

TOWN OF MANCHESTER-BY-THE-SEA
SPECIAL TOWN MEETING – JUNE 28, 2023
Memorial Elementary School, 43 Lincoln Street, Manchester, MA 01944
6:30pm

The quorum of 100 voters was reached by 6:30pm and Moderator Wilson called the Special Town Meeting to order. After the Pledge of Allegiance and the preliminary acknowledgements and information, the Meeting set itself to the business of the day.

The final tally of attendees was 266 voters plus 11 non-voters. There were 4,366 registered voters in Manchester-by-the-Sea.

ARTICLE 1:

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Town's assessment from the District for the Gross Operating and Maintenance Budget of the Manchester-Essex Regional School District - said sum to be calculated solely in accordance with the "Agreement Between the Towns of Essex and Manchester-by-the-Sea, Massachusetts with Respect to the Formation of a Regional School District", as most recently amended, by invoking and approving the provision found in paragraph four of G.L. c. 71, § 16B allowing District members "to reallocate the sum of their required local contributions to the District in accordance with the regional agreement", for the fiscal year beginning July first, two thousand twenty-three, or take any other action relating thereto.

Per petition of the Select Board

The Select Board & Finance Committee recommended approval.

Motion A

Chris Reed of the Manchester Essex Regional School Committee moved and Erica Spencer, also of the Manchester Essex Regional School Committee seconded that the town approve the assessment calculation in accordance with the "Agreement Between the Towns of Essex and Manchester-by-the-Sea, Massachusetts with Respect to the Formation of a Regional School District", by invoking and approving the provision found in paragraph four of G.L. c. 71, § 16B allowing District members "to reallocate the sum of their required local contributions to the district in accordance with the regional agreement", for the fiscal year beginning July first, two thousand twenty-three.

Discussion

None.

Action

Motion prevailed with a majority vote; 173 yes, 6 no, 1 abstention.

Motion B

Chris Reed of the Manchester Essex Regional School Committee moved and Erica Spencer, also of the Manchester Essex Regional School Committee seconded that the Town raise and appropriate \$16,044,334 to fund the Town's revised assessment from the Manchester Essex Regional School District for the fiscal year beginning July first, two thousand twenty-three for the gross operating and

maintenance budget, and further, to rescind the prior appropriation made under Article 6, Motion 2 of the April 3, 2023 Annual Town Meeting in the amount of \$16,535,944.

Mr. Reed of the Manchester Essex School Committee introduced the second motion under Article 1 asking for support of the “Compromise Budget”. He explained that the original budget presented in the Spring was a fiscally sound, level-services proposal, created with the financial constraints of Manchester and Essex in mind. The original budget maintained the same program scope, class size, course offerings, and services, while providing resources needed to support the MERSD Strategic Plan. Although the budget was approved at both Town Meetings it did not pass at the ballot box in Essex. This “compromise budget” is \$781,000 less and includes a reduction in staff and the use of reserve funds. Mr. Reed acknowledged that our current budget challenge is not a one-year issue and that the School Committee hopes to return to our tradition of collaboratively addressing the issues before us.

Discussion

None.

Action

Motion prevailed with a majority vote; 187 yes, 27 no, 4 abstentions.

ARTICLE 2 :

To see if the Town will raise and appropriate \$400,000 for the purpose of paying a portion of the Town’s share of the Manchester Essex Regional School District’s costs related to renovating and making extraordinary repairs and other improvements to the District’s outdoor athletic facilities, and for payment of all costs incidental and related thereto, or take any other action relative thereto.

Per petition of the Select Board

The Select Board and Finance Committee recommended approval.

MOTION

Ann Harrison moved and John Round seconded the Article as presented in the warrant.

Ms. Harrison, Chair of the Select Board explained that this article proposes to use \$400, 000, a portion of the amount that Manchester is saving due to the new compromise school budget, to reduce the Town’s assessment for the School District’s borrowing for the athletic fields that were approved at the Annual Town Meeting, April 3, 2023.

Discussion

Questions were raised concerning the maintenance and safety of the fields as well as the commitment of the Town of Essex to pay their share.

Town Administrator Greg Federspiel explained that it is in the Regional Agreement that if Essex opts out of paying their share, Manchester will not be required to pay, and the School District will use its reserve fund for the cost.

Ken Warnock of 5 Running Ridge Row moved the question and it was seconded.

With the vote of 219 yes, 29 no, 1 abstention, the motion prevailed to end debate by the required 2/3rd majority.

Action

Motion prevailed with a majority vote; 208 yes, 40 no, 0 abstentions.

ARTICLE 3:

To see if the Town will vote to amend the Zoning By-Laws by deleting Section 12.0 (“Administration and Procedures”) in its entirety and substituting a new Section 12.0 (“Administration and Procedures”) in its place, or take any other action relative thereto. The full text of the proposed changes is available at the Town Clerk’s Office, the Library, or on-line at the Town’s web site at

<http://www.manchester.ma.us/384/Planning-Board> or
<http://www.manchester.ma.us/503/Town-Meetings-and-Elections>.

Per Petition of the Select Board and Planning Board
The Select Board and the Planning Board recommended approval.

MOTION

Sarah Creighton moved and Ron Mastrogiacono seconded to amend the Town’s Zoning By-laws by deleting Section 12.0: Administration and Procedures in its entirety and substituting a new section 12.0: Administration and Procedures in its place as printed in the Special Town Meeting Article 3 handout noting the following change: Line 46 – delete the phrase “upon conviction”:

Discussion

Ms. Creighton, Vice-Chair of the Planning Board explained that at this Special Town Meeting, the Planning Board is presenting the last section of the zoning bylaws to be updated and to fix some typos. Article 3 is asking to replace Section 12.0 (Administration and Procedures). This update details the role of the Planning Board, allows for stronger penalties for zoning violations, details projects subject to site plan review and includes two legally required sections, housing protocols that follow the ADA standards and procedures to review certain non-profit uses. This section does not change any requirement for site plan review or take away any land use rights. This update has been vetted by our Town Counsel.

Sarah Mellish, Chair of the Zoning Board of Appeals spoke of the ZBA’s unanimous support of the three proposed zoning articles, acquiescing that they are not perfect but good enough for the Town to move forward.

