

## **Annual Town Meeting Administrative Corrections**

Town Meeting Members:

There have been a few administrative corrections made to the warrant as originally printed. You have already received the following in your booklets:

- Correction to the chart in Articles 5D and 5E to replace what is on page 13. The correction shown removes an additional line within and is shown in strikethrough.
- Article 20: Zoning and Planning bylaw amendments, revised Appendix to replace pages 82-89
- Article 21: Flow Neutral Bylaw, revised Appendix to replace pages 90-92

In addition, the following corrections were made:

- Finance Committee Recommendation Corrections to articles 16, 18, 19, 20, 21 and 22A/22B from Recommend "Adoption" to "Yield to Petitioner"
- Appendix A to replace pages 27-30 (showing adjusted FY24 amounts circled, this does not affect FY25 amounts)

The Planning Board is separating Article 20 into multiple motions and has added a reference document.

- Revised list of Motions for Article 20
- Article 20 Reference Document from the Planning Board

The Charter Committee prepared an update to deliver at Town Meeting and a copy of that report is included as a separate document.

• Charter Committee Updates – May, 2024

We will discuss the information as corrected. Thank you for your patience as we make sure Town Meeting Members are provided with accurate, up-to-date and simplified information

to make your decisions.



## Annual Town Meeting Article Recommendation Corrections

Please be advised that the Finance Committee Recommendations were incorrectly listed as "Recommend: Adoption" and should state "Recommend: Yield to Petitioner" for the following articles:

- Article 16: Assessment of New Construction
- Article 18: Amend Bylaws 87, 206 and 405 (Animal Control)
- Article 19: Amend Bylaws Stormwater Management
- Article 20: Amend Bylaws Zoning
- Article 21: Flow Neutral Bylaw
- Article 22: Tree Bylaws
  - A: Amend Bylaws Chapter 76, Tree Warden
  - o B: Public Shade Tree, new Bylaw, Chapter 88

