

TOWN OF BEDFORD, Commonwealth of Massachusetts
WARRANT FOR A SPECIAL TOWN MEETING
To any of the Constables of the Town of Bedford, in the County of Middlesex.

Greetings—

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the legal voters of said Town of Bedford, qualified to vote at Special Town Meeting for the transaction of Town affairs, to meet in said Town in the **Bedford High School Auditorium—Monday, November 4, 2019, at 7:00 PM.**

Then and there to vote upon the following articles:

ARTICLE 1—DEBATE RULES

To determine whether the Town will vote to adopt the following procedure for the current Special Town Meeting:

- A. A speaker presenting an article or amendment to an article shall be limited to ten (10) minutes;
- B. Other speakers shall be limited to five (5) minutes;
- C. No article shall be presented after 10:45 PM;
- D. Town Meeting by majority vote may waive A, B, or C;

pass any vote or take any action relative thereto.

This article sets out time limitations on presentations and debate of articles before this Town Meeting.

Recommendations:

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended

ARTICLE 2—COMMUNITY PRESERVATION SURCHARGE—Effective July 1, 2020

To determine whether the Town will vote to reconfirm a property tax surcharge of three percent (3%) of the taxes assessed annually on real property which shall be dedicated to the Community Preservation Fund, such surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2020; pass any vote or take any action relative thereto.

This article would authorize the Town to continue to levy in Fiscal Year 2021 a surcharge of three percent (3%) on property taxes to be used for purposes authorized under the Community Preservation Act, which the Town accepted in 2001. Each year the Town receives matching funds from the Commonwealth, as a result of having accepted this Act. In November 2018, the Town received a total of \$352,322 from Commonwealth distributions. This total match was 21.7%. A conservative 12% match is projected for next year because it is not known at this time how much money will be available and how many communities will be participating in the program.

Both Municipal and Commonwealth funds are to be used exclusively for affordable housing, open space preservation, historic properties preservation, and recreation. Under the Act, municipalities are required to spend or reserve for future expenditure at least ten percent of the fund for each of the first three above purposes. The property tax surcharge may be any percentage up to three percent. The Selectmen are placing this article on the Warrant of this Special Town Meeting in keeping with a commitment made at the time the Community Preservation Act was accepted. If Town Meeting were to adopt any percentage other than the current three percent in effect, this change would also need approval of Bedford's registered voters at the Annual Town Election in March 2020.

Recommendations:

Selectmen:	Approval Recommended
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Finance Committee: Approval Recommended
Community Preservation Committee: Approval Recommended

ARTICLE 3—LAND ACQUISITION FUND

To determine whether the Town will vote to amend the vote taken under Article 9—Land Acquisition Fund at the 2019 Annual Town Meeting, and Article 18—Community Preservation Land Acquisition Fund Amendment at the 2017 Special Town Meeting, by amending the real property specified for acquisition in said Article 9 of the 2019 Annual Town Meeting and Article 18 of the 2017 Special Town Meeting so as to add Parcel 23 on Assessors Map 29, located at 229 Old Billerica Road consisting of 0.92 acres +/-; pass any vote or take any action relative thereto.

This article would authorize the purchase of an additional parcel through the Community Preservation Land Acquisition Fund most recently amended at the 2019 Annual Town Meeting and 2017 Special Town Meeting. As of the printing of this warrant, the remaining balance in the Community Preservation Land Acquisition Fund is \$338,836 and the General Land Acquisition Fund is \$87,660.

Recommendations:

Selectmen: Approval Recommended
Finance Committee: Recommendation to be given at Special Town Meeting

**ARTICLE 4—RESCIND 2018 BOND AUTHORIZATION
ACQUISITION OF NAVY PROPERTY OFF HARTWELL ROAD**

To determine whether the Town will vote to rescind the \$2,000,000 borrowing authorization voted under Article 2 of the July 2018 Special Town Meeting for the Acquisition of Navy Property off Hartwell Road;
pass any vote or take any action relative thereto.

This article proposes to rescind the borrowing authorization for the Acquisition of Navy Property off Hartwell Road, as the funds are no longer needed.

Recommendations:

Selectmen: Approval Recommended
Finance Committee: Approval Recommended

ARTICLE 5—APPROPRIATE FUNDS FOR TRANSPORTATION INFRASTRUCTURE FUND

To determine whether the Town will vote to appropriate a sum of \$5,094.70 received from the Commonwealth Transportation Infrastructure Fund for purposes of transportation services in the Town of Bedford; pass any vote or take any action relative thereto.

