

THE COMMONWEALTH OF MASSACHUSETTS  
TOWN OF DUNSTABLE  
WARRANT  
ANNUAL TOWN MEETING - May 9, 2016

Middlesex, ss.

To either of the Constables of the Town of Dunstable in the County of Middlesex:

GREETINGS

IN THE NAME OF the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and town affairs, to meet at the Swallow School in said Dunstable on Monday, the Ninth of May next, at seven o'clock in the evening, and thereafter continuing from day to day until completed, then and there to act on the following articles:

**ARTICLE 1 - Reports:** To hear and act upon the reports of Town Officers, Boards, Committees, Commissioners, and Trustees, or take any other action relative thereto.

**FINANCIAL FISCAL YEAR 2016**

**ARTICLE 2 - Fiscal Year 2016 Supplemental Appropriations:** To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to supplement operating budgets for the Fiscal Year ending June 30, 2016, or take any action in relation thereto.

**ARTICLE 3 - Fiscal Year 2016 Transfers:** To see if the Town will vote to transfer into various line items of the Fiscal Year ending June 30, 2016 operating budget from other line items of said budget or from other available funds, or take any action in relation thereto.

**ARTICLE 4 - Community Preservation Committee Recommended Transfers:** To see what transfers or other action the Town may vote with respect to any recommended action of the Community Preservation Committee, or take any action in relation thereto.

**ARTICLE 5 - Gas, Plumbing, and Electrical Inspector's Stipend:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute twenty four thousand and forty two dollars (\$24,042) or some other sum of money, to pay the inspectors for permits issued through fiscal year 2016, or take any action in relation thereto.

**ARTICLE 6 - Reserve Fund:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute fifteen thousand (\$15,000) or some other sum of money, to the reserve fund, or take any action in relation thereto.

**ARTICLE 7 - Capital Plan:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute twenty thousand (\$10,000) or some other sum of money, to the fund the FY17 Capital Improvement Plan, or take any action in relation thereto.

## FINANCIAL FISCAL YEAR 2017

**ARTICLE 8 - Salaries Elected Officials:** To see if the Town will vote to fix the salaries of the elected officers of the town as provided by Chapter 41, Section 108 of the Massachusetts General Laws, as amended for Fiscal Year 2017, beginning July 1, 2015, or take any action in relation thereto.

	Voted FY15	Voted FY16	Recommended FY17
Selectmen - Chairman	\$ 600	\$ 600	\$ 600
Member	\$ 600	\$ 600	\$ 600
Member	\$ 600	\$ 600	\$ 600
Assessors - Chairman	\$ 300	\$ 300	\$ 300
Member	\$ 300	\$ 300	\$ 300
Member	\$ 300	\$ 300	\$ 300
Town Clerk	\$28,388	\$28,956	\$29,536
Treasurer/Collector			\$54,927

**ARTICLE 9 - Town Clerk:** To see if the Town will vote pursuant to Chapter 41, section 1B of the Massachusetts General Laws, as amended, to make the office of Town Clerk appointive by the Board of Selectmen, for a term not to exceed three (3) years, subject to the approval of this vote at the next annual town election, or take any action in relation thereto.

**ARTICLE 10 - Operating Budget:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, or any combination thereof, to fund the various departments, boards, committees, commissions, and other operating expenses of the town for Fiscal Year 2017, beginning July 1, 2016, or take any action in relation thereto.

**ARTICLE 11 - Chapter 90:** To see if the Town will vote to appropriate a sum of money from the proceeds due to the Town under the provisions of Massachusetts General Laws Chapter 90, or take any action in relation thereto.

**ARTICLE 12 - Main Street Engineering:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute eleven thousand and eighty dollars (\$11,080) or some other sum of money, to supplement the funds available for the engineering of the Main Street road reconstruction, or take any action in relation thereto.

**ARTICLE 13 - Consultant to Assist Town with MS4 Permit Requirements:** To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or any combination thereof, a sum of money to supplement the funds encumbered in account #0001-04-422-5300-2016-000 for a consultant to assist the Town in meeting the stormwater management requirements of any MS4 Permit issued to and for the Town, or take any action in relation thereto.

**ARTICLE 14 - Community Housing Feasibility Study:** To see if the Town will vote to reallocate the funds approved on October 20, 2014 for a Community Housing Feasibility Study of the Best Triangle to a Community Housing Feasibility Study of the MUD District on Rt. 113, or take any action in relation thereto.

**ARTICLE 15 - Lighting at Dunstable Free Public Library:** To see if the Town will vote to reallocate the funds approved on May 9, 2011 for design services to retrofit in the interior lighting at Dunstable Public Library to purchase and installation of said lighting, or take any action in relation thereto.

**ARTICLE 16 - Dunstable Free Public Library Doorway Revisions:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute one hundred and fifty thousand dollars (\$150,000) or some other sum of money, to construct the revisions to the entrance and egress to the Dunstable Free Public Library, or take any action in relation thereto.

**ARTICLE 17 - Swallow and Union Schools Lease:** To see if the town will vote to authorize the Board of Selectmen to enter into a lease, or renew or extend any existing lease, with the Groton-Dunstable Regional School District relative to the Swallow and Union Schools, for a term of twenty (20) years, or any other term, at an annual rent of \$1.00, or any other amount, hereby granting to said Board of Selectmen full power and authority to do all things ordered to such purposes, or take any action in relation thereto.

**ARTICLE 18 - Citizen Energy PILOT:** To see if the Town will vote to ratify the PILOT (Payment in Lieu of Taxes) relative to property adjoining the location of the former Charles George landfill negotiated by the Assessors and approved at their March 31, 2016 meeting, or take any action in relation thereto.

**ARTICLE 19 - Fiscal Year 2017 Transfer to Stabilization:** To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money, and if so what amount, for the Stabilization Fund pursuant to Massachusetts General Laws Chapter 40, Section 5B, or take any action in relation thereto.

