

Commonwealth of Massachusetts
Town of Northbridge
PROCEEDINGS OF FALL ANNUAL TOWN MEETING
TUESDAY, OCTOBER 23, 2018 – 7:00 PM
Northbridge High School
427 Linwood Avenue

The Fall Annual Town Meeting was called to order at 7:11 p.m. by the Deputy Moderator, John H. Crawford, at the Northbridge High School Field House, 427 Linwood Avenue, in Whitinsville, in said Northbridge, Massachusetts.

The Deputy Moderator declared the Town quorum of 50 present. The number of registered voters in attendance at 7:08 p.m. was 454.

The invocation was given by Rev. Dr. Susan DeHoff, Pastor of United Presbyterian Church of Whitinsville, and was followed by the pledge of allegiance to the American Flag, led by William Audette.

The Deputy Moderator announced that on May 1, 2018, in accordance with the Town Charter, Article 2, Section 2-2, the Moderator, Harold D. Gould, Jr., had appointed him as Deputy Moderator to serve as acting moderator in the event of the temporary absence or disability of the Moderator. The Deputy Moderator stated that he would be serving as acting moderator for this meeting.

Upon motion made and seconded and voted unanimously, the reading of the warrant and the return of service thereof were dispensed with.

The following tellers were appointed by the Deputy Moderator and duly sworn in by the Town Clerk: Sharon Susienka, Jeanne Gniadek, Kelly Bol, Philip Cyr, Richard Sasseville, Robert LaFlamme, Faith Lane, and Julie Harris.

The Deputy Moderator acknowledged several former Finance Committee members and thanked them for their years of service. He then called for a moment of silence for Katherine Brown, a former Town employee and long-time Northbridge resident who had passed recently at the age of 105.

ARTICLE 1:	Voted	<u>APPROVED</u>	Unanimous
Moved and seconded that the Town vote to amend the votes taken under Article 3 of the 2018 Spring Session of the Annual Town Meeting (May 1, 2018), appropriations and transfers under the Omnibus Budget Article, to supplement appropriations thereunder as follows:			

HUMAN SERVICES:
LANDFILL ANALYSIS:
Line 23A: Landfill Analysis Expenses
By raising and appropriating
the additional sum of

	\$50,000
Total Landfill Analysis:	\$50,000
TOTAL HUMAN SERVICES:	\$50,000

SCHOOL DEPARTMENT:
Line 20: School Department
By raising and appropriating
the additional sum of

	\$22,580
Total School Department:	\$22,580
TOTAL SCHOOL DEPARTMENT:	\$22,580
TOTAL ARTICLE 1:	\$72,580

ARTICLE 2:	Voted	<u>APPROVED</u>	Unanimous
Moved and seconded that the Town vote to accept MGL c. 64N, Section 3 and impose a local sales tax upon the sale of recreational marijuana originating within the Town by a vendor at a rate of 3% of the gross receipts of the vendor from the sale of recreational marijuana, marijuana products, and marijuana edibles, said excise to take effect on the			

first day of the calendar quarter commencing at least 30 days after the vote of Town Meeting hereunder.

ARTICLE 3:	Voted	<u>APPROVED</u>	Majority
<i>First Motion:</i>			
Moved and seconded that the Town vote to waive the reading of Article 3.			
<i>Second Motion:</i>	Voted	<u>APPROVED</u>	Unanimous
Moved and seconded that the Town vote to amend the Zoning Bylaw, Chapter 173 of the Code of Northbridge, by adding a new section 173-18.6, Recreational Marijuana Establishments, as set forth in the warrant for this Town Meeting, and inserting in the Table of Uses, section 173-12, under the "Retail and service" heading, the use designation information contained in subsection E (Location) of said section 173-18.6.			

