminal Penalty. Any person who violates any provision of this Bylaw, order, or permit issued thereunder may be punished by a fine assessed by the Town in the amount of \$300 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense. Enforcement under this section shall be limited to actions which are deemed intentional or reckless by the Authorized Enforcement Agency.
- 10.5 Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town may elect to utilize the non-criminal disposition procedure set forth in G.L. c. 40, §21D and Article XXV, Non-Criminal Disposition of Bylaw Violations of the Town of West Boylston, in which case the Authorized Enforcement Agency and its staff shall be the enforcing person. The penalty for the 1<sup>st</sup> violation shall be \$100. The penalty for the 2<sup>nd</sup> violation shall be \$200. The penalty for the 3<sup>rd</sup> and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- 10.6 Entry to Perform Duties Under this Bylaw. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Town, its staff and consultants may enter upon privately owned property for the purpose of performing their duties under this Bylaw and may make or cause to be made such examinations, surveys, or sampling as the Authorized Enforcement Agency deems reasonably necessary.
- 10.7 Appeals. The decisions or orders of the Authorized Enforcement Agency shall be final. Further relief shall be to a court of competent jurisdiction.
- 10.8 Remedies Not Exclusive. The remedies listed in this Bylaw are not exclusive of any other remedies under any applicable federal, state, or local law.

## **SECTION 11 – TRANSITIONAL PROVISIONS**

- 11.1 Private property owners shall have 180 days from the effective date of this Bylaw to come into compliance with provisions of Section 7 unless good cause is shown for the failure to comply with the Bylaw during that period. Good cause may constitute, without limitation, a physical or economic barrier to compliance. The determination of good cause rests solely with the Authorized Enforcement Agency.
- 11.2 For any discharge of a pollutant to the drainage system that is exceeding applicable water quality standards, the private property owner must, within 60 days, remedy the exceedance or eliminate the discharge. However, where such remedy or elimination

within 60 days is impracticable, the private property owner shall submit to the Authorized Enforcement Agency, by the same deadline, a schedule of actions to achieve a remedy or elimination in the shortest time not impracticable. The private property owner shall implement such actions on the schedule submitted to the Authorized Enforcement Agency.

### **SECTION 12 – SEVERABILITY**

The provisions of this Bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

### **ARTICLE 26 - AUTHORIZATION TO AMEND THE GENERAL BYLAWS**

To see if the Town will vote to amend Article XXIII- Public Hearing and Notice as follows (deletions are shown in ~~strikeout~~ and additions in ***bold italics*** for emphasis only); or take any other action relative thereto:

### **SECTION 1- CIRCUMSTANCES REQUIRING A PUBLIC HEARING AND HEARING NOTICE.**

***In addition to Public Hearing requirements in Massachusetts General Laws, a Public Hearing is required by any*** ~~No~~-town department, board, committee, commission, or officer, including the Municipal Light Plant, ~~shall take any action~~ which:

- ~~a) infringes, limits, detracts, alters, or otherwise affects the rights of the citizens of the Town of West Boylston to utilize and enjoy town facilities, buildings or property;~~
- ba)*** increases, decreases, alters, or modifies any fee schedule for municipal services, ***any fee schedule for*** the use of town facilities and buildings, or ***fee schedule for*** municipal licenses and permits in instances where the authority for establishing such fee schedule is vested in a local authority; ***and***
- ~~e) increases, decreases, or alters the hours of operation and accessibility to the public of a municipal department, program or service~~
- ~~d) increases, decreases, or alters the level of a municipal service or program provided to the citizens of West Boylston; and~~
- eb)*** Promulgates, eliminates, alters, or modifies any local rule or regulation ~~in instances which~~ affects the rights of the citizens of West Boylston to lawfully use and enjoy their private property, ~~and~~ ***or*** to operate lawful businesses within the Town of West Boylston,

and where the authority to promulgate such rules or regulations is vested in a local authority, without first holding a public hearing, notice ***to the public*** of such hearing is to be published on the town's website, ***a conspicuous public posting location in the Town Hall, or publication in a town newsletter for a minimum of*** ~~and on local WBPA-TV~~ fourteen (14) calendar days prior to the public hearing.

### **SECTION 2- NOTICE TO THE PUBLIC OF A CHANGE IN TOWN RULES, REGULATIONS, FEE, SCHEDULES, AND HOURS OF OPERATION ACTIONS ALLOWED WITH NOTICE TO THE PUBLIC**

***In addition to Public Notice requirements in the Massachusetts General Laws, Notice to the Public is required by any town department, board, committee, commission, or officer, including the Municipal Light Plan which prior to the effective date of any change in the following:***

- a) policies, rules and regulations that govern the use of town buildings, facilities, and property;
- b) ~~policies, rules and regulations that~~ increases, decreases, alters ***alterations*** or modifies ***modifications of*** any fee schedule for municipal services, ***fee schedule for the*** use of town facilities and buildings, or ***fee schedule for*** municipal licenses and permits in instances where the authority for establishing such fee schedule is vested in a local authority;
- c) ~~policies, rules and regulations that~~ increases, decreases, ***or alters alterations to*** the hours of operation and accessibility to the public of a municipal department, program or service.
- d) ~~Policies, rules and regulations that~~ increases, decreases, or ***alters alterations to*** the level of a municipal service or program provided to the citizens of West Boylston.
- e) Policies, rules ~~and~~ ***or*** regulations that promulgates, eliminates, alters, or ~~modifies~~ ***modify*** any local rule or regulation in instances which affects the rights of the citizens of West Boylston to lawfully use and enjoy their private property, ~~and~~ ***or*** to operate lawful businesses within the Town of West Boylston,

~~and where the authority to promulgate such rules or regulations is vested in a local authority, the town, department, board, committee, commission, or officer, including the Municipal Light Plant, responsible for promulgating such change in policies, rules and regulations shall notify the public~~ ***Notification to the Public*** of such changes ***is accomplished*** by causing to be published on the town's website, ***a conspicuous public posting location in the Town Hall, or publication in a town newsletter, or emailed to a subscription list available on the town website*** ~~a notice of such changes in public policies, rules, regulations, fee schedules, hours of operation, or levels of service on at least (1) occasion at least seven (7) calendar days prior to said effective date, when practical, seven (7) day notice is required.~~

## **ARTICLE 27 - AUTHORIZATION TO AMEND THE GENERAL BYLAWS**

To see if the Town will vote to amend the General Bylaws by adding a new Article XLIII, "Keeping of Poultry", as follows:

### ***Article XLIII- Keeping of Poultry***

#### **SECTION 1- PURPOSE**

The purpose of this Bylaw is to establish standards for the keeping of chickens and poultry on residential lots, less than two (2) acres in size, primarily for personal use where sale of the animal or animals or their byproducts, such as eggs, etc., is incidental to the principal use of the property and the reason for keeping the animal; to prevent nuisance associated with the keeping of poultry; and to ensure the proper welfare of poultry in West Boylston.