**ARTICLE 20 - Applicant Fee Revolving Fund:** To see if the Town will vote to establish a new Revolving account as allowed by Massachusetts General Laws Chapter 40, Section 52E ½, to be used to fund the on-line permit software application not to exceed \$10 an application, or take any action in relation thereto.

**ARTICLE 21 - Revolving Funds:** To see what revolving funds the Town will vote to authorize or reauthorize pursuant to Massachusetts General Laws Chapter 44, Section 53E1/2 for the Fiscal Year 2017, beginning July 1, 2016, or take any action in relation thereto.

**Current Accounts**

Revolving Fund	Authorized Authority	Receipts Credited	Spending Purpose	FY Spending Limit
Cemetery	Cemetery Commission	Receipts collected from sale of lots, interment fees and other such pertinent fees appertaining to the cemetery.	Operation and/or maintenance of the cemetery including the payment of wages or salaries of employees of such facility who are not full time employees of the Town.	\$8,500.00
Recreation	Recreation Commission	Funded through donations, fund raising efforts, grants, and receipts for usage permits.	Expended for the repairs, maintenance and/or improvement to town recreational sites (including Town Field, Larter Field, tennis courts, and any other facility under Recreation purview.)	\$7,000.00
COA Transport	Council on Aging	Funded through donations, fund raising efforts, grants, and receipts from usage fees, etc.	Van transportation and miscellaneous transportation costs, etc.	\$1,000.00

**ARTICLE 22 - Transfer Station:** To see if the Town will vote to discontinue operation of the Transfer Station as an enterprise fund and treat it as a department of government operations, with the enterprise fund balance closing accordingly to the General Fund, or take any action in relation thereto.

**ARTICLE 23 - Water Department:** To see what sums or sums the Town will vote to appropriate to operate the Water Department or take any action in relation thereto.

**ARTICLE 24 - Community Preservation Committee Recommendations:** To see what transfers or other action the Town may vote with respect to any recommended action of the Community Preservation Committee, or take any action in relation thereto.



**ARTICLE 25 - Conservation Restriction:** To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds, or any combination thereof, a sum or sums to purchase through the Conservation Commission, on behalf of the Town, a Conservation Restriction as defined in Massachusetts General Laws Chapter 184, Section 31, as amended, on certain real property situated on Westford Street, comprising approximately eight seven (87) acres, believed to be owned by Lauren Chaney, and further, to determine whether the town will seek and/or accept any gifts or grants therefor, or apply funds under the control of the Community Preservation Committee, or take any action in relation thereto.

**ARTICLE 26 - Town Forest Timber Funds:** To see if the Town will vote to raise and appropriate, borrow, or transfer from the Town Forest Timber Fund, or any other source of available funds, or any combination thereof, eighteen thousand six hundred and thirty one dollars and seventy six cents (\$18,631.76), or some other sum, for the purchase of a Conservation Restriction as defined in Massachusetts General Laws Chapter 184, Section 31, as amended, on certain real property situated on Westford Street, comprising approximately eight seven (87) acres, believed to be owned by Lauren Chaney.

**ARTICLE 27 - Acceptance of Open Space:** To see if the Town will accept a deed of Carolina Properties, LLC, dated May 20, 2015, transferring certain lands in the Alexander Estates subdivision, approximating 15 acres, consisting primarily of Open Space, and subject to certain temporary easements, all as described in said deed recorded with the Middlesex North Registry of Deeds, Book 29349, Page 48, or take any action in relation thereto.

**ARTICLE 28 - Acceptance of Gift:** To see if the Town will vote to accept a gift of real property situated off Swallow Lane in Dunstable from Elizabeth Woods, et al, or any other gifts, real or personal, in Trust or otherwise, which may be offered under any condition, or take any action in relation thereto.

**ARTICLE 29 - Free Cash Transfer:** To see what sum the Town will vote to transfer from Free Cash (Surplus Revenue) to meet the appropriations of Fiscal Year 2017, beginning July 1, 2016 or to authorize the Assessors to use to establish the tax rate, or take any action in relation thereto.

**ARTICLE 30 - Amend the Town Meeting, Town Elections & Records, General Bylaw Article III § 1:** To see if the Town will vote to amend the General Bylaws by making deletions and insertions to Article III § 1 of the Town Meeting, Town Elections & Records, General Bylaw or take any action in relation thereto. Deletions shown by ~~{strike through}~~ and insertions shown by **{bold}** as follows:

The Selectmen shall cause ~~copies notice of the availability~~ of the Annual Town Reports to be ~~distributed among the taxpayers of the Town by~~ mailed to each household or otherwise at least ~~three~~ five (35) days before the Annual Town Meeting, ~~specifying not fewer than two~~ accessible locations in Dunstable at which copies can be obtained, including when feasible the Town Hall and the Library.

**ARTICLE 31 - Suspension or Revocation of Licenses or Permits for Nonpayment of Taxes and Municipal Charges Bylaw:** To see if the Town will amend the General Bylaws of the Town to include the following new Delinquent Licenses and Fees Bylaw below:

## **Suspension or Revocation of Licenses or Permits for Nonpayment of Taxes and Municipal Charges**

### **Section 1. Delinquent List:**

The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

### **Section 2. Authority to Deny or Revoke Licenses or Permits:**

The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this Bylaw shall not be reissued or renewed until the licensing authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

### **Section 3. Payment Agreements:**

Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said

limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

#### **Section 4. Determination of Business Interests:**

The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in M.G.L. c. 268A, § 1, in the business or activity conducted in or on said property.