§173-18.6 Recreational Marijuana Establishments

A. Purpose

- (1) To provide for the placement of Recreational Marijuana Establishments, in accordance with Chapter 369 of the Acts of 2012 and Chapter 55 of the Acts of 2017 - An Act to Ensure Safe Access to Marijuana, and the regulations issued by the Massachusetts Cannabis Control Commission, including but not limited to 935 CMR 500.00 et seq., in locations suitable for marijuana establishments and to minimize adverse impacts of such establishments on adjacent properties, residential neighborhoods, historic districts, schools, and playgrounds by regulating the siting, design, placement and security of Recreational Marijuana Establishments within the Town of Northbridge.

B. Applicability

- (1) Nothing in this Section shall be construed to supersede federal and state laws governing the sale and distribution of marijuana.
- (2) The number of Marijuana Retailers that shall be permitted shall be limited to (20%) of the number of licenses issued within the Town of Northbridge for the retail sale of alcoholic beverages not to be drunk on the premises where sold under section 15 of Chapter 138 of the General Laws. In the event that 20% of said licenses is not a whole number, the limit shall be rounded up to the nearest whole number.

C. Definitions

- (1) The following definitions shall apply for purposes of this Section and the Zoning Bylaw. Where not expressly defined in the Zoning Bylaw, terms used in this Section shall be interpreted as defined in G.L. c.94G and G.L. c.94I and regulations promulgated and/or incorporated thereunder, and otherwise by their plain language.
- INDEPENDENT TESTING LABORATORY:** A laboratory that is licensed by the Cannabis Control Commission and is: 1) accredited to the most current version of the International Organization for Standardization 17025 by a third-party accrediting body that is a signatory of the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement, or that is otherwise approved by the Cannabis Control Commission; 2) independent financially from any medical marijuana treatment center or any licensee or marijuana establishment for which it conducts a test; and 3) qualified to test marijuana in compliance with regulations promulgated by the Cannabis Control Commission.
- MARIJUANA ESTABLISHMENT:** a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business for the non-medical, including recreational use of marijuana, as set forth in G.L. 94G, and any regulations promulgated thereunder.
- MARIJUANA CULTIVATOR:** an entity that may cultivate, process and/or package marijuana, to transfer and deliver marijuana to marijuana establishments, and to transfer marijuana to other marijuana establishments, but not to consumers.
- MARIJUANA PRODUCT MANUFACTURER:** an entity authorized to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to Marijuana Establishments and to transfer marijuana and marijuana products to other Marijuana Establishments, but not to consumers.
- MARIJUANA RESEARCH FACILITY:** is an academic institution, non-profit corporation or domestic corporation or entity authorized to do business in the Commonwealth of Massachusetts which may cultivate, purchase or otherwise acquire marijuana for conducting research regarding marijuana and marijuana products. Any research involving

humans must be authorized by an Institutional Review Board. A Marijuana Research Facility may not sell marijuana it has cultivated.

MARIJUANA RETAILER: an entity authorized to purchase and deliver marijuana and marijuana products from Marijuana Establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to Marijuana Establishments and to consumers.

MARIJUANA TRANSPORTER: an entity not otherwise licensed by the Cannabis Control Commission, that is licensed to purchase, obtain and possess cannabis or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments, but not to consumers.

D. Prohibited Uses

- (1) On-site consumption of marijuana and marijuana products at Marijuana Establishments is not permitted unless expressly approved under this Section and authorized by and pursuant to state law or regulation.
- (2) Clubs, lodges, or other private grounds (non-profit and private) allowing on-site consumption of marijuana or marijuana products, but not operating as a licensed marijuana social consumption operator are prohibited.
- (3) No marijuana or marijuana product shall be smoked, eaten or otherwise consumed or ingested on the premises of any Marijuana Establishment unless expressly permitted under this Section and permitted by state law or regulation. The prohibition on on-site consumption shall also include private social clubs or any other establishment which allows for social consumption of marijuana or marijuana products on the premises, regardless of whether the product is sold to consumers on site.
- (4) No drive-through service shall be permitted at a Marijuana Establishment.