these updates are reflected in the revised copy of the warrant posted online

## ADJUSTED FY24 AMOUNTS ARE CIRCLED BELOW

Function/ Dept #	E Wester Market Barrier and Constrained States	Name/Function Totals	FY 2024 Budgeted	FY 2025 Budget
GENERAL GOVE	RNMENT (MISC.)		and the second secon	
114	Moderator Salary		\$1,000.00	\$1,000.
122/195/405	Select Board/Town Adm./Tow	vn Report/Engineering		
	Salaries & Wages		\$322,412.00	\$364,716.
	<b>Operating Expenses</b>		\$27,910.00	\$40,590.
153	Human Resources			
	Salaries & Wages		\$193,943.00	\$178,123.
	Operating Expenses		\$20,975.00	\$64,465.
113/131	Town Meeting/Finance Comn	nittee		
	Salaries & Wages		\$1,000.00	\$1,500.
	Operating Expenses		\$7,945.00	\$7,830.
	Reserve Fund		\$100,000.00	\$75,000.
151	Legal		\$180,000.00	\$285,277.
	Town Hall		+	+,
192	Salaries & Wages	(	\$86,916.00	\$174,516.
	Operating Expenses		\$76,150.00	\$81,890.
			\$70,150.00	<i>\$</i> 01,050.
155	Consolidated Information Tec	nnology	6220.004.00	624F 271
	Salaries & Wages Operating Expenses		\$339,994.00 \$202,415.00	\$345,271. \$226,205.
			and the second	
		General Government Salaries & Wages General Government Operating Expenses	\$945,265.00 \$615,395.00	\$1,065,126. \$781,257.
		Subtotal General Government	Contraction of the second s	Contraction of the second s
			\$1,500,000.00	\$1,840,383.
GENERAL GOVE	RNMENT (MUNICIPAL FINANCE		\$1,560,660.00	\$1,840,383.
GENERAL GOVE	RNMENT (MUNICIPAL FINANCE Accounting		\$1,360,660.00	\$1,846,383
	RNMENT (MUNICIPAL FINANCE Accounting Salaries & Wages		\$162,616.00	
	Accounting			\$204,997.
135	Accounting Salaries & Wages Operating Expenses		\$162,616.00	\$204,997.
	Accounting Salaries & Wages		\$162,616.00	\$204,997. \$66,357.
135	Accounting Salaries & Wages Operating Expenses Treasurer/Collector		\$162,616.00 \$60,713.00	\$204,997. \$66,357. \$292,995.
135 145	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses		\$162,616.00 \$60,713.00 \$336,072.00	\$204,997. \$66,357. \$292,995.
135	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors		\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00	\$204,997. \$66,357. \$292,995. \$66,175.
135 145	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages		\$162,616.00 \$60,713.00 \$336,072.00	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022.
135 145	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors	)	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125.
135 145	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages	) Municipal Finance Salaries & Wages	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00 <b>\$699,564.00</b>	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125. <b>\$638,014</b> .
135 145	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages	) Municipal Finance Salaries & Wages Municipal Finance Operating Expenses	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00 \$699,564.00 \$226,673.00	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125. <b>\$638,014.</b> <b>\$183,657.</b>
135 145 141	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages Operating Expenses	) Municipal Finance Salaries & Wages Municipal Finance Operating Expenses Subtotal Municipal Finance	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00 <b>\$699,564.00</b>	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125. <b>\$638,014.</b> <b>\$183,657.</b>
135 145 141 GENERAL GOVE	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages Operating Expenses	) Municipal Finance Salaries & Wages Municipal Finance Operating Expenses Subtotal Municipal Finance	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00 \$699,564.00 \$226,673.00 \$926,237.00	\$1,846,383. \$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125. \$638,014. \$183,657. \$821,671. \$189,606
135 145 141 GENERAL GOVE 161/163	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages Operating Expenses RNMENT (TOWN CLERK/ELECTI Subtotal Salaries & Wages	) Municipal Finance Salaries & Wages Municipal Finance Operating Expenses Subtotal Municipal Finance	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00 \$699,564.00 \$226,673.00 \$926,237.00 \$143,328.00	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125. \$638,014. \$183,657. \$821,671. \$189,606.
135 145 141 <u>GENERAL GOVE</u> 161/163 161/163	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages Operating Expenses RNMENT (TOWN CLERK/ELECTI Subtotal Salaries & Wages Subtotal Operating Expenses	) Municipal Finance Salaries & Wages Municipal Finance Operating Expenses Subtotal Municipal Finance	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00 \$699,564.00 \$226,673.00 \$926,237.00	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125. \$638,014. \$183,657. \$821,671. \$189,606.
135 145 141 141 GENERAL GOVE 161/163 161/163 PLANNING & DE	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages Operating Expenses RNMENT (TOWN CLERK/ELECTI Subtotal Salaries & Wages Subtotal Operating Expenses	) Municipal Finance Salaries & Wages Municipal Finance Operating Expenses Subtotal Municipal Finance	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00 \$699,564.00 \$226,673.00 \$926,237.00 \$143,328.00	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125. <b>\$638,014.</b> <b>\$183,657.</b>
135 145 141 <u>GENERAL GOVE</u> 161/163 161/163	Accounting Salaries & Wages Operating Expenses Treasurer/Collector Salaries & Wages Operating Expenses Assessors Salaries & Wages Operating Expenses RNMENT (TOWN CLERK/ELECTI Subtotal Salaries & Wages Subtotal Operating Expenses	) Municipal Finance Salaries & Wages Municipal Finance Operating Expenses Subtotal Municipal Finance	\$162,616.00 \$60,713.00 \$336,072.00 \$120,900.00 \$200,876.00 \$45,060.00 \$699,564.00 \$226,673.00 \$926,237.00 \$143,328.00	\$204,997. \$66,357. \$292,995. \$66,175. \$140,022. \$51,125. \$638,014. \$183,657. \$821,671. \$189,606.