#### **Section 5. Exceptions:**

This bylaw shall not apply to the following licenses and permits:

<u>License or Permit</u>	<u>Statutory Citation</u>
Open burning	M.G.L. c. 48, § 13
Bicycle Permits	M.G.L. c. 85, § 11A
Sales of articles for charitable purposes	MGL c. 101, § 33
Children work permits	MGL c. 149, § 69
Clubs, associations dispensing food or beverages licenses	MGL c. 140, § 21E
Dog licenses	MGL c. 140, § 137
Fishing, hunting, trapping licenses	MGL c. 131, § 12
Marriage licenses	MGL c. 207, § 28
Theatrical events, public exhibition permits	MGL c. 140, § 181

or take any action in relation thereto.

**ARTICLE 32 - Capital Planning Bylaw:** To see if the Town will amend the General Bylaws of the Town to include the following new Capital Planning Bylaw below:

#### **Capital Planning Bylaw**

**Section 1.** There shall be a Capital Planning Committee consisting of three (3) registered voters of the Town appointed by the Board of Selectmen. The terms of members shall be for three (3) years beginning July 1 and expiring June 30, except the initial appointment which will run from the date of appointment until June 30, 2017 for one member, June 30, 2018 for one members, and June 30, 2019 for one members. Any vacancies shall be filled in the same manner as the original appointment and persons appointed to fill vacancies shall serve for the remainder of his/her predecessor's term of office. The Capital Planning Committee will choose its own officers and will follow all requirements of the Open Meeting Law.

**Section 2.** The function of the Capital Planning Committee shall be to review the Capital Requirements of the Town and to make recommendations on the same in the form of a five year Capital Improvement Plan (CIP) at each Annual Town Meeting and deposit its original report with the Town Clerk. The Capital Requirements shall consist of identified Town future projects, programs, improvements, and acquisitions having a useful life of at least five (5) years and a cost of at least \$10,000. The CIP shall be updated annually.

**Section 3.** All departments, boards, committees, commissions, and officers of the Town, including the Board of Selectmen and the School Committees shall, by September 1 of each year, submit to the Capital Planning Committee information concerning all capital projects, programs, improvements, and acquisitions anticipated as necessary during the next five (5) years. The Capital Planning Committee shall consider all requests and may request additional information and confer with any Town department, board, committee, commission or officer as needed to evaluate and prioritize submitted requests.

**Section 4.** The Capital Planning Committee shall consider the relative need, timing and cost of proposed capital expenditures and the effect each will have on the financial position of the Town. In evaluating and scheduling the requests, the Capital Planning Committee shall consider risks to public safety and health, deterioration of Town facilities, requirements of state and federal law, coordination with other capital requests, improvement of efficiency, systematic replacement, protection and conservation of resources, and equitable provision of services and facilities.

**Section 5.** Each year ninety (90) days prior to the Annual Town Meeting the Capital Planning Committee shall submit the CIP to the Board of Selectmen as the recommended Capital Budget for consideration at Town Meeting. The Board of Selectmen, in coordination with the Town Administrator, shall finalize the Capital Budget and submit it to the Advisory Board for funding recommendation. No appropriation shall be voted for a capital improvement requested by a department, board, committee, or commission unless the proposed capital improvement has been considered in the CIP; provided that, such an appropriation may be voted if it has been determined by the Board of Selectmen in open meeting to be of an emergency nature.

**Section 6.** The Capital Planning Committee may amend its recommendation relative to any specific capital request not included in the CIP if it finds reasonable cause why such request was not submitted in timely fashion for consideration at the Annual Town Meeting, and determines that it ought to be acted upon before the next Annual Town Meeting. Any such amendment, addition, or deletion must be submitted to the Board of Selectmen for its consideration and approval and reported to the next Special Town Meeting for

adoption. The CIP shall be amended to reflect any changes and reported to the next Annual Town Meeting.

or take any action in relation thereto.

**ARTICLE 33 - Stormwater Management and Erosion Control Bylaw:** To see if the Town will amend the General Bylaws of the Town to include the following new Stormwater Management and Erosion Control Bylaw below:

### **Stormwater Management and Erosion Control Bylaw**

#### **1. PURPOSE**

1.1 To acknowledge and address the fact that the United States Environmental Protection Agency has identified sedimentation and polluted stormwater runoff from land disturbance activities and polluted stormwater runoff from land development as major sources of water pollution, impacting drinking water supplies, natural habitats, and recreational resources;

1.2 To provide for the health, safety, and general welfare of the citizens of the Town of Dunstable through the protection of water bodies and groundwater resources by the regulation of activities that result in disturbance of land and the creation of stormwater runoff;

1.3 To establish the Town of Dunstable's legal authority to ensure compliance with the provisions of this Bylaw through the establishment of stormwater management standards and conditions that result in the minimization of offsite and downstream adverse impacts from development and redevelopment projects to abutters, townspeople and the general public;

#### **2. OBJECTIVES**

2.1 To comply with state and federal statutes and regulations relating to stormwater discharges and to ensure compliance with the provisions of this Bylaw through inspections, monitoring and enforcement by:

(A) Protecting water resources;

(B) Preventing pollutants from entering the Municipal Storm Drain System;

(C) Controlling the volume and rate of stormwater runoff resulting from land disturbance activities in order to minimize potential impacts of flooding;

(D) Requiring practices to manage and treat stormwater runoff generated from new development and redevelopment;

- (E) Protecting groundwater and surface water from degradation or depletion;
- (F) Promoting infiltration and the recharge of groundwater;
- (G) Requiring practices that minimize soil erosion and sedimentation;
- (H) Preventing flooding and erosion on abutting properties;
- (I) Ensuring that soil erosion and sedimentation control measures and stormwater runoff management practices are incorporated into the site planning and design process and are implemented and maintained;
- (J) Ensuring adequate long-term operation and maintenance of stormwater best management practices so they work as designed and;
- (K) Requiring practices to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at construction sites that may cause adverse impacts to water quality.