E. Location

- (1) Marijuana Establishments may be allowed by Special Permit of the Planning Board (SPGA - Special Permit Granting Authority) within the following Zoning Districts of the Town of Northbridge. The designation S means allowed by Special Permit, and the designation “_” means not permitted.

USE	ZONING DISTRICT											
	R-1	R-2	R-3	R-4	R-5	R-6	B-1	B-2	B-3 (1)	I-1	I-2	H
Marijuana Establishments:												
Marijuana Cultivator	--	--	--	--	--	--	--	--	--	S	S	--
Marijuana Product Manufacturer	--	--	--	--	--	--	--	--	--	S	S	--
Marijuana Research Facility	--	--	--	--	--	--	--	--	--	S	S	--
Independent Testing Laboratory	--	--	--	--	--	--	--	--	--	S	S	--
Marijuana Retailer	--	--	--	--	--	--	--	S	S	S	S	--
Any other type of licensed marijuana-related business for the non-medical use of marijuana, as set forth in G.L. 94G	--	--	--	--	--	--	--	--	--	S	S	--

- (2) Marijuana Establishments may not be located within 500-feet of the following:
 - a. School, including a public or private elementary, vocational, or secondary school or a public or private college, junior college, or university;
 - b. Child Care Facility (registered in accordance with Massachusetts law);
 - c. Public Library;
 - d. Town Playground, Town of Northbridge ballfield; or
 - e. Youth Center
- (3) The distance under this subsection shall be measured in a straight line from the nearest point of the property line of the protected use to the nearest point of the property line of the proposed Marijuana Establishment.
 - (a) The distance requirement may be reduced by twenty-five percent or less, but only if the applicant demonstrates that the Marijuana Establishment would otherwise be effectively prohibited within the Town.

F. Design Standards and Siting Requirements

- (1) A Marijuana Establishment shall be located within a fully-enclosed, secured, permanent building, including concrete floor, and may not be located in a trailer, cargo container, motor vehicle or other similar non-permanent enclosure.
- (2) All aspects of a Marijuana Establishment relative to the cultivation, possession, processing, sales, distribution, dispensing or administration of marijuana, marijuana products, or related supplies must take place at a fixed location within a fully enclosed building and shall not be visible from the exterior of the building. A Marijuana Establishment shall not be located in a trailer, storage freight container, motor vehicle or other similar movable enclosure, unless operating as a licensed Marijuana Transporter.
- (3) Marijuana, marijuana products, associated supplies, and promotional advertising materials shall not be displayed or visible from the exterior of a Marijuana Establishment.
- (4) All business signage shall be subject to the permitting requirements of all applicable governmental authorities within the Commonwealth of Massachusetts and the requirements of the Zoning Bylaw.
- (5) A Marijuana Establishment shall be ventilated in such a manner that:
 - (a) No pesticides, insecticides or other chemicals or products used in the cultivation or processing are dispersed into the outside atmosphere; and
 - (b) No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the Marijuana Establishment or within any adjoining property.
- (6) An odor control plan detailing the specific odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted, the frequency of such odor-emitting activities, the duration of such odor-emitting activities, and the administrative and engineering controls that will be implemented to control such odors, including maintenance of such controls.

G. Procedure

- (1) The Planning Board shall be the Special Permit Granting Authority (SPGA) for Marijuana Establishments within the Town of Northbridge.
- (2) All applicants are encouraged to contact the Planning Department staff to schedule a pre-application meeting.
- (3) The SPGA shall refer copies of the application to the Board of Selectmen, Building Department, Fire Department, Police Department, Board of Health, Conservation Commission, Director of Public Works, Highway Department, and the Sewer Department for review of the application and submission of written recommendations to the Planning Board. Failure to make recommendations within 35 days of referral of the application shall be deemed lack of opposition.
- (4) After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other Town Boards and departments, the SPGA may act upon such a special permit application.
- (5) In addition to the materials to be submitted as required under Section 173-49.1 [Site Plan Review by Planning Board] of the Zoning Bylaw, the Applicant shall provide the following:
 - (a) Copies of all documentation demonstrating appropriate application status under State Law, including registration or license, as applicable, issued to the Applicant by the Cannabis Control Commission and other applicable Commonwealth of Massachusetts agencies for the establishment.
 - (b) Evidence that the Applicant has site control and the right to use the site for a Marijuana Establishment in the form of a deed or valid purchase and sale agreement, or, in case of a lease, a notarized statement from the property owner and a copy of the lease agreement.
 - (c) A notarized statement signed by the Applicant's chief executive officer and corporate attorney disclosing all of its designated representatives, including officers and directors, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all individual persons associated with the entity as set forth above.

