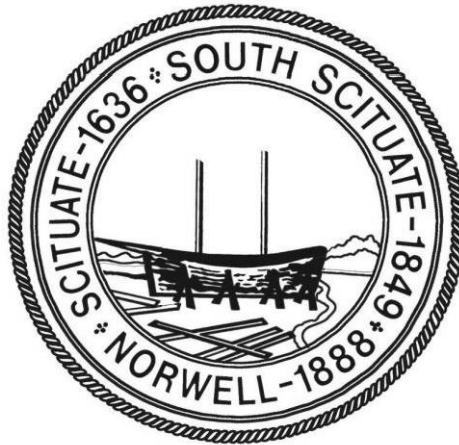


# TOWN OF NORWELL



**Transcript of Articles in the Warrant for the**

**SPECIAL TOWN MEETING**

**And**

**ANNUAL TOWN MEETING**

**Report of the Advisory Board**

**Monday May 8, 2023**

**At 7:30PM**

Please bring this report to the meeting for use in the proceedings at the

**NORWELL MIDDLE SCHOOL  
Henry E. Goldman Gymnasium  
328 Main Street**

TOWN OF NORWELL

WARRANT

Special Town Meeting and Annual Town Meeting

Monday, May 8, 2023

At 7:30 o'clock in the evening at Norwell Middle School

Plymouth, ss.

To one of the Constables of the Town of Norwell, in said County of Plymouth, Commonwealth of Massachusetts.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Norwell, who being qualified to vote in elections and Town affairs, to meet at the Norwell Middle School, 328 Main Street, in said Norwell, on Monday, the eighth day of May, 2023 at 7:30p.m.; then and there to act upon the enclosed articles, to wit:

In case all articles in the foregoing Warrant shall not be acted upon at the Meeting called for on Monday, May 8, 2023, to meet in Adjourned Sessions at such time and place as the meeting shall determine.

This building is accessible to the handicapped and designated parking is provided. If requested, at least one week before the meeting, warrants with large print can be available. Anyone requiring a Sign Language Interpreter should call the Town Clerk's office at least two weeks before the Special Town Meeting and Annual Town Meeting at 781-659-8072.

**Town of Norwell**  
**Report of the Advisory Board**  
**2023 Special and Annual Town Meeting**

To the Citizens of Norwell:

On Monday, May 8, 2023, the Town of Norwell will hold a Special Town Meeting followed by its Annual Town Meeting. The brief Special Town Meeting will cover business matters that must be acted upon before the end of this fiscal year, which is June 30, 2023. During the annual Town Meeting, the citizens of Norwell will vote on a budget for Fiscal Year 2024, as well as many other matters of interest to the Town. These matters include proposed zoning changes and updates, updating the regional agreement for South Shore Vocational Technical School, as well as several Community Preservation Articles.

Voters attending Town Meeting responsibly discuss, debate, and determine Norwell's budget for the upcoming year. The Advisory Board's role is to advise residents of its recommendations on each Article contained in this Warrant. These recommendations have been determined following several months of evaluation and careful consideration of all the materials provided by Town Departments, Boards and Committees. Every proposed article was reviewed by the Advisory Board with a presentation from its proponents in a public meeting. Your elected and appointed officials will also present their recommendations to assist with this process.

The intent of the budget is to provide appropriate funds to continue the current level of services, address capital and infrastructure needs and maintain the Town's fiscal health. All departments, boards and committees continue to work with a common purpose to identify efficiencies and methods to better address budgetary challenges while continuing to deliver a high level of services to the residents of the Town of Norwell.

We would like to thank the residents, employees and volunteers across all Departments, Boards and Committees for their invaluable input. In particular, we wish to thank Ellen McKenna for her exceptional support to the Advisory Board. We also wish to formally thank Darleen Sullivan, Town Administrator, and Christine McCarthy, Town Accountant, for their professional guidance and dedicated support throughout this entire process.

It is important that your voice is heard. We look forward to seeing you at Town Meeting on May 8, 2023.

Sincerely,

**The Norwell Advisory Board**

Jesse McSweeney, Chair

Liz Hibbard, Vice Chair

Dane Hutchison, Clk.

Peter Leppanen

Robert Perniola

Brian D'Souza

Mark Cleveland

John LaCara

Ed Maguire

## TOWN BUDGET

### Glossary of Terms

Appropriation: An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

Assessed Valuation: A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

Budget: A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget is voted in the spring at Town Meeting for the fiscal year that begins the following July 1st.

Capital Budget: A plan of proposed capital outlays and the means of financing them for the current year.

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated receipts for the next fiscal year and the estimated state and county government charges payable. These amounts are used by the assessors in setting the tax rate. The actual receipts and charges may vary from the estimates.

Community Preservation Act (CPA): The Town adopted the Community Preservation Act (CPA) in 2002. This Act allows the town to collect a 3% surcharge on property tax bills (the funds can be matched up to 100% by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated, reserved or used for any of the three purposes and for Recreation and administration.

Debt Service: Payment of interest and repayment of principal to holders of the Town's debt instruments.

Fiscal Year: A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example FY24 is the fiscal year ended June 30, 2024.

Free Cash: Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves reduced also by reserves for uncollected taxes. This is also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue.

General Fund: The major town owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

Grant: A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal governments. Grants are usually made for specific purposes.

Line-Item Budget: A format of budgeting that organizes costs by type of expenditure such as expenses, equipment, and salaries.

Overlay: The amount set aside to allow for uncollected property taxes. An amount for overlay is added to the appropriations and other charges. The "Overlay Surplus" is the portion of each year's overlay account no longer required to cover property tax abatements.

Overlay Surplus: The unused amount of the overlay for prior years, which may be transferred, by vote of the Town, to the reserve account or used for any lawful purpose.

Property Tax Levy: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed "per thousand dollars" of assessed valuation.

Reserve Fund: Money set aside by Town Meeting to be allocated by the Advisory Board for extraordinary or unforeseen expenditures.

Stabilization Fund: A special reserve funded by Town Meeting for future expenditures. The Town has also established Athletic Fields Stabilization, Capital Stabilization and Special Education Stabilization funds.

*Terms associated with Proposition 2½:*

Debt or Capital Exclusion: The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base, but allows the Town to assess taxes for a specific period of time in excess of the limit for payment of debt service costs or for payment of capital expenditures.

Excess Levy Capacity: The difference between the Town's tax levy limit and its actual tax levy for the current year. It is the additional tax levy that could be raised without asking for an override.

New Growth: The amount of property tax revenue that the Town can add to its allowable tax levy as a result of new construction, alterations, subdivisions or change of use which increases the value of a parcel of land by more than certain amounts.

Override: An amount voted by the Town, which is permanently added to the levy limit. A majority vote of the Selectmen allows an override question to be put on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the Town Meeting and by ballot question.

Tax Levy Limit: The maximum amount of the tax levy for a period under the restrictions of Proposition 2½. It is calculated as the prior year limit plus new growth plus 2.5% of the prior year levy limit.

### Index of Articles for the 2023 Special Town Meeting

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**TOWN OF NORWELL**



Commonwealth of Massachusetts

**WARRANT FOR SPECIAL TOWN MEETING**

Monday, May 8, 2023

At Seven Thirty O'clock in the Evening

At the Norwell Middle School, Henry E. Goldman Gymnasium, Main Street

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**ARTICLE 1:** To see if the Town will vote to appropriate the sum of \$3,955.64 to pay the following unpaid bills from prior fiscal years which may be legally unenforceable due to the insufficiency of an appropriation and, to meet said appropriation, transfer the sum of \$3,955.64 from Free Cash:

IT – Green Pages - IT Assessment	\$1,000.00
Police – Thompson Reuters – Online Subscription	\$2,753.14
Accounting – ICS – IT Support	<u>\$ 202.50</u>
Total:	\$3,955.64

or take any other action relative thereto.

Requested by the Town Accountant/Finance Director

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 2:** To see if the Town will vote to raise and appropriate or appropriate from available funds a sum of money, to meet obligations for union and personal contracts, said sum to be apportioned by the Town Accountant to the applicable line items in Article 2, or take any other action relative thereto.

Requested by the Town Accountant/Finance Director

**The Advisory Board will give its recommendation at Town Meeting, once the final amount of required funding is determined.**

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**ARTICLE 3:** To see if the Town will vote to raise and appropriate or transfer from available funds or otherwise provide a sum of money, to be added to the Reserve Fund 01-132-0199-5780 to address unexpected utility, gasoline, insurance, and other unanticipated departmental costs, or take any other action relative thereto.

Requested by the Town Accountant/Finance Director

**The Advisory Board will give its recommendation at Town Meeting, once the final amount of required funding is determined.**

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**ARTICLE 4:** To see if the Town will vote to raise and appropriate or transfer from available funds or otherwise provide a sum of money, to be added to line item 1-420-0211-5532, Snow and Ice Removal and Sanding, or take any other action relative thereto.

Requested by the Highway Surveyor

**The Advisory Board will give its recommendation at Town Meeting, once the final amount of required funding is determined.**

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**ARTICLE 5:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$170,000 to be expended under the direction of the Board of Assessors for professional and contractual services in order for the Town to comply with Massachusetts Department of Revenue requirements and Massachusetts General Law Chapter 40 Section 56, for cyclical inspection and revaluation work for real estate and personal property in Norwell, or take any other action relative thereto.

Requested by the Board of Assessors

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$200,000 for the purpose of repairing the track at Norwell High School and maintenance of the Artificial Turf Fields at the Clipper Community Complex, or take any other action relative thereto.

Requested by the School Committee and Highway Department

**The Advisory Board unanimously recommends this article. This will be funded by the Athletic Field Stabilization account.**

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**ARTICLE 7:** To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow the sum of \$5,000,000, or any other amount, to pay costs of purchasing the condominium office building located at 93 Longwater Circle, Unit 2, Norwell, MA. for use as a new Town Hall, as well as to pay costs of furnishing and fitting-out the building, costs of moving from the existing Town offices to this building and all other costs incidental to accomplish the purposes of this Article; and further to authorize the Select Board to acquire said property by purchase, or otherwise, or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board voted to favorably recommend this Article, 6 members voted in the affirmative and 2 members abstained.**

The current building used as Town Hall is seventy-three (73) years old and was deemed insufficient for use as a school over 40 years ago. One third of the building is in disrepair and has not been utilized since Town Hall moved from the Cushing Center to 345 Main Street in 1984/1985 (38 years ago). The building has been in a failing condition for well over a decade. A study was done back in 2003 and three additional studies have been conducted since 2010 regarding space needs and renovation. Options ranged from \$5 million to \$16 million when we were looking at scenarios to either combine or renovate Town Hall and School Administration years ago, in the end there was inadequate space to house both in either building. The February 2020 Special Town Meeting approved \$360,000 for design and engineering of renovations to the current Town Hall, at that time the total cost of the project was estimated at \$5 million. The project was delayed by COVID until 2021, when the Town engaged an owner's project manager and an architect. After examining the condition of the building, the consultants estimated the cost to bring the building into compliance with current codes to be between \$10 and \$13 million. This was partly attributed to the changes in the cost of construction and materials, but also to the difficulty in renovating a building with so many substandard systems and conditions.

The Select Board suggested prior to seeking additional funds, an assessment of the current Norwell commercial office space market should be done. Per Massachusetts General Laws, a Request for Proposal (RFP) was issued in August 2022. This is required, as a municipality we are not able to “shop” on the open market, we must solicit bids.

The Town received one response from the owners of 93 Longwater Circle, a two-story office condominium building constructed in 2006 consisting of 20,600 gross square feet of office and utility space. The owners allowed the Town to inspect the property over several visits by the Town's project manager, architect, facilities director, building inspector, health agent and public safety chiefs. The building is in good condition and meets all the Town's requirements. The building is fully accessible (there is an elevator) and meets all current building and fire codes (a path will be needed to make the patio in the rear fully accessible).

The costs to repair identified conditions in the building are reasonable.

The concern has been expressed that the building is not centrally located. While it would be preferable to have a centralized location, no other existing owner of commercial office space responded to the RFP and the pool of existing office space with a footprint large enough to be utilized for a Town Hall is limited.

There is no suitable available office space in Norwell that is centrally located. A central location would require the Town to purchase privately owned land or use current open space. Either alternative will incur the added costs inherent in public construction, which would likely be *at least* three times more costly than the monetary request under this Article and require a debt exclusion or override.

This purchase can be done under the levy and will not require an override or debt exclusion. The owners and the Town have agreed to a purchase price of \$4,450,000 million. The additional money sought in the Article will address costs of relocation and updating the building. Funds included in previously approved Articles can also be used to address these costs. This office building would be an asset to the Town. The building could be sold after the bonds are callable, most likely after the typical 10-year mark. If the Town decides to construct a Town Hall at some point in the future, proceeds from the sale after the note is paid off, could be used to offset the cost of new construction.

The current Town Hall would need to be demolished. It is not suitable for any other use. It was built as a bomb shelter and a school seventy-three years ago. There are too many challenges to list in terms of any type of renovation or fit outs. The Select Board will present options to the Town, but ultimately it will be up to the residents to decide what they would like to do with this property moving forward.

The purchase of 93 Longwater Circle will finally address the longstanding need to provide suitable space for the Town to conduct its business. It is the last of your Town buildings to be addressed.

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Town of Norwell  
Commonwealth of Massachusetts

**WARRANT FOR ANNUAL TOWN MEETING**

Monday, May 8, 2023

At 7:30 O'clock in the Evening

At the Norwell Middle School, Henry E. Goldman Gymnasium, Main Street

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**ARTICLE 1:** To see if the Town will vote to accept the reports of its Officers, Boards, Departments, Committees and Commissions, as printed in the 2022 Annual Report, or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board unanimously recommends this article. It is a basic procedural vote.**

---

**ARTICLE 2:** To see if the Town will vote to raise and appropriate, or appropriate from available funds, sums of money to defray the charges, expenses and salary obligations of the Town, including debt and interest, and out of state travel for the ensuing year, to provide for a Reserve Fund and to fix salaries and compensation for all Elected Officers of the Town, or take any other action relative thereto.

**Requested by the Advisory Board**

As Town Administrator, I am pleased to present the Fiscal Year 2024 budget for the Town of Norwell, and wish to thank the Select Board, Advisory Board, Town Accountant, Christine McCarthy, all Town Department Heads, Elected Officials, School Committee, and School Superintendent Matt Keegan for their patience, teamwork, and assistance in developing and balancing this budget. I appreciate your professionalism and tireless commitment to the Town of Norwell. Thank you to everyone mentioned above and to the residents of Norwell for welcoming me as your new Town Administrator and for your friendship and support over the past ten years. I look forward to serving all of you in this new capacity and will work hard to ensure we continue to provide exceptional service to our residents. We are committed to running Norwell in a fiscally responsible manner to provide an excellent education for our children, provide resources and care for our seniors, maintain our infrastructure, protect the public, deliver top notch emergency services, provide clean water, run robust recreation and wellness programs, and support many other services and resources that make Norwell such a wonderful community to live, visit, and work in. I look forward to working with all of you collaboratively to bring positive changes in the future while ensuring Norwell maintains its beauty, history, and culture.