## Appendix A - Article 5A: General Fund Operating Budget

Function/ De #	pt. Department Name/Function Totals	FY 2024 Budgeted	FY 2025 Budget
175-01	Planning and Economic Development		
	Salaries & Wages	\$132,942.00	\$128,528.00
	Operating Expenses	\$15,525.00	\$12,530.00
175-02	Economic Development Committee		
	Salaries & Wages	\$1,500.00	\$0.00
	Operating Expenses	\$6,500.00	\$0.00
176	Board of Appeals		
	Salaries & Wages	\$3,500.00	\$3,060.00
	Operating Expenses	\$3,700.00	\$3,500.00
171	Conservation Commission		
	Salaries & Wages	\$98,758.00	\$108,845.00
	Operating Expenses	\$11,980.00	\$9,350.00
122	Buzzards Bay Action Committee	\$1,800.00	\$1,800.00
	Planning & Development Salaries & Wages	\$239,700.00	\$240,433.0
	Planning & Development Operating Expenses	\$42,435.00	\$27,180.0
	Subtotal Planning & Development	\$282,135.00	\$267,613.00

TOTAL GENERAL GOVERNMENT			
	General Government Salaries & Wages	\$2,027,857.00	\$2,133,179.00
	General Government Operating Expenses	\$913,761.00	\$1,027,339.00
	Subtotal General Government	\$2,941,618.00	\$3,160,518.00

)		Operating Expenses	\$43,110.00	\$36,140.00
Ð	298	Marine Resources Salaries & Wages	\$178,440.00	\$178,195.0
		Operating Expenses	\$5,350.00	\$4,030.0
	241	Building Department Salaries & Wages	\$183,696.00	\$195,655.0
		Salaries & Wages Operating Expenses	\$3,321,527.00 \$451,657.00	\$3,574,110.0 \$377,697.0
	220/225/291	Fire Department/EMS		
	210/292	Police Department/Animal Control Salaries & Wages Operating Expenses	\$4,826,338.00 \$488,520.00	\$5,094,121.0 \$462,530.0

		Subtotal Public Safety	\$9,506,278.00	\$9,929,993.00
	EDUCATION			State State
i ș				
43	300	Fairhaven Public Schools	\$23,753,641.00	\$24,702,183.00
44	301	NB Regional Technical HS	\$2,397,000.00	\$2,626,000.00