This article appropriates funds received from the Commonwealth Transportation Infrastructure Fund pursuant to St. 2016, c. 187, § 8(c)(i). The Fund was established to provide cities and towns with a per-ride assessment of \$0.20 from transportation network providers. Authorizing the use of these funds at the Special Town Meeting will allow the Town to expend the funds to use for alternative transportation projects. The total amount of funds made available to the Town for appropriation is \$5,094.70.

Recommendations:

Selectmen: Approval Recommended
Finance Committee: Approval Recommended

ARTICLE 6—300TH ANNIVERSARY STABILIZATION FUND

To determine whether the Town will vote to establish a 300th Anniversary Stabilization Fund as provided under Massachusetts General Law Chapter 40 Section 5B; and further to raise and appropriate \$10,000 into this Stabilization Fund; and further to rescind the appropriation of \$10,000 as voted at the 2019 Annual Town Meeting in Article 23—Special Revenue Article—300th Anniversary in 2029; pass any vote or take any action relative thereto.

This article proposes to create a Stabilization Fund for \$10,000 in anticipation of the Town's 300th anniversary celebration. The appropriation of \$10,000 is the starter allocation for the account. Under Massachusetts General Law Chapter 44, Section 53I, as amended on November 7, 2016, a special revenue fund for a Town Anniversary can only be established if it is within 5 years of the event. The creation of this Stabilization Fund allows the Town to set aside funds in excess of 5 years of the event.

Recommendations:

Selectmen: Approval Recommended
Finance Committee: Approval Recommended

ARTICLE 7—APPROPRIATE FUNDS FOR AFSCME, AFL-CIO, STATE COUNCIL 93, LOCAL 1703 COLLECTIVE BARGAINING AGREEMENT—FY2020

To determine whether the Town will vote to appropriate a sum of money to be added to Article 28—Operating Budgets—FY2020, Account #4000, Public Works, as voted at the 2019 Annual Town Meeting to fund the provisions of a collective bargaining agreement between the Town of Bedford and the AFSCME AFL-CIO, State Council 93, Local 1703, commencing July 1, 2019, for Public Works Department employees who are members of this collective bargaining unit; pass any vote or take any action relative thereto.

This article would provide additional funds required to compensate members of the AFSCME AFL-CIO, State Council 93, Local 1703 for services rendered during Fiscal Year 2020 as a result of a Collective Bargaining Agreement commencing July 1, 2019, for a three-year term.

Recommendations:

Selectmen: Recommendation to be given at Special Town Meeting
Finance Committee: Recommendation to be given at Special Town Meeting

ARTICLE 8—APPROPRIATE FUNDS FOR BEDFORD PERMANENT FIREFIGHTERS LOCAL 2310 IAFF COLLECTIVE BARGAINING AGREEMENT—FY2020

To determine whether the Town will vote to appropriate a sum of money to be added to Article 28—Operating Budgets—FY2020, Account #2200, Fire Department, as voted at the 2019 Annual Town Meeting to fund the provisions of a collective bargaining agreement between the Town of Bedford and the Bedford Permanent Firefighters Local 2310 IAFF, commencing July 1, 2019, for Fire Department employees who are members of this collective bargaining unit; pass any vote or take any action relative thereto.

This article would provide additional funds required to compensate members of the Bedford Permanent Firefighters Local 2310 IAFF for services rendered during Fiscal Year 2020 as a result of a Collective Bargaining Agreement commencing July 1, 2019, for a three-year term.

Recommendations:

Selectmen: Recommendation to be given at Special Town Meeting

Finance Committee: Recommendation to be given at Special Town Meeting

ARTICLE 9—AMEND FY2020 OPERATING BUDGETS

To determine whether the Town will vote to amend the sums appropriated under Article 28—Operating Budget—Fiscal Year 2020 of the 2019 Annual Town Meeting for expenditures by officers, boards, committees, and for the Reserve Fund in the fiscal year beginning July 1, 2019, by either increasing or decreasing said sums, and to determine whether such appropriation shall be raised in the tax levy, transferred from available funds, transferred from the Stabilization Fund, borrowed, or by any combination of these methods; pass any vote or take any action relative thereto.

This article would allow amendments to the Fiscal Year 2020 Operating Budgets, which were adopted at the 2019 Annual Town Meeting.