Voters who spoke against the motion under Article 3 were Mary Foley of the Planning Board, Ron Skates of 4 Boardman Avenue, Kevin Leach of 33 Summer Street and Jon Keefe of 8 Victoria Road. Voters expressing approval of the motion under Article 3 were Sylvia Vriesendorp of 52 Masconomo Street, Isabella Bates of 2 Masconomo Street, Sandy Bodmer-Turner of 89 School Street and Jody Morse of 11 Jersey Lane.

Jon Keefe moved to amend the main motion under Article 3 by making the following changes:

In Section 12.5.2, #1. Change “1. Standards set forth in Section 6.3.” to read “1. Standards set forth in Section 6.3 excluding the last sentence of Section 6.3.2 with respect to waivers for Special Permits and excluding Section 6.3.13 with respect to waivers for Special Permits.”

In Section 12.5.2, add “9. Adequacy of the site in terms of size for the proposed use.” and “10. Suitability of the site for the proposed use.”

In Section 12.5.2, delete from #5 “and social structures”.

In Section 12.5.2, delete “8. Climate resiliency and adaptation.” and renumber #9 as #8. The motion was seconded.

Ms. Creighton cautioned the Meeting to not make changes to the document without a comprehensive review.

Adam Zaiger of 21 Union Street moved to amend Mr. Keefe’s amendment by deleting the full amendment and changing the word “shall” to the word “may” in Section 12.5.5. The motion was seconded.

Ken Warnock of 5 Running Ridge Row moved the question and it was seconded.

With the vote of 209 yes, 21 no, 1 abstention, the motion prevailed to end debate by the required 2/3rd majority.

Action

For the Zaiger motion, which strikes the Keefe amendment and changed one word in Section 12.5.5, the motion prevailed with a majority vote; 171 yes, 57 no, 1 abstention.

For the Keefe motion as amended by Mr. Zaiger, the motion prevailed with a majority vote; 174 yes, 54 no, 1 abstention. The result was to amend the main motion by substituting “may” for “shall” in Section 12.5.5.

The main motion as amended prevailed with more than the required 2/3rds vote; 182 yes, 43 no, 2 abstentions.

Full Text of the **Approved** Amendment:

SECTION 12.0 ADMINISTRATION AND PROCEDURES

12.1 PERMITS.

12.1.1 Inspector of Buildings.

The office of the Inspector of Buildings is responsible for the issuance of building permits. The Inspector of Buildings shall withhold a permit for the construction, alteration or moving of any building or structure if the building or structure as constructed, altered or moved would be in violation of this By-law and no permit shall be granted for a new use of a building, structure or land which use would be in violation of this By-law. When a special permit, site plan approval, or variance has been granted with conditions, such conditions shall be enforced by the Inspector of Buildings.

12.1.2 Certificate of Occupancy. No use or occupation of land for any purpose for which a certificate of occupancy is required shall be made, in whole or in part, until such a certificate has been issued by the Inspector of Buildings stating that the use of land and structure, if any, complies with this By-law and other applicable codes in effect at the time of issuance.

12.2 ENFORCEMENT

12.2.1 Inspector of Buildings. The office of the Inspector of Buildings is responsible for the enforcement of this By-law. The Inspector of Buildings is also responsible for the enforcement of any conditions set forth in site plan approval, a special permit, or a variance. If the Inspector of Buildings is requested in writing to enforce these By-Laws against any person allegedly in violation of same, and the Inspector of Buildings declines to act, he or she shall notify, in writing, the party requesting such enforcement of any action or refusal to act, and the reasons therefor within fourteen (14) days of receipt of such request.

12.2.2 Criminal Disposition.. Any person violating any provision of this By-law, upon conviction, shall be fined \$300 for each offense, and each day that such violation continues shall constitute a separate offense.

12.2.3 Noncriminal Disposition. In addition to the procedures for enforcement as described in the previous paragraph, the provisions of this By-law may be enforced by the Inspector of Buildings by noncriminal complaint pursuant to the provisions of G.L. c. 40, s. 21D. The penalty for any person violating any provision of this By-law, ~~upon conviction~~, shall be fined \$300 for each offense, and each day that such violation continues shall constitute a separate offense.

12.3 ZONING BOARD OF APPEALS

12.3.1 Appointment; Organization. The Zoning Board of Appeals shall consist of five (5) regular members and two (2) associate members appointed by the Select Board for three-year terms. The regular members shall be appointed such that the term of at least one member shall expire each year. Vacancies shall be filled in the same manner as appointments. The Zoning Board of Appeals shall elect one (1) of its members as chairman and one of its members as clerk, each to serve for a one (1) year term. The two (2) associate members shall be appointed such that their terms do not expire the same year.

12.3.2 Removal. A member may be removed only for cause by the Select Board and only after a written statement of the facts on which removal for cause is based has been presented to such member and a public hearing has been held at which the member has been afforded the opportunity to be heard.

12.3.3 Powers. The Zoning Board of Appeals shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the General Laws and by this By-law. The Board's powers are as follows:

1. To hear and decide applications for special permits. Unless otherwise specified herein, the Zoning Board of Appeals shall serve as the special permit granting authority.
2. To hear and decide appeals or petitions for variances from the terms of this By-law, with respect to particular land or structures, as set forth in G.L. c. 40A, s. 10. The Zoning Board of Appeals shall not have the power to grant use variances.
3. To hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of G.L. c. 40A, ss. 8 and 15.
4. To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in G.L. c. 40B, ss. 22-23.

12.3.4 Regulations. The Zoning Board of Appeals may adopt rules and regulations for the administration of its powers.

12.3.5 Fees. The Zoning Board of Appeals may adopt reasonable administrative fees and technical review fees for petitions for variances, administrative appeals, and applications for comprehensive permits.

12.4 PLANNING BOARD

12.4.1 Establishment. The Planning Board has been established in accordance with MGL c. 41, Section 81A. The Planning Board shall consist of seven (7) elected members, elected for three-year terms.

12.4.2 Powers. The Planning Board shall have the following powers:

1. To oversee the contents of the Zoning By-Law of Manchester-by-the-Sea Zoning By-Law.
2. To hear and decide applications for special permits, when designated as the SPGA in this By-law.
3. To hear and decide applications for site plan approval pursuant to Sections 12.5 and 12.6.
4. To endorse Approval Not Required Plans.
5. To hear and decide applications for Subdivisions.
6. To administer the Subdivision Control Law.
7. To adhere to and oversee other planning functions as specified in MGL. c. 40A.