### 3. DEFINITIONS

**ABUTTER:** The owner(s) of land adjacent to a land disturbance site.

**AGRICULTURAL USE:** The normal maintenance or improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act (M.G.L. c. 131 § 40) and its implementing regulations (310 CMR 10.00).

**APPLICANT:** The owner of record of the land shown on any plan or application submitted for approval to the Planning Board or other approving authority in accordance with this Bylaw and its Regulations.

**AUTHORIZED ENFORCEMENT AGENCY:** The Town of Dunstable Planning Board, its employees or agents designated to enforce the requirements of this Bylaw.

**CERTIFICATE OF COMPLETION:** A document issued by the Issuer of a Land Disturbance Permit which confirms that all documents, final digital and hard copy as-built plans, and final reports have been submitted and all work required by the terms of a Land Disturbance Permit has been satisfactorily completed in accordance with this Bylaw and its Regulations.

**CLEARING:** Any activity that removes the vegetative surface cover and/or organic layer. Clearing activities generally include grubbing activity as defined below.

**DESIGNATED AGENT:** Any person or entity designated by the Planning Board and approved by the Board of Selectmen to assist in the administration, implementation and enforcement of this Bylaw and its Regulations.



**DESIGN CRITERIA:** Engineering design criteria as contained in the Regulations authorized under this Bylaw.

**DETENTION:** The temporary storage of stormwater runoff.

**DEVELOPMENT:** The modification of land to accommodate a new use or expansion of use, usually involving construction.

**DISTURBANCE OF LAND:** Any action, including clearing and grubbing, that causes a change in the position, location, or arrangement of soil, sand, rock, gravel, or similar earth material.

**EROSION:** The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**GRUBBING:** The act of clearing land surface by digging up roots and stumps.

**IMPERVIOUS SURFACE:** Any material or structure on or above the ground that limits water infiltrating the underlying soil. Impervious surface includes without limitation: roads, paved parking lots, sidewalks, sports courts and rooftops. Impervious surface also includes soils, gravel driveways, and similar surfaces with a Rational Method runoff coefficient greater than 0.85 or a NRCS Method Curve Number greater than 85.

**LAND-DISTURBING ACTIVITY or LAND DISTURBANCE:** Any activity, including clearing and grubbing, that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material.

**LAND DISTURBANCE PERMIT:** A permit issued by the Planning Board or its Designated Agent pursuant to this Bylaw.

**LOT:** An area of land, in uniform ownership, with definite boundaries ascertainable by deed, plan, or other means.

**MASSACHUSETTS ENDANGERED SPECIES ACT:** (M.G.L. c. 131A) and its implementing regulations at (321 CMR 10.00) which prohibit the "taking" of any rare plant or animal species listed as Endangered, Threatened, or of Special Concern.

**MASSACHUSETTS WETLANDS PROTECTION ACT:** (M.G.L. c.131, s. 40) and its implementing regulations (310 CMR 10.00)

**MUNICIPAL STORM DRAIN SYSTEM or MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4):** The 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/or other drainage

structure that together comprise the storm drainage system owned or operated by the Town of Dunstable.

**OPERATION AND MAINTENANCE PLAN:** A plan developed by a Massachusetts licensed Professional Engineer (PE) describing the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

**OWNER:** Shall be the owner of record of the lot or lots shown on any plan submitted. The owner shall submit the title reference or references from the Middlesex North District Registry of Deeds indicating the owner of record.

**PAVEMENT:** The surface of an area which consists of but is not limited to bituminous concrete, cement concrete, or paving bricks made of masonry or stone or like material that creates a impervious surface.

**PAVING:** The act of installing pavement.

**PERMITTEE:** The person who holds a Land Disturbance Permit and therefore bears the responsibilities and enjoys the privileges conferred thereby.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, other legally established entity, 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.

**RECHARGE:** Addition of stormwater runoff to the groundwater by natural or artificial means.

**REDEVELOPMENT:** Development, rehabilitation, expansion, demolition or phased projects that disturb the ground surface on previously developed sites.

**REGULATIONS:** The regulations promulgated by the Planning Board in accordance with Section 6.2 of this Bylaw.

**RETENTION:** The holding of stormwater runoff in a basin without release except by means of evaporation, infiltration, or emergency bypass.

**RUNOFF:** Rainfall, snowmelt, groundwater seepage or irrigation water flowing over the ground surface.

**SEDIMENT:** Mineral or organic soil material that is transported, by wind or water, from its origin to another location; the product of erosion processes.

**SEDIMENTATION:** The process or act of deposition of sediment.

**SITE:** Any lot or parcel of land or area of property where land-disturbing activities are, were, or will be performed.

**SLOPE:** The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

**SOIL:** Earth materials including duff, humic materials, sand, rock, silt, clay and gravel.

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

**STORMWATER MANAGEMENT PLAN:** A document containing narrative, drawings and details prepared by a Massachusetts licensed qualified Professional Engineer (PE) which includes structural and non-structural best management practices to manage and treat stormwater runoff generated from regulated development activity. A Stormwater Management Plan also includes an Operation and Maintenance Plan describing the maintenance requirements for structural best management practices.

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

**WETLAND RESOURCE AREA:** Areas specified in the Massachusetts Wetlands Protection Act M.G.L. c. 131, s.40 and regulations promulgated thereunder, and in the Town of Dunstable Wetlands Protection Bylaw and regulations promulgated thereunder.

**WETLANDS:** As defined in the Dunstable Wetlands Protection Bylaw and Conservation Commission regulations.

#### **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 found at 40 CFR 122.34.

#### **5. APPLICABILITY**

5.1 This Bylaw shall apply to all development and redevelopment operations, to all water entering directly or indirectly into the Municipal Storm Drain System on public or ways within the Town, and to any direct discharge into the surface waters, ground waters and watercourses within the Town. Except in accordance with a Land Disturbance Permit issued pursuant to this Bylaw, no person shall perform any Land Disturbance that results in one or more of the Regulated Activities defined in Section 5.2 that is not an Exempt Activity listed in Section 8.1.