Recommendations:

Selectmen: Recommendation to be given at Special Town Meeting
Finance Committee: Recommendation to be given at Special Town Meeting

**ARTICLE 10—ZONING BYLAW AMENDMENT
ACCESSORY DWELLING UNITS**

To determine whether the Town will vote to approve the following amendments to the Zoning Bylaw:

(additions shown in bold and deletions in strikeout)

SECTION 4—CLASSIFICATION OF PRINCIPAL USES

4.2.1 Single Family Dwelling

A detached dwelling unit designed and used exclusively as a single housekeeping unit with common cooking and living facilities provided that in the Limited Business District such use conforms to the dimensional regulation for the Residence C District. No more than one dwelling shall be located upon a lot except as provided pursuant to Subsections 4.2.4, ~~and 4.2.5~~ **and 4.2.9.**

4.2.9 Accessory ~~Apartments~~ **Dwelling Units (ADUs)**

An accessory ~~apartment~~ **dwelling unit** is a second dwelling unit located **either a)** within **or attached to** a structure constructed as a detached ~~one single-~~family dwelling, subordinate in size to the principal dwelling unit and separated from it in a manner that maintains the appearance of the structure as a one-family unit, **or b) in a detached accessory structure on the same lot as the principal dwelling, for use as a complete living unit, with provisions for cooking, eating, sanitation, and sleeping.**

4.2.9.1 General Objectives

The provision of accessory dwelling units in owner occupied ~~one single-~~family dwellings is intended to:

- 1) increase the number of small dwelling units available for rent in town,
- 2) increase the range of choice of housing accommodations,
- 3) encourage greater diversity of population with particular attention to young adults and senior citizens,
- 4) encourage a more economic and energy-efficient use of the town's housing supply while maintaining the appearance and character of the town's single-family neighborhoods, **and**

5) help the Town meet its housing needs without detracting from its historic development pattern.

4.2.9.2 General Conditions and Requirements for all Accessory Dwelling Units

~~The Building Inspector shall issue a building permit for an accessory apartment in a detached, one family dwelling in any residential district provided that the unit meets the standards of the building code and each of the following conditions and requirements is met:~~

General

The owner of the ~~dwelling in lot on~~ which the accessory ~~apartment~~ **dwelling unit** is created, shall occupy either of the dwelling units ~~on the lot in the located structure in question~~, except for temporary absences of up to six months. For the purposes of this section, the “owner” shall be one or more individuals ~~residing in a dwelling~~, who hold title **to the lot** and for whom ~~the~~ **either dwelling unit** is the primary residence for voting and tax purposes. **Land ownership shall not be divided or converted into condominiums.**

There shall be no more than one accessory ~~apartment~~ **dwelling unit** ~~within a one family dwelling~~, **whether internal or detached, on any lot.**

There shall be no boarders or lodgers within either unit of a dwelling with an accessory ~~apartment~~ **dwelling unit**. **The provisions of Section 5.1.6 shall not apply to permitted accessory dwelling units.**

~~The gross floor area of the dwelling, including the basement shall be at least 1,800 square feet. (Note: Gross floor area is defined as the sum of the gross horizontal areas of several floors of a building measured from the exterior face of exterior walls, or from the center line of a wall separating two (2) buildings, but not including interior parking spaces or any space where the floor to ceiling height is less than six (6) feet.)~~

(iv) The maximum gross floor area of the accessory ~~apartment~~ **dwelling unit** shall ~~not exceed 30% of the gross floor area of the dwelling~~ **be 900 square feet, or 1,000 square feet if Enhanced Energy Efficiency and/or Universal Design standards are met. Gross floor area for this purpose is defined as the sum of the gross horizontal areas of several floors measured from the exterior face of exterior walls or from the center line of a wall separating units, but not including interior parking spaces or any space where the floor-to-ceiling height is less than six (6) feet. The Universal Design standard for this purpose is defined as providing at least the following features: low threshold entrance (maximum 4 inches) and no interior thresholds; a bedroom on the main entry level; infrastructure in bathrooms to accommodate installation of grab bars around toilets and tubs/showers; and clear width at all door openings of a minimum of 32 inches. The Enhanced Energy Efficiency standard for this purpose is defined as a five-point HERS rating improvement or equivalent compared to the otherwise applicable energy efficiency requirement of the Building Code, with verification to the satisfaction of the Building Inspector.**

(vi) There shall be no more than two (2) bedrooms in an accessory ~~apartment~~ **dwelling unit.**

(vii) No structure that is not connected to the public water and sanitary sewer systems shall have an accessory ~~apartment~~ **dwelling unit.**

(viii) **Any dwelling unit offered for short-term rental as defined under MGL 640 shall only be authorized by the Zoning Board of Appeals by Special Permit.**

4.2.9.3 Additional Requirements for Internal Accessory Dwelling Units

~~(b) Exterior Appearance of a Dwelling with an~~ **Internal Accessory Apartment-Dwelling Unit**

The accessory ~~apartment~~ **dwelling unit** shall be designed so that the appearance of the structure remains that of a single-family dwelling, subject further to the following conditions and requirements:

- (i) All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling.
- (ii) Any new entrance shall be located on the side or in the rear of the dwelling.
- (iii) Where there are two or more existing entrances on the front façade of a dwelling, if modifications are made to any entrance, the result shall be that one appears to be the principal entrance and the other entrances appear to be secondary.