12.4.3 Regulations. The Planning Board may adopt rules and regulations for the administration of its powers.

12.4.4 Fees. The Planning Board may adopt reasonable administrative fees and technical review fees for applications for special permits and site plan review, as specified in G.L. c. 40A. and in G.L c. 44, s 53G.

12.5 SPECIAL PERMITS

12.5.1 Special Permit Granting Authority. When designated by this By-law and the General By-law, the Zoning Board of Appeals, the Select Board, and the Planning Board shall act as the Special Permit Granting Authority (SPGA).

12.5.2 Criteria. Special permits shall be granted by the Special Permit Granting Authority, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the Town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The Planning Board or SPGA shall rely on the Performance Standards included in Section 6.3 of this By-law. In addition to any specific factors that may be set forth in this By-law, the determination shall include consideration of each of the following:

1. Standards set forth in Section 6.3.
2. Social, economic, or community needs which are served by the proposal, if appropriate.
3. Traffic flow and safety, including parking and loading.
4. Adequacy of utilities and other public services.
5. Neighborhood character and social structures.
6. Preservation, enhancement, or creation of existing and proposed scenic viewsheds for the enjoyment of the general public
7. Impacts on the natural environment; and
8. Climate resiliency and adaption
9. Potential fiscal impact, including impact on Town services, tax base, and employment.

12.5.3 Procedures. An application for a special permit shall be filed in accordance with the rules and regulations of the Special Permit Granting Authority.

12.5.4 Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the Special Permit Granting Authority may deem necessary to serve the purposes of this By-law. Such conditions may include, but are not limited to the following:

1. Setback requirements greater than the minimum required by this By-law.
2. Requirements as to installation of screening, fencing or other means of protecting adjacent property;
3. Modification of the exterior features or appearance of any structure.
4. Limitation as to size, number of occupants, or method and time of operation of any proposed use.
5. Regulation of number, design and location of access drives and other traffic features.
6. Requirement of off-street parking and other special features.
7. Installation of mechanical or other devices to limit noise, light, odor or other objectional aspects of use; and
8. Requirement for surety bonds or other security for the performance of any conditions attached to the special permit, if appropriate.

12.5.5 Referral. When appropriate, the Zoning Board of Appeals, Select Board and Planning Board, when serving as the SPGA, ~~shall~~ **may** refer a special permit application to the Board of Health, Conservation Commission, and the Department of Public Works for written comments and recommendations before taking final action on said special permit application. Referral to staff members of these departments, boards, or committees for comments shall be required in all instances. The SPGA may refer a special permit application to any other Town agency, board, or department for comments and recommendations if it so desires before taking final action on said special permit application. A public hearing on said referral shall not be required. Any such Board or Agency to which applications are referred for comment shall make its recommendations and send copies thereof to the SPGA and the applicant within thirty-five (35) days of receipt of the referral request by said board or agency or there shall be deemed no opposition or desire to comment. The SPGA shall not act upon said special permit until either comments from referred board or agencies have been received or said thirty five (35) days have elapsed, whichever is sooner. Applications referred to more than one board or agency may be reviewed jointly by said boards or agencies.

12.5.6 Plans. Unless otherwise provided by rule or regulation of the Special Permit Granting Authority, an applicant for a special permit shall submit a plan in substantial conformance with the requirements of Section 12.5 and Section 6.3, herein. The provisions of this Section shall not apply to applications for special permits pursuant to Section 7.0 to alter a nonconformity. The Zoning Board of Appeals shall establish procedures governing such applications by regulation.

12.5.7 Regulations. The Special Permit Granting Authority may adopt rules and regulations for the administration of this section.

12.5.8 Fees. The special permit granting authority may adopt reasonable administrative fees and technical review fees for applications for special permits. The Planning Board or SPGA may require the establishment of an escrow account, pursuant to G.L. c. 44, s. 53G during the special permit process or site plan approval, to cover all or part of the cost of the technical review required by the project, including services provided by, but not limited to, attorneys, traffic engineers, landscape architects, civil engineers, fiscal analysts, and other professionals. An independent process for selection of consultants and use of escrow accounts shall be established and adopted by each SPGA.

12.5.9 Lapse. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within thirty-six (36) months following the filing of the special

permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

12.6 SITE PLAN REVIEW.

12.6.1 Purpose. The purpose of site plan review is to ensure the design and layout of certain developments permitted as a matter of right, by special permit, or by variance. Site plan review is intended to promote suitable development that will not result in a detriment to the neighborhood or the environment.

12.6.2 Applicability. Each SPGA may conduct site plan review while in the process of conducting the Special Permit review. If a project is a "by right" development, then the Planning Board shall be the entity responsible for conducting the site plan review on that specific project.

1. Any new development, expansion, or change of use other than a single-family or two-family residence which would, under the parking schedule "Off-Street Parking Regulations" of Section 6.1, require five (5) or more parking spaces, regardless of the number of parking spaces preexisting on the premises.

12.6.3 Procedure. The SPGA or the Planning Board shall hold a public hearing for consideration of an application for site plan approval. Said hearing shall be conducted in accordance with the procedures set forth in G.L. c. 40A, s. 11 for special permits. The written decision of the SPGA or Planning Board shall be filed with the Town Clerk within 90 days of the close of the public hearing. Failure to file the decision within 90 days of the close of the public hearing shall be constructive approval of the site plan application.

12.6.4 Site Plan Requirements. Plans subject to site plan review shall be prepared and stamped by a Registered Architect, Landscape Architect, or Professional Engineer licensed by the Commonwealth of Massachusetts. The site plan shall be prepared at a scale no greater than 1"=40', and shall show the following:

1. Locus map at a scale not greater than 1"=2,000'
2. All existing and proposed buildings and structures.
3. All existing and proposed contour elevations.
4. All existing and proposed parking spaces, driveway openings, driveways, and service areas.
5. All existing and proposed facilities for sewage, refuse, and other waste disposal.
6. All wetlands, surface water, and areas subject to the 100-year flood.
7. All existing and proposed facilities for surface water drainage.
8. All existing and proposed landscape features such as fences, walls, trees and planting areas, walks, and lighting.
9. All contiguous land owned by the applicant or by the owner of the property.