This Bylaw is intended to further the objectives of and to act in concert with any existing federal, state or local laws concerning the maintenance of property, the keeping of animals and the abatement of nuisances, including but not limited to the Town's Zoning Bylaws.

Nothing in this Bylaw is intended to limit or restrict the authority of the Board of Health, the Animal Inspector, the Building Commissioner, Conservation Commission, or any other board, commission or

officer of the Town to act in accordance with federal, state and local laws within their jurisdiction, including but not limited to the authority of the Board of Health to abate nuisances in accordance with Massachusetts General Laws, Chapter 111, Sections 122-125.

## SECTION 2- DEFINITIONS

“**Chicken**” means female of the common domestic fowl (*Gallus gallus domesticus*) or its young.

“**Chicken enclosure**” means a poultry coop and any connected run.

“**Coop**” means a structure providing roofed and walled shelter for poultry.

“**Lot**” means a single piece or parcel of land lying in a solid body under single, joint or several ownership and separate from contiguous land by property lines or street lines.

“**Movable run**” means a mobile, fully-enclosed fencing; also known as a “chicken tractor.”

“**Poultry**” means chickens, hens, turkeys, pigeons, guinea fowl, and ducks and geese, and excludes roosters, capons, and other than wild species.

“**Rooster**” means an adult male chicken which is expressly prohibited from being kept from all residential properties.

“**Run**” means a fully enclosed, fenced area, connected or disconnected from the coop.

“**Wetland**” means any wetland resource area as defined in 310 CMR 10.00.

## SECTION 3- GENERAL REQUIREMENTS

- A. The maximum number of poultry permitted on a residential lot is six (6). The keeping of additional chickens or poultry shall require a License from the Board of Health.
- B. Any coops on a residential lot shall provide for a minimum of two (2) square feet of interior floor room per poultry.
- C. Poultry on a residential lot shall be confined at all times within a chicken enclosure or movable run except when under the personal control of the poultry owner/keeper or his/her designee.
- D. All owners and/or keepers of poultry on a residential lot must comply with applicable local and state laws and regulations, as may be amended from time to time.
- E. Chicken enclosures on a residential lot shall comply with the following requirements:
  - a. At a minimum, the chicken enclosure shall be located at least fifteen (15) feet from any dwelling;
  - b. At a minimum, the chicken enclosure shall be located at least ten (10) feet from any structure other than a dwelling;
  - c. At a minimum, the chicken enclosure shall be located at least twenty-five (25) feet from any property line;
  - d. At a minimum, the chicken enclosure shall be located at least one hundred (100) feet from any wetland;
- F. A chicken enclosure, and the residential lot on which the chicken enclosure is located, shall be maintained in a condition such that the enclosure and premises are clean and free from decaying food, filth, dirt, stagnant water, animal wastes, or other nuisance.
- G. Adequate water supply shall be available at all times for poultry.

H. The keeping of roosters and capons on a residential lot is expressly prohibited.

#### **SECTION 4- PENALTIES**

This Bylaw will be enforced by the Animal Control Officer, Police Department, Board of Health, or their designees. Any person who violates this Bylaw may be penalized by non-criminal disposition as provided by Massachusetts General Laws, Chapter 40, Section 21D and the Town's Non-Criminal Disposition bylaw. If non-criminal disposition is elected, then any person who violates the provisions of this regulation shall be subject to penalties as follows:

First Offense - fifty dollars (\$50.00)

Second Offense – one hundred dollars (\$100.00)

Third Offense - two hundred dollars (\$200.00)

Fourth and Further Offenses - three hundred dollars (\$300.00)

Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

The Town may enforce this Bylaw or enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

#### **SECTION 5- SEVERABILITY**

Each provision of this Bylaw shall be considered as separate to the extent that if any section, item, sentence, clause, or phrase is determined to be invalid for any reason, the remainder of the Bylaw shall continue in full force and effect.

#### **ARTICLE 28 - AUTHORIZATION TO AMEND THE ZONING BYLAW AND ZONING MAP**

To see if the Town will vote to amend the Zoning Bylaw and Zoning Map to establish a Multi-Family Housing District in compliance with the Commonwealth's Multi-Family Housing Requirement for MBTA Communities (Massachusetts General Laws, Chapter 40A, Section 3A) as follows:

- (1) add to Section 2.1 (Classes of Districts) the MBTA Residence District;
- (2) add to Section 2.2 (Incorporation of Zoning Map) the MBTA Residence District;
- (3) add Section 3.14 (MBTA Residence District);
- (4) amend Section 3.2 (Schedule of Use Regulations); and
- (5) amend Section 4.2 (Schedule of Dimensional Requirements);

(deletions are shown in strikeout and additions in ***bold italics*** for emphasis only); or take any other action relative thereto:

- 1) Amend Section 2.1, Classes of Districts, as follows:

The Town of West Boylston is hereby divided into zones or districts as follows:

- 1 Single Residence Districts
- 2 General Residence Districts

- 3 Business Districts
- 4 Industrial Districts
- 5 Conservation Districts
- 6 Commercial/Limited Industrial Districts
- 7 ***MBTA Residence District***

2) Amend the official zoning map reference in Section 2.2 to include the following district:

***MBTA Residence District***

3) Add Section 3.14, MBTA Residence District, as follows:

***Section 3.14: MBTA Residence District***

- 1) ***The Maximum number of dwelling units per acre shall not be greater than 15 units per acre.***
- 2) ***Section 2.8.4.a Maximum floor Area Ratio shall not apply within this District.***
- 3) ***Section 4.3.A Modification to Dimensional Requirements, Multi-family Dwellings shall not apply within this District.***
- 4) ***Section 4.3(G) Modifications to Dimensional Requirements, Habitable Buildings Per Lot shall not apply within this District, and***
- 5) ***In a development or subdivision resulting in ten (10) or more dwelling units, not fewer than ten percent (10%) of housing units constructed shall be Affordable Housing Units and created to meet requirements for inclusion in the Subsidized Housing Inventory. All fractional units being rounded down.***

4) Amend Section 3.2, Schedule of Use Regulations, as follows:

**3.2- Schedule of Use Regulations**

<b>A Agricultural Uses</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Farms, stock farms, greenhouses, nurseries, and truck garden	Y	Y	Y	Y	Y	Y	Y
2 Sale of farm or garden produce a major part of which is raised on the premises	Y	Y	Y	Y	Y	Y	Y

<b>B Residential Uses</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Detached One-family dwelling	Y	Y	Y	N	N	Y	Y
2 Multi-family (4 units or less)	N	Y	Y	N	N	N	Y
3 Multi-family (more than 4 units)	N	SPR	SPR	N	N	N	<b>SPR</b>
4 Motels or hotels	N	N	SPR	SPR	N	SPR	N
5 Bed and Breakfast	SP	Y	Y	N	N	N	<b>SP</b>
6 Accessory apartments subject of Special Condition 3.4	SP	SP	SP	N	N	SP	<b>SP</b>