5.2 Regulated Activities subject to a Land Disturbance Permit shall include two tiers of permitting:

(A) Tier I

- i. Land Disturbance of 22,000 square feet or more of land, associated with development or redevelopment of a site; or
- ii. Development or Redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development that all together disturbs 22,000 square feet or more of land; or
- iii. Paving or other change in surface material that will create or disturb 22,000 square feet or more of Impervious Surface; or
- iv. Construction of a new drainage system or alteration of an existing drainage system or conveyance serving a drainage area of 22,000 square feet or more of land; or
- v. Any other activity altering the surface of an area of 22,000 square feet or more that will, or may, result in increased stormwater runoff flowing from the Site into a public way or the Municipal Storm Drain System.

(B) Tier II

- i. Land Disturbance of 40,000 square feet or more of land, associated with development or redevelopment of a site; or
- ii. Development or Redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development that all together disturbs 40,000 square feet or more of land; or
- iii. Paving or other change in surface material that will create or disturb 40,000 square feet or more of Impervious Surface; or
- iv. Construction of a new drainage system or alteration of an existing drainage system or conveyance serving a drainage area of 40,000 square feet or more of land; or
- v. Any other activity altering the surface of an area of 40,000 square feet or more that will, or may, result in increased stormwater runoff flowing from the Site into a public way or the Municipal Storm Drain System; or
- vi. Land Disturbance where there is a 15% or greater slope and where the Land Disturbance is greater than or equal to 200 square feet within the sloped area.

## 6. ADMINISTRATION

6.1. The Planning Board, shall administer, implement and enforce this Bylaw. Any powers granted to or duties imposed upon the Planning Board in this Bylaw may be delegated in writing to a Designated Agent upon a majority vote of the Planning Board and approval by the Board of Selectmen.

6.2 The Planning Board shall promulgate the Regulations to implement this Bylaw and shall establish fees and penalties to enforce this Bylaw. The

Planning Board may periodically amend the Regulations, fees, and penalties as needed to effectuate the purposes of this Bylaw. Adoption of and revisions to regulations may only be made after conducting a public hearing to receive comments on any proposed regulations or revisions. Such hearing dates shall be advertised once in a newspaper of general circulation in Dunstable, at least 14 days before the hearing date. Such hearing shall comply with all aspects of the Massachusetts Open Meeting Law.

6.3 In promulgating the Regulations under this Bylaw, the Planning Board shall, at a minimum, follow and utilize the specifications and standards of the latest edition of the Massachusetts Stormwater Management Handbook as amended and issued by Massachusetts Department of Environmental Protection, or any successor publication so issued in this context.

6.4 Failure on the part of the Planning Board to promulgate the Regulations authorized by this Bylaw or fee and penalty structures shall not have the effect of suspending or invalidating this Bylaw.

6.5 The Planning Board or its Designated Agent shall review all applications for a Land Disturbance Permit, conduct inspections, issue a final permit and conduct any necessary enforcement action, as set forth herein:

6.5.1 Land Disturbance Permits shall be issued as follows:

- (A) Tier I Land Disturbance Permits shall be issued by the Planning Board's Designated Agent and shall not require review by the Planning Board.
- (B) Tier II Land Disturbance Permits shall be issued by the Planning Board.

6.5.2 Following receipt of a completed application, the Planning Board or its Designated Agent shall seek review and comments from the Road Commissioners and Town Engineer. The Planning Board or its Designated Agent shall not make a decision on the pending permit until it has received comments from the Road Commissioners and the Town Engineer or until these entities have allowed thirty (30) calendar days to elapse after receipt of the application materials without submission of comments.

6.5.3 When issuing a decision on an application, the Planning Board or its Designated Agent shall:

6.5.3.1 Approve the application and issue a Land Disturbance Permit upon finding that the proposed stormwater controls meet the objectives and requirements of this Bylaw and the Regulations;

6.5.3.2 Approve the application and issue a Land Disturbance Permit with conditions necessary to ensure that the project's stormwater controls will meet the objectives and requirements of this Bylaw and the Regulations;

6.5.3.3 Disapprove the application and deny a permit if it finds (a) that the proposed stormwater controls fail to meet the objectives and requirements of this Bylaw or the Regulations, or (b) that the information submitted with the application was insufficient to allow one of the determinations set forth Section 6.5.3.1 or Section 6.5.3.2.

6.5.4 The Planning Board or its Designated Agent shall take final action on an application within sixty (60) days of date the application was filed with the Town. A copy of the final action shall be filed with the Town Clerk. Certification by the Town Clerk that the allowed time has passed without final action being taken shall be deemed a grant of the Land Disturbance Permit.

6.6 The filing of an application for a Land Disturbance Permit required under this Bylaw shall constitute a grant of permission to the Planning Board and/or its Designated Agent to enter the site in order to verify the information in the application and to inspect for compliance with permit conditions.

6.7 Appeals: A decision on an application for a Land Disturbance Permit by the Planning Board shall be final. Further relief from a decision by the Planning Board made under this Bylaw shall be reviewable in the Superior Court pursuant to M.G.L. c. 249, § 4. The remedies listed in this Bylaw are not exclusive of any other remedies available under any applicable federal, state or local law.

6.8 Any action by the Designated Agent of the Planning Board may be appealed to the Planning Board.

## **7. PROHIBITED ACTIVITIES**

7.1 Illicit Discharges: No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the Municipal Storm Drain System or the surface and ground waters and watercourses within the Town of Dunstable except as noted in Section 8 of this Bylaw.