- (d) A description of all activities to occur on site, including all provisions for the delivery and storage of marijuana and marijuana products, and marijuana accessories.
- (e) A detailed floor plan of the premises of the proposed Marijuana Establishment that identifies the square footage available and describes the functional areas of the establishment.
- (f) Details showing all proposed exterior security measures for the premises, including lighting, fencing, gates and alarms, etc., for the purpose of ensuring the safety of employees and patrons and to protect the premises from theft and other criminal activity. A letter from the Town of Northbridge Chief of Police, or his/her designee, acknowledging review and approval of the security plan required and approved by the Cannabis Control Commission for the Marijuana Establishment. To the extent allowed by law, all such documents shall be confidential.
- (g) A description of the security measures, including employee security policies, approved for the establishment by the Cannabis Control Commission;
- (h) A copy of the policies and procedures for the transfer, acquisition, or sale of marijuana approved for the establishment by the Cannabis Control Commission; and
- (i) A copy of proposed waste disposal procedures.

H. Special Permit Findings

In addition to the findings required for a Special Permit under Section 173-47 and any other provision of the Zoning Bylaw, the SPGA must also find all of the following:

- (1) The Marijuana Establishment meets all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will comply with all applicable State laws and regulations.
- (2) The Marijuana Establishment as proposed adequately addresses issues of appropriate site layout; security; vehicular and pedestrian traffic safety and circulation; parking requirements; landscaping/screening for the establishment; and the requirements of this Section.
- (3) The security plan meets all requirements of the Cannabis Control Commission, including the regulations at 935 CMR 500.110.

I. Special Permit Conditions

In addition to such conditions as the SPGA may impose for a particular special permit, the following conditions shall apply to all special permits issued under this Section.

- (1) A special permit granted under this Section shall be limited to the Applicant and shall be non-transferrable to another owner or operator.
- (2) The special permit shall lapse within three (3) to five (5) years of its issuance depending upon the terms and conditions of the Host Community Agreement between the Applicant and the Town, and the SPGA shall designate the specific period which shall apply. If the permit holder wishes to renew the special permit, an application to renew the special permit must be submitted at least 120 days prior to the expiration of the special permit. Failure to comply will be cause for termination of the special permit.
- (3) The special permit shall lapse upon the expiration or termination of the applicant's registration or licensure required by the Commonwealth of Massachusetts. The permit holder shall notify the Building Inspector and SPGA in writing within 48 hours of the cessation of operation of the Marijuana Establishment or the expiration or termination of the license or permit issued for such operation by the Cannabis Control Commission.
- (4) No outside storage of marijuana, marijuana products or related supplies, marijuana accessories, or educational materials is permitted.
- (5) The hours of operation of a Marijuana Establishment shall be set by the SPGA, but in no event shall a Marijuana Establishment be open to the public, nor shall any sale or other distribution of marijuana occur upon the premises or via delivery from the premises between the hours of 11p.m. and 8 a.m. Monday through Saturday and before 10 a.m. on Sundays.
- (6) The Applicant/permit holder shall provide to the Building Inspector and Chief of the Police, the name, telephone number and electronic mail addresses of a contact person(s) in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.

All other applicable provisions of the Northbridge Zoning Bylaw shall apply.