<b>C Recreational Uses</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Riding stables, subject to Special	SP	SP	N	N	Y	SP	<b>SP</b>



2 Golf Courses	SPR	SPR	SPR	SPR	N	SPR	<b>SPR</b>
3 Indoor commercial recreation	N	N	Y	SP	N	SP	<b>SPR</b>
4 Outdoor commercial recreation	N	N	SPR	SPR	N	SPR	<b>SPR</b>

<b>D Institutional Uses</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Municipal structure or use	Y	Y	Y	Y	Y	Y	<b>Y</b>
2 Religious use	Y	Y	Y	Y	Y	Y	<b>Y</b>
3 Cemetery	N	N	Y	Y	Y	Y	<b>N</b>
4 Education use exempted by Section 3, Chapter 40A, M.G.L.	Y	Y	Y	Y	Y	Y	<b>Y</b>
5 Other education use	SP	SP	SP	SP	SP	SP	<b>SP</b>
6 Museums or art galleries	SP	Y	Y	SP	N	SP	<b>SP</b>
7 Philanthropic, historical or charitable organizations	N	N	Y	Y	N	N	<b>N</b>
8 Private clubs, business associations, professional membership organizations	N	N	Y	Y	N	N	<b>N</b>

<b>E Transportation &amp; Utility Uses</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Carriers of passengers for hire	N	N	Y	Y	N	N	<b>N</b>
2 Public utility facility, except wireless communications towers	SP	SP	SP	SP	SP	SP	<b>SP</b>
3 Wireless Communications Tower Districts	N	N	SPR	SPR	N	SPR	<b>N</b>

<b>F Business Uses</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Retail business not involved in manufacture on the premises except of product, the major portion of which is to be sold at retail on the premises by the manufacturer to the consumer	N	N	Y	Y	N	Y	<b>SPR</b>
2 Offices, business or professional	N	N	Y	Y	N	Y	<b>SPR</b>
3 Eating places, except fast food and drive-in restaurants	N	N	Y	Y	N	Y	<b>SPR</b>
4 Fast foods and drive-in restaurants	N	N	SP	SP	N	SP	<b>N</b>
5 Animal Kennel or hospital	N	N	SP	SP	N	SP	<b>N</b>
6 Medical Clinic	N	N	SP	SP	N	SP	<b>N</b>
7 Bank or financial service	N	N	Y	Y	N	Y	<b>N</b>
8 Free standing automatic vending machines, such as soda, ATM, newspaper or photo developing	N	N	SP	SP	N	SP	<b>SPR</b>
9 Funeral Home	N	N	SPR	N	N	N	<b>N</b>
10 Wholesale Business	N	N	Y	Y	N	Y	<b>N</b>
11 Personal or business services such a barber shop, dry cleaning establishment or print shop	N	N	Y	Y	N	Y	<b>SPR</b>
12 Business centers (3 or more business uses which share a common parking area), up to a maximum of 100,000 sq. ft. of floor space	N	N	SPR	N	N	SPR	<b>SPR</b>
13 Automobile-fuel, services and repair	N	N	SP	N	N	N	<b>N</b>
14 Motion Picture Theaters	N	N	SP	N	N	SP	<b>N</b>
15 Building material stores	N	N	SP	SP	N	SP	<b>N</b>

16 Miscellaneous repair shops	N	N	SP	N	N	SP	<i>N</i>
17 Convalescent or nursing homes	N	SP	SP	SP	N	N	<i>N</i>
18 Outdoor sales, such as motor vehicles or recreational vehicles	N	SP	SP	N	N	N	<i>N</i>
19 Warehousing, accessory to retail or wholesale business	N	N	Y	Y	N	Y	<i>N</i>
20 Any business allowed under this section operating between the hours of 2:00am and 6:00am	N	N	SP	SP	N	SP	<i>N</i>
21 Adult Entertainment	N	N	N	SP	N	N	<i>N</i>
22 Medical Marijuana Treatment Center	N	N	SPR	SPR	N	N	<i>N</i>

<b>G Industrial Uses</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Research laboratories	N	N	N	Y	N	SPR	<i>N</i>
2 Manufacturing or industrial use including processing, fabrication, and assembly, employing unobjectionable motive power, utilizing hand labor or quiet machinery and process	N	N	N	Y	N	SPR	<i>N</i>
3 Retail and/or wholesale accessory to products manufactured or assembled on premises	N	N	N	Y	N	SPR	<i>N</i>
4 Warehousing or trucking company	N	N	N	Y	N	SPR	<i>N</i>
5 Removal of sand, gravel, or loam subject to Section 5.4	Y	Y	Y	Y	N	SPR	<i>Y</i>
6 Construction contractors	N	N	SP	SP	N	SP	<i>N</i>
7 Fuel suppliers	N	N	SPR	SPR	N	N	<i>N</i>
8 Rail freight yards	N	N	N	SP	N	N	<i>N</i>
9 Any industrial use allowed under this section which contains more than 10,000 sq. ft. as required by Section 3.6 B	N	N	N	SPR	N	SPR	<i>N</i>
10 Industrial Park (2 or more industrial uses which share a common parking area, common lot or contiguous lots under that same ownership)	N	N	N	SPR	N	SPR	<i>N</i>
11 Storage of dumpsters, trash containers roll-off trash containers, portable toilets, not in enclosed buildings	N	N	N	SP	N	N	<i>N</i>
12 Medical Marijuana Treatment Center	N	N	SPR	SPR	N	N	<i>N</i>
<b>H Cottage Uses</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Family day care home	Y	Y	Y	SP	N	Y	<i>Y</i>
2 Home occupation, subject to Special Condition	SP	SP	Y	N	N	Y	<i>SP</i>

<b>I Marijuana Establishments</b>	<b>SR</b>	<b>GR</b>	<b>B</b>	<b>I</b>	<b>C</b>	<b>CLI</b>	<b>MR</b>
1 Retail sale of marijuana and marijuana products and accessories	N	N	SPR	SPR	N	SPR	<i>N</i>
2 Independent testing laboratory	N	N	SPR	SPR	N	SPR	<i>N</i>
3 Marijuana product manufacturer	N	N	SPR	SPR	N	SPR	<i>N</i>
4 Marijuana cultivator – indoor	N	N	SPR	SPR	N	SPR	<i>N</i>
5 Marijuana cultivator – outdoor	N	N	SPR	SPR	N	SPR	<i>N</i>

6 Marijuana social consumption establishment	N	N	N	N	N	N	N
7 Marijuana membership club	N	N	N	N	N	N	N
8 Marijuana research facility	N	N	SPR	SPR	N	SPR	N
9 Marijuana transporter or distribution facility	N	N	SPR	SPR	N	SPR	N

**Note: Site Plan Review approval shall not be denied for multi-family uses in the MR District.**

5) Amend Section 4.2, Schedule of Dimensional Requirements, as follows:

District	Min. Lot Size	Min. Lot Frontage (in feet)	Min. Yards (in feet)		
			Front	Side	Rear
Single Residence	40,000 sq. ft.	120	25	10	10
General Residence	40,000 sq. ft.	120	25	10	10
Business	1 acre	150	10	10	10
Industrial	2 acres	150	50	10	10
Commercial/Limited Industrial	2 acres	150	50	10	10
Aquifer Protection	50,000 sq. ft.	150	25	10	10
<i>MBTA Residence</i>	<i>1 acre</i>	<i>120</i>	<i>25</i>	<i>10</i>	<i>10</i>

*(The proposed draft of the Zoning Map, labeled as Appendix B, can be found after the text of the Annual Town Meeting Warrant.)*

**ARTICLE 29 - AMEND ZONING MAP - 115 SHREWSBURY STREET, 137 SHREWSBURY STREET, 151 SHREWSBURY STREET, AND 160 HARTWELL STREET (OWNER PETITION)**

To see if the Town will vote to amend the West Boylston Zoning Map so as to change and extend the Business Zoning District boundary line from its current location at (insert description of current location) to the western edge of the railroad right-of-way located at the eastern edge of the properties located at 115 Shrewsbury Street, 137 Shrewsbury Street, 151 Shrewsbury Street and 160 Hartwell Street and as shown on the segment of the Town of West Boylston Assessor’s Map attached hereto as Appendix C and incorporated herewith. The properties located at 115 Shrewsbury Street, 137 Shrewsbury Street, 151 Shrewsbury Street are currently split lots, located partially in the Business District and partially located in Industrial District. The property located at 160 Hartwell Street is currently located entirely in the Industrial District; or take any other action relative thereto.

And you are directed to serve this Warrant by posting an attested copy thereof at the place of said meeting as aforesaid and at the Post Office in said Town seven (7) days at least before the time of said meeting.

Hereof, fail not, make do return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting as aforesaid.

Given under our hands this \_\_\_ day of \_\_\_\_\_ in the year of our Lord, Two Thousand and Twenty-Four.

\_\_\_\_\_  
Kristina Pedone, Chair

\_\_\_\_\_  
Patrick Crowley, Vice Chair

\_\_\_\_\_  
James Morrissey, Clerk

\_\_\_\_\_  
Marc Frieden, Select Board Member

\_\_\_\_\_  
Barur Rajeshkumar, Select Board Member

Selectboard  
Town of West Boylston

A true copy attest:

\_\_\_\_\_  
Daymian Bartek, Town Clerk

Honorable Selectboard:

I have served this Warrant by posting duly attested copies thereof at the following places:

Municipal Office Building \_\_\_\_\_  
West Boylston Middle/High School \_\_\_\_\_  
West Boylston Post Office \_\_\_\_\_

Pruneau's Barber Shop \_\_\_\_\_  
Municipal Lighting Plant \_\_\_\_\_  
Beaman Memorial Library \_\_\_\_\_

\_\_\_\_\_  
Constable

\_\_\_\_\_  
Date

Any resident seeking a reasonable accommodation to participate in Town Meeting is encouraged to contact the Town Administrator at (774) 261-4088 or [ada@westboylston-ma.gov](mailto:ada@westboylston-ma.gov) in advance of Town Meeting.

# APPENDIX A

Town of West Boylston  
Schedule of Departmental Appropriations and Expenditures  
FY2025 Budget Recommendations

		<i>Town Meeting Approved Budget FY 2024</i>	<i>Town Admin Recommended Budget FY 2025</i>
01-114-5100-5115	Moderator Salary	\$ 1.00	\$ 1.00
01-114-5200-5700	Moderator Other Charges	\$ 50.00	\$ 50.00
	<b>TOTAL MODERATOR</b>	<b>\$ 51.00</b>	<b>\$ 51.00</b>
01-122-5100-5100	Select Board Salaries	\$ 5.00	\$ 5.00
01-122-5200-xxxx	Select Board Other Expenses	\$ 7,500.00	\$ 7,500.00
	<b>TOTAL SELECT BOARD</b>	<b>\$ 7,505.00</b>	<b>\$ 7,505.00</b>
01-123-5100-5100	Town Administrator Salaries	\$ 208,000.00	\$ 208,000.00
01-123-5200-5xxx	Town Administrator Other Expenses	\$ 9,200.00	\$ 6,200.00
	<b>TOTAL TOWN ADMINISTRATOR</b>	<b>\$ 217,200.00</b>	<b>\$ 214,200.00</b>
01-132-5200-5780	<i>Reserve Fund</i>	\$ 32,000.00	\$ 32,000.00
	<b>TOTAL FINANCE COMMITTEE</b>	<b>\$ 32,000.00</b>	<b>\$ 32,000.00</b>
01-135-5100-5100	Town Accountant Salary and Wages	\$ 142,309.00	\$ 164,062.00
01-135-5200-5xxx	Town Accountant Other Expenses	\$ 29,500.00	\$ 36,400.00
	<b>TOTAL TOWN ACCOUNTANT</b>	<b>\$ 171,809.00</b>	<b>\$ 200,462.00</b>
01-136-5200-5315	<i>Town Audit Purchased Services</i>	\$ 39,900.00	\$ 25,000.00
	<b>TOTAL TOWN AUDIT</b>	<b>\$ 39,900.00</b>	<b>\$ 25,000.00</b>
01-141-5100-5100	Assessor's Salaries	\$ 21,000.00	\$ 24,000.00
01-141-5200-5xxx	Assessor's Other Expenses	\$ 78,725.00	\$ 83,725.00
	<b>TOTAL ASSESSORS</b>	<b>\$ 99,725.00</b>	<b>\$ 107,725.00</b>
01-145-5100-5100	Treasurer/Collector Salaries	\$ 169,320.00	\$ 173,000.00
01-145-5200-5xxx	Treasurer/Collector Other Expenses	\$ 49,500.00	\$ 49,500.00
	<b>TOTAL TREASURER/COLLECTOR</b>	<b>\$ 218,820.00</b>	<b>\$ 222,500.00</b>
01-151-5200-5200	Town Counsel Purchased Services	\$ 85,000.00	\$ 85,000.00
	<b>TOTAL TOWN COUNSEL</b>	<b>\$ 85,000.00</b>	<b>\$ 85,000.00</b>
01-155-5200-5xxx	Computer Other Expenses	\$ 105,132.00	\$ 127,702.00
01-155-5300-5800	Computer Capital Outlay	\$ 9,000.00	\$ 22,700.00
	<b>TOTAL DATA PROCESSING</b>	<b>\$ 114,132.00</b>	<b>\$ 150,402.00</b>
01-161-5100-5100	Town Clerk Salaries	\$ 93,367.00	\$ 106,000.00
01-161-5200-5xxx	Town Clerk Other Expenses	\$ 1,575.00	\$ 2,160.00
	<b>TOTAL TOWN CLERK</b>	<b>\$ 94,942.00</b>	<b>\$ 108,160.00</b>
01-162-5100-5100	Elections Salaries	\$ 7,022.00	\$ 10,000.00
01-162-5200-5xxx	Elections Other Expenses	\$ 15,700.00	\$ 20,445.00
	<b>TOTAL ELECTIONS &amp; REGISTRATIONS</b>	<b>\$ 22,722.00</b>	<b>\$ 30,445.00</b>
01-171-5100-5100	Conservation Commission Salaries	\$ 1,800.00	\$ 1,800.00
	<b>Total Conservation</b>	<b>\$ 1,800.00</b>	<b>\$ 1,800.00</b>
01-175-5100-5100	Planning Board Salaries	\$ 4,500.00	\$ 6,240.00
	<b>TOTAL PLANNING BOARD</b>	<b>\$ 4,500.00</b>	<b>\$ 6,240.00</b>
01-176-5100-5100	Zoning Board of Appeals Salaries	\$ 3,000.00	\$ 3,000.00
	<b>Total ZBA</b>	<b>\$ 3,000.00</b>	<b>\$ 3,000.00</b>
01-192-5200-5xxx	Public Safety Other Expenses	\$ 38,500.00	\$ 38,500.00
01-192-5250-5240	Public Safety H.Q. Bldg Repair & Maintenance	\$ 9,900.00	\$ 9,900.00
	<b>TOTAL PUBLIC SAFETY HEADQUARTERS</b>	<b>\$ 48,400.00</b>	<b>\$ 48,400.00</b>
01-193-5xxx-5xxx	Facilities Management Expenses	\$ 50,000.00	\$ 69,000.00
	<b>TOTAL FACILITIES MANAGEMENT</b>	<b>\$ 50,000.00</b>	<b>\$ 69,000.00</b>
01-194-5200-5xxx	Town Hall Other Expenses	\$ 66,391.00	\$ 68,000.00
01-194-5250-5240	Town Hall Bldg Repair & Maintenance	\$ 9,900.00	\$ 9,900.00
	<b>TOTAL TOWN HALL BUILDING</b>	<b>\$ 76,291.00</b>	<b>\$ 77,900.00</b>