7.2 Illicit Connections: No person shall construct, use, allow, maintain or continue any illicit connection to the Municipal Storm Drain System, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

7.3 Obstruction - Storm Drainage Systems: No person shall obstruct or interfere with the normal flow of stormwater in or out of the Municipal Storm Drain



System without prior written approval from the Planning Board or its Designated Agent.

## 8. EXEMPTIONS

8.1 Flow from the following sources are exempt from the provisions of this Bylaw:

- (A) Municipal waterline flushing;
- (B) Flow from potable water sources;
- (C) Springs;
- (D) Natural flow from riparian habitats and wetlands;
- (E) Diverted stream flow;
- (F) Rising groundwater;
- (G) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005 (2), or uncontaminated pumped groundwater;
- (H) Water from the exterior foundation drains, roof drains, footing drains (not including active ground water dewatering systems), or air conditioning condensation;
- (I) Discharge from landscape irrigation or lawn watering;
- (J) Water from residential activities, including, but not limited to, car washing, washing walkways, patios, house siding, windows, or similar exterior structure related washing activities;
- (K) Discharge from de-chlorinated swimming pool water (less than one ppm total 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;
- (L) Discharge from street sweeping;
- (M) Uncontaminated groundwater discharge from a sump pump;
- (N) Discharges or flows resulting from fire-fighting activities;
- (O) Dye testing, provided verbal notification is given to the Planning Board or its Designated Agent prior to the time of the test and providing resulting concentrations are not at levels detrimental to resident aquatic organisms;

- (P) Non-storm water discharge permitted under an 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
- (Q) Discharge for which advanced written approval is received from the Planning Board or its Designated Agent as necessary to protect public health, safety, welfare or the environment.

8.2 The following Land Disturbing Activities are exempt from the provisions of this Bylaw:

- (A) Normal maintenance and improvement of land in Agricultural Use as defined in the Massachusetts Wetlands Protection Act regulations 310 CMR 10.04;
- (B) Maintenance of existing landscaping, stone walls, retaining walls, gardens or lawns associated with a single family residence;
- (C) Construction of utilities other than drainage systems that will not alter terrain, ground cover or drainage patterns;
- (D) Emergency repairs to any stormwater management facility or practice that poses a threat to public health, safety, welfare or the environment;
- (E) Repair of septic systems when required by the Board of Health for the protection of public health;
- (F) Any work or projects for which all necessary local approvals and permits have been issued prior to the effective date of this Bylaw;
- (G) Any land disturbance that results in a cumulative land disturbance of less than 22,000 square feet, provided that appropriate erosion and sedimentation controls are in place and properly maintained;
- (H) The construction of fencing that will not alter existing terrain or drainage patterns; and
- (I) The construction, improvement and maintenance of Town public ways and appurtenances.

8.3 When there is any question as to whether an activity is exempt from this Bylaw and the Regulations, the Planning Board shall make a definitive ruling as to the applicability of this Bylaw and the Regulations to the activity in question.

## **9. PERMIT PROCEDURES**

Permit procedures and requirements, including permit submittals, right-of-entry, fee schedule (including requirements to post acceptable security), fine schedule, and public hearing process, shall be defined and included as part of the Regulations.

## **10. FEES**

The Planning Board shall establish fees to cover expenses connected with application review and monitoring permit compliance. The fees shall be sufficient to cover Town secretarial staff and professional staff. The Planning Board is also authorized to retain and charge the Applicant fees to cover the cost for a Massachusetts licensed Professional Engineer or other professional consultant to advise the Planning Board or its Designated Agent on any or all aspect of the project. The Applicant for a Land Disturbance Permit may be required to establish and maintain an escrow account to cover the costs of said consultants. Applicants must pay review fees to the Town before the review process may begin.

## **11. SURETY**

The Planning Board or its Designated Agent may require the Permittee to post before the start of land disturbance activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by Town Counsel, and be in an amount deemed sufficient to insure that the work will be completed in accordance with the permit. If the project is phased, the Planning Board or its Designated Agent may release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the Planning Board or its Designated Agent has received the final report as required in the Regulations and issued a Certificate of Completion.

## **12. PERFORMANCE STANDARDS**

Criteria for erosions and sediment control and post-construction stormwater management, including stormwater performance standards, shall be defined and included as part of Regulations.

## **13. ENFORCEMENT**

13.1 The Planning Board or its Designated Agent shall enforce this Bylaw, its Regulations, orders, violation notices, and enforcement orders, and may pursue all civil and criminal remedies for such violations including injunctive relief and monetary damages and costs of litigation and attorney fees for such violations and for abatement and mitigation and compliance actions.

13.2 The Planning Board or its Designated Agent may issue a written order to enforce the provisions of this Bylaw or the Regulations thereunder, which may include:

- (A) A requirement to cease and desist from the land-disturbing activity until there is compliance with this Bylaw or provisions of the land-disturbance permit;
- (B) Maintenance, installation or performance of additional erosion and sediment control measures;
- (C) Monitoring, analyses, and reporting;
- (D) Remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity; and
- (E) Compliance with the Operation and Maintenance Plan.

13.3 If the enforcing person determines that abatement or remediation of erosion and sedimentation 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 of Dunstable may, at its option, undertake such work, and the property owner shall reimburse the Town's expenses.

13.4 Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator (if different than the property owner) and the property owner shall be notified of the costs incurred by the Town of Dunstable, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Planning Board within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Planning Board affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall begin to accrue interest at the rate provided in M.G.L. 59, § 57, after the thirty-first day following the day on which the costs were due. Said costs and interest may be secured through a municipal charges lien on the property, pursuant to M.G.L. c. 40, § 58.