Article 2 provides each department with funds necessary to continue to provide the required level of services. The proposed budget represents a 5.58% increase over the prior year. The Town's adherence to its financial policies combined with on-target increases in local receipts and state aid allow for this increase. We continue to forecast revenue conservatively, adhere to a culture that rewards operational surpluses, devote multiple sources of funding to pension and OPEB costs and responsibly add to our reserves. There are some pressures on the budget in areas such as unfunded mandates/requirements for education/special education, trash and recycling, pension obligations, and insurance for example. The Town established stabilization accounts, including a SPED stabilization account to mitigate or smooth some of the volatility/budget pressure. We have weathered many storms, made it through a pandemic, and have worked with rising costs and inflation all within the operating budget which is limited in terms of revenue increases (prop 2 ½, local aid, local receipts et cetera). It is important to note, this budget is funded through normal state and local revenue sources and does not rely on reserves or non-recurring funds. It is anticipated that the Town, through prudent management and conservative forecasting, will continue to generate both operational and revenue surpluses that will continue to supplement reserves even during the most difficult times.

The efforts of the Town's workforce, its elected officials and particularly the residents who volunteer to serve in a multitude of functions have positioned Norwell for the future. The most essential element to Norwell's future success is the willingness of residents to devote their time and talent to the management of the town.

Respectfully submitted,

Darleen L. Sullivan  
Town Administrator

**The Advisory Board reviewed each department budget over several weeks of public meetings. The Advisory Board supports the entire budget as reflected in the FY24 Advisory Board recommends column. The Advisory Board feels the recommended budget is fair and balanced and addresses the needs of the community within the limits of the financial resources available.**

## ARTICLE 2

Line item to be voted		FY23 Appropriated	FY24 Requested	FY24 Town Administrator Recommends	FY24 Advisory Board Recommends
<b>113-TOWN MEETING</b>					
<b>1</b>	Total Salaries	\$ 1,500	\$ 1,500	\$ 1,300	\$ 1,300
<b>2</b>	Total Expenses	\$ 10,000	\$ 10,500	\$ 10,500	\$ 10,500
	Total: Town Meeting	\$ 11,500	\$ 12,000	\$ 11,800	\$ 11,800
<b>122-SELECTMEN</b>					
<b>3</b>	Total Salaries	\$ 339,750	\$ 600,052	\$ 565,052	\$ 565,052
<b>4</b>	Total Expenses	\$ 42,850	\$ 44,450	\$ 45,100	\$ 45,100
	Total: Selectmen	\$ 382,600	\$ 644,502	\$ 610,152	\$ 610,152
<b>131-ADVISORY BOARD</b>					
<b>5</b>	Total Expenses	\$ 2,500	\$ 2,500	\$ 2,200	\$ 2,200
	Total: Advisory Board	\$ 2,500	\$ 2,500	\$ 2,200	\$ 2,200
<b>132-RESERVE FUND</b>					
	Reserve Fund	\$ 350,000	\$ 350,000	\$ 350,000	\$ 350,000
<b>6</b>	Total: Reserve Fund	\$ 350,000	\$ 350,000	\$ 350,000	\$ 350,000
<b>135-FINANCE DIRECTOR/TOWN ACCOUNTANT</b>					
<b>7</b>	Total Salaries	\$ 267,679	\$ 286,802	\$ 286,801	\$ 286,802
<b>8</b>	Total Expenses	\$ 53,710	\$ 54,560	\$ 54,460	\$ 54,460
	Total: Finance Director/Town Accountant	\$ 321,389	\$ 341,362	\$ 341,261	\$ 341,262
<b>141-ASSESSORS</b>					
<b>9</b>	Total Salaries	\$ 171,890	\$ 154,691	\$ 154,691	\$ 154,691
<b>10</b>	Total Expenses	\$ 43,918	\$ 142,600	\$ 47,400	\$ 47,400
	Total: Assessors	\$ 215,808	\$ 297,291	\$ 202,091	\$ 202,091
<b>145-TREASURER/COLLECTOR</b>					
<b>11</b>	Total Salaries	\$ 485,622	\$ 372,203	\$ 372,031	\$ 372,031
<b>12</b>	Total Expenses	\$ 108,687	\$ 118,772	\$ 119,975	\$ 119,975
	Total: Treasurer/Collector	\$ 594,309	\$ 490,975	\$ 492,006	\$ 492,006
<b>151-LEGAL SERVICES</b>					
<b>13</b>	Total Expenses	\$ 55,000	\$ 100,000	\$ 75,000	\$ 75,000
	Total: Legal Services	\$ 55,000	\$ 100,000	\$ 75,000	\$ 75,000
<b>152-PERSONNEL</b>					
<b>14</b>	Total Expenses	\$ 500	\$ 500	\$ 400	\$ 400
	Total: Personnel	\$ 500	\$ 500	\$ 400	\$ 400
<b>155-INFORMATION TECHNOLOGY</b>					
<b>15</b>	Total Salaries	\$ -	\$ 5,000	\$ 5,000	\$ 5,000
<b>16</b>	Total Expenses	\$ 118,000	\$ 210,600	\$ 180,600	\$ 180,600
	Total: Information Technology	\$ 118,000	\$ 215,600	\$ 185,600	\$ 185,600
<b>161-TOWN CLERK</b>					
<b>17</b>	Total Salaries	\$ 194,186	\$ 209,019	\$ 210,269	\$ 210,269



Line item to be voted		FY23 Appropriated	FY24 Requested	FY24 Town Administrator Recommends	FY24 Advisory Board Recommends
18	Total Expenses	\$ 7,925	\$ 7,050	\$ 6,925	\$ 6,925
	Total: Town Clerk	\$ 202,111	\$ 216,069	\$ 217,194	\$ 217,194
	162-ELECTIONS				
19	Total Salaries	\$ 21,642	\$ 11,084	\$ 11,084	\$ 11,084
20	Total Expenses	\$ 15,000	\$ 15,000	\$ 10,000	\$ 10,000
	Total: Elections	\$ 36,642	\$ 26,084	\$ 21,084	\$ 21,084
	163-REGISTRATION				
21	Total Salaries	\$ 450	\$ 450	\$ 450	\$ 450
22	Total Expenses	\$ 5,000	\$ 5,100	\$ 5,100	\$ 5,100
	Total: Registration	\$ 5,450	\$ 5,550	\$ 5,550	\$ 5,550
	171-CONSERVATION COMMISSION				
23	Total Salaries	\$ 110,330	\$ 144,500	\$ 121,596	\$ 121,596
24	Total Expenses	\$ 54,000	\$ 54,600	\$ 32,600	\$ 32,600
	Total: Conservation Commission	\$ 164,330	\$ 199,100	\$ 154,196	\$ 154,196
	175-PLANNING BOARD				
25	Total Salaries	\$ 122,827	\$ 134,627	\$ 134,627	\$ 134,627
26	Total Expenses	\$ 7,250	\$ 7,250	\$ 7,000	\$ 7,000
	Total: Planning Board	\$ 130,077	\$ 141,877	\$ 141,627	\$ 141,627
	176-ZONING/APPEALS BOARD				
27	Total Salaries	\$ 23,520	\$ 25,938	\$ 25,938	\$ 25,938
28	Total Expenses	\$ 2,500	\$ 2,500	\$ 1,500	\$ 1,500
	Total: Zoning/Appeals Board	\$ 26,020	\$ 28,438	\$ 27,438	\$ 27,438
	190-COMMISSION ON DISABILITIES				
29	Total Expenses	\$ 3,000	\$ 3,000	\$ 2,000	\$ 2,000
	Total: Commission on Disabilities	\$ 3,000	\$ 3,000	\$ 2,000	\$ 2,000
	191-CUSHING MEMORIAL				
30	Total Salaries	\$ 41,453	\$ 46,184	\$ 46,184	\$ 46,184
31	Total Expenses	\$ 27,307	\$ 27,307	\$ 26,900	\$ 26,900
	Total: Cushing Memorial	\$ 68,760	\$ 73,491	\$ 73,084	\$ 73,084
	192-FACILITIES DEPARTMENT				
32	Total Salaries	\$ 144,358	\$ 160,006	\$ 154,282	\$ 154,283
33	Total Expenses	\$ 81,300	\$ 155,770	\$ 121,671	\$ 121,671
	Total: Facilities Department	\$ 225,658	\$ 315,776	\$ 275,953	\$ 275,954
	193-P.B.M.C.				
34	Total Expenses	\$ -	\$ -	\$ -	\$ -
	Total: P.B.M.C.	\$ -	\$ -	\$ -	\$ -
	194-COMMUNITY PRESERVATION ADMIN				
35	Total Salaries	\$ 8,035	\$ 9,200	\$ 8,200	\$ 8,200

Line item to be voted		FY23 Appropriated	FY24 Requested	FY24 Town Administrator Recommends	FY24 Advisory Board Recommends
<b>36</b>	Total Expenses	\$ 66,965	\$ 70,800	\$ 71,800	\$ 71,800
	Total: Community Preservation Admin	\$ 75,000	\$ 80,000	\$ 80,000	\$ 80,000
	<b>195-TOWN REPORTS</b>				
<b>37</b>	Total Expenses	\$ 3,500	\$ 5,000	\$ 5,000	\$ 5,000
	Total: Town Reports	\$ 3,500	\$ 5,000	\$ 5,000	\$ 5,000
	<b>199-BEAUTIFICATION</b>				
<b>38</b>	Total Expenses	\$ 3,000	\$ 3,000	\$ 3,500	\$ 3,500
	Total: Beautification	\$ 3,000	\$ 3,000	\$ 3,500	\$ 3,500
	<b>TOTAL GENERAL GOVERNMENT (Net of Community Preservation Fund)</b>	\$ 2,920,154	\$ 3,472,115	\$ 3,197,137	\$ 3,197,138
	<b>210-POLICE DEPARTMENT</b>				
<b>39</b>	Total Salaries	\$ 3,106,688	\$ 3,692,807	\$ 3,619,838	\$ 3,619,838
<b>40</b>	Total Expenses	\$ 423,200	\$ 452,200	\$ 350,500	\$ 350,500
	Total: Police Department	\$ 3,529,888	\$ 4,145,007	\$ 3,970,338	\$ 3,970,338
	<b>220-FIRE DEPARTMENT</b>				
<b>41</b>	Total Salaries	\$ 2,516,984	\$ 2,899,004	\$ 2,824,275	\$ 2,824,275
<b>42</b>	Total Expenses	\$ 233,000	\$ 253,500	\$ 240,000	\$ 240,000
	Total: Fire Department	\$ 2,749,984	\$ 3,152,504	\$ 3,064,275	\$ 3,064,275
	<b>231-AMBULANCE SERVICE</b>				
<b>43</b>	Total Expenses	\$ 96,900	\$ 110,760	\$ 108,760	\$ 108,760
	Total: Ambulance Service	\$ 96,900	\$ 110,760	\$ 108,760	\$ 108,760
	<b>232-EMERGENCY MANAGEMENT</b>				
<b>44</b>	Total Salaries	\$ 1,000	\$ 1,000	\$ 500	\$ 500
<b>45</b>	Total Expenses	\$ 11,000	\$ 11,000	\$ 11,000	\$ 11,000
	Total: Emergency Management	\$ 12,000	\$ 12,000	\$ 11,500	\$ 11,500
	<b>233-REGIONAL DISPATCH SERVICES</b>				
<b>46</b>	Regional Dispatch Expense	\$ 541,506	\$ 487,360	\$ 487,360	\$ 487,360
	Total: Regional Dispatch Services	\$ 541,506	\$ 487,360	\$ 487,360	\$ 487,360
	<b>241-BUILDING DEPARTMENT</b>				
<b>47</b>	Total Salaries	\$ 146,597	\$ 167,959	\$ 168,560	\$ 168,560
<b>48</b>	Total Expenses	\$ 98,615	\$ 111,667	\$ 104,700	\$ 104,700
	Total: Building Department	\$ 245,212	\$ 279,626	\$ 273,260	\$ 273,260
	<b>244-WEIGHTS AND MEASURES</b>				
<b>49</b>	Total Salaries	\$ 7,000	\$ 7,000	\$ 7,000	\$ 7,000
<b>50</b>	Total Expenses	\$ 1,515	\$ 1,515	\$ 500	\$ 500
	Total: Weights and Measures	\$ 8,515	\$ 8,515	\$ 7,500	\$ 7,500
	<b>292-ANIMAL CONTROL</b>				