12.6.5 Additional Application Requirements. The applicant shall also submit the following in accordance with Section 6.3.

1. Such material as may be required regarding measures proposed to prevent pollution of surface or ground water, soil erosion, increased runoff, changes in groundwater level, and flooding.
2. Such material as may be required regarding design features intended to integrate the proposed new development into the existing landscape, to enhance aesthetic assets, and to screen objectional features from neighbors.
3. Such material as may be required regarding the projected traffic-flow patterns into and upon the site for both vehicles and pedestrians and an estimation of the projected number of motor vehicle trips to and from the site for an average day and for peak hours.

4. Such material as may be required to evidence compliance with the Performance Standards of Section 6.3

12.6.6 Waiver of Technical Compliance. The SPGA or the Planning Board may, upon written request of the applicant, waive any of the technical or procedural requirements of this Section where the project involves relatively simple development plans.

12.6.7 Decision; Criteria. A majority **vote** of the SPGA or the Planning Board shall be required for site plan approval. The Planning Board may impose reasonable conditions at the expense of the applicant to promote these objectives. Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Rules and Regulations Governing the Subdivision of Land in Manchester-by-the-Sea, Massachusetts. The SPGA or the Planning Board shall use the parking, signage, landscaping and other performance standards prescribed in Section 6.0 of this By-law in considering all site plans, in order to promote the following goals:

1. Protection of adjacent areas against detrimental or offensive uses on the site by provisions of adequate surface water drainage, buffers against lighting, sight, sound, dust, vibration, and the allowance of sun, light, and air.
2. Convenience and safety of vehicular, bicycle, and pedestrian movement within the site and in relation to adjacent areas.
3. Adequacy of facilities of handling and disposal of refuse and other production by products.
4. Protection of environmental features on the site and in adjacent area.
5. Resiliency and adaptation to and mitigation of the adverse effects of climate change such as flooding, sea level rise, and heat island effect.
6. Promotion of appropriate arrangement of structures within the site and in relation to existing structures within the district and neighborhood.
7. Coordination with and improvement of systems of vehicular, bicycle, and pedestrian access, drainage, water supply, sewage disposal, lighting, landscaping, wetlands, water courses, buildings and other features that support the neighborhood; and
8. Compliance with all applicable sections of this By-law.

12.6.8 Performance Guarantee. As a condition of site plan approval, the SPGA or the Planning Board may require that construction and site alteration permitted and specified by said approval be secured by one, or in part by one and in part by the other, of the methods set forth in G.L. c. 41, s. 81U (except for the statutory covenant).

12.6.9 Release of Guarantee. Performance guarantees may be released in whole or from time to time, in part, when the work has been satisfactorily completed in the opinion of the Planning Board. The Planning Board shall then release the interest of the Town in such bond and return any bond or deposit to the person who furnished the same. Request for all releases shall be by certified, return receipt letter to the SPGA or the Planning Board and the Town Clerk and shall outline that portion of the work to be released and shall be accompanied by an engineer's or surveyor's certification that the work has been done in accordance with the requirements of the granted site plan approval. If the SPGA or the Planning Board determines that said construction or site alteration has not been completed, it shall specify in a notice sent by registered mail to the applicant and to the Town Clerk, the details wherein said construction or site alteration fails to comply with the site plan approval and upon failure to do so within forty-five (45) days after the receipt by said Town Clerk of said request by the applicant, all obligations under any bond shall cease and terminate by operation of law, and

any deposit shall be returned. In the event that said forty-five (45) day period expires without such specification, or without the release and return of the bond or return of the deposit as aforesaid, the said Town Clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded.

12.6.10 Regulations. The SPGA or the Planning Board may adopt reasonable regulations for the administration of site plan review.

12.6.11 Fees. The SPGA or the Planning Board may adopt reasonable administrative fees and technical review fees for site plan review.

12.6.12 Appeal. Any decision of the SPGA or the Planning Board pursuant to this Section may be appealed in accordance with G.L. c. 40A, s. 17 to a court of competent jurisdiction.

12.7 REQUEST FOR REASONABLE ACCOMMODATION

12.7.1 Purpose. Under the Federal Housing Authority (FHA), it is a discriminatory practice to refuse to make "a reasonable accommodation in rules, policies, practices, or services when such accommodation may be necessary to afford [a handicapped] person equal opportunity to use and enjoy a dwelling" 42 U.S.C. s. 3604(f)(3)(B). The same standard applies under the ADA, which also addresses nonresidential facilities providing services to persons with disabilities. 42 U.S.C.

12112(b)(5). 267 See also G.L. c. 40A, s. 3. The purpose of this Section is to facilitate housing and/or services for persons with disabilities and to comply fully with the spirit and the letter of the FHA and, where applicable, the ADA.

12.7.2 Request. Any person eligible under the FHA or any provider of housing to persons eligible under the FHA, or any person eligible to operate a nonresidential facility providing services to persons eligible under the ADA, may request a Reasonable Accommodation as provided by the Fair Housing Act and/or the ADA. A Request for a Reasonable Accommodation does not affect a person's or provider's obligations to act in compliance with other applicable laws and regulations not at issue in the requested accommodation.

12.7.3 Zoning Board of Appeals. All requests for Reasonable Accommodation under the FHA and/or the ADA shall be submitted to the Zoning Board of Appeals (ZBA).

12.7.4 Information. All requests for Reasonable Accommodation shall be in writing and provide, at a minimum, the following information:

1. Name and address of person(s) or entity requesting accommodation.
2. Name and address of property owner.
3. Name and address of dwelling or facility at which accommodation is requested.
4. Description of the requested accommodation and specific regulation or regulations for which accommodation is sought.
5. Reason that the requested accommodation may be necessary for the person or persons with disabilities to use and enjoy the premises; and
6. If the requested accommodation relates to the number of persons allowed to occupy a dwelling, the anticipated number of residents, including facility staff (if any).
7. If necessary to reach a decision on the request for Reasonable Accommodation, the ZBA may request further information from the applicant consistent with the FHA and/or ADA, specifying in detail the information required.