Public Safety Operating Expenses

\$989,137.00

\$880,772.00

unction/ Dept #	 Department Name	/Function Totals	FY 2024 Budgeted	FY 2025 Budget
302		NB Regional Technical HS Subtotal Eduction	<u>\$235,000.00</u> \$26,385,641.00	<u>\$310,100.0</u> \$27,638,283.0
UBLIC WORKS				
421	Administration Division Salaries & Wages Operating Expenses		\$223,502.00 \$13,525.00	\$86,615.00 \$19,375.00
403/420	Highways Division Salaries & Wages Operating Expenses Snow & Ice		\$1,279,388.00 \$723,912.00 \$60,000.00	\$1,329,321.0 \$742,137.0 \$60,000.0
650	Parks Department Salaries & Wages Operating Expenses		\$139,896.00 \$53,500.00	\$162,261.0 \$53,000.0
294/295	Tree Department Salaries & Wages Operating Expenses		\$27,321.00 \$40,345.00	\$34,382.00 \$38,145.00
431	Sanitation - Operating Expenses		\$1,682,679.00	\$1,792,775.00
424	Street Lighting		\$61,000.00	\$61,000.0
		Public Works Salaries & Wages	\$1,670,107.00	\$1,612,579.0
		Public Works Operating Expenses	\$2,634,961.00	Contraction of the second
		Public Works Operating Expenses Subtotal Public Works	<u>\$2,634,961.00</u> \$4,305,068.00	and the second second second second
EALTH & ENVI			The second states of the second states and	Contraction of the second
EALTH & ENVI 510	RONMENT Board of Health		The second states of the second states and	\$4,379,011.00 \$4,379,011.00 \$172,797.00 \$22,710.00
	Board of Health	Subtotal Public Works Salaries & Wages Operating Expenses	\$4,305,068.00 \$164,353.00 \$24,570.00	\$4,379,011.0 \$4,379,011.0 \$172,797.0 \$22,710.0
510	Board of Health	Subtotal Public Works Salaries & Wages Operating Expenses	\$4,305,068.00 \$164,353.00 \$24,570.00	\$2,766,432.00 \$4,379,011.00 \$172,797.00 \$22,710.00 \$195,507.00 \$153,873.00 \$35,497.00
510 OMMUNITY SI	Board of Health ERVICES Council on Aging Salaries & Wages	Subtotal Public Works Salaries & Wages Operating Expenses	\$4,305,068.00 \$164,353.00 \$24,570.00 \$188,923.00 \$189,296.00	\$4,379,011.0 \$172,797.0 \$22,710.0 \$195,507.0 \$153,873.00 \$35,497.00 \$91,433.00
510 OMMUNITY SI 541	Board of Health ERVICES Council on Aging Salaries & Wages Operating Expenses Veterans Services Salaries & Wages	Subtotal Public Works Salaries & Wages Operating Expenses	\$4,305,068.00 \$164,353.00 \$24,570.00 \$188,923.00 \$189,296.00 \$40,064.00 \$98,592.00	\$4,379,011.0 \$172,797.0 \$22,710.0 \$195,507.0 \$153,873.0 \$35,497.0 \$91,433.0 \$564,350.0
510 OMMUNITY SI 541 543	Board of Health ERVICES Council on Aging Salaries & Wages Operating Expenses Veterans Services Salaries & Wages Operating Expenses	Subtotal Public Works Salaries & Wages Operating Expenses	\$4,305,068.00 \$164,353.00 <u>\$24,570.00</u> \$188,923.00 \$188,923.00 \$189,296.00 \$40,064.00 \$98,592.00 \$695,800.00	\$4,379,011.0 \$172,797.0 \$22,710.0 \$195,507.0 \$153,873.00 \$35,497.00 \$91,433.00 \$564,350.00 \$797,302.00 \$215,138.00
510 OMMUNITY SI 541 543 611	Board of Health ERVICES Council on Aging Salaries & Wages Operating Expenses Veterans Services Salaries & Wages Operating Expenses Millicent Library Recreation Department Salaries & Wages	Subtotal Public Works Salaries & Wages Operating Expenses	\$4,305,068.00 \$164,353.00 \$24,570.00 \$188,923.00 \$188,923.00 \$189,296.00 \$40,064.00 \$98,592.00 \$695,800.00 \$695,800.00 \$752,336.00 \$218,183.00	\$4,379,011.0 \$172,797.0 \$22,710.0 \$195,507.0 \$153,873.00
510 <b>OMMUNITY SI</b> 541 543 611 640	Board of Health ERVICES Council on Aging Salaries & Wages Operating Expenses Veterans Services Salaries & Wages Operating Expenses Millicent Library Recreation Department Salaries & Wages Operating Expenses Tourism Department Salaries & Wages	Subtotal Public Works Salaries & Wages Operating Expenses	\$4,305,068.00 \$164,353.00 \$24,570.00 \$188,923.00 \$188,923.00 \$189,296.00 \$40,064.00 \$98,592.00 \$695,800.00 \$752,336.00 \$218,183.00 \$143,800.00 \$78,697.00	\$4,379,011.0 \$172,797.0 \$22,710.0 \$195,507.0 \$191,433.0 \$196,4350.0 \$196,4350.0 \$146,975.0 \$81,851.0