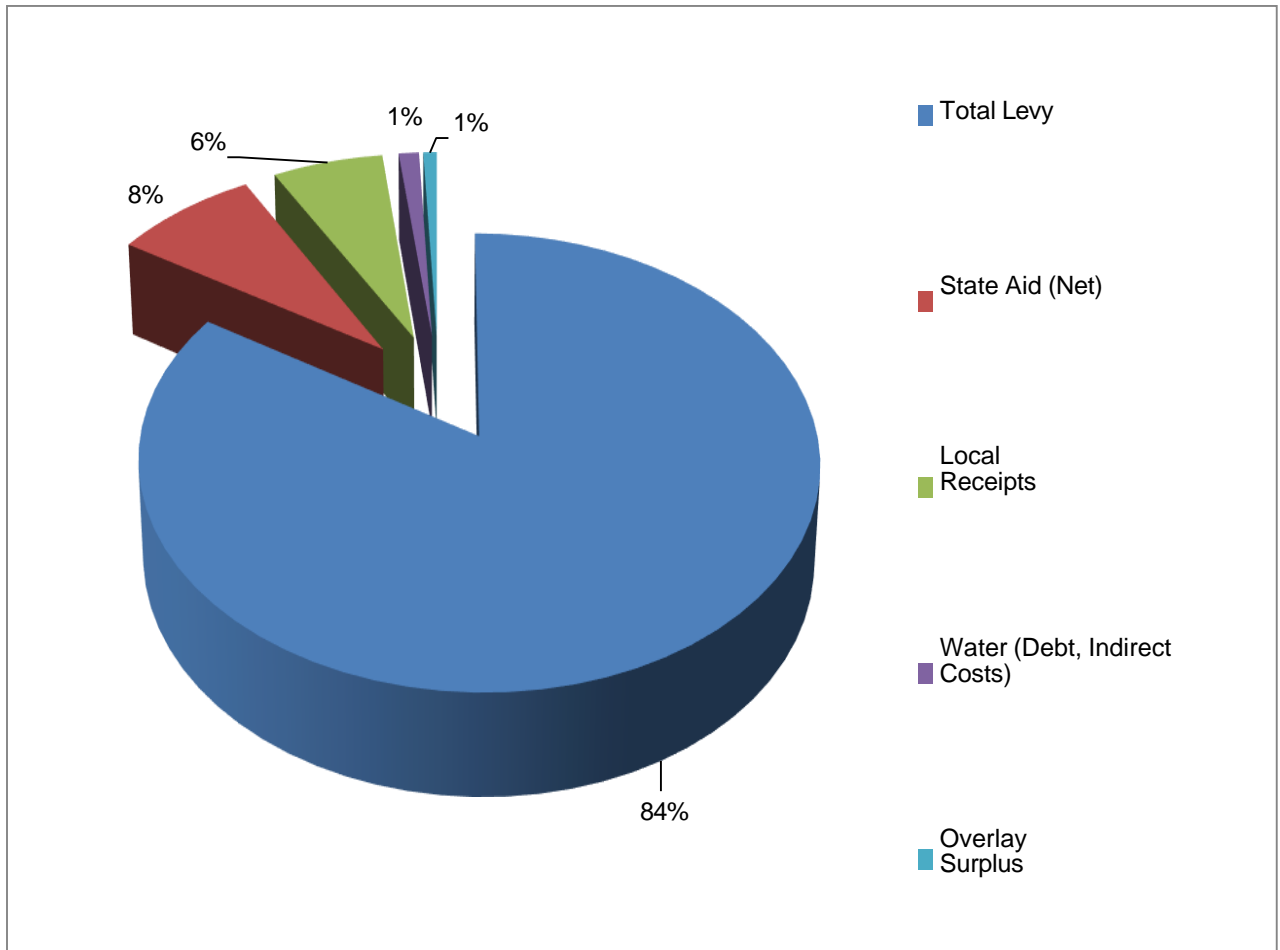
Line item to be voted		FY23 Appropriated	FY24 Requested	FY24 Town Administrator Recommends	FY24 Advisory Board Recommends
51	Total Intergovernmental Salaries	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500
52	Total Intergovernmental Expenses	\$ 19,112	\$ 19,590	\$ 19,590	\$ 19,590
	Total: Animal Control	\$ 20,612	\$ 21,090	\$ 21,090	\$ 21,090
	295-HARBORMASTER				
	Total Salaries	\$ -	\$ -	\$ -	\$ -
53	Total Expenses	\$ 12,500	\$ 12,500	\$ 12,000	\$ 12,000
	Total: Harbormaster	\$ 12,500	\$ 12,500	\$ 12,000	\$ 12,000
	TOTAL PUBLIC SAFETY	\$ 7,217,117	\$ 8,229,362	\$ 7,956,083	\$ 7,956,083
	301-SCHOOL DEPARTMENT				
	School Budget	\$ 31,170,471	\$ 33,041,466	\$ 32,258,997	\$ 32,258,997
54	Total: Norwell School Department	\$ 31,170,471	\$ 32,561,713	\$ 32,258,997	\$ 32,258,997
	390/391-REGIONAL SCHOOLS				
	South Shore Regional School	\$ 578,676	\$ 479,753	\$ 479,753	\$ 479,753
55	Total: Regional School Assessment	\$ 578,676	\$ 479,753	\$ 479,753	\$ 479,753
	TOTAL EDUCATION	\$ 31,749,147	\$ 33,041,466	\$ 32,738,750	\$ 32,738,750
	420-HIGHWAY DEPARTMENT				
56	Total Salaries	\$ 675,728	\$ 779,208	\$ 782,178	\$ 782,178
57	Total Expenses	\$ 312,800	\$ 333,600	\$ 317,500	\$ 317,500
58	Total Snow Removal & Sanding	\$ 273,800	\$ 273,800	\$ 273,800	\$ 273,800
	Total: Highway Department	\$ 1,262,328	\$ 1,386,608	\$ 1,373,478	\$ 1,373,478
	421-TREE & GROUNDS DEPARTMENT				
59	Total Salaries	\$ 427,838	\$ 469,950	\$ 458,369	\$ 458,369
60	Total Expenses	\$ 135,450	\$ 158,600	\$ 153,600	\$ 153,600
	Total: Tree & Grounds Department	\$ 563,288	\$ 628,550	\$ 611,969	\$ 611,969
	424-STREET LIGHTING				
	Total: Expenses	\$ 60,000	\$ 73,000	\$ 65,000	\$ 65,000
61	Total: Street Lighting	\$ 60,000	\$ 73,000	\$ 65,000	\$ 65,000
	450-WATER DEPARTMENT				
62	Total Salaries	\$ 733,707	\$ 780,196	\$ 779,037	\$ 779,037
63	Total Expenses	\$ 802,375	\$ 923,475	\$ 923,475	\$ 923,475
	Total: Water Department	\$ 1,536,082	\$ 1,703,671	\$ 1,702,512	\$ 1,702,512
	491-TOWN CEMETERY				
64	Total Salaries	\$ -	\$ -	\$ -	\$ -
65	Total Expenses	\$ 5,000	\$ 5,500	\$ 5,500	\$ 5,500
	Total: Town Cemetery	\$ 5,000	\$ 5,500	\$ 5,500	\$ 5,500
	TOTAL PUBLIC WORKS (net of Water)	\$ 1,890,616	\$ 2,093,659	\$ 2,055,947	\$ 2,055,947

Line item to be voted		FY23 Appropriated	FY24 Requested	FY24 Town Administrator Recommends	FY24 Advisory Board Recommends
<b>512-BOARD OF HEALTH</b>					
<b>66</b>	Total Salaries	\$ 137,156	\$ 168,961	\$ 150,957	\$ 150,957
	General Expenses	\$ 42,800	\$ 42,300	\$ 38,600	\$ 38,600
	Solid Waste/Semass Disposal Recycling	\$ 1,215,000	\$ 1,210,520	\$ 1,268,960	\$ 1,268,960
<b>67</b>	Total Expenses	\$ 1,257,800	\$ 1,252,820	\$ 1,307,560	\$ 1,307,560
	Total: Board of Health	\$ 1,394,956	\$ 1,421,781	\$ 1,458,517	\$ 1,458,517
<b>541-COUNCIL ON AGING</b>					
<b>68</b>	Total Salaries	\$ 299,149	\$ 351,836	\$ 324,333	\$ 324,333
<b>69</b>	Total Expenses	\$ 41,350	\$ 48,035	\$ 33,702	\$ 33,702
	Total: Council on Aging	\$ 340,499	\$ 399,871	\$ 358,035	\$ 358,035
<b>543-VETERANS SERVICES</b>					
<b>70</b>	Total Salaries	\$ 17,500	\$ 18,000	\$ 18,000	\$ 18,000
<b>71</b>	Total Expenses	\$ 2,500	\$ 2,500	\$ 2,000	\$ 2,000
<b>72</b>	Total Veterans Benefits	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
	Total: Veterans Services	\$ 35,000	\$ 35,500	\$ 35,000	\$ 35,000
<b>TOTAL HEALTH AND HUMAN SERVICES</b>					
		\$ 1,770,455	\$ 1,857,152	\$ 1,851,552	\$ 1,851,552
<b>610-LIBRARY</b>					
<b>73</b>	Total Salaries	\$ 563,758	\$ 576,983	\$ 576,261	\$ 576,262
<b>74</b>	Total Expenses	\$ 263,600	\$ 285,600	\$ 271,500	\$ 271,500
	Total: Library	\$ 827,358	\$ 862,583	\$ 847,761	\$ 847,762
<b>630-RECREATION DEPARTMENT</b>					
<b>75</b>	Total Salaries	\$ 89,963	\$ 100,728	\$ 98,735	\$ 98,735
<b>76</b>	Total Expenses	\$ 17,000	\$ 22,000	\$ 14,000	\$ 14,000
	Total: Recreation Department	\$ 106,963	\$ 122,728	\$ 112,735	\$ 112,735
<b>691- HISTORICAL COMMISSION</b>					
<b>77</b>	Total Expenses	\$ 4,000	\$ 5,000	\$ 4,000	\$ 4,000
	Total: Historical Commission	\$ 4,000	\$ 5,000	\$ 4,000	\$ 4,000
<b>TOTAL CULTURE AND RECREATION</b>					
		\$ 938,321	\$ 990,311	\$ 964,497	\$ 964,497
<b>710-DEBT RETIREMENT</b>					
	Principal - Town	\$ 818,000	\$ 1,060,000	\$ 976,667	\$ 976,667
	Principal - Water	\$ 65,000	\$ 215,000	\$ 215,000	\$ 215,000
<b>751-INTEREST ON LONG TERM DEBT</b>					
	Interest - Town	\$ 346,512	\$ 427,688	\$ 527,688	\$ 527,687
	Interest - Water	\$ 23,850	\$ 21,900	\$ 21,900	\$ 21,900
<b>752-INTEREST ON SHORT TERM DEBT</b>					
	Interest - Town	\$ -	\$ -	\$ -	\$ -
	Interest - Water	\$ -	\$ -	\$ -	\$ -

Line item to be voted		FY23 Appropriated	FY24 Requested	FY24 Town Administrator Recommends	FY24 Advisory Board Recommends
<b>78</b>	<b>Total: Under Levy Debt Service</b>	\$ 1,253,362	\$ 1,724,588	\$ 1,741,254	\$ 1,741,254
<b>710, 751 - DEBT EXCLUSION</b>					
	Middle School Principal	\$ 865,000	\$ -		
	Middle School Interest	\$ 21,625	\$ -		
	Vinal, Cole & High School Principal	\$ 515,000	\$ 505,000	\$ 505,000	\$ 505,000
	Vinal, Cole & High School Interest	\$ 32,765	\$ 17,315	\$ 17,315	\$ 17,315
	Police Station Principal	\$ 250,000	\$ 250,000	\$ 250,000	\$ 250,000
	Police Station Interest	\$ 98,125	\$ 90,625	\$ 90,625	\$ 90,625
	Library Principal	\$ 397,000	\$ 400,000	\$ 400,000	\$ 400,000
	Library Interest	\$ 235,079	\$ 205,015	\$ 205,015	\$ 205,015
<b>79</b>	<b>Total: Debt Exclusion</b>	\$ 2,414,594	\$ 1,467,955	\$ 1,467,955	\$ 1,467,955
<b>TOTAL DEBT SERVICE</b>					
		\$ 3,667,956	\$ 3,192,543	\$ 3,209,209	\$ 3,209,209
<b>911-PLYMOUTH CTY RETIREMENT FUND</b>					
<b>80</b>	<b>Total: Pension Contributions</b>	\$ 3,334,635	\$ 3,778,666	\$ 3,778,666	\$ 3,778,666
<b>913-UNEMPLOYMENT COMPENSATION</b>					
<b>81</b>	<b>Total: Unemployment Compensation</b>	\$ 45,000	\$ 10,000	\$ 10,000	\$ 10,000
<b>914, 915, 916-GROUP INSURANCE</b>					
<b>82</b>	<b>Total: Insurance (Health, Life, Medicare)</b>	\$ 6,385,000	\$ 6,606,350	\$ 6,596,350	\$ 6,596,350
<b>912, 919, 945-TOWN INSURANCE</b>					
<b>83</b>	<b>Total: (Workers Comp, Unclassified, Liability)</b>	\$ 453,000	\$ 541,300	\$ 515,300	\$ 515,300
<b>TOTAL UNCLASSIFIED/EMP BENEFITS</b>					
		\$ 10,217,635	\$ 10,936,316	\$ 10,900,316	\$ 10,900,316
<b>990-TRANSFERS</b>					
<b>84</b>	Transfer to OPEB Trust	\$ 130,000	\$ -		
<b>85</b>	Transfer to Capital Stabilization Fund	\$ -	\$ -		
	<b>Total: Transfers Out</b>	\$ 130,000	\$ -	\$ -	\$ -
<b>TOTAL OTHER FINANCING USES</b>					
		\$ 130,000	\$ -	\$ -	\$ -
<b>SUBTOTAL TOWN OPERATING BUDGET</b>					
		\$ 60,501,401	\$ 63,812,924	\$ 62,873,490	\$ 62,873,492
	Community Preservation Admin	75,000	80,000	80,000	80,000
	Water Department	1,536,082	1,703,671	1,702,512	1,702,512
<b>GRAND TOTAL OPERATING BUDGET</b>		<b>62,112,483</b>	<b>65,596,595</b>	<b>64,656,002</b>	<b>64,656,004</b>

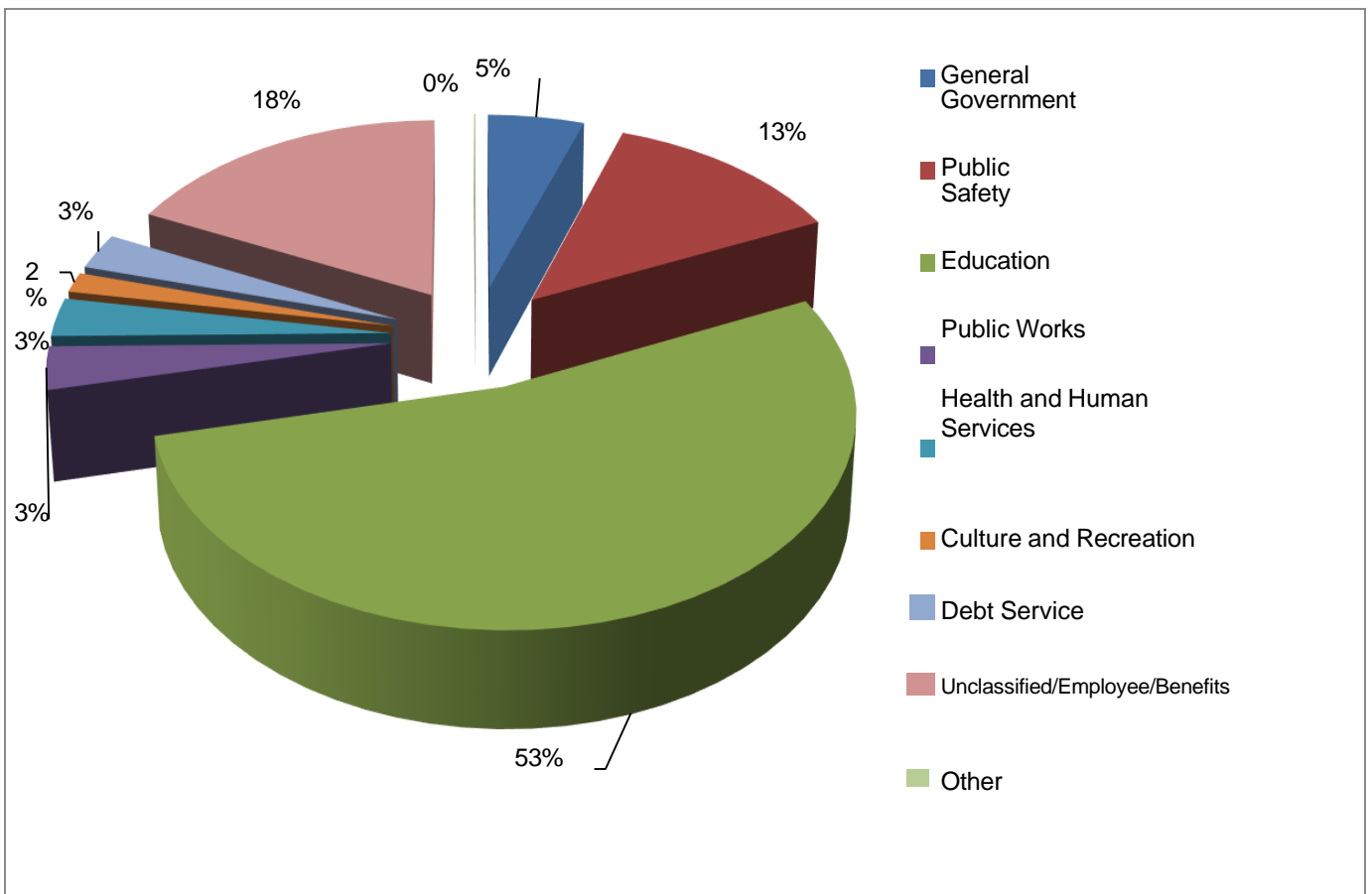
## FY24 BUDGETED REVENUES By Major Category

Levy Limit Prior Year	\$50,155,015	
2.5% Increase	\$1,253,875	
New Growth Estimate	<u>\$450,000</u>	
Total Levy	\$51,858,890	84%
State Aid (Net)	\$4,911,642	8%
Local Receipts	\$3,788,000	6%
Water (Debt, Indirect Costs)	\$694,050	1%
Overlay Surplus	\$460,955	1%
Other	\$40,000	0%
Overlay (Use)	<u>(\$300,000)</u>	0%
Total Revenue	\$61,453,537	100%



## FY24 BUDGETED EXPENDITURES By Major Category

General Government	\$3,197,138	5%
Public Safety	\$7,956,083	13%
Education	\$32,738,750	53%
Public Works	\$2,055,947	3%
Health and Human Services	\$1,851,552	3%
Culture and Recreation	\$964,497	2%
Debt Service	\$1,741,254	3%
Unclassified/Employee Benefits	\$10,900,316	18%
Other	<u>\$48,000</u>	<u>0%</u>
Total Expenditures	\$61,453,537	100%



***FINANCIAL FORECAST Goes here (please delete this comment)***



**ARTICLE 3:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sums recommended, or any other sum or sums, for Capital Outlay as set forth in the following schedule and determine whether such sums will be provided by taxation or by transfer or by a combination of the foregoing, or take any other action relative thereto.