12.7.5 ZBA Procedures. The ZBA shall decide a request for reasonable accommodation by majority vote at an open meeting. The ZBA may hold a public hearing using the procedures, including notice, set forth in G.L. c. 40A, ss. 11 and 15. The deadlines imposed in G.L. c. 40A, 295 s. 11 or s. 15 may be extended upon the request of the applicant and the approval of the ZBA. The ZBA may seek information from other Town agencies in assessing the impact of the requested accommodation on

the rules, policies, and procedures of the Town. Upon written notice to the ZBA, an applicant for a reasonable accommodation may withdraw the request without prejudice. The ZBA shall consider the following criteria when deciding whether a request for accommodation is reasonable:

1. Whether the requested accommodation is reasonable.
2. Whether the requested accommodation would require a fundamental alteration of a legitimate Town policy; and
3. Whether the requested accommodation would impose undue financial or administrative burdens on the Town government.

12.7.6 Decision. After conducting an appropriate inquiry into the request for reasonable accommodation, the ZBA may:

1. Grant the request.
2. Grant the request subject to specified conditions; or
3. Deny the request.

The ZBA shall issue a written final decision on the request in accordance with G.L. c. 40A, s. 15. If the ZBA fails to render its decision on a request for reasonable accommodation within the time allotted by G.L. c. 40A, s. 15, the request shall be deemed granted. The ZBA's decision shall be filed with the Town Clerk and sent to the applicant by certified mail.

12.7.7 Appeal. The ZBA's decision pursuant to this Section may be appealed to a court of competent jurisdiction in accordance with G.L. c. 40A, s. 17 or otherwise.

12.7.8 File. The ZBA shall maintain a file of all requests for reasonable accommodation under the FHA and/or the ADA and a file of all decisions made on such requests. The file(s) may be reviewed in the Office of the ZBA upon request during regular business hours.

12.7.9 Other Laws. While a request for a reasonable accommodation is pending, all laws and regulations otherwise applicable to the premises that is the subject of the request shall remain in full force and effect.

12.8 SITE PLAN REVIEW FOR DOVER AMENDMENT USES

12.8.1 Purpose. The purpose of this Section is to provide for site plan review of religious uses, educational uses, and childcare centers otherwise "exempt" pursuant to G.L. c. 40A, s. 3. These are items B.1, B.2 and B.3 in the Table of Use in Section 4.2 and Parking Regulations in Section 6.1.

12.8.2. Site Plan Review Required. Prior to the issuance of any building permit or certificate of occupancy, the establishment, alteration, change, extension, or reconstruction of uses B.1, B.2, or B.3, as set forth in the Table of Allowed Uses in Section 4 shall require site plan approval from the Planning Board pursuant to this Section.

12.8.3 Scope of Site Plan Review. Under this Section, Site Plan Review shall be limited to two inquiries:

1. Whether the use qualifies for protection under G.L. c. 40A, s. 3; and, if so,
2. What reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements, if any, should be imposed on the use.

12.8.4 Required Information. All applications for Site Plan Review shall be in writing and provide, at a minimum, the following information:

1. Name and address of applicant person or entity.
2. Name and address of property owner.
3. Description of the proposed use and any documents necessary to establish threshold compliance with G.L. c. 40A, s. 3.

4. Reason that relief is requested from otherwise applicable zoning requirements.
5. If necessary to reach a decision on the application, the Planning Board may request further information from the applicant consistent with G.L. c. 40A, s. 3, specifying in detail the information required.

12.8.5 Site Plan; Contents. In addition, the applicant shall submit a site plan with the following information:

1. Legend depicting all pertinent existing and proposed site features.
 2. The date and north arrow shall be shown on the plans.
 3. All site plans must be prepared and stamped by a Registered Professional Civil Engineer **or** a Professional Land Surveyor licensed in the Commonwealth of Massachusetts. The land surveyor shall perform an instrument boundary survey and shall certify the accuracy of the locations of the buildings, setbacks, and all other required dimensions to property lines.
 4. Zoning Chart depicting "Required" vs. "Provided" for all applicable Zoning Criteria including Lot Size, Frontage, Setbacks, Building Height, Lot Coverage, Parking Spaces, Landscaping Requirements.
 5. Locus map, at a scale of 1" = 600' or suitable scale to accurately locate the site in Town, oriented on the plan in the same way as the large-scale plan.
 6. The location, width, status (public or private), and name of all streets within 100' of the project.
 7. On-site and abutting lot lines. On-site lot lines shall be described by bearings and distance. Abutting lot lines shall be shown in a general way.
 8. Zoning District lines, including overlay districts if applicable.
 9. The location of existing or proposed building(s) on the lot shall be shown with total square footage and dimensions of all buildings.
 10. Any streams, brooks, or wetland resource area boundaries within 100' of the property lines.
 11. Information on the location, size and type and number of existing and proposed landscape features. Provide Diameter at Breast Height (DBH) for all existing site trees $\geq 6"$ DBH --within the project site disturbance limits
 12. Information on the location, size and capacity of existing and proposed on-site and abutting utilities, (water, sewer, drainage, natural gas, electrical cable, etc.) including utilities in abutting side streets, if applicable.
 13. Detailed locations and dimensions of all existing and proposed buildings and uses on site and on abutting properties, including exterior details relating to the building footprint. All existing and proposed setbacks from property lines. Any minimum, or below minimum, setback distances shall be clearly noted as such on the plan.
 14. Information and details for all site and directional on-site signage shall be submitted.
 15. Elevation and facade treatment plans of all proposed structures. Color renderings are required for new construction.
 16. Information on the location, size and type of parking, loading, storage and service areas. A parking calculation schedule noting existing, required and proposed spaces for the entire site shall be provided.
 17. Details and specifications (if applicable) for proposed site amenities, including, but not limited to fences, recreation facilities, walls or other barrier materials; and special paving materials.
- 12.8.6 Decision. The Planning Board may approve, approve with conditions, or deny an application for site plan approval. In making its decision, the Board shall be guided exclusively by G.L. c. 40A, s. 3. The Board shall file a written decision with the Town Clerk within ninety (90) days after the close

of the Public Hearing. Failure to file a decision within ninety (90) days after the close of the Public Hearing shall constitute approval of the site plan.