INE	Function/ Dept. #	Department Name/Function Totals	FY 2024 Budgeted	FY 2025 Budget
70	692	Memorial/Veterans Day - expenses	\$1,500.00	\$2,000.00
71	690	Cultural Council - expenses	\$2,750.00	\$1,500.00
72	190	Commission on Disability - expenses	\$1,000.00	\$1,000.00
73	191	Belonging Committee	\$1,000.00	\$1,000.00
74	122	Rape Crisis Project - expenses	\$2,000.00	\$2,000.00
	direction in the	Community Services Salaries & Wages Community Services Operating Expenses	\$584,768.00 \$1,681,025.00	\$542,295.00 \$1,586,994.00
	Section	Subtotal Community Services	\$2,265,793.00	\$2,129,289.00
	NON-DEPARTM	ENTAL		
75	911	Contributory Retirement	\$3,906,560.00	\$4,134,792.00
76	924	Group Insurance	\$4,800,000.00	\$5,250,000.00
77	913	MA Employment Security	\$63,000.00	\$66,000.00
78	925	Town General Insurance	\$955,000.00	\$1,112,000.00

Medicare Taxes (Employer Share)

Wind Turbine Electric Expense

Salary Reserve

\$462,000.00

\$725,000.00

\$10,911,560.00

\$1,000.00

\$1,000.00

\$482,000.00

\$625,000.00

\$11,669,792.00

\$11,669,792.00

\$0.00

\$0.00

82

79

80

81

918

122

DEBT SE	RVICE		
71	10 Debt Service Subtotal Debt Service	\$1,131,020.00	\$1,094,605.00
GRAND	TOTAL	\$57,636,901.00	\$60,196,998.00
PARTY CONTRACTOR			
CDAND			
GRAND	TOTAL BREAKDOWN Salaries & Wages - Town	\$12,965,226.00	\$13,510,071.00
GRAND	Salaries & Wages - Town	\$12,965,226.00 \$6,243,454.00	
GRAND			\$6,284,247.00
GRAND	Salaries & Wages - Town Operating Expenses - Town Educational Services	\$6,243,454.00	\$6,284,247.00 \$27,638,283.00
GRAND	Salaries & Wages - Town Operating Expenses - Town	\$6,243,454.00 \$26,385,641.00	\$13,510,071.00 \$6,284,247.00 \$27,638,283.00 \$11,669,792.00 \$1,094,605.00

Non-Departmental Salary & Wages

Subtotal Non-Departmental \$10,912,560.00

**Non-Departmental Operating Expenses** 

## **ARTICLE 20 MOTIONS**

## Simple majority vote:

I move to amend Bylaws Chapter 198, Section 16: Accessory apartment/inlaw apartment and Accessory apartment to a business, and Sections 32.1 through 32.1.D as written in the warrant.

I move to amend the first sentence of Bylaws Chapter 198, Section 27.C(1) by adding the words "except on a property on which an accessory apartment/inlaw apartment, accessory apartment to a business, mixed use, or multi-family use is located, provided that such exception allows for additional housing units beyond what would otherwise be permitted under existing zoning bylaws" so that said sentence reads as follows:

No off-street parking area for five or more cars shall be located within the required front, side or rear yard setback areas, <u>except on a property on which an accessory apartment/inlaw</u> <u>apartment, accessory apartment to a business, mixed use, or multi-family use is located,</u> <u>provided that such exception allows for additional housing units beyond what would otherwise</u> <u>be permitted under existing zoning bylaws</u>.

### Supermajority (2/3) vote:

I move to amend Bylaws Chapter 198, Section 15.C(2), Section 16: Health care including medical, dental offices and clinics; storage units; body art establishment; artist gallery/studio; private dock or pier; and semidetached dwelling, and Sections 19, 29.A and B, and 33: Artisan Food and Beverage, Artisan Manufacturing, Coworking Space, Maker Space, and Small Scale Indoor Recreation, all as written in the warrant; and, further to take no action with respect to Section 16: Shipping Containers and Section 33: Shipping Containers.

I move to amend Bylaws Chapter 198, Section 29.6 as written in the warrant.