J. Prohibition Against Nuisances:

- (1) No Marijuana Establishment shall be allowed which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area. Failure to comply may result in suspension of the special permit and zoning enforcement action under the law.

K. Severability

- (1) The provisions of this Section are severable. If any provision, paragraph, sentence, or clause of this Section or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Section.

ARTICLE 4:	Voted	<u>APPROVED</u>	Majority
Moved and seconded that the Town vote to amend the Town of Northbridge Wetlands Protection Bylaw, Section 7-700 of the Code of Northbridge, as follows:			
A. by adding the following sentence at the end of Section 7-702, Jurisdiction: "The jurisdiction of this bylaw does extend to the cutting and removal of trees for the purpose of selling the trees or products derived therefrom."			
B. by revising Section 7-703.C., Exemptions and Exceptions, to read as follows, so as to add the text following the phrase 310 CMR 10.04: "The application and permit required by this chapter shall not be required for work performed for normal maintenance or improvement of land in agricultural use as defined by the Wetlands Protection Act Regulations at 310 CMR 10.04, but shall be required for cutting and removal of trees for the purpose of selling the trees."			

ARTICLE 5:	Voted	<u>APPROVED</u>	Unanimous
<i>First Motion:</i>			
Moved and seconded that the Town vote to waive the reading of Article 5.			
<i>Second Motion:</i>	Voted	<u>APPROVED</u>	Majority
Moved and seconded that the Town vote to amend its general by-laws by adopting a new section, §4-322 Community Preservation Committee, as set forth in the warrant for this Town Meeting, and inserting said section in the Code of the Town of Northbridge.			

§4-322 COMMUNITY PRESERVATION COMMITTEE

- A. Establishment**
There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:
- a. One member of the Planning Board as designated by the Board;
 - b. One member of the Conservation Commission as designated by the Commission;
 - c. One member of the Historical Commissions as designated by the Commission;
 - d. One member of the Playgrounds and Recreation Commission as designated by the Commission;
 - e. One member of the Housing Authority Board as designated by its Board of Directors;
 - f. One member of the School Committee as designated by the Committee;
 - g. Three at-large members appointed by the Board of Selectmen.

Members of the Community Preservation Committee shall serve for a term of three years or until the person no longer serves on the board or commission being represented. Any vacancy on the Community Preservation Committee shall be filled by the commission, authority or board that designated the member who creates the vacancy by designating another member for the unexpired portion of the term.

Should any of the commissions or boards who have appointment authority under this Section be no longer in existence for whatever reason, the appointment authority for that commission or board shall become the responsibility of the Board of Selectmen.

B. Duties

1. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards,

including the Board of Selectmen, the Conservation Commission, the Historical Commission, the Planning Board, the Playgrounds and Recreation Commission and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the Town. The Committee may, after proper appropriation, incur expenses as permitted by state law using funds from the Community Preservation Fund to pay such expenses.

2. The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created with Community Preservation funds. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

3. The Community Preservation Committee may include in its recommendation to the Town Meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or recommend to set aside for later spending funds for general purposes that are consistent with community preservation.

C. Requirement for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

D. Amendments

The Community Preservation Committee shall, from time to time, review the administration of this Section, making recommendations, as needed, for changes in the Section and in administrative practice to improve the operations of the Community Preservation Committee. This Section may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

E. Severability

In case any paragraph or part of this Section be for any reason declared invalid or unconstitutional by any court of competent jurisdiction, every other paragraph or part shall continue in full force and effect.

F. Effective Date

Following Town Meeting approval, this Section shall take effect immediately upon approval by the Attorney General of the Commonwealth and publication as required by law. Each appointing authority shall have thirty days after approval by the Attorney General to make its initial appointments.

ARTICLE 6:	Voted	<u>APPROVED</u>	Unanimous
Moved and seconded that the Town vote to raise the exemption amount under Clause 41C Section 5, of Chapter 59 of the Massachusetts General Laws, providing tax exemptions to persons in Northbridge 65 years of age or older occupying property as their domicile, from \$500 to \$1,000.			