13.5 Criminal Penalty. Any person who violates any provision of this Bylaw, Regulation, order or permit issued there under, shall be punished by a fine of not more than \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

13.6 Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the Town of Dunstable may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, §21D, which has been adopted by the Town in the Town of Dunstable Non-Criminal Disposition Bylaw, in which case the Planning Board or its Designated Agent shall be the enforcing person. The penalty for each violation shall be \$300.00. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

#### **14. WAIVERS**

14.1 The Planning Board may grant a waiver from the provisions of this Bylaw at its discretion and after due consideration and consultation with the Board of Selectmen, Conservation Commission, Board of Health, Road Commissioners and Town Engineer where it makes a written finding that such action is:

- (A) Allowed by federal, state and local statutes and/or regulations;
- (B) In the public interest; and
- (C) Consistent with the purpose and intent of this Bylaw.

14.2 No waiver shall be granted unless the Applicant demonstrates that the enforcement of this Bylaw would be manifestly unjust and the Applicant has established that a level of protection for public health, safety, welfare or the environment at least equivalent to that provided under this Bylaw can be achieved without strict application of this Bylaw and/or the Regulations.

#### **15. SEVERABILITY**

If any provision, paragraph, sentence, or clause of this Bylaw shall be held invalid for any reason, all other provisions shall continue in full force and effect.

or take any action in relation thereto.

**ARTICLE 34 - Marijuana Dispensary Bylaw:** To see if the Town will amend the Zoning Bylaws of the Town to include the following new Marijuana Dispensary Bylaw below as Section 26, or other appropriate section in the context of the Bylaw::

#### **REGISTERED MARIJUANA DISPENSARIES**

1. **Purpose.** The purpose of this section is to provide for the limited establishment of Registered Marijuana Dispensaries (RMD) within the town as they are authorized pursuant to state regulations set forth in 105 CMR 725.000, as they may from time to time be amended. The intent of this section is to permit RMD's in harmony with policies set by law and the Department of Public Health where there is appropriate accessibility, where they may be readily monitored by law enforcement for health and public safety purposes, and

where they will not adversely impact the character of the town in general and adjoining properties in particular.

**2. *Applicability.*** RMD's are not allowed as-of-right in any district within the town, whether as a primary or accessory use, or as a home occupation. The Planning Board may grant a Special Permit allowing an RMD in the B-1, B-2 or B-3 Districts.

**3. *Definitions.*** In addition to any applicable definitions contained in this Zoning Bylaw, definitions included in 105 CMR 725.000 shall govern any matters or proceedings under this section. "Marijuana" shall be construed to include "Marihuana" as defined in Chapter 94C of the Massachusetts General Laws.

**4. *Minimum Criteria and Limitations on Approval.***

(1) An RMD shall not be located within a radius of five hundred (500) feet from a school, daycare center, preschool or afterschool facility, or any facility in which minors commonly congregate; or within two hundred (200) feet of a residence. Such distance shall be measured in a straight line from the nearest point of building or structure containing the proposed RMD to the nearest point of any building or structure serving the facility or residence in which persons ordinarily congregate.

(2) An RMD shall be properly registered with the Massachusetts Department of Public Health pursuant to 105 CMR 725.100 as in force at the time of application and shall comply with all applicable state and local laws, ordinances, rules and regulations. No building permit or certificate of occupancy shall be issued for an RMD that is not properly registered with the Massachusetts Department of Public Health. The RMD shall file copies of its initial certificate of registration and each annual renewal certificate with the Planning Board with a copy to the Town Clerk's office within one week of issuance, and shall immediately notify said Planning Board and Town Clerk's office if its registration is not renewed or is revoked. The RMD shall provide the Dunstable Police Department with the names and contact information for all management staff and shall immediately notify the police department of any changes.

(3) A special permit granted by the Planning Board authorizing the establishment of an RMD shall be valid only for the registered person or legal entity to which the special permit was issued, and only for the location for which the RMD has been authorized by the special permit. If the registration for the RMD is revoked, transferred to another controlling person or entity, or relocated to a different site, a new



special permit shall be required prior to the issuance of a certificate of occupancy.

(4) An RMD shall be located only in a permanent building and not within any mobile facility. All sales shall be conducted either within the building or by home delivery to qualified clients pursuant to applicable state regulations.

(5) An RMD shall conform to all dimensional requirements applicable to the zoning district in which it is located.

(6) An RMD shall be subject to the number of parking stalls required by Section 12 of this bylaw unless a lesser or greater number of stalls is required by the Planning Board.

(7) All signage shall conform to the requirements of 105 CMR 725.105(L) and to the requirements of Section 13 of this bylaw. No graphics, symbols or images of marijuana or related paraphernalia shall be displayed or clearly visible from the exterior of an RMD. The Planning Board may impose additional restrictions on signage to mitigate impact on the immediate neighborhood.

(8) The Planning Board may, as a special permit condition, reasonably limit the hours of operation of an RMD.

## ***5. Special Permit Application and Procedure.***

The procedural and application requirements of the Rules and Regulations Governing Special Permits shall apply. In addition, an application for special permit shall include, at a minimum, the following information:

- (1) General Information:
  - (a) A statement from the Applicant under oath, setting forth the following information:
    - (i) the name and address of each owner, officer, manager, member, partner and employee of the RMD and (if applicable) the legal entity;
    - (ii) the source of all marijuana that will be sold or distributed at the RMD, if applicable;
    - (iii) the source of all marijuana that will be cultivated, processed, and/or packaged at the RMD, if applicable;
    - (iv) the quantity of marijuana that will be cultivated, processed, packaged, sold and/or distributed at the RMD;
  - (b) If the Applicant is a non-profit organization, a copy of its Articles of Organization, a current Certificate of Legal

Existence from the Secretary of the Commonwealth, and the most recent annual report; if the Applicant is a for-profit corporate entity, a copy of its Articles of Incorporation or equivalent documents, a current Certificate of Legal Existence from the Secretary of the Commonwealth, and the most recent annual report; if the Applicant is a public agency, evidence of the agency's authority to engage in the development of the RMD as proposed by the application;