12.8.7 Appeal. Any appeal of the Planning Board's decision in this Section shall be made pursuant to G.L. c. 40A, s. 17.

ARTICLE 4:

If Article 3 fails to be approved, to see if the Town will vote to amend the Zoning By-Laws by re-inserting Section 6.5 ("Site Plan Review"), which was deleted from the Zoning By-Laws as part of the amendments made at the Fall 2022 Special Town Meeting with the assumption that a new site plan review section would be added to an amended Section 12, or take any other action relative thereto. The full text of the proposed changes is available at the Town Clerk's Office, the Library, or on-line at the Town's web site at <http://www.manchester.ma.us/384/Planning-Board> or <http://www.manchester.ma.us/503/Town-Meetings-and-Elections>.

Per Petition of the Select Board and Planning Board
The Select Board recommended approval.

MOTION

Sarah Creighton moved to pass over and take no action and Ron Mastrogiacomo seconded.

Discussion

None.

Action

Motion prevailed with a majority vote; 191 yes, 11 no, 5 abstentions.

ARTICLE 5:

To see if the Town will vote to amend Sections 4, 5, 7, 8, 9, 10, and 11 of the Zoning By-Laws to correct certain scrivener's errors and omissions, as indicated below, by deleting the strikethrough language, and inserting the underlined language, and to vote further to authorize the Town Clerk to make all clerical changes to the Table of Contents, Appendix, and Index to reflect the amendments and corrections, or take any other action relative thereto.

Per Petition of the Planning Board
The Select Board recommended approval.

MOTION

Christopher Olney moved and Sarah Creighton seconded to amend the Town's Zoning By-laws by correcting scrivener's errors and omissions, as detailed in the Special Town Meeting Article 5 handout with new language to be inserted underlined and language to be deleted shown with a

strikethrough noting the following additional changes: in Section 9.2.4.2, the reference to 9.2.4.3 should be 9.3.3 and in Section 11.2.3.1, the reference to 5.10 should be 4.2 and further to authorize the Town Clerk to make all clerical changes to the Table of Contents, Appendix, and Index to reflect the amendments and corrections.

SECTION 4.0 USE REGULATIONS	
Section 4.2 (“Table of Allowed Uses, Note 3.c”)	“c. Off-street parking regulations of Section 6.2 <u>6.1</u> of this By-law are met;”

SECTION 5.0 DIMENSIONAL REGULATIONS	
Section 5.1 (“Adequate Frontage”)	“In issuing building permits for construction on lot(s) with frontage considered by the Building Inspector to provide impractical vehicular access, or otherwise satisfying only technical and not practical frontage compliance, the Building Inspector shall be empowered to ensure that said lot(s) have access to that portion of the lot(s) to be constructed upon by means of easement or so-called "common driveways" which are, in his opinion and in the opinion of the Planning Board, of adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land, and for the installation of municipal services to serve such land and buildings erected or to be erected thereon and which meet the design standards contained in Section 6.2.8 <u>8.4</u> of these By-laws.”
Section 5.7 (“Limited Commercial District”)	“Notwithstanding the foregoing provisions of this Section 5.0, the following requirements shall be met in the Limited Commercial District (See also Section 4.4 <u>5.10</u> <u>Performance Requirements within</u> Limited Commercial District):”

SECTION 7.0 NONCONFORMING USES

<p>Section 7.3 (“Restoration”)</p>	<p>“Restoration of a nonconforming structure which has been damaged by fire, flood or other casualty or by vandalism may be made without conformance to the provisions of this By-Law or amendment hereto, provided that such restoration shall have commenced within six months of the date the damage was sustained and that such restoration continue through to completion as continuously and expeditiously as is reasonable, and provided that the structure as restored shall not exceed 100% of the floor area of the structure immediately prior to the damage unless the Board of Appeals grants a special permit therefor in accordance with Section 7.5 12.5 (Special Permits) after finding that such restoration is not substantially more detrimental or injurious to the neighborhood than the structure immediately prior to such damage.”</p>
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<p>SECTION 8.0 SPECIAL REGULATIONS</p>	
<p>Section 8.1.3 (“Special Permit”)</p>	<p>“No special permit shall be granted by the Planning Board, unless, in its judgment, following input from other municipal boards, departments, agencies and their staff, the Board determines that reasonable measures shall be or already have been taken to comply with the requirements of Section 7.5 12.5 and to:”</p>
<p>Section 8.3.5.1 (“General Requirements and Conditions”)</p>	<p>“All Marijuana Businesses must obtain a special permit and site plan approval from the Planning Board pursuant to the requirements of Section 6.4 6.2 (Signs), 6.9 12.6 (Site Plan Review Special Permit), Section 7.5 12.5 (Special Permits) and the requirements of Section 8.3. The Planning Board may grant a single special permit incorporating the requirements of Sections 6.4 6.2, 6.9 12.6, 7.5 12.5 and 8.3 for a Marijuana Business.”</p>

Section 8.3.5.6 (“General Requirements and Conditions”)	“Signs for all Marijuana Businesses shall, at a minimum, comply with Section 6.4 6.2 of the Zoning By-Law, the provisions of 105 CMR 725.105(L) (“Marketing and Advertising Requirements”), the provisions of 935 CMR 500 et seq., and the terms and conditions of the special permit issued pursuant to Section 8.3, et seq.”
Section 8.3.6 (“Special Permit Requirements”)	“A Marijuana Business shall be allowed only by Special Permit in accordance with G.L. c. 40A, s. 9; with the requirements of Section 7.5 et seq. 12.5 of the Zoning By-Law, with the terms and conditions of the special permit issued pursuant to Section 8.3, et seq. and with the additional requirements contained in this Section (8.3.6), below.”

SECTION 9.0 SPECIAL RESIDENTIAL REGULATIONS	
Section 9.2.3 (“Applicability”)	“In cases where the Planning Board determines that the site is not suitable for an RCC Development, and where the proposed subdivision of land is for six (6) or more lots, the Planning Board’s special permit powers shall be limited to enforcing the provisions of Section 9.4 9.3 of the Zoning Bylaw.”
Section 9.2.4.2 (“Preliminary (Conventional) Plan/RCC Sketch Plan”)	“If the above-noted forty-five (45) daytime period has lapsed without a written decision being issued by the Planning Board, the applicant may submit a definitive subdivision/ RCC Development plan in accordance with Section 9.4.3 9.2.4.3 9.3.3 of this Bylaw.”
Section 9.2.4.6.a.1 (“Criteria for Special Permit Decision – Findings”)	“1. Upland open space as required by this Bylaw has been provided and generally conforms to the Design Requirements in Section 9.2.8 – Section 9.2.9 of this Bylaw.”
Section 9.2.4.6.a.5 (“Criteria for Special Permit Decision – Findings”)	“5. The provisions of Section 9.4 9.3 of the Zoning Bylaw will be met. The Planning Board’s findings, including the basis of such findings, shall be stated in the written