I move to amend Bylaws Chapter 198, Section 32.2 as written in the warrant.

#### Simple majority:

I move to amend Bylaws Chapters 65 as written in the warrant.

I move to amend Bylaws Chapter 306 as written in the warrant.

I move to amend Bylaws Chapter 316 as written in the warrant.

I move to amend Bylaws Chapter 322 as written in the warrant.

TOWN OF FAIRHAVEN, MASSACHUSETTS

# PLANNING BOARD

May 4, 2024 Town Meeting, Article 20, Proposed Zoning Bylaw Changes Summary

## Chapter 198: Zoning

#### For § 198-16 Use Regulation Schedule

- $\circ~$  Yes means a Permitted Use
- No means an Excluded or Prohibited Use
- o Allowed means a Use Authorized Under Special Permit

## Motion 1, Requiring a Simple Majority Vote

## § 198-16 Use Regulation Schedule

- Change "Accessory apartment/in-law apartment" Yes in Rural Residence & Single Residence, General Residence District, Apartment/Multifamily District, and Agricultural District.
- Change "Accessory apartment to a business" Yes in Business and Industrial Districts.

## § 198-32.1 Accessory Dwelling Units

- Remove "allowed by special permit of the Planning Board" and replace with "pursuant to §198-16" in 198-32.1.
- Remove the minimum lot size requirement of 22,500 square feet from 198-32.1 A. Lots with Accessory Dwelling Units must still meet the minimum lot size requirements of the district.
- Change the floor area requirements of 198-32.1 B to match MGL c. 40A§1A.
- Remove 198-32.1.C Building Inspector will ensure the units are up to code.
- Remove the restrictions on expanding existing structures and on having units in basements, attics, and garages in 198-32.1 D.

## Motion 2, Requiring a Simple Majority Vote

Motion to amend the first of Bylaws Chapter 198, Section 27.C(1) so that said sentence reads as follows:

## § 198-27 Parking Area Designation and Location

 No off-street parking area for five or more cars shall be located within the required front, side or rear yard setback areas, <u>except on a property on which an accessory apartment/inlaw</u> <u>apartment, accessory apartment to a business, mixed use, or</u> <u>multi-family use is located, provided that such exception allows</u> <u>for additional housing units beyond what would otherwise be</u> <u>permitted under existing zoning bylaws</u>

## Motion 3, Requiring a 2/3rds Majority Vote

## § 198-15 Use Regulations

 Require proposed uses or expansion of uses that would require five or more parking spaces in the Mixed Use [MU] District to be authorized by special permit granted by the Planning Board in 198-15 C(2).

## § 198-16 Use Regulation Schedule

Add "Health care including medical, dental offices, and clinics"
 Yes in Business and Mixed Use, Allowed in Industrial, and No in all other districts.

## Motion 3, Requiring a 2/3rds Majority Vote (cont.)

#### § 198-16 Use Regulation Schedule (cont.)

- Add "Shipping Containers" Yes in Industrial, and No in all other districts.
- Add "Storage Units" Allowed in Business and Industrial, No in all other districts.
- Change "Body Art Establishment" Yes in Business, Industrial, and Mixed Use, remove Footnote 19 which prohibits Body Art Establishments within 1,000 feet of a school or church.
- Change "Artist Studio/Gallery" Yes in Mixed Use
- $\,\circ\,$  Change "Semidetached Dwelling" Yes in Mixed Use
- Change "Private Dock or Pier" Yes in all Districts Would be allowed without a special permit from the Planning Board or the Zoning Board of Appeals, but would still have to meet all other existing Federal, State, and Local requirements as well as undergo Conservation Commission review.

#### § 198-19 Fences

 Remove hedges from the six-foot height restriction along boundaries, keep the 42 in. height requirements for hedges within the front yard area or within 20 feet of the street in 198-19 B.

## § 198-29 Special Permit for certain intensive

- nonresidential and multifamily site developments
- Clarify the language of 198-29 A(5).
- Reduce the number of required print copies from 10 to 2 and add a digital copy requirement to 198-29 B.