ARTICLE 7:	Voted	<u>APPROVED</u>	Secret Ballot Yes 583 No 53 2/3 vote attained.
Moved and seconded that the Town vote to appropriate the amount of One Hundred Million Nine Hundred Sixty-Eight Thousand and One Hundred Ninety-Four Dollars (\$100,968,194.00) for the purpose of paying costs of planning, designing, constructing, originally equipping, and furnishing the new W. Edward Balmer Elementary School, serving grades PreK-5 and located at 21 Crescent Street, Whitinsville, MA, and all costs incidental or related thereto, including construction administration and project management services (the "Project"), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50			

years, and for which the Town of Northbridge may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Northbridge School Building Committee; and that to meet this appropriation the Treasurer/Collector, with the approval of the Board of Selectmen, be authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, and with the understanding that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Northbridge incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Northbridge; and provided that any grant that the Town of Northbridge may receive from the MSBA for the Project shall not exceed the lesser of (1) sixty three point seventy-eight percent (63.78%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; and provided that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and to authorize the Northbridge School Building Committee to take any action necessary to carry out this construction project; provided, however, that this appropriation shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. Chapter 59, Section 21C (Proposition 2½, so-called); and provided further, that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Northbridge and the MSBA.

Attendance at 8:00 p.m.: 637 registered voters.

There was a request for a secret ballot. Per the Town Bylaws, the Deputy Moderator asked for a standing vote. Eight (8) registered voters in attendance rose in their place in support of a secret ballot (seven are required per the Town Bylaws).

Moved and seconded to move the pending main motion:

Voted	APPROVED	Voice Vote
		2/3 vote attained.
		Deputy Moderator declared 2/3 vote by virtue of Town Bylaw C.3-106.

*The vote on **Article 7** was then taken by secret ballot.*

Motion to reconsider the main motion:

Voted	DEFEATED	Voice Vote
		2/3 vote not attained.
		Deputy Moderator declared 2/3 vote not attained by virtue of Town Bylaw C.3-106.

ARTICLE 8:

Voted	APPROVED	Voice Vote
		2/3 vote attained.
		Deputy Moderator declared 2/3 vote by virtue of Town Bylaw C.3-106.

Moved and seconded that the Town vote to amend the Zoning Map incorporated into its Zoning Bylaws by rezoning a 26.53-acre parcel of land southerly of Riverdale Street and westerly of the Providence and Worcester Railroad shown as Lot 5 on Assessor's Plat 23 from the existing Residential Three (R-3) zone to the Industrial Two (I-2) zone. (The parcel to be rezoned being shown on a plan on file with the Town Clerk).

Point of Order raised.

Moved and seconded to move the pending main motion.

Voted

APPROVED

Voice Vote

2/3 vote attained.

Deputy Moderator declared 2/3 vote by
virtue of Town Bylaw C.3-106.

ARTICLE 9:

Voted

DEFEATED

Standing Vote

Yes 48 No 32

2/3 vote not attained.

Moved and seconded that the Town vote to amend the Zoning Map incorporated into its Zoning Bylaws to expand the existing Business Three (B-3) Zoning District off Providence Road by rezoning from Residence Three (R-3) to Business Three (B-3) the premises known as 682-684 Church Street and shown on Assessor's Map 14, as parcel 58, the premises known as 674 Church Street and shown on Assessor's Map 14, as parcel 59, and the parcel containing 4.41 acres of land with no numbered address off Church Street and shown as Assessor's Map 14, parcel 214.

Moved and seconded to suspend Town By-Law C3-114 and continue the Fall Annual Town Meeting beyond 10:30 p.m.

Voted

DEFEATED

Standing Vote

Yes 86 No 47

2/3 vote not attained.

Moved and seconded to reconsider:

Voted

APPROVED

Standing Vote

Yes 59 No 2

2/3 vote attained.

Moved and seconded to suspend Town By-Law C3-114 and continue the Fall Annual Town Meeting beyond 10:30 p.m.