Town of West Boylston  
Schedule of Departmental Appropriations and Expenditures  
FY2025 Budget Recommendations

		<i>Town Meeting Approved Budget FY 2024</i>	<i>Town Admin Recommended Budget FY 2025</i>
01-195-5200-5200	Town Report Purchased Services	\$ 1,000.00	\$ 1,000.00
	<b>TOTAL PRINT TOWN REPORT</b>	<b>\$ 1,000.00</b>	<b>\$ 1,000.00</b>
01-199-5100-5100	WBPA Salaries & Wages	\$ 45,950.00	\$ 45,950.00
01-199-5200-5xxx	WBPA Other Expenses	\$ 15,000.00	\$ 16,000.00
	<b>TOTAL PEG TV</b>	<b>\$ 60,950.00</b>	<b>\$ 61,950.00</b>
	<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$ 1,349,747.00</b>	<b>\$ 1,452,740.00</b>
01-210-5100-5100	Police Salaries	\$ 1,631,044.00	\$ 1,660,525.00
01-210-5200-5xxx	Police Other Expenses	\$ 152,240.00	\$ 178,650.00
01-210-5300-5800	Police Capital Outlay	\$ 54,803.00	\$ 60,000.00
01-210-5250-5240	Police Station Building Repair & Maintenance	\$ 9,900.00	\$ 9,900.00
	<b>TOTAL POLICE</b>	<b>\$ 1,847,987.00</b>	<b>\$ 1,909,075.00</b>
01-220-5100-5100	Fire Salaries	\$ 1,197,036.00	\$ 1,240,730.00
01-220-5xxx-5xxx	Fire Other Expenses	\$ 242,444.00	\$ 200,000.00
	<b>TOTAL FIRE</b>	<b>\$ 1,439,480.00</b>	<b>\$ 1,440,730.00</b>
01-235-5xxx-5xxx	Communications Other Expenses	\$ 168,847.00	\$ 194,871.00
	<b>TOTAL PUBLIC SAFETY COMMUNICATIONS</b>	<b>\$ 168,847.00</b>	<b>\$ 194,871.00</b>
01-241-5100-5100	Building Inspector Salaries	\$ 103,441.00	\$ 155,000.00
01-241-5200-5xxx	Building Inspector Other Expenses	\$ 3,700.00	\$ 3,700.00
	<b>TOTAL BUILDING INSPECTOR</b>	<b>\$ 107,141.00</b>	<b>\$ 158,700.00</b>
01-244-5200-5200	Sealer of Weights Purchased Services	\$ 3,800.00	\$ 3,800.00
	<b>TOTAL SEALER OF WEIGHTS</b>	<b>\$ 3,800.00</b>	<b>\$ 3,800.00</b>
01-291-5100-5100	Emergency Management Wages/Stipends	\$ 5,000.00	\$ 5,000.00
01-291-5200-5xxx	Emergency Management Other Expenses	\$ 8,000.00	\$ 8,000.00
	<b>TOTAL Emergency Management</b>	<b>\$ 13,000.00</b>	<b>\$ 13,000.00</b>
01-292-5100-5100	Animal Control Salary	\$ 13,000.00	\$ -
01-292-5200-5xxx	Animal Control Other Expenses	\$ 1,500.00	\$ 28,500.00
	<b>TOTAL ANIMAL CONTROL</b>	<b>\$ 14,500.00</b>	<b>\$ 28,500.00</b>
	<b>TOTAL PUBLIC SAFETY</b>	<b>\$ 3,594,755.00</b>	<b>\$ 3,748,676.00</b>
	Education-Expenses	\$ 13,837,414.00	\$ 14,137,414.00
	<b>TOTAL EDUCATION</b>	<b>\$ 13,837,414.00</b>	<b>\$ 14,137,414.00</b>
01-420-5100-5100	Highway Salaries	\$ 691,988.00	\$ 777,165.00
01-420-5200-5xxx	Highway Other Expenses	\$ 332,526.00	\$ 342,636.00
01-420-5250-5240	<i>Municipal Building Maintenance</i>	\$ 9,900.00	\$ 9,900.00
	<b>TOTAL STREETS AND PARKS</b>	<b>\$ 1,034,414.00</b>	<b>\$ 1,129,701.00</b>
01-423-5100-5100	Snow Removal Salaries	\$ 59,000.00	\$ 59,000.00
01-423-5200-5xxx	Snow Removal Other Expenses	\$ 107,000.00	\$ 182,000.00
	<b>TOTAL SNOW REMOVAL</b>	<b>\$ 166,000.00</b>	<b>\$ 241,000.00</b>
01-424-5200-5200	Street Lighting	\$ 27,550.00	\$ 29,150.00
	<b>TOTAL STREET LIGHTING</b>	<b>\$ 27,550.00</b>	<b>\$ 29,150.00</b>
01-430-5200-5200	Trash Removal and Tipping Fees	\$ 584,162.00	\$ 621,069.00
	<b>TOTAL TRASH REMOVAL &amp; TIPPING</b>	<b>\$ 584,162.00</b>	<b>\$ 621,069.00</b>
	<b>TOTAL PUBLIC WORKS</b>	<b>\$ 1,812,126.00</b>	<b>\$ 2,020,920.00</b>
01-510-5100-5100	Board of Health Salaries	\$ -	\$ -