4.2.9.4 Additional Requirements for Detached Accessory Dwelling Units

- (i) The height limit for a detached ADU is 25 feet and 1.5 stories.**
- (ii) A detached ADU shall be sited further from the front lot line than the rear wall of the principal dwelling, with at least 10 feet between building walls, and at least 15 feet from side and rear lot lines.**
- (iii) The main entrance to a detached ADU shall face either the street or the interior of the lot.**
- (iv) Where the detached ADU is proposed to be less than 25 feet from a side or rear lot line, windows above the first floor on any wall facing such lot line shall be frosted, stained, or otherwise constructed to obscure line of sight to abutters.**

4.2.9.5 Off-Street Parking requirements for all ADUs

There shall be provided at least two off-street parking spaces for the principal dwelling unit and at least ~~two~~ **one** off-street parking spaces for the accessory unit. In order to maintain the appearance of a single-family neighborhood, all parking spaces on the lot shall be subject further to the following conditions and requirements:

- (i) Each parking space and the driveway leading thereto shall be paved or shall have an all-weather gravel **or permeable grass paver** surface. No motor vehicles shall be regularly parked on the premises other than in such a parking space.

No more than two outdoor parking spaces shall be located in the required front yard. All other parking spaces shall be either: 1) outdoor parking spaces located in a side or rear yard or 2) in a garage or carport.

Parking spaces shall be located so that both the principal dwelling unit and the accessory ~~apartment~~ **dwelling unit** shall have at least one parking space with direct and unimpeded access to the street without passing through a parking space designated to serve the other dwelling unit.

Where there are more than two outdoor parking spaces, there shall be provided suitable screening with evergreen or dense deciduous plantings, walls, fence, or a combination thereof in the area between the parking spaces and the nearest side lot line and, if the parking space is in the front yard and parallel to the street, in the area between the parking space and front lot line. Screening shall be sufficient to minimize the visual impact on abutters and to maintain the single-family appearance of the neighborhood.

Table I: USE REGULATIONS

4.2.9 Accessory Apartment to be retitled as “**Accessory Dwelling Unit.**”

SECTION 6—DIMENSIONAL AND LANDSCAPING REQUIREMENTS

6.2.7 Side Yards

Side yards shall be measured from the nearest point of any dwelling or structure to each side lot line, provided that nothing shall prevent the projection of uncovered steps and ramps or the construction of walls and fences. Notwithstanding the foregoing, in the Residential Districts or for single-family dwellings in a Limited Business District, a building of accessory use may be placed not less than 10 feet from a side line, and not less than 10 feet from another building on the same lot, so long as such building is not to be located nearer the side line of the right of way than the rearmost point of the dwelling or any structure attached thereto, **except for detached accessory dwelling units which are governed by Section 4.2.9.**

6.2.8 Rear Yards

Rear yards shall be measured from the nearest point of any dwelling or structure attached thereto to the rear lot line, provided that nothing shall prevent the projection of uncovered steps and ramps or the construction of walls and fences. In the Residential Districts or for single-family dwellings in the Limited Business District, no building of accessory use shall be placed nearer to the rear lot line than 10 feet. **Detached accessory dwelling units are governed by Section 4.2.9.**

SECTION 7—SPECIAL PROVISIONS

7.4 Parking Regulations

7.4.1 Required Spaces

7.4.1.1 Dwelling including multiunit structure

Two parking spaces for each dwelling unit, **unless other specific criteria are provided.**

pass any vote or take any action relative thereto.

The Zoning Bylaw currently allows for accessory apartments to be created within single-family dwellings, subject to certain criteria. This article would expand the opportunity to create “accessory dwelling units,” by amending the restrictions for units created within single-family dwellings and also creating provisions for free-standing accessory dwelling units. In all cases, an Accessory Dwelling Unit would now be restricted to 900 square feet, except where a specified energy efficiency level and/or universal design features are incorporated, in which case an ADU of 1,000 square feet is allowed. This article is submitted as one means to help broaden the diversity of housing stock, and is a recommendation of the 2019 Bedford Housing Study.

Recommendations:

Selectmen:	Recommendation to be given at Special Town Meeting
Finance Committee:	Recommendation to be given at Special Town Meeting
Planning Board:	Approval Recommended

**ARTICLE 11—ZONING BYLAW AMENDMENT
HEIGHT OF ACCESSORY STRUCTURES**

To determine whether the Town will vote to approve the following amendments to the Zoning Bylaw:

(additions shown in bold and deletions in strikeout)

SECTION 6—DIMENSIONAL AND LANDSCAPING REQUIREMENTS

6.2.10 Height

In all Districts, the building height shall not exceed the dimensions noted in Table II Dimensional Regulations.