Requested by the Capital Budget Committee

<u>Asset</u>	<u>Cost</u>	<u>Recommended</u>
<b>Schools</b>		
Playground Surface Refinish (Cole)	\$40,000	\$40,000
MS Bleachers New and Repairs	\$35,000	\$35,000
Heating Controls (Cole/Vinal)	\$160,000	\$160,000
Fencing Repairs (Cole/Vinal)	\$50,000	\$50,000
<b>Facilities/COA</b>		
COA-Replace carpet/flooring lower level	\$16,000	\$16,000
New Fire Alarm System	\$20,000	\$20,000
Emergency Button System Installation	\$6,000	\$6,000
<b>Recreation</b>		
Pine Street/Reynolds Playground Court Resurfacing	\$27,000	\$27,000
<b>Council on Aging</b>		
Building Repairs	\$12,000	\$12,000
<b>Fire</b>		
Painting Police/Fire Station Exterior	\$25,000	\$25,000
<b>Select Board/Town Administrator</b>		
Records Management System/Digitize Records	\$70,965	\$70,965
<b>Town Total</b>	<b>\$449,965</b>	<b>\$449,965</b>

**The Advisory Board unanimously recommends this article. They adopted the recommendations of the Capital Budget Committee, which prioritized funding essential items and projects that could be addressed within the limited funds available.**

**ARTICLE 4:** To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to meet obligations for union and personal contracts, said sum to be apportioned by the Finance Director to the applicable line items in Article 2, or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 5:** To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to meet obligations for the compensation schedule under the Personnel Plan, said sum to be apportioned by the Finance Director to the applicable line items in Article 2, or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 6:** To see if the Town will vote to transfer from available funds a sum of money to be added to the Stabilization Fund, as established in accordance with the provisions of M.G.L. Chapter 40 section 5B., or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 7:** To see if the Town will vote to transfer from available funds a sum of money, to be added to the Capital Expenditure Stabilization Fund, as established in accordance with the provisions of M.G.L. Chapter 40 section 5B, or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 8:** To see if the Town will vote to transfer from available funds a sum of money to be added to the Town's Other Post-Employment Benefits (OPEB) Trust Fund to offset the cost of retired employee health insurance, or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board unanimously recommends this article. The OPEB "Other Post Employment Benefits" Trust was established to address the health insurance costs of retirees. The Trust is also funded by the Town's meals tax surcharge and through an**

**annual operational appropriation.**

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**ARTICLE 9:** To see if the Town will vote to approve the amended South Shore Regional Vocational School District Regional Agreement which is on file with the Town Clerk's office or take any other action relative thereto.

Requested by the School Committee

**The Advisory Board unanimously recommends this Article. Amendments include welcoming Marshfield as a member of the SSRVT and housekeeping items within the agreement.**

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**ARTICLE 10:** To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$20,000 to purchase a town-wide mapping software system (GIS), or take any other action relative thereto.

Requested by the Town Administrator

**The Advisory Board unanimously recommends this Article.**

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**ARTICLE 11:** To see if the Town will vote to repurpose and/or reallocate the remaining funds in various Town Hall related articles for the purpose of consolidating the accounts into one Town Hall Improvements account, or take any other action relative thereto.

Requested by the Select Board

**The Advisory Board will make its recommendation at Town Meeting once the remaining balance amounts are determined.**

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**ARTICLE 12:** To see if the Town will vote to raise and appropriate or appropriate from available funds, the sum of \$200,000, to be expended under the direction of the Highway Surveyor for engineering, installation and/or maintenance of street and related drainage, along Town public streets and ways, or take any other action relative thereto.

Requested by the Highway Surveyor

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 13:** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of \$250,000 to be expended under the direction of the Highway Surveyor, for resurfacing and related construction and maintenance of public streets and ways, or take any other action relative thereto.

Requested by the Highway Surveyor

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 14:** To see if the Town will vote to raise and appropriate a sum of money, or transfer from available funds, the sum of \$10,000 to be expended under the direction of the Highway Surveyor for the purpose of complying with the EPA's MS4 (Municipal Separate Stormwater Sewer System) Stormwater Compliance General Permit, or take any other action relative thereto.

Requested by the Highway Surveyor

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 15:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money in anticipation of full (100%) reimbursement by the Commonwealth of Massachusetts of Chapter 90, Acts of 2008, one apportionment for State and Highway purposes under the provisions of M.G.L. Chapter 90 section 34, clause 2(A), work on highways, to be expended under the direction of the Highway Surveyor, or take any other action relative thereto.

Requested by the Highway Surveyor

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 16:** To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide \$150,000 to be expended under the direction of the Highway Surveyor for the purpose of debris removal and Highway Yard facility rehabilitation, or take any other action relative thereto.

Requested by the Highway Surveyor

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 17:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$10,000 or any other sum, to be expended on town-wide safety infrastructure related to improving traffic safety and traffic calming measures signage as well as related maintenance and also installation, maintenance, and replacement of missing public and private street signs under the jurisdiction of the Highway Surveyor, or take any other action relative thereto.

Requested by the Highway Surveyor, Fire Department and Police Department

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 18:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$100,000, for emergency tree work on town roadways, right of ways, and conservation land to remove imminent hazards to public safety, to be expended under the direction of the Highway Surveyor, or take any other action relative thereto.

Requested by the Highway Surveyor

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 19:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$85,000, or any other sum of money to the Conservation Fund, to be expended under the direction of the Conservation Commission, for the purposes of maintaining, improving, protecting, or otherwise conserving and properly utilizing open spaces, pursuant to M.G.L. Chapter 40, Section 8C, or take any other action relative thereto.

Requested by the Conservation Commission

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 20:** To see if the Town will vote to authorize the Superintendent of Norwell Public Schools, with the approval of the Select Board, to enter into Memorandum(s) of Understanding ("MOU") with the Department of Children and Families, the Executive Office of Health and Human Services and the Department of Elementary and Secondary Education in order to obtain Federal Title IV-E reimbursement(s) for foster care transportation and to provide that payments for such foster care transportation under such MOU(s) may be made from such reimbursement(s) as a result of the foster care transportation being performed without appropriation of said reimbursement(s), pursuant to Massachusetts General Law, Chapter 44, Section 70, or take any other action relative thereto.

Requested by the School Committee

**The Advisory Board unanimously recommends this article. This Article would allow for Norwell Public Schools to enter into agreements with the cited State agencies in order to seek Federal reimbursement for costs for transporting children in foster care to their school of origin (which is mandated by Federal law) and allow for such reimbursement to be applied to the costs of such transportation without further appropriation.)**

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**ARTICLE 21:** To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of \$54,000 to be expended for ongoing School Safety/Security and Repairs/ Maintenance to school facilities, or take any other action relative thereto.

Requested by the School Committee

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 22:** To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 44B, to reserve from Community Preservation Fund FY2024 revenues the sum of \$160,000 for the creation, preservation and support of affordable housing; to reserve the sum of \$160,000 from Community Preservation Fund FY2024 revenues for the acquisition, preservation and restoration of historic resources; and to reserve the sum of \$160,000 of money from the Community Preservation Fund FY2024 revenues for the acquisition, creation, and preservation of open space, or take any other action relative thereto.

Requested by the Community Preservation Committee

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 23:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$75,000 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, to improve and make accessible a picnic area, ADA dock access, and trail improvements along the North River at Masthead Drive, or take any other action relative thereto.

Requested by the Community Preservation Committee and Recreation Department

**The Advisory Board unanimously recommends this Article.**

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**ARTICLE 24:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$200,000 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, and transfer said sum to the Conservation Commission for acquisition, creation and preservation of open space and/or acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, or take any other action relative thereto.

Requested by the Community Preservation Committee and Recreation Department

**The Advisory Board unanimously recommends this Article.**

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**ARTICLE 25:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$80,000 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, to complete the final phase of the Donovan Fields parking lot, or take any other action relative thereto.

Requested by the Community Preservation Committee, Open Space Committee and Recreation Department

**The Advisory Board unanimously recommends this Article.**

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**ARTICLE 26:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$125,000 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, to construct a precast sports rebound wall near the path walk to the Middle School back fields, or take any other action relative thereto.

Requested by the Community Preservation Committee and Recreation Department

**The Advisory Board voted 5 to 3 to not recommend this article, with the recommendation to consider another building material and/or this was not a necessity.**

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**ARTICLE 27:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$75,000 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, to rehabilitate the Whiting Fields at the Carleton Property, or take any other action relative thereto.

Requested by the Community Preservation Committee

**The Advisory Board voted 5 to 3 to not recommend this article, expressing the opinions they believed there would not be a negative impact to the farmer if this does not pass, and that the party leasing the fields should pay for improvements of benefit to them.**

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**ARTICLE 28:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$130,000 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, to create a paved performance plaza at Gaffield Park, or take any other action relative thereto.

Requested by the Community Preservation Committee and Recreation Department

**The Advisory Board voted 6 to 2 to not recommend this article, the majority felt this was not a necessity at this time.**

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**ARTICLE 29:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$100,000 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, and transfer said sum to the Norwell Community Housing Trust or the acquisition, creation, preservation and support of community housing, or take any other action relative thereto.

Requested by the Community Preservation Committee and Community Housing Trust.

**The Advisory Board voted to favorably recommend this article.**

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**ARTICLE 30:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$66,392 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, and transfer said sum to the Norwell Historical Commission for the acquisition, preservation, rehabilitation and restoration of the apartment at the historic Jacobs Farmhouse, or take any other action relative thereto.

Requested by the Community Preservation Committee and Norwell Historical Commission

**The Advisory Board voted to favorably recommend this article.**

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**ARTICLE 31:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$414,512 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, and transfer said sum to the Norwell Historical Commission for the preservation, rehabilitation and restoration of the Jacobs Farmhouse and outbuildings on the historic Jacobs Farm, or take any other action relative thereto.

Requested by the Community Preservation Committee and Norwell Historical Commission

**The Advisory Board unanimously recommends this Article.**

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**ARTICLE 32:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$11,680 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, for historic purposes to perform a survey using non-invasive ground penetrating radar to identify and record burial sites and layout for the restoration of the Washington Street Cemetery records, or take any other action relative thereto.

Requested by the Community Preservation Committee and the Cemetery Committee.

**The Advisory Board unanimously recommends this Article.**

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**ARTICLE 33:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$92,500 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, and transfer said sum to the Norwell Historical Commission for the preservation, rehabilitation and restoration of the historic Cushing Center in Norwell Center, or take any other action relative thereto.

Requested by the Community Preservation Committee and Norwell Historical Commission.

**The Advisory Board unanimously recommends this Article.**

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**ARTICLE 34:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$228,480 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, and transfer said sum to the Norwell Historical Commission for the acquisition, preservation, rehabilitation and restoration of the exterior of the historic Norwell Grange Building on Main Street, and further to accept a Historic Preservation Restriction, on terms and conditions acceptable to the Town of Norwell, or take any other action relative thereto.

Requested by the Community Preservation Committee and Norwell Historical Commission.

**The Advisory Board voted 5 to 3 in favor of this article. If funding is approved, an agreement between the Grange and the Town would require that all CPC funds be repaid if the building is sold.**

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**ARTICLE 35:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$13,340 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, to continue Phase 2 of the restoration of several deteriorating, historic gravestones at First Parish Cemetery in collaboration with the First Parish Cemetery Association, and further to authorize the acceptance of a historic preservation restriction or application, or take any other action relative thereto.

Requested by the Community Preservation Committee

**The Advisory Board unanimously recommends this Article.**

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**ARTICLE 36:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$40,000 or any sum of money from the Community Preservation Fund, based on the recommendation of the Community Preservation Committee pursuant to M.G. L. Chapter 44B, and transfer said sum to the Norwell Historical Commission for the acquisition, preservation, rehabilitation and restoration of historic stonewalls along Main Street in Norwell on town owned properties, or take any other action relative thereto.

Requested by the Community Preservation Committee

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 37:** To see if the Town will vote to raise and appropriate, transfer, or borrow the sum of \$20,000 to hire one or more consultants to assist or to otherwise assist the Town with complying with the MBTA Community requirements of MGL c.40A, §3A, or to take any other action relative thereto.

Requested by the Select Board/Planning Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 38:** To see if the Town will vote to amend the Norwell Town Code as follows to allow the appointment of an associate planning board member to sit on special permit applications when a full member is disqualified (due to absence or conflict):

1. Amend Norwell Town Code, Division 2: General Bylaw, Part 1: Town Government and Administration, Chapter 3 Elected Officials, §3-7, Planning Board, subsection A. to add the following new sentence at the end of the subsection A as follows:

There also shall be one associate member for the Planning Board as provided for under G.L. c.40A, §9 and under the Zoning Bylaw.

And

2. Amend Norwell Town Code, Division 3: Zoning Bylaw, Part 1, Administration and Procedure, Chapter 201, Zoning Article 1, Purpose, Authority and Definitions, by adding the following new §201-1.3 as follows:

**§201-1.3. Planning Board**

The Planning Board shall consist of five elected full members and one appointed associate member; and the associate member shall be appointed by the Select Board and the Planning Board at a joint meeting, by majority vote for a term not more than three years.

or take any other action relative thereto.

Requested by the Planning Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 39:** To see if the Town will vote to amend Norwell Town Code, Division 3: Zoning Bylaw, Part 2, District Regulations, Article 9 Intensity of Use Regulations by adding a new §201-9.7 Retreat Lots set forth below, and further, that the Town Clerk be authorized to make clerical, editorial, numerical or other adjustments to effectuate the purposes hereof, or take any other action relative thereto.

§201-9.7. Retreat Lots.

§201-9.7.1 Purpose.

The purpose of this provision shall be to allow the as of right use of a large amount of backland for a single-family residential dwelling provided the land satisfies the minimum criteria set forth below for construction and use of one single-family dwelling unit even though the land does not have the full frontage normally required under the Zoning Bylaw.

§201-9.7.2 Criteria

- a. The land shall be located in the Residence A District or the Residence B District.
- b. The land shall have a minimum of two acres, exclusive of any of the land that will be used for access (the "Access Area").
- c. The land shall have a minimum of one acre of upland, exclusive of the Access Area.