- (c) Copies of all licenses and permits issued by the Commonwealth of Massachusetts and any of its agencies for the RMD;
- (d) Evidence of the Applicant's right to use the site of the RMD, such as a deed, lease, purchase and sale agreement or other legally-binding document;
- (e) If the Applicant is business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
- (f) A certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
- (g) A market study demonstrating sufficient demand for the Marijuana for Medical Use proposed to be sold or distributed by the RMD;
- (h) Proposed security measures for the RMD, including lighting and alarms, to ensure the safety of persons and to protect the premises from theft.
- (i) The resume(s) of the Applicant and all members of the RMD's management, including company history, references, and relevant experience;

(2) *Description of Activities:* A narrative providing information about the type and scale of all activities that will take place on the proposed site, including but not limited to cultivating and processing of marijuana or marijuana infused products (MIP's as defined in 105 CMR 725.004), on-site sales, off site deliveries, distribution of educational materials, and other programs or activities.

(3) *Service Area:* A map and narrative describing the area proposed to be served by the RMD and the anticipated number of clients that will be served within that area. This description shall indicate where any other RMD's exist or have been proposed within the expected service area.

(4) *Transportation Analysis:* As per the Rules and Regulations Governing Site Plans Section 3.04 Traffic Impact, a traffic report may be required by the Planning Board depending on the size and complexity of the project. The extent and depth of the study will be set by the Planning Board based on the anticipated impact of the project.

(5) *Context Map:* A map depicting all properties and land uses within a minimum five hundred (500) foot radius of the proposed site, whether such uses are located in Dunstable or within surrounding communities, including but not limited to all educational uses, daycare, preschool and afterschool programs. The context map shall include the measured distance to all uses described in Section 26.4.(1), above.

(6) *Registration Materials:* A copy of the Certificate of Registration that was issued by the Massachusetts Department of Public Health.

#### **6. *Special Permit Criteria.***

In granting a special permit for a Registered Marijuana Dispensary, in addition to finding that the general criteria for issuance of a special permit as set forth in the Rules and Regulations Governing Special Permits of this bylaw are met, and any provisions of this section, the Planning Board shall find at a minimum that the following criteria are met:

(1) The RMD is located to serve an area that currently does not have reasonable access to medical marijuana, or if it is proposed to serve an area that is already served by another RMD, it has been established by the Massachusetts Department of Public Health that supplemental service is needed.

(2) The site is located at least five hundred (500) feet from a school, daycare center, preschool or afterschool facility or any facility in which minors commonly congregate and two hundred (200) feet from the nearest residence, this distance to be measured from the nearest point of the facility or residence to the nearest point of the RMD.

(3) The site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and

leaving from the site, whether driving, bicycling, walking or using public transportation.

(4) Traffic generated by client trips, employee trips, and deliveries to and from the RMD shall not create a significant adverse impact on nearby uses.

(5) Loading, refuse and service areas are designed to be secure and shielded from abutting uses.

(6) The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.

(7) The building and site are accessible to persons with disabilities.

(8) The site is accessible to regional roadways and public transportation.

(9) The site is located where it may be readily monitored by law enforcement and other code enforcement personnel.

(10) The RMD's hours of operation will have no significant adverse impact on nearby uses.

**7. Severability.** If any portion of this section is ruled invalid, such ruling will not affect the validity of the remainder of the section.

or take any action in relation thereto.

And furthermore, in the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of the Dunstable who are qualified to vote in Town affairs, to meet at the Dunstable Public Library on Monday, May 16, 2016 at 12:00 o'clock noon, to cast their ballots for the following officers and questions:

Moderator, one position for one year; Selectmen, one position for three years; Assessors, one position for three years; Board of Health, one position for three years; Board of Road Commissioners, one position for three; Constables, two positions for one year; Tree Warden, one position for one year; Trustees Public Library, two positions one for two years and one for three years; Cemetery Commissioners, one position for three years; Water Commissioners, two positions one for two years and one for three years; Town Clerk, one position for three years; Park Commissioners, one position for three years; Planning Board, one position for five years; Commissioners of Trust Funds, one position for three years; Commissioners to Expend Proctor/Parkhurst Funds, two positions one for four years and one for five years;

Commissioners to Expend Parkhurst Free Lecture Funds, two positions one for four years and one for five years; Advisory Board, two positions for three years.

1. Shall the Town of Dunstable be allowed to assess an additional \$1,110,000 in real estate and personal property taxes for the purpose of funding the Town's Annual Operating Budget, including the Town's share of the cost of operating the Groton Dunstable Regional School District for the fiscal year beginning July first two thousand sixteen?

Yes \_\_\_\_ No \_\_\_\_

2. Shall the Town of Dunstable be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to fund the Middle School Roof repairs?

Yes \_\_\_\_ No \_\_\_\_

3. Shall the Town of Dunstable be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to renovate the Greater Lowell Technical High School?

Yes \_\_\_\_ No \_\_\_\_

4. Shall the town vote to have its elected Town Clerk become an appointed Town Clerk of the town?

Yes \_\_\_\_ No \_\_\_\_

And you are hereby directed to serve this warrant, by posting attested copies thereof, one at the Post Office and one at the Town Hall in said Dunstable seven days at least before the time of holding such Town Meeting.

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

Given under our hands this 11<sup>th</sup> day of April, two thousand and sixteen.

DUNSTABLE BOARD OF SELECTMEN

Walter F. Alterisio  
Walter F. Alterisio

Daniel F. Devlin  
Daniel F. Devlin

Kenneth J. Leva  
Kenneth J. Leva

I have served this warrant by posting attested copies thereof, one at the Post Office and one at the Town Hall 27 days before said meeting.

12. APR. 2016  
Date

Brett A Rock  
Constable