In all Districts, except Residential Districts, the height of a building shall be measured as the vertical distance from the average ground level around the perimeter of a building to either the top of the highest ridge in case of a pitched roof, or the highest point of the exterior in the case of a flat roof.

In the Residential Districts, the height of a building shall be measured as the vertical distance from the base elevation to the top of the highest ridge in the case of a pitched roof, or the highest point of the exterior in the case of a flat roof.

For any accessory building in a Residential District, the maximum height shall be twenty-five (25) feet and one and a half (1 ½) stories. For this purpose, a half story is defined as a space under a sloping roof that has the line of intersection of the roof and wall face not more than three (3) feet above the floor level and in which the habitable space with head room of five (5) feet or more occupies no more than sixty (60) percent of the floor area. Spaces not satisfying this definition shall be considered a full story.

Chimneys, spires, towers, ventilators, skylights, tanks, antennae, and other projections not used for human occupancy or storage may extend not more than 8 feet above the height limits herein fixed.

pass any vote or take any action relative thereto.

Accessory structures are currently eligible for the same height requirements as the principal use, which are 35 feet and three stories. Setback provisions in Section 6 of the Zoning Bylaw allow for accessory structures to be 10 feet from a side or rear lot line, whereas the principal dwelling must be 15 feet from a side yard and 30 feet from a rear yard. This amendment seeks to reduce the allowable height of accessory structures to reduce the potential impact of tall accessory structures on abutting properties.

Recommendations:

Selectmen:	Approval Recommended
Finance Committee:	Recommendation to be given at Special Town Meeting
Planning Board:	Approval Recommended

**ARTICLE 12—ZONING BYLAW AMENDMENT
BASE ELEVATION**

To determine whether the Town will vote to approve the following amendments to the Zoning Bylaw:

(additions shown in bold and deletions in strikeout)

SECTION 6—DIMENSIONAL AND LANDSCAPING REGULATIONS

6.2.10 Height

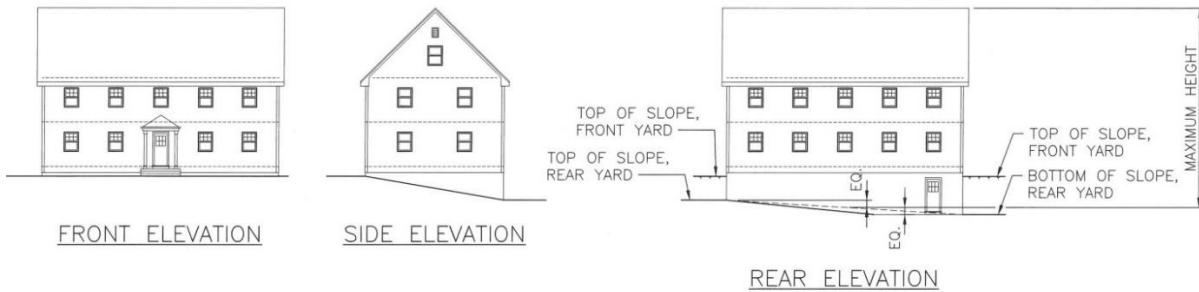
In all Districts, the building height shall not exceed the dimensions noted in Table II Dimensional Regulations.

In all Districts, except Residential Districts, the height of a building shall be measured as the vertical distance from the average ground level around the perimeter of a building to either the top of the highest ridge in the case of a pitched roof, or the highest point of the exterior in the case of a flat roof.

In the Residential Districts, the height of a building shall be measured as the vertical distance from the base elevation to the top of the highest ridge in the case of a pitched roof or the highest point of the exterior in the case of a flat roof.

Chimneys, spires, towers, ventilators, skylights, tanks, antennae, and other projections not used for human occupancy or storage may extend not more than 8 feet above the height limits herein fixed.

FIGURE 3A



6.2.10.1 Base Elevation

The intent of establishing a base elevation on residential lots is to remove the incentive to create layered “plateaus” that significantly raise the ground level at the structure’s foundation.

The base elevation is the average elevation of the ground between where the two corners of the lowest foundation wall of a building meet the ground. The base elevation shall be determined prior to disturbing the original ground which includes, but is not limited to, demolition of existing building, excavation for new building, clearing and grubbing, cutting and filling, and general grading of the land. The base elevation shall be certified by a registered land surveyor and shown on a certified plot plan to be verified by the Building Inspector prior to commencement of work on the property.