- d. The land shall have a minimum of 40 feet of frontage (which provides physical access and is not blocked by water, a wetland, topography that prevents passage or a physical barrier such as DOT or Town guardrail).
- e. The Access Area shall mean the area between the private or public way that provides frontage and point at which the lot widens to 150 feet or more and which also shall provide physical access to the building portion of the lot and shall not be blocked as described above.
- f. The Access Area shall have a minimum of 40 feet of width until reaching the point where the property widens to a minimum of 150 feet or more.
- g. The paved width of the traveled portion of the Access Way shall be a minimum of 12 feet.
- h. Not more than one single-family dwelling shall be allowed on a retreat lot; however, an Accessory Dwelling Unit may be added if it satisfies the criteria of the Zoning Bylaw.
- i. No retreat lot shall abut the Access Area of any other Retreat Lot, unless a common driveway is approved.

Requested by the Planning Board.

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 40:** To see if Town will vote to amend the Norwell Town Code, Division 3: Zoning Bylaw, Part 4, Special Regulations, Article 19 Aquifer Protection District, §19.7 Prohibited uses by deleting the first sentence of Town Code §201-19.7 Prohibited uses "O". as set forth below:

- O. (current) The rendering impervious of more than 15% of any lot or 2,500 square feet of any lot, whichever is greater, unless a system of ground water recharge of precipitation is provided that will not result in degradation of groundwater.  
and substituting, therefore, the following new sentence:
- O. (amended) The rendering impervious of more than 15% of any lot or 2,500 square feet of any lot, whichever is greater, unless a system of ground water recharge of precipitation is provided that will not result in degradation of groundwater, and with the determination, as to whether the recharge system is sufficient, to be made by the Planning Board following an administrative review (at a public meeting, but with no public hearing required), and with peer review at the applicant's expense to be provided, as necessary at the discretion of the Planning Board.

or take any other action relative thereto.

Requested by the Planning Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 41:** To see if Town will vote to amend the Norwell Town Code, Division 3, Zoning Bylaw, Part 4, Special Regulations, Article 24, Village Overlay District, by deleting the current Article 24 Village Overlay District and substituting therefore the following new Article 24 Village Residential Overlay District as set forth below, and further, that the Town Clerk be authorized to make clerical, editorial, numerical or other adjustments to effectuate the purposes hereof, or take any other action relative thereto.

**ARTICLE 24**  
**Village Residential Overlay District**

**§201-24.1. Purpose.**

The purpose of the Village Residential Overlay District (VROD) is to allow and encourage:

- A. Dwelling units for occupancy by individuals 55 years of age or older; and
- B. Mixed and diverse varieties of housing, including single-family, town-house and multi-family housing;
- C. Affordable housing; and
- D. Development that conserves environmental features, woodlands, wet areas, open space, areas of scenic beauty, views and vistas to the greatest extent feasible.

**§201-24.2. Applicability.**

The VROD shall be an overlay district within the Residential District A and all requirements of the underlying Residential District A shall remain in full force and effect, except where VOD provisions are explicitly different and allow different dimensions, uses and structures that would not otherwise be available in the Residential District A; and, in such cases, the VROD provisions may supersede the Residential District A requirements but only upon the issuance of a special permit from the Planning Board.

**§ 201-24.3. Land included.**

The VROD shall include all land within Residential District A.

**§ 201-24.4. Definitions.**

**APPLICANT** — Any person(s), including a corporation or other legal entity, who applies for issuance of a special permit for construction of a VROD Development hereunder.

The Applicant shall own or be the beneficial owner of all the land included in the proposed VROD Development or have written assent from all of the owner(s) of record for the subject property in order to submit the application.

**BEDROOM** — A separate room in a dwelling unit intended for, or which customarily could be used for, sleeping.

**BUFFER** — An area within a VROD Development which may not be cleared, cut, developed or otherwise disturbed except as provided upon issuance of a special permit by the Planning Board hereunder.

**DEVELOPMENT SCHEDULE** — A schedule showing the order and timing of construction and

sequencing of the improvements to be built or furnished in the VROD Development, separated into phases, if allowed under a special permit issued by the Planning Board.

REGULATIONS — The rules and regulations of the Planning Board.

UPLAND — All land not defined as wet areas.

VILLAGE RESIDENTIAL OVERLAY DEVELOPMENT (VROD Development) — A residential development with age-restricted and affordable dwelling units and permissible accessory uses authorized by special permit from the Planning Board as set forth herein.

WET AREAS — All land, other than wetland buffer zones, subject to the provisions of the Massachusetts Wetland Protection Act, MGL c. 131, §§ 40 and 40A, and the Town of Norwell Wetlands Bylaw.

#### **§201-24.5. Use restrictions.**

A VROD Development, consisting of the uses set forth below, individually or in combination, may be authorized by a special permit issued by the Planning Board pursuant to this article and in compliance with the standards set forth herein:

- A. Attached or detached dwelling units owned and occupied by persons aged 55 and over; provided, however, that one spouse may be under 55.
- B. Structures and uses accessory to the use set forth above, including community buildings serving the residents of the VROD Development; recreational facilities; underground utilities located on a lot not serving the dwelling units but on the subject property; and roadways.

#### **§201-24.6. Application for special permit.**

An application for a special permit for construction of a VROD Development within the VROD shall be submitted to the Planning Board on forms furnished by the Planning Board, accompanied by the filing fee determined in accordance with the Planning Board's rules and regulations, and shall include the information and data, and a development plan as described below:

- A. All of the information required for site plan approval pursuant to Zoning Bylaw §201-3.4B.
- B. The name(s) and address(es) of the Applicant(s).
- C. The name(s) and address(s) of all legal and beneficial owners of the property.
- D. Copies of all instruments, options, contracts or encumbrances affecting ownership of the subject property; and an instrument executed by all persons owning property within the subject property consenting to the VROD.
- E. Development application for the property.
- F. A proposed development schedule showing the beginning of construction, the rate of construction, including any proposed phases, and the estimated date of completion.
- G. A narrative prepared by qualified professionals that details the impact of the development on the Town's capacity to furnish services, including, but not limited to, roads, water, sanitation and drainage.
- H. Information regarding the number and kind of dwelling units (single-family, townhouse, multi-family) and accessory structures proposed, their design, their

location, the number of bedrooms, the sale prices and fees anticipated and population projections pertaining thereto.

- I. Areas to be set aside for building structures and parking areas.
- J. Conservation, recreation easements and other easements.
- K. Information regarding the proposed trust instrument that shall own and be responsible for operation, maintenance, repair and replacement of common infrastructure, including the accessways, drainage, septic, irrigation, and other common areas.
- L. Copies of all proposed deed restrictions to assure permanent resale of the required units at affordable prices.
- M. Any other information that the Planning Board may reasonably require in a form acceptable to it to assist the Board in determining whether the Applicant's proposed development plan meets the objectives of this article.

#### **§201-24.7. Standards.**

In order to be eligible for consideration for a special permit to construct a VROD Development pursuant to this article, a proposed VROD Development shall meet all of the following criteria and standards:

##### **A. Qualifying Area.**

The VROD property shall be located within the VROD and shall contain at least 10 contiguous upland acres.

##### **B. Density Bonus**

A VROD Development property shall provide at least one acre of upland per proposed dwelling unit plus a VROD density bonus ranging from 30% to 80%, at the Planning Board's discretion. When the bonus calculation results in a fraction, the value shall be rounded up to the nearest whole number. All other numbers shall be rounded down to the nearest whole number.

Example:

A VROD Development with 10 acres of upland would have a base of 10 units plus at least a 30% density bonus (i.e., a minimum of 3 bonus units for an allowed total of 13 units.

##### **C. Determination of Density Bonus.**

The Planning Board shall determine the allowed density bonus by exercising its discretion based upon the special permit criteria and how well they are satisfied.

##### **D. Existing Dwellings.**

Existing dwellings on the VROD Development property may be incorporated into a proposed VROD Development; however, the existing units shall count toward the density calculation.

##### **E. Minimum Open Space.**

At least 35% of all upland contained within the VROD Development Property shall be open space,

which upon completion of a VROD Development shall be left in its natural vegetated state in perpetuity. A permanent restriction enforceable by the Town shall be recorded against the VROD Development property before any clearing begins or any building permit issues that provides that the open space shall perpetually be kept in an open or natural state. Subsurface wastewater and storm water management systems serving the VROD Development may be located within the open space, provided that a sufficient open space buffer exists to adequately screen the development from abutting properties in accordance with Section 201-24.7.D hereof..

F. Buffer.

A buffer area of not less than 75 feet shall be provided at the perimeter of the VRD site where it abuts residentially zoned or occupied properties or a roadway sufficient to substantially limit the visibility of the VRD from outside its perimeter; provided, however, the buffer may be reduced to not less than 50 feet upon a finding by the Planning Board that suitable screening can be provided. An access way may be placed within the buffer but with suitable screening at the discretion of the Planning Board.

Upon completion of a VROD Development, no vegetation in the Buffer Area may be disturbed, destroyed or removed, except for normal maintenance. . Fencing and/or staggered rows of evergreens may be used to screen the dwellings. Undergrowth also planting may be added to supplement the Buffer Area.

G. Roadways and paths.

VROD Development roadways that are intended to become public ways shall satisfy all of the Planning Board's Subdivision Regulations. If a restrictive covenant is provided to prohibit the ways from becoming public (enforceable by the Town), then the regulations may be waived and the ways shall be designed to be adequate for the intended vehicular and pedestrian traffic and shall be maintained by an association of unit owners or by the Applicant. Paths for the use of residents shall be attractively designed with proper regard for convenience, separation of vehicular, bicycle and pedestrian traffic, and access to the amenities and facilities on the site and to paths on adjacent sites.

G. Parking.

The Applicant shall provide adequate parking to serve all anticipated uses on the property, with information detailing the method of computation of parking spaces.

H. Surface drainage.

The stormwater drainage system for the VROD Development shall be designed in accordance with the Subdivision Regulations of the Planning Board, the rules and shall conform to DEP's Stormwater Management Policy and Design Guidelines as amended The Planning Board may require groundwater mounding analyses at its discretion.

I. Utilities.

All electric, gas, telephone, cable, fiber optic, water distribution and similar lines shall be placed underground.

J. Dwelling Units on a Lot.

The development of one or more dwelling units on a lot or lots shall be permitted in an application to construct a VROD Development. Dwelling units may be situated on any common or individual lot consistent with the overall design objectives of the VROD; provided, however, that such dwelling units shall comply with the provisions of the State Building Code, State Fire Code and State Sanitary Code, 310 CMR 15.00, any other applicable state regulations and also shall comply with the local requirements of the Norwell Board of Health.

#### **§201-24.8. Review fees.**

The Planning Board may engage, at the expense of the Applicant, professional, technical and/or legal consultants to review an application for a special permit within the VROD Development and to evaluate compliance with the special permit criteria.

#### **§201-24.9. Affordable units.**

- A. At least 10% (and up to 20% based upon the Planning Board's sole discretion) of the dwelling units shall be priced and permanently restricted for qualified affordable housing purchasers and qualify as Local Action Units for inclusion in the Town's Subsidized Housing Inventory maintained by the Department of Housing and Community Development. Where this calculation that results in a fraction, the value shall be rounded up to the nearest integer value. Example if there are 17 total dwelling units then 10 percent of the 17 units (i.e., 1.7 units, rounded up to 2 units) shall be permanently restricted as affordable units to a household earning 80% of the Area Median Income, as determined by HUD and DHCD.
- B. The rate of development of affordable dwelling units and market-rate housing built in any one year shall be equivalent to the overall rate of development for the entire VROD Development.
- C. Deed restrictions, acceptable to the Town and established in accordance with the standards of DHCD, shall be placed on the appropriate Dwelling Units to ensure that the affordable housing units created remain affordable housing units in perpetuity, or for as long a period as is allowed by law.
- D. Dwelling units shall be considered as part of a single development if located either on a single parcel or contiguous parcels of land which have been in the same ownership at any time subsequent to the adoption of this zoning amendment.
- E. Regulations. The Planning Board may adopt and maintain a set of regulations that contain the necessary policies, procedures, and requirements to implement the provisions of this bylaw.
- F. Affordable dwelling units shall be situated within the VROD so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units.
- G. Affordable dwelling units shall be integrated with the rest of the VRD and shall be compatible in design, appearance, construction, and quality of materials with other units to the extent that such a requirement is consistent with MGL c. 40A, § 3. Interior features and mechanical systems of affordable units shall conform to the same specifications as apply to market-rate units.
- H. With the approval of the Planning Board, as an alternative to the requirements of § 201-24.9F, an applicant may develop, construct or otherwise provide affordable dwelling units off-site, but within the Town, provided that the affordable units are equivalent in size and quality to the on-site units and that are double the number of units required to be included on site and provided that all of the off-site affordable units are constructed and have occupancy permits before the second half of building permits are issued for the on-site project. § 201-24.9A. To the maximum extent practicable, all requirements



that apply to on-site affordable dwelling units shall apply to off-site affordable dwelling units. The Planning Board's approval of the location of the off-site units shall be an integral element of the special permit review and approval process.

- I. Each affordable dwelling unit created in accordance with this article shall be subject to an affordable housing restriction (deed rider) and a regulatory agreement in a form acceptable to the Planning Board and to Town Counsel and to DHCD. The regulatory agreement shall be consistent with any applicable guidelines issued by DHCD and shall ensure that affordable dwelling units can be counted toward the Town's subsidized housing inventory as Local Action Units. The regulatory agreement shall also address all applicable restrictions set forth herein. The special permit shall not take effect until the restrictions, the regulatory agreement, and the special permit have been duly recorded at the Registry of Deeds, and a copy provided to the Planning Board and the Building Inspector/Zoning Enforcement Officer and DHCD.
- J. Each affordable dwelling unit shall have limitations governing its resale through the use of a regulatory agreement (See, § 201-24.9I above). The purpose of the limitations is to preserve the permanent affordability of the units and to ensure the continued availability of the units for affordable income households. The resale controls shall be established through a restriction on the property, and shall be in force in perpetuity.
  - (1) Resale price. Sales subsequent to the initial sale to a qualified affordable housing purchaser shall include the initial discount rate between the sale price and the unit's appraised value at the time of resale. This percentage shall be recorded as part of the restriction on the property noted in § 201-24.9I above.
  - (2) Right of first refusal to purchase. The purchaser of an affordable dwelling unit developed as a result of this article shall agree to execute a deed rider prepared by the Town, consistent with model riders prepared by DHCD, granting, among other things, the Town's right of first refusal to purchase the property in the event that no subsequent qualified affordable housing purchaser offers to purchase the unit. The Town shall have the right but not the obligation to purchase the unit, but, if the Town does not purchase the unit, the affordability provision shall remain in force and effect.
  - (3) The Planning Board shall require, as a condition for any special permit relief granted under this bylaw, that the Applicant shall comply with the mandatory set-asides and accompanying restrictions on affordability, including the execution of the deed rider noted in § 201-24.9I and J above. The Building Inspector/Zoning Enforcement Officer shall not issue any building permits until the required affordability instruments are recorded.