	decision of approval, conditional approval or denial of the application for special permit.”
Section 9.2.11 (“Affordable Component”)	“As a condition of the grant of any special permit for a RCC Development containing six (6) or more lots or dwelling units, the Planning Board shall ensure compliance with the provisions of Section 9.4 9.3 (“Inclusionary Housing”) of the Zoning Bylaw.”
Section 9.2.12 (“Special Permit Requirements”)	“In reviewing an application under this Bylaw, the Planning Board shall rely, to the extent warranted, on the provisions of Section 7.5 12.5 of the Zoning Bylaw.”
Section 9.3.4 (“Mandatory Provision of Affordable Units”)	“The Planning Board shall, as a condition of approval of any development referred to in Section 9.2, require that the applicant for special permit approval complies with the obligation to provide affordable housing pursuant to this Bylaw and more fully described in Section 9.4.5. 9.3.5. ”
Section 9.3.5.1(b) (“Provision of Affordable Units”)	“(b) Constructed or rehabilitated on a locus different than the one subject to the special permit (see Section 9.10.2 9.3.7);”
Section 9.3.5.1(d) (“Provision of Affordable Units”)	“(d) For non-rental affordable housing units, a cash payment to the Affordable Housing Trust Fund may be made subject to Section 11.1.2 9.3.11 of this Bylaw. The applicant may offer, and the Planning Board may accept, any combination of the Section 9.4.5.1(a)-(d) 9.3.5.1(a)-(d) requirements provided that in no event shall the total number of units or land area provided be less than the equivalent number or value of affordable units required by this Bylaw.”
Section 9.3.7 (“Provision of Affordable Housing Units Off-Site”)	“As an alternative to the requirements of Section 9.4.5.1(a) 9.3.5.1(a) , an applicant subject to the Bylaw may develop, construct or otherwise provide affordable units equivalent to those required by Section 9.4.5 9.3.5 off-site.”

<p>Section 9.3.10.4 (“Preservation of Affordability; Restrictions on Resale”)</p>	<p>“4. The Planning Board shall require, as a condition for special permit approval under this Bylaw, that the applicant comply with the mandatory set asides and accompanying restrictions on affordability, including the execution of the deed rider noted in Section 11.1.1. <u>9.3.10.2.</u> The Building Commissioner shall not issue an occupancy permit for any affordable unit until the deed restriction is recorded at the Essex County Registry of Deeds or the Land Court.”</p>
<p>Section 9.3.11 (“Fees in Lieu of Affordable Housing Units”)</p>	<p>“As an alternative to Section 9.4.5 (a) through (e) <u>Section 9.3.5.1 (a) through (d),</u> an applicant may contribute a cash payment to the Affordable Housing Trust Fund, to be used for the development of affordable housing by the Town or its designees, in lieu of constructing and offering affordable units within the locus of the proposed development or off-site.”</p>
<p>Section 9.3.11.1 (“Calculation of fees-in-lieu of units.”)</p>	<p>“1. Calculation of fees-in-lieu of units. The applicant for development subject to this Bylaw may pay a fee in lieu of the construction of affordable units. For each affordable unit not constructed or provided through one or a combination of the methods specified in 9.4.5 (a) through (e) <u>Section 9.3.5.1 (a) through (d),</u> the fee shall be an amount equal to the difference between the median sale price for new single-family homes built in Manchester-by-the Sea during the preceding three fiscal years, as determined and reported by the Board of Assessors, and the purchase price of a home that is affordable to a qualified purchaser.”</p>
<p>Section 9.3.11.2 (“Schedule of fees in lieu of payments.”)</p>	<p>“2. Schedule of fees in lieu of payments. Fees in lieu of payments shall be paid according to the schedule set forth in Section 6.19.1 (3), above.”</p>

SECTION 10 SPECIAL DISTRICTS

<p>Section 10.3.1 (“Ground and Surface Water Resource Overlay Protection Districts”)</p>	<p>“10.3.1 By Special Permit from the Planning Board, and limited to the land area west of Pine Street, a/k/a Pipe Line Road, laboratories and establishments devoted to scientific research and development; light manufacturing, assembly and processing of materials related thereto and incidental accessory uses. Such a use will be permitted only if the following conditions, in addition to the requirements specified in Sections 6.9 and 7.5 of the Zoning By Law are met:”</p> <p>(a) The applicant shall prove to the satisfaction of the Planning Board, based in part on the advice of the Conservation Commission, the Board of Health, and the Department of Public Works, that such use and facilities will not adversely affect the environment or public health. These requirements are in addition to those described in Section 5.10 of the Zoning Bylaw.</p> <p>(b) Expenses incurred by the Planning Board in connection with the Special Permit, including the reasonable fees and expenses of any consultants retained by the Planning Board, shall be borne by the applicant for the Special Permit.</p> <p>(c) It shall be a condition of any Special Permit granted under this section that the applicant shall file with the Planning Board on an annual basis evidence that all federal, state and town licenses, permits and standards have been obtained or met for handling, use, storage and disposal of any regulated substances as defined in Section 10.3.4.3 of the Zoning Bylaw.</p> <p>(d) In considering the Special Permit application, the Planning Board shall apply relevant design and operating guidelines noted in Section 10.3.6.5 of the Zoning</p>
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	Bylaw, including subsection (f) regarding alterations and expansion. [1997]
Section 10.3.1 (“Findings”)	“103.1 10.3.1 Findings:”
Section 10.3.4.1(d) (“Determination of Location within Ground and Surface Water Overlay Protection Districts”)	“Special permits, in accordance with the provisions of this By-Law, Section 7.5 12.5 of the Manchester-by-the-Sea Zoning By-Law and M.G.L. c. 40A, §9, may be granted by the Planning Board to exempt a location from the requirements of this By-Law, provided that the applicant demonstrates that the Ground and Surface Water Resource Overlay Protection District Maps incorrectly identify the location as being within the Ground and Surface Water Resource Overlay Protection District.”
Section 10.3.6.1 (“Special Permits”)	Special Permits: The Special Permit Granting Authority (SPGA) under Section 10.3 of this By-Law shall be the Planning Board. Special permits shall be granted only in conformance with this By-Law, Section 7.5 12.5 of the Manchester-by-the-Sea Zoning By-Law, and M.G.L. c. 40A, §9.