In Residential Districts, **with approval of the Building Inspector**, the base elevation may be adjusted **to an elevation not more than two (2) feet higher than the existing base elevation at the building foundation location** ~~if the ground is altered to facilitate proper stormwater drainage around and/or away from the building or for issues related to soils or topography;~~ **however, the base elevation may not be raised more than (2) two feet at the building foundation location the height of the building will be calculated from the new adjusted base elevation.** A Special Permit allowing more than **the two (2) foot (2) two feet** adjustment to the base elevation noted above may be granted by the Zoning Board of Appeals if the Board finds that literal application of this requirement would be unreasonable ~~because of~~ **for reasons of drainage, soils, or topography** and that ~~the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw~~ **such relief is in harmony with the purpose and intent of this Bylaw and will not be substantially more detrimental or injurious to the neighborhood;**

pass any vote or take any action relative thereto.

This amendment is intended to help clarify the intent and interpretation of this section of the Bylaw, which was adopted in 2016 to better regulate the height of new single-family dwellings.

Recommendations:

- Selectmen: Approval Recommended
- Finance Committee: Recommendation to be given at Special Town Meeting
- Planning Board: Approval Recommended

**ARTICLE 13—ZONING BYLAW AMENDMENT
TEMPORARY USES AND STRUCTURES**

To determine whether the Town will vote to approve the following amendments to the Zoning Bylaw:

(additions shown in bold and deletions in strikeout)

SECTION 5—ACCESSORY USES AND STRUCTURES

5.1.8 Trailer and Mobile Home

5.1.8.1 Construction Trailer

In all districts, the Inspector of Buildings may authorize the temporary use of a trailer or mobile home as a construction site office for not more than two years, provided that the authorization shall require the removal of ~~the~~ such within 90 days after completion of the work for which the temporary use was permitted and provided further that, if construction is actively proceeding, the authorization for the trailer or mobile home may be renewed by the Inspector of Buildings for successive one-year periods.

5.1.8.2 Temporary Dwelling

In all districts, the use of a trailer or mobile home as a temporary dwelling shall be permitted:

- (a) for not more than seven days in any calendar year
- (b) where the owner or occupier of a residence which has been rendered uninhabitable by fire or other natural disaster resides in a trailer or mobile home on the site of such a residence, while the residence is being rebuilt, for a period not to exceed twelve months.

An extension of the time period for use of a trailer or mobile home as a temporary dwelling may be authorized by the **Zoning** Board of Appeals by Special Permit subject to a reasonable time limit. Any such trailer or mobile home use shall be subject to the provisions of the state sanitary code.

5.1.8.3 Temporary Non-residential Trailer

On non-residential properties in all districts, the Inspector of Buildings may authorize a temporary non-residential trailer for up to twelve months for the purpose of meeting a short-term or transitional need for storage or operational capacity related to the principal use of the property. Such authorization may be extended for good reason by the Inspector of Buildings for six-month periods but for no more than one additional year.

pass any vote or take any action relative thereto.

There are no current provisions for, or restrictions on, the use of temporary trailers and storage containers on commercial properties in the Zoning Bylaw. There are several common scenarios wherein additional storage, office, lab, or other space is needed. Examples include an office space being renovated and needing temporary storage of furniture, or a technology/ research project getting funding or federal approval to continue to the next step and needing temporary lab space while a permanent option is pursued. This amendment would clarify that administrative approval is required so that the Code Enforcement Department and Fire Department can ensure that any temporary unit, whether it be a container on the ground or a trailer on wheels, is placed in a manner that does not impede parking and circulation patterns, and that appropriate life safety features are included where necessary.

Recommendations:

Selectmen: Approval Recommended
Finance Committee: Recommendation to be given at Special Town Meeting
Planning Board: Approval Recommended

**ARTICLE 14—ZONING BYLAW AMENDMENT
HORIZONTAL MIXED-USE IN THE GREAT ROAD/NORTH ROAD DISTRICT**

To determine whether the Town will vote to approve the following amendment to the Zoning Bylaw:

(additions shown in bold and deletions in strikeout; full table not shown)

SECTION 22—GREAT ROAD DISTRICT

22.6. Use Regulations

22.6.1 The following use regulations shall apply in the Great Road District.

Table Legend

Y=Permitted

SP=Planning Board Special Permit

N=Prohibited

<u>Use</u>	<u>GR/S</u>	<u>GR/M</u>	<u>GR/C</u>	<u>GR/NR</u>
Mixed-use, horizontal	SP	SP	N	N SP

pass any vote or take any action relative thereto.

Subsequent to the adoption of the Great Road Districts at the Annual Town Meeting in March 2018, evaluation of the application of the regulations on certain properties in the Great Road/North Road District reveals that allowing for horizontal mixed use in this area could better achieve the redevelopment goals sought under these provisions of the Zoning Bylaw. The amendment would change the use designation from “NO” to “Special Permit,” as is allowed in the Great Road/Shawsheen District and the Great Road/Marketplace District.