#### **§201-24.10. Grant of special permit.**

The Planning Board by affirmative vote of 4/5 of its members present and voting may grant a special permit for a VRD upon finding that the proposed VRD complies with the requirements of this article. The Planning Board shall not grant a special permit unless it determines that all criteria set forth herein are satisfied. The special permit may be granted with such reasonable conditions, regulations or limitations as the Planning Board may deem necessary to serve the purpose of the bylaw.

#### **§201-24.11. Expiration of special permit.**

Special permits shall lapse in not fewer than three years, as determined by the Planning Board.

#### **§201-24.12. Public hearing.**

Special permits shall only be issued following a public hearing held in accordance with this bylaw provision and Zoning Bylaw § 201-3.3C.

### **§201-24.13. Modification.**

No structure created within a VROD shall be externally enlarged by more than 200 square feet and no use changed or expanded in the ground except upon approval of the Planning Board and subject to the provisions of §§ 201-24.4 through 201-24.12.

Requested by the Planning Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 42:** To see if the Town will vote to amend Norwell Town Code, Division 3: Zoning Bylaw, Part 1, Administration and Procedure, Chapter 201, Zoning, Article 1, Purpose, Authority and Definitions and Part 2, District Regulations, Article 9 Intensity of Use Regulations, as follows:

1. Section 201-1.2. Definitions shall be amended by deleting the definition of “STRUCTURE. A,” which reads as follows:

#### **STRUCTURE –**

~~A. Anything constructed or erected, the use of which requires a fixed location on the ground or attached to something located on the ground, including tennis courts, and an artificial or a constructed swimming pool having a depth of water of two feet, but excluding a fence, boundary wall, public utility pole, public utility supporting a device or a structure with less than 64 square feet ground coverage and a height of less than seven feet.~~

and by substituting the following new definition:

#### **STRUCTURE –**

- A. The term “Structure” shall mean any physical thing that is constructed or erected and that requires a fixed location on the ground and shall mean any physical thing that is attached to something that requires a fixed location on the ground.
  - i. A Structure shall include every type of building or other physical arrangement that gives shelter, including, but not limited to, dwellings, commercial buildings, garages, sheds and farm structures such as barns, chicken coops (including movable coops) and other animal enclosures, silos and storage infrastructure.
  - ii. A Structure shall include the following types of infrastructure: a basketball court, a tennis court, a bocci court (or any other similar type of athletic infrastructure), an artificial (i.e., physically constructed) pool that has a depth of water of two feet or more and any other similar infrastructure.
  - iii. A Structure shall include the siting of HVAC infrastructure and the siting of a generator.

- iv. A Structure shall exclude the following types of infrastructure a boundary wall or retaining wall with less than four feet of height, a chimney, a driveway, a fence with less than seven feet of height, a flagpole, a patio, a public utility pole, a public utility supporting device and similar devices, and a walkway.
- and by adding the following new definition:

**Structure, Small Detached Accessory.** A Small, Detached, Accessory Structure shall mean a Structure that is not attached to a primary Structure and that has 64 or fewer square feet of ground coverage and has a height of less than seven feet and that is used or to be solely as a storage shed or a playhouse or a similar use; however, such a Structure shall be subject to a setback requirement of only a minimum of five feet from any adjacent boundary line.

AND

2. Section 201-9.4. Required Yards. B. Side and rear yards shall be amended by deleting subsection (1) which reads as follows:

and by substituting therefore the following new subsection (1):

- (1) In Residential Districts A and B, any Structure, as defined under §201-1.2, shall maintain a minimum setback of 20 feet from any side or rear line. However, a Structure that has existed since July 7, 1995 may have an addition to it erected or placed that is located less than 20 feet but shall be a minimum of 10 feet, from a sideline. Furthermore, in the Residential District B, where abutting the Business District B-5 at the westerly boundary (measuring 950.80 feet), a Structure shall maintain a minimum setback of 25 feet. Furthermore, in the Residential Districts A and B, any Small Accessory Detached Structure, as defined under §201-1.2, shall be required to maintain a minimum setback of five feet from any adjacent boundary line.
3. and further, that the Town Clerk be authorized to make clerical, editorial, numerical or other adjustments to effectuate the purposes hereof,

or to take any other action relative thereto.

Requested by the Planning Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 43:** To see if the Town will vote to amend the Norwell Town Code, Division 3: Zoning Bylaw, Chapter 201, Part 2 District Regulations, Article 8 District Regulations, by amending Section 201-8.1.D(f) Accessory Dwelling Units (ADU) as follows:

1. By renumbering the current Section 201-8.1.D(f) as Section 201-8.1.E and re-lettering the internal sections accordingly and renumbering the subsequent Sections accordingly.
2. By amending Subsection 201-8.1(former D, now E).b, by inserting after the words “per lot” the following: “(which shall have a minimum of one-acre of upland)”.

3. By amending Section 201-8.1.(formerly D, now E)[2] by adding after the words “as of right” in the second sentence the following: “, subject to administrative site plan review as set forth below,”

4. By amending Section 201-8.1(formerly D, now E)[2](h) by.  
Deleting the current (h), which provides as set forth below:

h. A Detached ADU shall be designed so that, to the maximum extent practical, the appearance of the property on which it is to be located remains that of a single-family residential property and shall satisfy all applicable setbacks and shall not be located in front of the principal dwelling and any addition or new construction shall be consistent in design with the principal single-family dwelling, considering the following: architectural details, roof design, building spacing and orientation, door and window location and building materials;

and substituting the following (h):

h. A Detached ADU shall be designed so that, to the maximum extent practical, the appearance of the property on which it is to be located remains that of a single-family residential property and shall satisfy all applicable setbacks, with the Detached ADU to be subject to administrative site plan review by Planning Board before a building permit issues. The Planning Board shall review whether the Detached ADU shall be consistent in design with the principal single-family dwelling and shall consider the following elements: architectural details, roof design, building spacing and orientation, door and window location and building materials.

5. and further, that the Town Clerk be authorized to make clerical, editorial, numerical or other adjustments to effectuate the purposes hereof, or take any other action relative thereto.

Requested by the Planning Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 44:** To see if the Town will vote to amend the Norwell Town Code, Division 3: Zoning Bylaw, Chapter 201, Part 2 District Regulations, Article 8, District Regulations,

1. by adding the following:  
§201-8.E(c). Any property that received and properly exercised a special permit from the Zoning Board of Appeals to allow an accessory dwelling unit may convert the special permit unit to an as of right unit provided that the unit is determined by the Building Official to satisfy all of the requirements of this section (including, but not limited to, minimum parking requirements), except that the unit may be converted to an as of right unit even though it exceeds 900 sf.
2. And further, that the Town Clerk be authorized to make clerical, editorial, numerical or other adjustments to effectuate the purposes hereof, or to take any other action relative thereto.

Requested by the Planning Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 45: Solar Article**

To see if the Town will vote to revise the Norwell Town Code, Division 3, Zoning Bylaw, Chapter 201 Zoning, Part 1, Article 1, Purpose, Authority and Definitions and Part 4, Article 22, Solar Photovoltaic Overlay District (SPOD) as follows:

- 1. Amend Article 1, Purpose, Authority and Definitions, by deleting the term GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS and all subparts A to C in their entirety; and,**
- 2. Amend Article 22, Solar Photovoltaic Overlay District (SPOD), by deleting same and substituting therefore the following:**

**Article 22 Solar Energy System Installations**

**§201-22.1 Purposes.**

The purposes of this bylaw shall be to promote and reasonably regulate the installation of Solar Energy Systems as defined herein and as required under GL c.40A, §3, ¶9 and to authorize such installations:

- (a) by providing standards for the approval, placement, design, construction, operation, monitoring, modification, replacement and removal of such installations to protect the public health, safety, welfare, including the protection and preservation of Town infrastructure, to provide for public safety and to mitigate impacts upon environmental and scenic resources.
- (b) by requiring adequate surety to secure the eventual decommission of such installations; and
- (c) by protecting large, continuous blocks of vegetated and forested land because protecting large, contiguous tracts provides many ecological benefits, including improved water and air quality, carbon sequestration, stormwater storage, provision and preservation of wildlife habitat, reduction in the movement of invasive species and support for greater biodiversity and provides for many recreational opportunities for residents.

The Town seeks to incentivize the installation of Solar Energy Systems within already developed sites and on lands with lesser environmental values (e.g., existing parking lots and other impervious areas and roofs) and to prohibit installation of Solar Energy Systems within jurisdictional wetlands in accordance with Policy 17-1 as issued by the Massachusetts Department of the Department of Environmental Protection.

**§201-22.2. Definitions.**

For purposes of this Article, the following terms shall have the following meanings:

**FOREST LAND**

A dense growth of trees and shrubs covering an area of one acre or more.

**GROUND-MOUNTED SOLAR ELECTRIC SYSTEM**

A Solar Electric System that is affixed to the ground (not roof-mounted) and all appurtenant fencing, access ways, drainage infrastructure, electronics, shade management areas and all required buffer areas for installation and operation of such a System.

- **SMALL-SCALE GROUND-MOUNTED SOLAR ELECTRIC SYSTEM INSTALLATION**

Installation of a Ground-Mounted Solar Electric System which occupies less than one acre of upland and contains solar modules of 500 square feet or less (calculation shall be based on combined square footage of all ground-mounted modules located on contiguous land).

- **MEDIUM-SCALE GROUND-MOUNTED SOLAR ELECTRIC INSTALLATION**

Installation of a Ground-Mounted Solar Electric System which occupies less than one acre of upland and contains solar modules of greater than 500 square feet but less than 43,560 square feet (calculation is based on combined square footage of all ground-mounted modules located on contiguous land).

- **LARGE-SCALE GROUND-MOUNTED SOLAR ELECTRIC INSTALLATION**

Installation of a Ground-Mounted Solar Electric System which occupies one acre or greater of upland and contains solar modules of 43,560 square feet or greater (calculation is based on combined square footage of all ground-mounted modules located on a contiguous land).

**SOLAR ELECTRIC SYSTEM:** A group of Solar Photovoltaic Arrays used for electrical power generation.

**SOLAR ENERGY:** Radiant energy received from the sun that is collected in the form of heat or light by a solar collector.

**SOLAR ROOF-MOUNTED INSTALLATION:** A Solar Electric System consisting of solar panels installed on the roof of a dwelling or other building as an accessory portion of the dwelling or other building and all related equipment which is necessary for and incidental to the system.

**SOLAR PARKING CANOPY:** An elevated Solar Electric System that hosts solar panels installed over parking lots or other hardscaped areas and which is accessory to a use or uses located on the same lot as the canopy.

**SOLAR PHOTOVOLTAIC ARRAY:** An active Solar Energy collection system that converts solar energy directly into electricity whose primary purpose is to harvest energy by transferring solar emergency into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

**§201-22.3 Use regulations.**

**A. Solar Roof-Mounted Installation.**

A Solar Roof-Mounted Installation shall be allowed by right in all zoning districts on any residential dwelling and shall be allowed as of right on any non-residential building that conforms to all dimensional requirements in the district where the land is located.

**B. Solar Parking Canopy.**

A Solar Parking Canopy shall be allowed as of right in all C Districts and shall be allowed as of right following site plan review and approval by the Zoning Board of Appeals in

all B Districts and shall be allowed upon issuance of a special permit by the Zoning Board of Appeals in all other districts as provided for in this Article.

**C. Small-Scale Ground-Mounted Solar Electric Installation.**

A Small-Scale Ground-Mounted Solar Electric Installation shall be allowed as of right in all B and C Districts following site plan review and approval by the Zoning Board of Appeals and shall be allowed in all other zoning districts upon issuance of a special permit from the Zoning Board of Appeals as provided for in this Article. No such installation shall be allowed in a wetland area.

**D. Medium-Scale Ground Mounted Solar Electric Installation.**

A Medium-Scale Ground Mounted Solar Electric Installation shall be allowed as of right in all C Districts following site plan review and approval by the Zoning Board of Appeals and allowed in all B Districts as of right following site plan approval by the Zoning Board of Appeals and shall be allowed in all remaining districts upon issuance of a special permit from the Zoning Board of Appeals as provided for in this Article. No such installation shall be allowed in a wetland area.

**E. Large-Scale Ground Mounted Solar Electric Installation.**

A Large-Scale Ground Mounted Solar Electric Installation shall be allowed as of right in all C Districts upon obtaining site plan approval from the Zoning Board of Appeals and shall be allowed in all other districts upon issuance of a special permit from the Zoning Board of Appeals as provided for in this article. No such installation shall be allowed in a wetland area.

**§201-22.4 General requirements.**

The following requirements shall apply to Solar Electric Installations:

**A. Compliance with laws, ordinances, and regulations.**

All Solar Electric Installations shall be constructed and operated in compliance with all local, state, and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a Solar Electric Installation shall be constructed in accordance with the current Massachusetts State Building Code.

**B. Building permit and building inspection.**

All Solar Electric Installations shall obtain all necessary construction permits and inspections prior to and during construction, installation, modification, or removal.

**C. Site plan review.**

(1) A ground-mounted solar installation shall obtain site plan review approval under § **201-3.4** prior to construction, installation, modification or removal as provided in this Article.

(2) The Board of Appeals may waive documentary requirements as it deems appropriate.

(3) Required documents. Pursuant to the site plan review process, the project proponent shall provide the following documents:

(a) A site plan showing:

(i) Existing Conditions for the Project Site, including:

- Property lines

- Physical features, including elevations, using ten-foot contours,
- Location of Wetlands and Priority Habitat Areas as defined by the Natural Heritage & Engaged Species Program (NHESP).
- Trails and hiking paths;
- Cart paths and roads;
- Buildings and structures on the Site;
- Buildings and structures within 200 feet of the Site (with setback distances shown);
- Fencing; and
- Drainage infrastructure.
- Locations of all known, mapped or suspected Native American archaeological sites or sites of Native American ceremonial activity. Identification of such sites shall be based on responses, if any, to written inquiries with a requirement to respond within 35 days, to the following parties: all federally or state recognized Tribal Historic Preservation Officers with any cultural or land affiliation to the Norwell area; the Massachusetts State Historical Preservation Officer; tribes or associations of tribes not recognized by the federal or state government with any cultural or land affiliation to the Norwell area; and the Norwell Historical Commission. Such inquiries shall serve as a notice to the aforesaid parties and shall contain a plan of the project, specific identification of the location of the project, and a statement that an application for permitting for the project is forthcoming. Accompanying the site plan shall be a report documenting such inquiries, the responses from the parties, a description of the location and characteristics, including photographs, of any Native American sites and the outcomes of any additional inquiries made based on information obtained from recommendations made by the aforesaid parties. A failure of parties to respond within 35 days shall allow the applicant to submit the site plans.

(ii) Proposed changes, including grading, vegetation clearing, planting, exterior lighting, fencing, screening vegetation, solar arrays and related equipment, cabinets wiring and structures and access way(s);

(iii) Blueprints. Blueprints or drawings of the solar electric installation signed by a registered professional engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;

(iv) Electrical line diagram detailing the solar electric installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices

(v) Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;

(vi) Name, address, and contact information for proposed solar installation system installer;

(vii) Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any; an

(viii) The name, contact information and signature of any agents representing the project proponent.

(viii) A list of any listed hazardous or known carcinogenic materials proposed to be located on the



site in excess of household quantities and a plan to prevent their release to the environment as appropriate.

ix. A certificate for the Solar Project from the UMass Clean Energy Extension Pollinator-Friendly Certification Program (or equivalent program) at a minimum Silver Certification Level or an equivalent certification as determined by the Site Plan Approval Authority. This Certification shall be maintained so long as the Solar Project installation elements are in place.