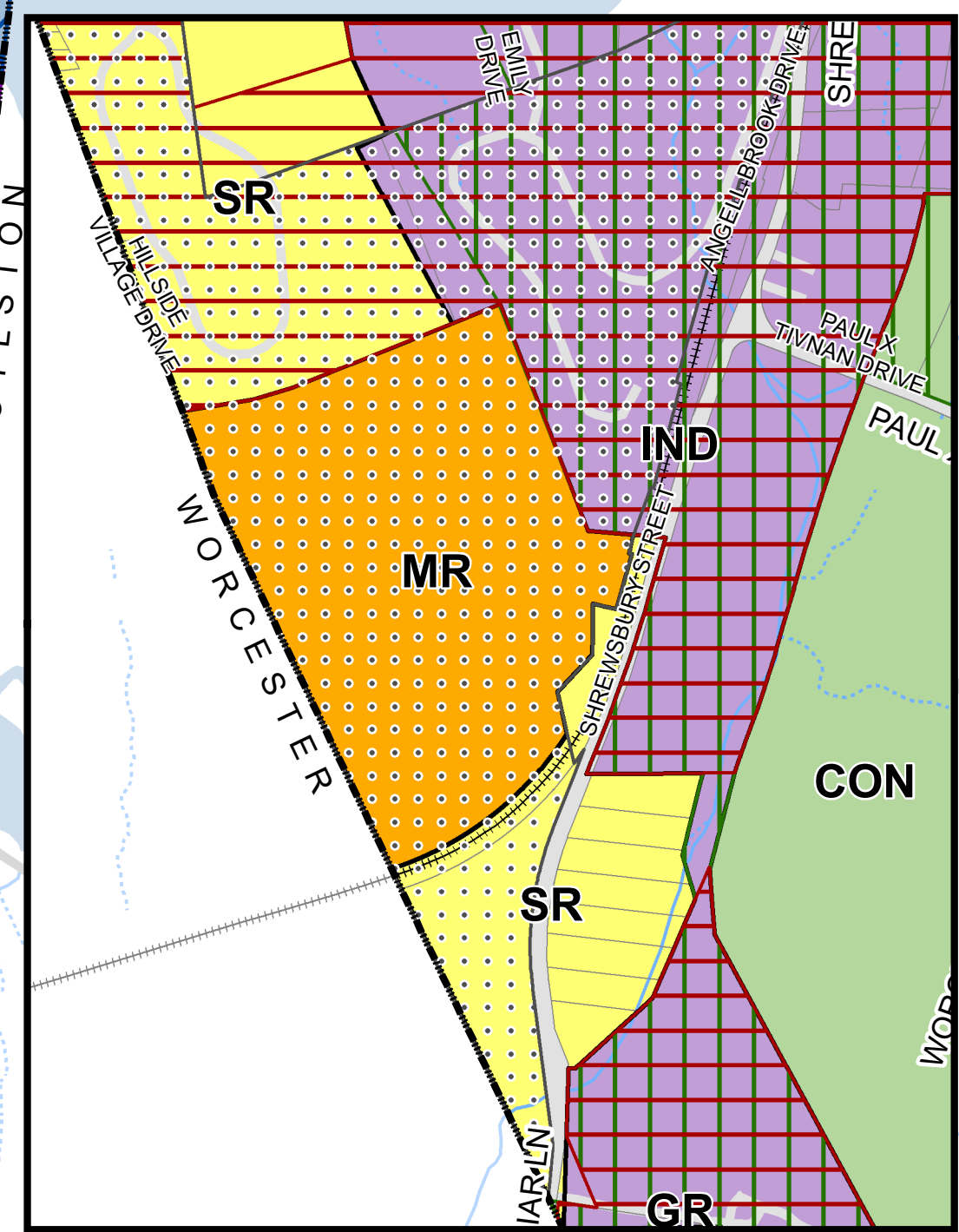
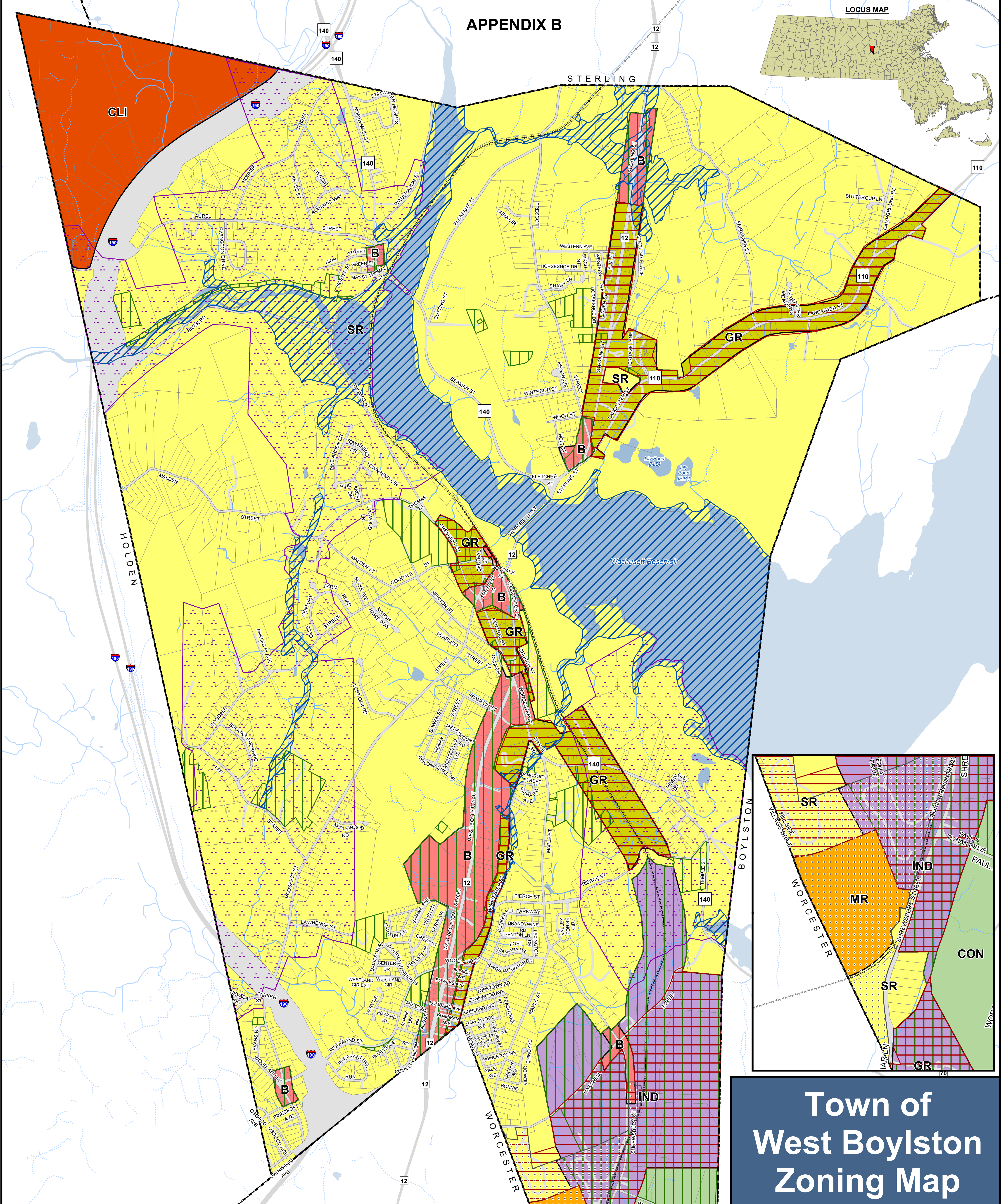
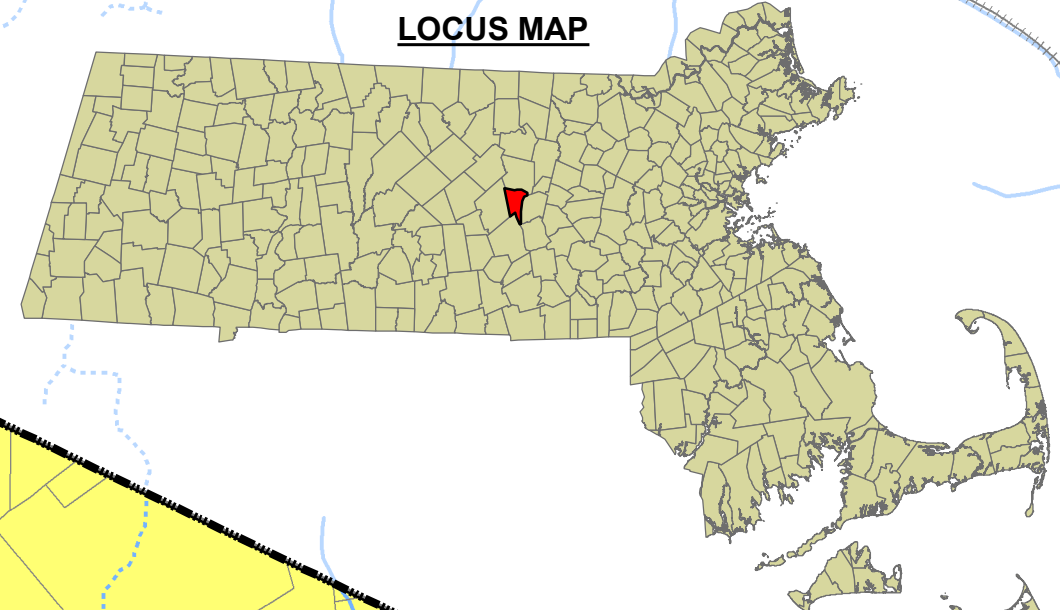
Town of West Boylston  
Schedule of Departmental Appropriations and Expenditures  
FY2025 Budget Recommendations