Recommendations:

Selectmen: Approval Recommended
Finance Committee: Recommendation to be given at Special Town Meeting
Planning Board: Approval Recommended

**ARTICLE 15—ZONING BYLAW AMENDMENT
CLARIFYING PROHIBITION OF DRIVE-THROUGH IN THE GREAT ROAD DISTRICTS**

To determine whether the Town will vote to approve the following amendment to the Zoning Bylaw:

(additions shown in bold; full table and list of definitions not shown)

SECTION 22—GREAT ROAD DISTRICT

22.6. Use Regulations

22.6.1 The following use regulations shall apply in the Great Road District.

Table Legend

Y=Permitted

SP=Planning Board Special Permit

N=Prohibited

<u>Use</u>	<u>GR/S</u>	<u>GR/M</u>	<u>GR/C</u>	<u>GR/NR</u>
Drive-through service	N	N	N	N

22.6.2 Terms and definitions applicable to this Section:

Drive-through service: A building or kiosk feature, such as a window, door, or mechanical device, through which occupants of a motor vehicle receive or obtain a product or service.

pass any vote or take any action relative thereto.

This amendment seeks to clarify that the intent of the Planning Board in adoption of the Great Road Districts at the Annual Town Meeting in March 2018 was to eliminate the potential for future drive-through facilities for any use in the Great Road corridor. One of the main philosophies behind the new zoning for the Great Road corridor is to place greater emphasis on pedestrian mobility and safety. Drive-through facilities present a potential conflict for pedestrian movement and are not consistent with the intent of the new bylaw requirements. Existing drive-through facilities are not affected.

Recommendations:

- Selectmen: Approval Recommended
- Finance Committee: Recommendation to be given at Special Town Meeting
- Planning Board: Approval Recommended

ARTICLE 16—POWER PURCHASE AGREEMENT

To determine whether the Town will vote to authorize the Town Manager to enter into leases, licenses, power purchase agreements, agreements for payment in lieu of taxes, and/or other contractual agreements for terms up to twenty years with extension options for an additional ten years, subject to terms and conditions approved by the Board of Selectmen, for all or portions of the following municipal properties: Town Hall, Town Center Building, Department of Public Works, Lane Elementary School, Davis Elementary School, John Glenn Middle School, and Bedford High School for the purposes of installing and operating solar energy-generating facilities and supplying solar energy, including rooftop, ground-mounted and other solar facilities, and further to authorize the Selectmen and Town Manager to take such action as may be necessary under State law to effectuate said agreements; or

pass any vote or take any action relative thereto.

This article seeks to authorize the Town Manager to work with the Facilities Director to negotiate a 20-year power purchase agreement for solar installation at several municipal locations.

Recommendations:

- Selectmen: Approval Recommended
- Finance Committee: Recommendation to be given at Special Town Meeting

ARTICLE 17—CHARTER AMENDMENT—SELECTMEN TO SELECT BOARD

To determine whether the Town will vote to propose the following amendments to the Town of Bedford Charter:

Current Text: Selectmen (wherever it appears)

Proposed Text: Select Board

This amendment proposes that the word “Selectman/Selectmen” be changed in every instance in the Charter to “Select Board.”

Recommendations:

Selectmen: Approval Recommended
Finance Committee: Recommendation to be given at Special Town Meeting

**ARTICLE 18—MISCELLANEOUS CHARTER AMENDMENTS
HOUSEKEEPING**

To determine whether the Town will vote to propose the following amendments to the Town of Bedford Charter:

Article 2—Section 2-15

Current Text: At least one member of each elected or appointed board, commission and committee shall attend all Annual and Special Town Meetings. However, no Town Meeting power or action otherwise authorized under the Massachusetts General Laws or Bylaws of the Town shall be nullified if one or more said town officers or members do not comply with the requirement of this section.

Proposed Text: Every elected and appointed member of a board, commission, or committee shall consider it their responsibility to represent their board, commission, or committee at all Annual and Special Town Meetings. At a minimum, the chairperson or a designated member shall attend every Town Meeting session to provide information pertinent to their board, commission, and committee activities that relate to Town Meeting Articles. However, no Town Meeting power or action otherwise authorized under the Massachusetts General Laws, this Charter, or the Town Bylaws shall be nullified if one or more said Town Officers or members does not comply with this section.

Article 2 of the Charter covers Town Meeting. This amendment to Section 2-15 clarifies that all elected and appointed members of boards, commissions, and committees of the Town are expected to attend Town Meetings; and further, that at least one must attend to be available to answer questions that may relate to their board, commission, or committee.