(b) Documentation of actual or prospective access and control of the project site (deeds, purchase and sale agreements, long-term ground leases, etc.);

(c) An operation and maintenance plan (see also Subsection **D**);

The O&M Plan shall include measures for maintaining safe access to the installation, stormwater management (consistent with all Department of Environmental Protection Stormwater Standards and with all Town stormwater bylaws, regulations, and rules, as well as general procedures for operational maintenance of the installation).

(d) Proof of liability insurance; Evidence of satisfactory liability insurance shall be provided to the Building Official and the Board of Appeals before any building permit issues or any construction begins and annual evidence of such liability insurance shall be provided as a condition of any permit granted to allow the installation and it shall continue in force and effect until the installation has been satisfactorily decommissioned, removed and the site restored as required.

(e) Description of financial surety that satisfies **§201-22.8**; and

The surety shall be in a form and in an amount that are acceptable to the Board of Appeals, at the Board's sole discretion, and with no letters of credit allowed and with no surety bond to be accepted that has a termination date and the amount of the surety to be up to 125% of the estimated cost to the Town to effect removal of the installation and restoration of the site. The proponent shall provide the Board with an estimate of the costs associated with removal and restoration as prepared by appropriate consultants and then peer reviewed for the Board at the proponent's expense. The amount of the surety shall include increased removal and restoration costs due to anticipated inflation. And, if inflationary costs rise unexpectedly, the Board may require the proponent to post additional surety in as a condition of the permit that allows the installation.

(f) Any other information requested by the Planning Board and/or Board of Appeals during the review process.

#### **D. Operation and maintenance plan.**

All solar electric installation proponent shall submit a plan for the operation and maintenance of the solar installation, which shall include measures for maintaining safe access to the installation, stormwater controls, as well as general procedures for operational maintenance of the installation.

#### **E. Utility notification.**

All solar electric system installation proponents shall provide evidence that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar electric installation owner's or operator's intention to install an interconnected customer-owned

generator. No construction of a Ground-Mounted Solar Electric Installation shall begin, and no building permit shall issue until evidence is provided to the Building Official and the Board of Appeals that the utility company that operates the electrical grid where the installation is to be located has approved the connection of the proposed generator into the power grid. Off-grid systems shall be exempt from this requirement.

#### **F. Payment in lieu of taxes (PILOT).**

All ground-mounted solar photovoltaic installation proponents may execute a PILOT agreement with the Select Board prior to construction of the installation.

#### **G. Mitigation for Loss of Forest Habitat within the Installation.**

1. Forest Disturbance Limit.

A Ground-Mounted Solar Electric Installation shall not disturb in excess of 30 total acres of Forest Habitat.

2. Mitigation for Loss of Forest Habitat within the Installation.

If Forestland is proposed to be converted to a Ground-Mounted Solar Electric Installation, the plans shall provide for mitigation measures that include the following:

- The solar field shall be built around and conform with the natural contours of the land;
- Native vegetation under the arrays shall be retained;
- Areas with sensitive or endangered plants shall be avoided;
- A wildflower meadow habitat shall be created within and immediately around the Solar Electric System. This habitat shall contain a wide variety of plants that bloom from early spring into late fall and that are planted in clumps rather than single plants (to help pollinators find them) and that are native plants that are adapted to local climate, soil and native pollinators.
- At least 50% of the array footprint and perimeter shall be planted with the wildflower meadow plants.
- Plans for pollinator-friendly vegetation establishment and maintenance shall be designed by a professional biologist or ecologist with relevant experience and expertise in pollinator habitat creation, grassland habitat restoration and/or knowledge of New England plant communities.
- A wildflower meadow shall not be mowed more than one time per year, preferably in September to ensure no animals or creatures are using it as habitat.

3. Mitigation for Disruption of Trail Networks.

If existing trail networks, old roads, wood roads or cart paths are disrupted by the location of a Ground-Mounted Solar Electric Installation, the project and plans shall provide for suitable new, alternative trail alignments - but with no new rights of public access to be required.

4. All plans and maps shall be prepared, stamped, and signed by a Professional Civil Engineer, licensed to practice in the Commonwealth of Massachusetts and all survey information shall

be prepared, stamped and signed by a Professional Surveyor licensed to practice in the Commonwealth of Massachusetts.

5. Vehicular access, unless temporary, to a Medium-Scale Ground-Mounted and/or a Large-Scale Solar Electric Ground-Mounted Installation shall be from a paved way or ways.
6. A Large-Scale Ground-Mounted Solar Electric Installation in a residential district shall have the minimum required frontage on a way that is required in the underlying residential district. The access way to a solar field in a residential district shall be designed to eliminate any view of the field from an adjacent way.
7. A special permit required for a Solar Electric Installation may be conditioned to effectuate and made enforceable the requirements of this Article.

#### **§201-22.5 Dimensional requirements.**

The following dimensional requirements for solar electric installations and their accessory structures and elements shall supersede the dimensional requirements in the Zoning Bylaw. Requirements not superseded in this section still apply.

**A. Setbacks.** There shall be no construction or installation of any medium or large-scale ground-mounted solar electric system within the following required property boundary setbacks:

	<b>Residence A and B</b>	<b>Business B<sup>1</sup></b>	<b>Business C<sup>1</sup></b>
Front yard	500 feet	100 feet	100 feet
Side yard	200 feet	100 feet	50 feet
Rear yard	200 feet	100 feet	50 feet

<sup>1</sup> Where a property within a Business District B or C abuts a residential property, a minimum setback of the installation of 500 feet from the residential property line shall be required.

Max Height of Solar Device	15 feet	25 feet	25 feet
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#### **B. Vegetation buffers and screening.**

- (1) Clearing of natural vegetation shall be limited to what is necessary for the proper construction, operation, and maintenance of the facility. Use of previously disturbed land is encouraged in siting of all such installations.
- (2) In residential districts, land within the required setback areas shall not be disturbed other than for what is strictly necessary to access the facility and for any installed vegetation or fencing for additional screening purposes.
- (3) All installations shall be screened from all public and private ways and any surrounding residence(s) with existing natural vegetation, or, in the case where such natural vegetation is not fully satisfactory for screening the installation, a dense vegetated buffer shall be installed and maintained together with any fencing that is determined to be necessary by the Zoning Board of

Appeals. At a minimum, the screening shall be same height as the height of the highest device, at the time of installation.

### **C. Height.**

- (1) No ground-mounted solar device or accessory structure shall exceed 15 feet in height as measured from the ground directly to the highest point of the installation
- (2) Existing grade shall not be increased anywhere on the site by more than five feet through excavation or with fill materials, except to allow additional berms in the discretion of the Zoning Board of Appeals for the purpose of providing additional screening.
- (3) The Zoning Board of Appeals may waive the foregoing height and grade requirements in a non-residential district if the applicant demonstrates a necessity to exceed 15 feet in height or to change the existing grade, but under no circumstances shall heights exceed 25 feet or changes in grade exceed ten feet or, when combined, exceed a total of 25 feet.
- (4) All wiring to serve a solar electric installation located in a residential district (other than a roof-mounted installation) shall be underground on the property where the installation is located.

### **D. Exemptions.**

As-of-right solar electric installations shall not be subject to § 201-9.2, Lot area, § 201-9.5, Lot shape, § 201-9.3, and Lot frontage and width bylaw requirements.

### **E. Minimum Area Required in Residential Districts.**

Any and all Ground-Mounted Solar Electric Installations in any residential district shall be subject to the following additional minimum area requirements in order to provide for appropriate screening so as to promote solar energy but also to protect property values of abutters and to protect abutters from views of the installations and to protect views of the installations from public and private ways:

- Small-Ground Mounted installations shall have a minimum lot area of 1.0 acre of upland. No portion of such any such installation may be sited in a wetland area. Wiring and cables shall not be connected to utility poles and all wiring or cables shall be located underground.
- Medium-Ground Mounted installations shall have a minimum lot area of 4 acres of upland. No portion of such an installation may be sited in a wetland area. Wiring and cables shall not be connected to utility poles and all wiring or cables shall be located underground.
- Large-Ground Mounted installations shall have a minimum lot area of 15 acres of upland and shall have a minimum of 15 acres of upland per one megawatt solar array proposed and operated. No portion of such an installation may be sited in a wetland area. Wiring and cables shall not be connected to utility poles and all wiring or cables shall be located underground.

## **§201-22.6 Design standards.**

### **A. Lighting.**

Lighting of Ground-Mounted Solar Electric Installations shall be the minimum required to provide security and for the safe operation of the facility. Lighting shall be directed downward, away from surrounding properties, and shall incorporate full cut-off fixtures to reduce light pollution. All outdoor lighting fixtures shall be International Dark Sky (or equivalent) compliant and carry the IDA Fixture

Seal of Approval (or equivalent). All outdoor lighting fixtures shall be fully shielded from any adjacent residential use or boundary line and shall emit no light onto adjacent property and shall emit no light above the horizontal plane. The lighting shall be motion sensitive and on timers that restrict the lighting to no more than ten minutes duration unless there is movement.

**B. Signage.**

**(1)** A sign consistent with Article **14**, Signs, shall be required to identify the owner and provide a twenty-four-hour emergency contact phone number.

**(2)** No portion of the installation or property shall be used for displaying any advertising except for reasonable identification of the operator of the facility.

**C. Control of Vegetation.**

**(1)** Existence or introduction of invasive species or spread of invasive species onsite shall be the responsibility of the contractor and applicant to remediate. All fill brought on site must be clean, debris free, and devoid of invasive plants, their parts, or seeds. Because invasive species establish and thrive in disturbed areas, to the extent feasible, all soil and vegetation disturbance on site must be minimized, and existing native vegetation must remain intact.

**(2)** Herbicides or pesticides shall not be used to control vegetation or animals at a Ground-Mounted Solar Electric Installation, unless approved by the Norwell Conservation Commission for removal of invasive species.

**D. Visual Impacts.**

- a. Ground-Mounted Solar Electric Installations shall be designed to minimize visual impacts including preserving natural vegetation to the maximum extent possible, blending in equipment with surroundings, and adding vegetative buffers to provide an effective visual barrier from adjacent roads and driveways, and to screen abutting residential properties.
- b. A diversity of plant species shall be used to promote biodiversity, with a strong preference for species that are native to Norfolk and Plymouth Counties, but with the number of native species that shall be required to be at the discretion of the Board of Appeals after obtaining input from the Conservation Commission and Conservation Agent and from the Board's peer review consultant.
- c. The use of invasive or exotic plants, as identified by the most recent copy of the "Massachusetts Prohibited Plant List" as maintained by the Massachusetts Department of Agricultural Resources **is prohibited**.
- d. The Board of Appeals may require appropriate vegetative screening to a depth it deems necessary. Such screening shall be composed of evergreen and native trees, staggered for height and density, and they shall be properly maintained and replaced whenever needed.
- e. All landscaping shall be maintained and replaced as necessary by the owner and operator of the installation.

**E. Utility connections.**

Best efforts shall be made to locate all utility connections from the facility underground. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

**F. Power.** All electric power generated at a Ground-Mounted Solar Electric Installation shall be from

Solar Energy.

**G. Access.** Driveways shall be constructed to minimize:

- Width (only so wide as is deemed necessary by the Zoning Board of Appeals)
- Grading
- Removal of stone walls
- Removal of trees
- Incompatible appearance from an adjacent roadway
- Impacts to environmental or historic resources.
- Visibility of the solar infrastructure from any adjacent way (e.g., providing a bend or turn in the access way).

**H. Emergency services.**

**(1)** Prior to approval from the Board of Appeals, the operator shall provide a copy of the project summary, electrical schematic, and site plan to the Fire Chief and, if requested, assist in the development of an emergency response plan, and provide and pay for any requested training.

**(2)** The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

**(3)** All means of shutting down the ground-mounted solar photovoltaic installation shall be clearly marked on the equipment and shall be provided to the Fire and Police Departments.

**(4)** The owner or operator of the installation shall identify a responsible person for public inquiries throughout the life of the installation. Contact information shall be provided annually and updated as needed to:

- \* The Fire Chief
- \* The Police Chief
- \* The Building Official
- \* The Zoning Board of Appeals

**I. Land Clearing, Soil Erosion and Land Impacts**

(1) The installation shall be designed to minimize impacts to open agricultural land and fields, even if not in productions. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the Ground-Mount Solar Electric Installation. Grading that substantially disturbs the existing soil profile and structure is prohibited; sites shall be selected where construction may be accomplished without such earth work.

(2) Prior to any site disturbance and construction, the limits of the work shown on the approved site plan shall be surveyed and clearly marked by a Professional Land Surveyor. Upon completion of the survey, the Professional Land Surveyor shall verify to the Building Official, in writing, that the limit of work, as shown on the approved site plans, has been established on the site.

(3) The design shall minimize the use of concrete and other impervious materials to the maximum extent possible. Except where allowed by the Board of Appeals because it is necessary for structural safety reasons, Ground-Mounted Solar Installations shall be installed on water permeable surfaces to promote groundwater recharge, minimize groundwater run-off, preserve wildlife habitat and biodiversity, and reduce heat island effects and climate change impacts.

(4) Grades in Excess of 15% Prohibited.

Locating Medium and Ground-Mounted Solar Electric Installations, including access ways and drainage infrastructure, on original, pre-development grades in excess of 15% is strictly prohibited and may not be varied.

**J. Habitat Impacts.** Large-Scale Ground-Mounted Solar Electric Installations shall not be located on permanently protected land subject to GL c.184, §§31-33, Priority Habitat and Bio Map 2 Critical Natural Landscape Core Habitat mapped by the Natural Heritage and Endangered Species Program (NHESP) and “Important Wildlife Habitat” mapped by the DEP.

**K. Wetlands** (1) In order to provide an adequate intervening land area for the infiltration of stormwater runoff from a Solar Electric Installation, ground alterations, such as stump removal, excavation, filling, and grading, or the installation of drainage facilities or solar panels are prohibited within 100 feet of a wetland, except that they may be permitted within 50 to 100 feet of a wetland with the with the permission of the Conservation Commission by filing an appropriate permit with the Commission with type of permit required to be determined by the Commission.

(2) The Board of Appeals may impose conditions to contain and control stormwater runoff that might negatively impact identified wetlands or other hydrologic features even if the proposed work area is outside the jurisdiction of the Conservation Commission.

**L. Fencing.** The installation shall be securely fenced around the entire perimeter of the installation with a fencing type satisfactory to the Board of Appeals.

**M. Accessory Structures.** Structures accessory to the installation shall be confined to inverters, transformers, and equipment boxes necessary for the operation of the facility and buildings which enclose that equipment. Other structures proposed shall conform to district regulations, Part 2, of the underlying zoning district.

#### **N. Monitoring, Maintenance and Reporting.**

##### 1. Ground-Mounted Solar Electric Installation Conditions

- a. The owner or operator shall maintain the installation in good condition/
- b. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures, including motion sensitive cameras to prevent theft and vandalism.
- c. Site access shall be maintained to a level acceptable to the Fire Chief.
- d. The owner or operator shall be responsible for the cost of maintaining the installation and its access.