SECTION 11.0 ENERGY REGULATIONS	
Section 11.1.3.3 (“Site Plan Approval Required”)	“LGSPI shall be constructed, installed, used and modified in conformity with a site plan approved by the SPAA in accordance with Section 6.5 12.6 of the Zoning By-Law and the further requirements set forth herein. The requirements set forth herein shall be applied coincident with and in addition to those requirements set forth in Section 6.5 12.6 . The requirements of this section shall take precedence in the event of a direct conflict.”
Section 11.1.3.3.2(a)(ix) (“Required Documents”)	“ix. How land clearing and construction shall be performed in accordance with <u>Article XXIII (“Stormwater Management Special Permit”) of the General Bylaws, and</u> Sections 5.10 and 6.15 of the Zoning By-Law governing storm water discharge, land

	disturbance, provision for handling toxic or hazardous materials, and post-construction storm water runoff;”
Section 11.1.3.8.3 (“Drainage and Groundwater Protection”)	“An LGSPI shall comply with the requirements set forth in <u>Article XXIII (“Stormwater Management Special Permit”) of the General Bylaws, and</u> Sections 5.10 and 6.15 of the Zoning By-Law, which requirements shall be imposed and conditioned as appropriate through the Site Plan Approval process. No LGSPI shall be required to obtain an independent special permit under either section.”
Section 11.2.3.1 (“Use Regulations”)	“WECFs under these Sections 11.2 and 4.4 5.10 4.2 shall be allowed only in the LCD, and then only upon issuance of a special permit by the Planning Board in accordance with the requirements of the Zoning By-law, including those requirements set forth in Sections 5.7, 5.10, and 7.5 12.5 , irrespective of whether the use is a principal or accessory use. Met Towers shall be permitted in the LCD, subject to the issuance of a special permit in conformance with the Zoning By-law and a building permit for a temporary structure.”
Section 11.2.4 (“Special Permit Regulations”)	“The Planning Board shall grant a special permit only if it finds that the proposal complies with the provisions of this Section 11.2 and with Section 7.5 12.5 of the Zoning By-Law.

Mr. Olney of the Planning Board explained that Article 5 is an admission that the PB is not perfect. This article involves fixing typos and referencing errors that resulted from changes to the zoning bylaw that were adopted in recent town meetings. None of these fixes will have an impact on the intent and meaning of the Zoning bylaw.

Discussion

None.

Action

Motion prevailed with more than the required 2/3rds vote; 200 yes, 9 no, 2 abstentions.

ARTICLE 6:

To see if the Town will vote to authorize the purchase of a replacement ladder/pumper truck for the Fire Department for a cost not to exceed \$1,500,000 and to fund this purchase, transfer the sum of \$1,320,000 from the Fire Apparatus Replacement Fund and transfer the sum of \$180,000 from the Town's Fund Balance (equal to the sale of the Fire Department's mini-pumper), for a total of \$1,500,000; and further to rescind a previous Town Meeting vote to appropriate \$400,000 from the Fire Apparatus Replacement Fund for the purchase of a new ambulance, or take any other action relative thereto.

Per petition of the Select Board

The Select Board and Finance Committee recommended approval.

MOTION

John Round moved and Rebecca Jaques seconded to authorize the purchase of a replacement ladder truck for the Fire Department at a cost of \$1,500,000 and to fund this purchase, transfer the sum of \$1,320,000 from the Fire Engine Apparatus Fund and transfer the sum of \$180,000 from the Town's Fund Balance (equal to the sale of the Fire Department's mini-pumper), for a total of \$1,500,000; and further to rescind a previous appropriation in the amount of \$450,000 from the Fire Engine Apparatus Fund made under Article 2 of the November 14, 2022 Special Town Meeting for the purchase of a new ambulance or ambulance re-build.

Mr. Round of the Select Board explained that the Town's ladder/pumper truck is unable to pass the required Massachusetts state emissions standards test and that it needs to be replaced.

Each year, as part of our capital budget, the Town has been putting aside funds for the purchase of new fire apparatus. This Fire Apparatus Fund currently stands at \$1.32 million. By selling our mini-pumper, which has been deemed less useful, for \$180,000 we will have the needed \$1.5 million. In this Article, we are also rescinding the vote to purchase a new, second ambulance, which would have used \$450,000 of Fire Apparatus Fund monies, because we can outfit our current pumper truck with all of the medical equipment needed to make non-transport Advanced Life Support calls. So, our pumper truck can serve a dual role, making more efficient use of our fire apparatus.

Discussion

Mr. Keefe of 8 Victoria Road questioned why we don't just replace the engine in our truck. Town Administrator Greg Federspiel explained that the cost of that was not worth the investment, given the limited useful life of the truck due to other factors.

Action

Motion prevailed with a majority vote; 196 yes, 12 no, 1 abstention.

ARTICLE 7:

To see if the Town will vote to raise and appropriate the sum of \$50,000 for a Salary Reserve Account for FY24 to be used to fund salary adjustments primarily due to final contract negotiations

with Town labor unions and additional Fire Department overtime expenses, or take any other action relative thereto.

Per petition of the Select Board

The Select Board and the Finance Committee recommend approval.

MOTION

Catherine Bilotta moved and Brian Sollosy seconded the Article as presented in the warrant.

Ms. Bilotta explained that at the time of the Annual Town Meeting, contracts for the DPW and Clerical Unions were still being negotiated. Those contracts have now been settled. Approving Article 7 will allow us to give those town employees their salary increases at the start of the fiscal year. Additionally, we need to cover some forecasted overtime in the Fire Dept for the first two weeks of July. A couple of our new firefighters will not complete required training until mid-July, thus their ability to cover certain shifts is limited.

Discussion

None.

Action

Motion prevailed with a majority vote; 197 yes, 9 no, 0 abstentions.

Ann Harrison moved to dissolve the Special Town Meeting and John Round seconded.

By voice vote, the Moderator declared the vote unanimous and declared the meeting dissolved at 8:05 p.m.

Dianne K. Bucco

Town Clerk

Manchester-by-the-Sea