Voted

APPROVED

Voice Vote

2/3 vote attained.

Deputy Moderator declared 2/3 vote by
virtue of Town Bylaw C.3-106.

ARTICLE 10:

Voted

APPROVED

Unanimous

Moved and seconded that the Town vote to pass over Article 10.

(Petition)

Marijuana Cultivation shall be permitted within R2 zones in accordance with the Cannabis Control Commission on property greater than 12 acres in size, with at least two access points from constructed or non-constructed town roads, including minim of 100 feet distance from the road, and at least 50 feet surrounding tree cover.

ARTICLE 11:

Voted

APPROVED

Majority

Moved and seconded that the Town vote to pass over Article 11.

(Petition)

To see if the Town will vote in accordance with G. L. c. 59, § 38H to authorize the Board of Selectmen to enter into a Real and Personal Property Tax Agreement with Northbridge McQuade, LLC or its affiliated entity, with its business address at 4 Liberty Square, Boston, MA 02109, for a period of up to twenty-five (25) years, and to approve said agreement under which Northbridge McQuade, LLC or its affiliated entity, will pay the Town a sum of money per year relative to a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 2.9 megawatts (MW) AC which Northbridge McQuade, LLC or its affiliated entity proposes to construct and operate on a 60 acre +/- parcel of land located on the easterly side of McQuades Lane, Northbridge, MA and further to allow the Board of Selectmen to

negotiate any amendments necessary to said Tax Agreement; or take any other action relative thereto.

ARTICLE 12:

Voted

APPROVED

Unanimous

Moved and seconded that the Town vote in accordance with G. L. c. 59, § 38H to authorize the Board of Selectmen to enter into a Real and Personal Property Tax Agreement with Sutton Solar 2, LLC or its affiliated entity, with its business address at 101 Summer St., Boston, MA, 02109, for a period of up to twenty-five (25) years, and to approve said agreement under which Sutton Solar 2, LLC or its affiliated entity, will pay the Town a sum of money per year relative to a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 1.0 megawatts (MW) AC which Sutton Solar 2, LLC or its affiliated entity proposes to construct and operate on a 2.28 acre +/- parcel of land located on the northeasterly side of Lasell Road, Northbridge, MA and further to allow the Board of Selectmen to negotiate any amendments necessary to said Tax Agreement.

ARTICLE 13:

Voted

APPROVED

Unanimous

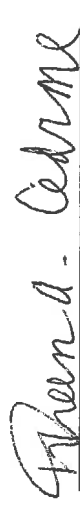
Moved and seconded that the Town vote to authorize the Board of Selectmen (a) to offer Crootof & Sawyer Ventures, LLC a Special Tax Assessment and to enter into a Special Tax Assessment Agreement ("STA Agreement") with Crootof & Sawyer Ventures, LLC for the property located at 18 and 28 Granite Street, Northbridge, MA consistent with the STA Agreement on file in the Office of the Board of Selectmen, (b) to execute the STA Agreement and any amendments and documents relating thereto on terms and conditions determined by the Board of Selectmen to be in the best interest of the Town, and (c) to undertake any actions deemed by the Board of Selectmen to be necessary to effectuate the STA Agreement, including but not limited to submitting to Massachusetts' Economic Assistance Coordinating Council (EACC), the STA Agreement and all such documents and information necessary to have the EACC approve the STA Agreement and certify a project consistent with the STA Agreement; to determine that the project authorized by the STA Agreement is consistent with the Town's economic development objectives and is likely to increase or retain employment opportunities for Town residents.

Action having been completed on all of the Articles on the Warrant for the Fall Annual Town Meeting, a motion was made and seconded to dissolve the Warrant and adjourn the Town Meeting.

Voted unanimously at 11:13 p.m. to dissolve the Warrant and adjourn the Fall Annual Town Meeting.

A TRUE COPY

ATTEST:


Doreen A. Cedrone, CMC, CMMC
Town Clerk