##### 2. Annual Reporting.

- a. The owner or operator of a Ground-Mounted Solar Electric Installation shall submit an annual report to the Board of Appeals and Building Official that demonstrates and certifies compliance with:
  - i. All conditions of approval imposed by the Board of Appeals under site plan and/or special permit approval;
  - ii. All requirements shown on the approved site plan;
  - iii. All requirements of the approved Operation and Maintenance Plan;

- iv. All requirements to maintain visual screening and other required plantings;
  - v. The requirement for liability insurance;
  - vi. The requirement to update contact information; and
  - vii. The requirement to maintain adequate access, including snow removal.
- b. The annual report shall detail the maintenance performed in the prior year and the scheduled maintenance for the upcoming year;
  - c. The annual report shall detail the amount of energy generated by the installation in the prior calendar year.
  - d. The annual report shall be submitted to the Board of Appeals and the Building Official not later than 45 days after the end of the calendar year.

#### **§201-22.7 Modifications.**

All changes or modifications to a Ground-Mounted Solar Electric System Installation made after issuance of the required Board of Appeals and building permit issuance shall require approval by the Board of Appeals.

#### **§201-22 8. Abandonment or decommissioning.**

##### **A. Removal requirements.**

Any Ground-Mounted Solar Electric Installation which has reached the end of its useful life or has been abandoned consistent with Subsection **B** shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Board of Appeals and the Building Department by certified mail of the proposed date of discontinued operations and plans for removal at least 30 days prior to the discontinuance of operations and intended decommissioning. Decommissioning shall consist of:

**(1)** Physical removal of all components of a Ground-Mounted Solar Electric Installations, including but not limited to structures, equipment, security barriers and transmission lines from the site.

**(2)** Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

**(3)** Restoration of the site, including stabilization or re-vegetation of the site as necessary to minimize erosion. The Board of Appeals may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

##### **B. Decommissioning by Town**

If the owner or operator of a Ground-Mounted Solar Electric Installation fails to remove such installation as required, the Town may, after full compliance with applicable state and federal requirements, enter the property and physically remove the installation and stabilize the site, at the owner's expense, drawing upon the financial surety provided or the imposing the lien allowed.

**C. Abandonment.** Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, a Ground-Mounted Solar Electric Installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Board of Appeals. If the owner or operator fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town



shall have the right, but not the obligation, through easement or license to enter the property and physically remove the installation and use the security provided by the operator to do so, following proper access to the funding.

**D\_Financial Surety.** Proponents of a Ground-Mounted Solar Electric System shall provide a form of surety, either through an escrow account, consisting of cash or a surety bond (with no termination date) or otherwise, in a form acceptable to the Town of Norwell acting by the Board of Appeals, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Board of Appeals. Such surety may not be required for municipally or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer, and reviewed by the Town engineering consultant. The amount shall include a 50% contingency for increased removal costs due to inflation. There shall be a surety agreement that provides for the conditions under which the Town may access the funds in the event of a default and that also provided for the Town to obtain a lien against the property in the full amount of the surety or the cost at that time to decommission the project, whichever amount is greater, in the event the surety terminates for any reason other than through proper and satisfactory decommissioning. The surety agreement shall provide an easement to the Town to allow entry to decommission.

AND

**To authorize the Town Clerk to make clerical, editorial, numerical, or other adjustments to the language adopted under this article in order to effectuate its purposes.**

or to take any other action relative thereto.

Requested by the Planning Board

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 46:** To see if the Town will vote to set Fiscal Year 2024 total expenditure limitations for the Revolving Funds authorized under the bylaw created by Article 25 of the 2017 Annual Town Meeting in accordance with Massachusetts General Laws Chapter 44, Section 53E ½ as follows, or take any other action relative thereto:

Stetson Ford House Revolving Fund	\$25,000
Recycling Revolving Fund	\$80,000
Council on Aging Program Revolving Fund	\$ 5,000

Requested by the Finance Director

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 47:** To see if the Town will vote to raise an appropriate or transfer from available funds, the sum of \$8,000, or any other sum, for school-based Medicaid services, or take any other action relative thereto.

Requested by the Finance Director

**The Advisory Board unanimously recommends this article.**

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**ARTICLE 48:** To see if the Town will vote to retitle and reclassify the following SEIU 888, Personnel By-Law, and Personal Contract positions shown below effective July 1, 2023, as set forth in the chart below, or take any other action relative thereto.

<u><b>Current Title</b></u>	<u><b>Proposed Title</b></u>	<u><b>Affiliation</b></u>
Water Meter Reader/ Installer/ Clerk	Administrative Clerk/ Meter Reader	SEIU 888
Finance Director/ Assistant Town Administrator	Assistant Town Administrator	Personal Contract
Town Accountant	Finance Director/ Town Accountant	Personal Contract

Requested by the Personnel Board

**The Advisory Board unanimously recommends this article.**

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**Article 49:** To see if the Town will approve to amend the Norwell Town Code, Division 2: General Bylaws, Part 1: Town Government and Administration, Chapter 5, Town Employees, §5-11 Compensation Plan, subsection C. Advancement within rate ranges, §5-13 Benefits, and Appendix A Classification Plan (located after the text in this article), with the bold front language added and stricken through language shown below or take any other action relative thereto.

## **1. Section 11-Compensation Plan**

### **C) Advancement Within the Rate Ranges**

Following the probationary period, advancement to the next higher step rate may be granted to employees in continuous, meritorious employment as follows:

- 1) All employees placed in Step 1 will be considered for step advancement after one (1) year of service within the grade.

**All employees placed in Steps 2 through 5 will be considered for step advancement after completion of one (1) year of service from the last advancement of placement. ~~Except that part-time employees working fewer than twenty (20) hours per week shall be eligible for advancement in steps 2 through 5 after completion of one thousand (1,000) hours of service~~**

~~from the last step advancement. The Department Head will provide back-up documentation of the one thousand (1,000) hours worked by an employee to the Accounting Department prior to step advancement.~~

For advancement purposes, the anniversary date shall be the date on which an employee's step increase, reclassification, or promotion takes effect.

Progressions through the rate ranges are not mandatory and shall be on the basis of performance and ability, as recommended by the Department Head or supervisor. All adjustments shall be approved in advance of the effective date by the Board or its designee. An employee not receiving a step rate increase may appeal the decision using the Grievance Procedure.

## **2. Section 13 – Benefits**

### **A) Vacation**

Full-time and those eligible part-time employees shall be entitled to a paid vacation in accordance with the following schedule:

<b>1. Upon Completion of <del>probationary period or extended probationary period.</del> initial year of hire</b>	<b>One</b> (1) week after probation or extended probationary period
<b>2. From <del>one (1) year to four (4) years of service</del> Upon completion of Years <b>one (1) through Three (3)</b></b>	<b>Two</b> (2) weeks per year
<b>3. From <del>five (5) years to nine (9) years of service</del> Upon completion of Years <b>Four (4) through Nine (9)</b></b>	<b>Three</b> (3) weeks per year
<b>4. Upon completion of years ten (10) through nineteen (19)</b>	<b>Four</b> (4) weeks per year
<b>5. Upon completion of years twenty (20) and higher</b>	<b>Five</b> (5) weeks per year

Employees are encouraged to take vacation on a regular basis, to allow for the proper rest from the rigors of work. An employee shall request vacation leave from his supervisor, giving as much notice as possible. No employee may take vacation until completing their probationary period or extended probationary period. If a holiday falls during a vacation period, an additional day off will be scheduled, by agreement with the Department Head.

**Vacation requests shall be made in writing, thirty (30) days prior to the requested time off for those requests in excess of one (1) week. Vacation requests for one (1) week or less must be made forty-eight (48) hours prior to the requested time off, unless circumstances beyond the control of the employee prevent notice from being given. Vacation requests will be approved by the Department Head, or in the absence of a Department Head, the Town Administrator, with copies to the Town Administrator and Accounting.**

Part-time employees working at least twenty (20) hours per week are entitled to vacation according to the above schedule, with their vacation pay pro-rated to their weekly schedule. Temporary employees and seasonal employees are not entitled to vacation pay.

The Town Administrator shall have the authority to modify the Vacation Schedule, if warranted

for a new hire. A change in the vacation schedule will be stated in the employee's initial offer of employment.

Vacations should normally be taken in units of at least one (1) week. An employee may, however, take vacation leave in a separate day (1), half day (1/2) or one-quarter (1/4) day units subject to Department Head approval.

The vacation year will begin on the anniversary of the employee's date of hire. An employee will have one (1) year to take ~~his~~ **their** vacation time. Vacation time shall not be cumulative, and employees will not be permitted to carry over vacation days into succeeding years without approval of the Department Head and the Town Administrator. ~~In emergency situations, three (3)~~ **An employee may carry up to five (5) vacation days can be carried over to be used within sixty (60) days, subject to the Department Head and Town Administrator's approval. A carry-over request must be made by May 1<sup>st</sup> of each fiscal year.**

In the absence of a Department Head, requests for vacation can be submitted to the Town Administrator for approval.

When an employee **who has passed their probationary period** leaves the employe of the Town, ~~he/she~~ **they** shall be paid for any unused vacation earned up to the last day worked. The amount of **vacation pay shall be computed at the rate of pay effective on the cessation of employment. Vacation pay will not be available for any employee who leaves prior to passing their probationary period.**

#### C) Sick Time

Each full-time employee shall accumulate sick leave at the rate of one and one quarter (1.25 day for each month of employment, fifteen days per year). Unused sick leave may be accumulated up to a maximum of two hundred (200) days.

Departments heads, may, in their discretion, require medical certification of any illness. An employee whose attendance demonstrates either a consistent pattern of unscheduled absences (or tardiness) will be subject to disciplinary action. Supervisors are responsible for maintaining complete and accurate employee attendance and tardiness records.

Employees who are unable to work, due to illness, accident or other medical reasons, are required to exhaust all available accrued sick time, followed by any other available accrued time off (i.e., vacation, personal bonus, or compensatory time) unless deemed otherwise by the Town Administrator.

Probationary employees are entitled to sick leave after completing at least one (1) month of service.

Part-time employees who work a minimum of twenty (20) hours per week are eligible to accumulate sick leave on a pro-rated basis.

Employees shall be allowed to use up to ten (10) days of accumulated sick leave for an illness in their family. The Town may require certification of said illness from a medical provider.

#### Personal Days

**Employees will receive three (3) personal days that will begin on July 1<sup>st</sup> of each year.** ~~may use up to two (2) sick days each fiscal year as personal days. Personal days are not accumulated. If no sick days are used as personal days, the sick days may be carried over up to the sick leave maximum cap.~~

Employees may earn up to three (3) **bonus** personal days in the fiscal year depending on the employee's use of sick leave. An employee who uses no sick leave for **four (4)** ~~six (6)~~ consecutive months shall be eligible for **one (1)** ~~1.5~~ personal days. A new **four (4)** ~~six (6)~~ months period will begin to run each time an employee returns to work after using a sick day. Such bonus day ~~A personal day~~ should be used within twelve (12) months of being earned, and is not eligible for redemption in pay in lieu of time off. Authorized paid leaves, other than sick leave, shall not be counted against an employee in establishing ~~his~~ **their** attendance record.

3. Changes to Appendix A, Classification Plan (see next page)

Salary Schedule:

The removal of the Assistant Director, Highway Tree & Grounds, Grade 15 position from The Personnel Bylaws to a Personal Contract.

## APPENDIX A: CLASSIFICATION PLAN – PROPOSED FOR FISCAL 2024

### NON-EXEMPT CLASSIFICATIONS (Hourly Pay)

Grade	Position
1	Shelver
2	N/A
3	N/A
4	Clerk Typist
5	Council on Aging Clerk
6	Administrative Assistant Animal Control Officer Council on Aging Van Operator Library Associate Library Custodian
7	N/A

### EXEMPT CLASSIFICATIONS (Annual Salary)

Grade	Position
8	Administrative Assistant to Town Administrator/Select Board
9	Assistant to Town Administrator Council on Aging Program Coordinator
10	Adult Services Librarian Children's Services Librarian Senior Administrative Assistant to Town Administrator/Select Board Technical Services Librarian Young Adult/Technology Librarian
11	Assistant Library Director Council on Aging Outreach Coordinator
12	Executive Assistant to Town Administrator
13	Council on Aging Community Service Coordinator
14	N/A
15	Assistant Water Superintendent <del>Assistant Highway/Tree &amp; Grounds Director</del> Council on Aging Director Library Director
16	N/A
17	N/A

## APPENDIX A, CLASSIFICATION PLAN – PROPOSED FOR FISCAL 2024

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### STIPEND POSITIONS

Sealer of Weights and Measures  
Veteran's Service Officer

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### SEASONAL POSITIONS

Seasonal Highway & Tree Laborer  
Seasonal Recycling Laborer  
Seasonal Water Laborer  
Seasonal Trails Laborer  
Seasonal Trails Supervisor  
Recreation Summer Van Driver (SCENE)  
Recreation Summer Site Leader (SCENE)  
Recreation Summer Site Supervisor (SCENE)  
Recreation Summer Clinic Leader  
Recreation Summer Clinic Supervisor  
Recreation Summer Project Assistant  
Recreation Summer Program Specialist  
Recreation Summer Program Instructor

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### FLAT HOURLY POSITIONS

Recreation Program Leader  
Recreation Program Supervisor  
Mail Clerk  
Election Teller  
Town Meeting Worker  
Election Clerk  
Election Warden  
Constable  
Call Police Clerk  
Police Matron  
School Crossing Guard  
Call Special Police Officer  
Call Firefighter, No Certifications  
Call Firefighter, Certified EMT-B or FF 1 or 2  
Call Firefighter, Certified EMT-B and FF1 or 2  
Call Firefighter, Certified EMT-P  
Call Firefighter, Certified EMP-P and FF1 or 2  
Alternate Building Inspector  
Local Inspector  
Substitute-COA Van Driver  
Substitute Library Associate

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### PAID PER PARTICIPANT OR CLASS

Recreation Program Instructor

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### PAID PER INSPECTION

Alternate Inspector (Electrical, Plumbing & Gas)

Or take any other action relative thereto.

Requested by the Personnel Board.

**The Advisory Board unanimously recommends this article.**

## INSTRUCTIONS TO ELECTED OFFICIALS'

### SALE OF THE FISH RIGHTS

You are directed to serve this Warrant by posting a copy thereof attested to by you in writing in each of five public places in the Town at least fourteen days before the time for holding and meeting called for in the Warrant. Herefore, fail not and make due return of the Warrant your doings thereon to the Town Clerk of said Town on or before the 24th day of April , 2023.

Given under our hands at Norwell this 12th day of April in the year of our Lord, 2023.

#### SELECT BOARD

Norwell, Massachusetts

\_\_\_\_\_  
Bruce Graham, Chairman

\_\_\_\_\_  
Jason Brown Vice-Chairman

\_\_\_\_\_  
Peter Smellie, Clerk

\_\_\_\_\_  
T. Andrew Reardon

\_\_\_\_\_  
Ellen Allen

Constable \_\_\_\_\_ Date \_\_\_\_\_



*Office of the Select Board*

Town of Norwell

Norwell, MA 02061

STANDARD MAIL  
U.S. POSTAGE PAID  
Norwell, MA 02061  
Permit No. 5

POSTAL CUSTOMER

AND/OR RESIDENT BOX HOLDER

NORWELL, MA 02061