		<i>Town Meeting Approved Budget FY 2024</i>	<i>Town Admin Recommended Budget FY 2025</i>
<b>TOTAL BOARD OF HEALTH</b>		\$ -	\$ -
01-541-5100-5100	Council on Aging Salaries	\$ 99,228.00	\$ 119,282.00
01-541-5200-5xxx	Council on Aging Other Expenses	\$ 36,900.00	\$ 40,320.00
01-541-5250-5240	<i>Municipal Building Maintenance</i>	\$ 9,900.00	\$ 9,900.00
<b>TOTAL COUNCIL ON AGING</b>		<b>\$ 146,028.00</b>	<b>\$ 169,502.00</b>
01-543-5100-5100	Veteran's Services Salary	\$ 15,000.00	\$ 15,000.00
01-543-5200-5xxx	Veteran's Services Other Expenses	\$ 3,100.00	\$ 3,100.00
01-543-5250-5770	Veteran's Benefits	\$ 60,000.00	\$ 60,000.00
<b>TOTAL VETERANS SERVICES</b>		<b>\$ 78,100.00</b>	<b>\$ 78,100.00</b>
<b>TOTAL HUMAN SERVICES</b>		<b>\$ 224,128.00</b>	<b>\$ 247,602.00</b>
01-610-5100-5100	Library Salaries	\$ 341,824.00	\$ 354,320.00
01-610-5200-5xxx	Library Other Expenses	\$ 178,500.00	\$ 188,665.00
01-610-5250-5240	Library Building Maintenance	\$ 9,900.00	\$ 9,900.00
<b>TOTAL LIBRARY</b>		<b>\$ 530,224.00</b>	<b>\$ 552,885.00</b>
01-692-5200-5xxx	Celebrations Expenses	\$ 1,700.00	\$ 1,700.00
<b>TOTAL CELEBRATIONS</b>		<b>\$ 1,700.00</b>	<b>\$ 1,700.00</b>
<b>TOTAL CULTURE AND RECREATION</b>		<b>\$ 531,924.00</b>	<b>\$ 554,585.00</b>
01-710-5900-5910	<i>Maturing Debt-Principal</i>	\$ 635,301.00	\$ 645,301.00
01-751-5900-5915	<i>Maturing Debt-Interest</i>	\$ 282,601.00	\$ 258,549.00
01-752-5900-5925	<i>Interest on Temporary Loans</i>	\$ 1,000.00	\$ 1,000.00
<b>TOTAL DEBT SERVICE</b>		<b>\$ 918,902.00</b>	<b>\$ 904,850.00</b>
01-840-5200-5780	Regional Planning Assessment	\$ 2,205.00	\$ 2,265.00
01-843-5200-5780	Wachusett Earthday Collaborative	\$ 4,230.00	\$ 4,500.00
01-843-5200-5700	Wachusett Greenways	\$ 1,200.00	\$ 1,250.00
<b>TOTAL INTERGOVERNMENTAL</b>		<b>\$ 7,635.00</b>	<b>\$ 8,015.00</b>
01-911-5200-5170	<i>County Retirement Assessment</i>	\$ 1,780,262.00	\$ 1,940,917.00
01-912-5200-5178	Workers Compensation Insurance	\$ 130,500.00	\$ 137,025.00
01-913-5200-5179	Unemployment Compensation	\$ 35,000.00	\$ 35,000.00
01-913-5200-5200	Unemployment Purchased Services	\$ -	\$ 3,000.00
01-914-5200-5172	Group Health Insurance Premiums	\$ 4,064,250.00	\$ 4,072,745.00
01-915-5200-5173	Group Life Insurance Premium	\$ 13,500.00	\$ 14,000.00
01-916-5200-5174	Medicare-Town's Share	\$ 228,480.00	\$ 233,050.00
01-945-5200-5740	<i>General Insurance</i>	\$ 241,500.00	\$ 265,650.00
01-945-5250-5741	<i>Self-Insurance Deductible Expenses</i>	\$ 5,000.00	\$ 5,000.00
<b>TOTAL EMPLOYEE BENEFITS/RISK MANAGEMENT</b>		<b>\$ 6,498,492.00</b>	<b>\$ 6,706,387.00</b>
01-930-5xxx-5xxx	ESCO Other Expenses	\$ 262,105.00	\$ 270,418.00
<b>Total ESCO Lease Payment</b>		<b>\$ 262,105.00</b>	<b>\$ 270,418.00</b>
<b>TOTAL OTHER</b>		<b>\$ 7,687,134.00</b>	<b>\$ 7,889,670.00</b>
<b>GRAND TOTALS</b>		<b>\$ 29,037,228.00</b>	<b>\$ 30,051,607.00</b>