## § 198-33 Definitions

- $\circ~$  Add the following definitions:
- $\circ~$  Artisan Food and Beverage
- o Artisan Manufacturing
- Coworking Space, Maker Space
- Small Scale Indoor Recreation
- Shipping Containers

## Motion 4, Requiring a 2/3rds Majority Vote

## § 198-29.6 Solar photovoltaic energy facilities (SPEF)

- Reduce the number of required print copies from 10 to 2, and add a digital copy requirement to 198-29.6 F.
- Remove language to allow for the clear-cutting of trees within five years to instead make the clear-cutting of trees completely prohibited in 198-29.6 G (8).

## Motion 5, Requiring a 2/3rds Majority Vote

#### § 198-32.2 Docks and Piers

- Remove references to the Planning Board and Zoning Board of Appeals as the Special Permit Granting Authorities in 198-32.2 B.
- Remove 198-32.2 D, which had allowed for special permit granting authorities to grant waivers of compliance.

TOWN OF FAIRHAVEN, MASSACHUSETTS

# PLANNING BOARD

May 4, 2024 Town Meeting, Article 20, Proposed Zoning Bylaw Changes Summary

## Motion 6, Simple Majority Vote

## Chapter 65: Planning Board

## § 65-1 Board established

 Change the elected term length for Planning Board members from 4 years to 3 years.

## § 65-3 Powers and Duties

 Add that the Planning Board is a Special Permit Granting Authority pursuant to MGL c. 40A§9.

## Motion 7, Simple Majority Vote

## **Chapter 306: Planning Board Fees**

## § 306-1 Fee Schedule of Planning Board charges

 Removal of this entire section from the bylaw. Going forward, Planning Board fees would be set via vote by the Planning Board and Select Board.

## Motion 8, Simple Majority Vote

## Chapter 316: Planning Board Procedural Rules

## § 316-2 Rezoning Applications

• Change number of required prints for plans from 10 to 2 and require digital copies in 316-2 C.

## § 316-3 Plans not requiring subdivision approval

 Change number of required prints for plans from 10 to 2 and require digital copies of the plans and application forms in
 316-3 B.

#### § 316-4 Subdivision plans

- Change number of required prints for plans from 10 to 2, require digital copies of the plans and application forms, and require a digital plan to be filed with the Board of Health in 316-4 A(2).
- Change number of required prints for plans from 10 to 2 and require digital copies of the plans and application forms in 316-4 A(5).
- Change number of required prints for plans from 10 to 2 and require digital copies of the plans in 316-4 A(7).
- $\,\circ\,$  Remove the certified mail requirement for notices to abutters in 316-4 B(3).
- Add a requirement for a notice of decision to be sent to parties of interest in 316-4 B(5).

## § 316-5 Street Acceptances

- Change number of required prints for plans from 10 to 2 and require digital copies of the plans and application forms in 316-5 B(6)(b)[1].
- Remove references to CD ROM or DVD and require digital copies of geographic data in 316-5 B(6)(b)[11][g].

## Motion 8, Simple Majority Vote (cont.)

#### § 316-7 Special Permit Required

- Change number of required prints for plans from 10 to 2 and require digital copies of the plans and application forms in 316-7 B(2).
- $\,\circ\,$  Remove the certified mail requirement for notices to abutters in 316-7 E(3).

#### § 316-9 Accepted Street Discontinuance

- Change number of required prints for plans from 10 to 2 and require digital copies of the plans in 316-9 B(1)(b).
- Remove the certified mail requirement for notices to abutters in 316-9 D(3).

#### § 316-10 Repetitive Petition

- Change number of required prints for plans from 10 to 2 and require digital copies of the plans in 316-10 B(2).
- Remove the certified mail requirement for notices to abutters in 316-10 D(3).

## Motion 9, Simple Majority Vote Chapter 322: Subdivision of Land

## Part 4 - Procedure for Submission and Endorsement of Non-Subdivision Plans

#### § 322-12 Submission; contents; action.

- Change number of required prints for plans from 10 to 2 and require digital copies of the plans and application forms in 322-12 B.
- Remove references to CD ROM or DVD and require digital copies of geographic data in 322-16 E.

# Part 5 - Procedure for Submission of Preliminary Plans § 322-13 Submission; contents; action.

- Change number of required prints for plans from 10 to 2 and require digital copies of the plans and application forms in 322-13 B(1).
- Allow for filing a print or digital plan with the Board of Health in 322-13 B(2).

# Part 6 - Procedure for Submission of Definitive Plans § 322-14 Submission; contents; action.

- Change number of required prints for plans from 10 to 2 and require digital copies of the plans and application forms in 322-14 B(1)(a).
- $\,\circ\,$  Allow for filing a print or digital plan with the Board of Health in 322-14 B(2).
- Remove references to CD ROM or DVD and require digital copies of geographic data in 322-14 K.

## TOWN OF FAIRHAVEN

### CHARTER COMMITTEE UPDATES

#### MAY 2024

### Latest Annual Report:

On June 12th, 2020, Town Meeting convened to vote on a total of 60 articles, one of these items including action on Article 48, citizens petition calling for the creation of a nine-member Charter Committee. By 139-32 votes, your representatives at Town Meeting overwhelmingly approved this article.

This group's charge is reviewing all aspects of local government organization and structure, including, without limitation, regional relationships and the operation of all Town departments, boards, committees and commissions, elected and appointed, and make a report or recommendations to the 2022 Annual Town Meeting, or such later town meeting as the Moderator may approve, with the goal of presenting a proposed charter at the 2022 Annual Town Meeting, which special legislation would be forwarded to the General Court for review and approval, in accordance with the Home Rule Amendment, Section 8, and further to raise and appropriate or transfer from available funds a sum of \$10,000.00 to pay for the expenses of such Committee, or take any other action relative thereto.

The committee has been working to finalize a draft charter with the assistance of Ms. Heather White from Petrini & Associates. The committee worked with the Town Administrator and Town Moderator to allocate the \$10,000 towards Town Counsel expenses to ensure the charter meets legal standards and does not conflict with Massachusetts General Law.

Overall, the committee is looking to present a charter that does not make substantive alterations to the Town's governance structure, but which condenses the Town's governance into a singular document, the Town of Fairhaven Charter. For example, the Town Counsel has assisted with incorporating the Town's existing special acts into the Charter. The committee's goal is to present a charter to the town meeting that is clear, concise, and ensures that moving forward there should be few questions regarding Fairhaven's governance.

More information, including our documents and contact information, are available on the town's website <a href="https://www.fairhaven-ma.gov/charter-committee">https://www.fairhaven-ma.gov/charter-committee</a>

Submitted,

Mr. Morgan G. Dawicki, Chair

Ms. Lilia Cabral-Bernard, Vice Chair

#### Additional Information:

• Feedback and Next Steps

Following Town Meeting, the committee will be working to solicit feedback from relevant committees and departments on the draft charter.

Following review of the feedback from committees and departments, the committee will then publish a full draft of the document that has been reviewed by the Town Counsel on the committee's website and distribute it for public comment.

The committee plans to engage in a public information campaign and solicit feedback from the public over a period of several months.

• Information about the draft

In general, the committee has sought to merge the special acts and governance documents that oversee the Town's governance structure into the single charter document. This should make the Town's governance going forward less confusing for the public.

Submission to Town Meeting

The charter will be ready to be submitted at the next Town Meeting for a vote. The vote will be to send the charter to the Massachusetts Legislature for review and approval.

• Public Comments

For public comment, please attend a charter committee meeting which is typically held once per month or contact the committee chair, Mr. Morgan G. Dawicki at <u>mgdawicki@gmail.com</u>

Public comment that is submitted will be reviewed at committee meetings.