APPENDIX B

LOCUS MAP



**Legend**

	<b>Zoning Districts</b>	<b>Overlay Districts</b>
	Single Residence (SR)	Continuing Care Retirement Community Overlay District
	General Residence (GR)	Flood Plain Overlay District
	MBTA Residence District (MR)	Aquifer and Watershed Protection District
	Business (B)	Multi-Story District
	Commercial/Limited Industrial (CLI)	Wireless Communications Services District
	Industrial (IND)	(1)  Medical Marijuana Overlay
	Conservation	

(1) Medical Marijuana Overlay applies to the following Zoning Districts boundaries > Business (B), Commercial/Limited Industrial (CLI) and Industrial (IND).

1 in = 1,000 feet  
When map is at full print size of 24x36

1,000 0 1,000 2,000 3,000 4,000 5,000  
Feet

# Town of West Boylston Zoning Map

Zoning District information current as of May 15, 2024 Semi-Annual Town Meeting



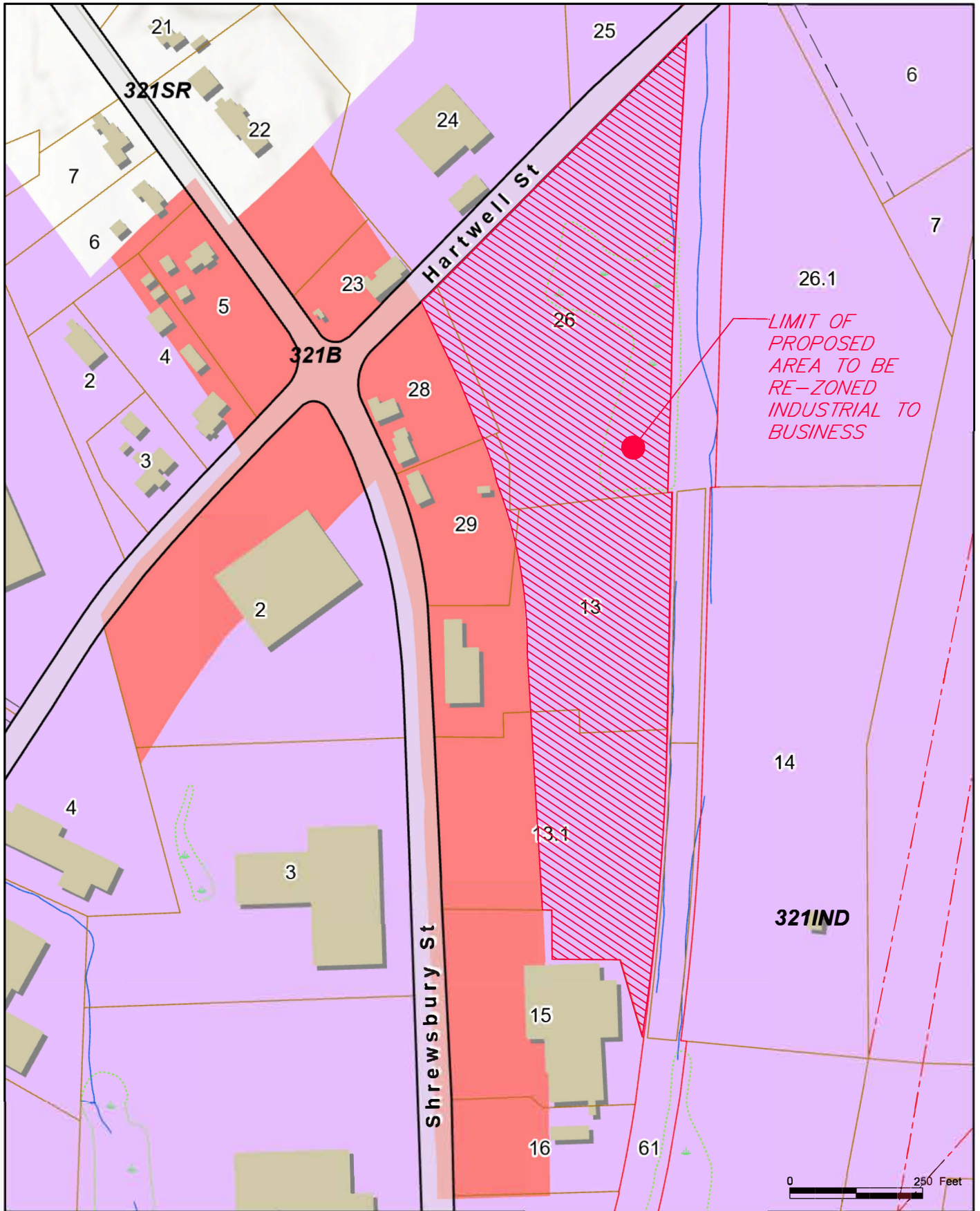
Source data: Zoning and overlay districts provided by The Town of West Boylston, and CMRPC. Additional GIS data provided by Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, MassIT and MassDOT.

Information depicted on this map is for planning purposes only. This information is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analysis. Use caution interpreting positional accuracy. This does not represent an official road map.

One Mercantile Street, Suite 520  
Worcester, MA 01608  
508-756-7717



# APPENDIX C



McCarty Engineering, Inc.  
Civil Engineers  
42 Tucker Drive, Leominster, MA 01453  
phone:(978) 534-1318 fax: (978) 840-6907

Hartwell Street &  
Shrewsbury Street  
Proposed Re-Zoning  
Exhibit  
05/09/2024

Figure  
**1**