Article 3—Section 3-3

Current Text: In addition to appointments to temporary posts and committees they may create, the Selectmen shall make the following appointments for the terms specified:

Length of Term

<i>Office</i>	<i>No. of Members</i>	<i>Years</i>
Council on Aging	9	3
Conservation Commission	7	3
Constables	4	3
Historic District Commission	5	3
Historic District Commission Alternates	3	2

Historic Preservation Commission	7	3
MBTA Representative	1	3
Metropolitan Area Planning Council	1	3
Recreation Commission	5	3
Registrars of Voters	3	3
Special Police Officers	Any	1
Town Counsel	1	1
Town Historian	1	3
Veterans' Agent/Service Officer	1	1
Veterans' Graves Officer	1	1
Volunteer Coordinating Committee	5	3
Youth and Family Services	9	3
Zoning Board of Appeals	5	3
Zoning Board of Appeals—Associate	3	3

Proposed Text: In addition to appointments to temporary posts and committees they may create, the Selectmen shall make the following appointments for the terms specified:

Length of Term

<i>Office</i>	<i>Number of Members</i>	<i>Term (Years)</i>
Conservation Commission	7	3
Constables	4	3
Council on Aging	9	3
Historic District Commission	5	3
Historic District Commission Alternates	2	3
Historic Preservation Commission	7	3
MBTA Representative	1	3
Metropolitan Area Planning Council	1	3
Recreation Commission	5	3
Registrars of Voters	3	3
Special Police Officers	Any	1
Town Counsel	1	1
Town Historian	1	3
Veterans' Agent/Service Officer	1	1
Veterans' Graves Officer	1	1
Volunteer Coordinating Committee	5	3
Youth and Family Services	9	3
Zoning Board of Appeals	5	3
Zoning Board of Appeals—Associate	3	3

Article 3 of the Charter refers to the Selectmen's powers and appointments. This amendment removes Special Police Officers as they are no longer appointed by Selectmen. The list of appointments has been placed in alphabetical order and the formatting has been improved.

Article 5—Section 5-1g

Current Text: Take an annual inventory of all property of the Town of Bedford.

Proposed Text: Maintain a list of fixed assets that are valued over \$5,000 as required by GASB Standards.

Article 5 of the Charter details duties and responsibilities of the Town Manager, one of which is an annual inventory. This amendment defines the minimum value of a fixed asset and references GASB, the Governmental Accounting Standards Board.

Article 5—Section 5-1h

Current Text: Be responsible for the negotiation of all contracts within the Selectmen’s jurisdiction. For the purposes of collective bargaining under Chapter 150E of the Massachusetts General Laws, the Selectmen shall be the Chief Executive Officer and the Town Manager shall be the designated representative under Section 1 of said Chapter. Contracts negotiated by the Town Manager shall be subject to the policy of and final approval of the Selectmen. The Selectmen may authorize the use of additional persons to assist the Town in negotiation of collective bargaining contracts as they deem advisable.

Proposed Text: Be responsible for the negotiation of all contracts within the Selectmen’s jurisdiction. For the purposes of collective bargaining under Chapter 150E of the Massachusetts General Laws, the Selectmen shall be the Chief Executive Officer and the Town Manager shall be the designated representative under Section 1 of said Chapter. Contracts negotiated by the Town Manager shall be subject to the policy of and final approval of the Selectmen. The Selectmen may authorize the use of additional persons to assist the Town in ~~negotiation of~~ negotiating collective bargaining contracts as they deem advisable.

This amendment corrects a grammatical construction.

Article 5—Section 5-li

Current Text: Search for economies that may accrue to the Town through joint purchasing of materials, property or services by two or more municipalities or two or more departments, offices, boards, commissions or committees of the Town.

Proposed Text: Search for economies that may accrue to the Town through joint purchasing of materials, property, or services by two or more municipalities or two or more **Town** departments, offices, boards, commissions, or committees.

This amendment moves the word “Town” to make it clear that this applies to Town departments, offices, boards, commissions, and committees.

Article 5—Section 5-3

Current Text: The Town Manager shall prepare a warrant report and arrange for its distribution to all the Town’s registered voters a minimum of seven days before each Annual Town Meeting and a minimum of fourteen days before a Special Town Meeting. The warrant report shall be constructed as follows: For each article in the warrant, a copy of the article or a summary that conveys its full contents; a statement by the submitter of the article of the reason or reasons why the provision set forth in the article should be adopted by Town Meeting; recommendations by the Selectmen and Finance Committee.

The Selectmen may also invite the Town officers, boards, commissions and committees affected by an article to submit recommendations for the report. The warrant report for a Special Town Meeting need not be prepared if the

Selectmen and the Finance committee agree that the time required for its preparation would delay the holding of such a meeting sufficiently to do harm to the town.

Proposed Text: The Town Manager shall prepare a warrant report and arrange for its distribution to all the Town’s registered voters a minimum of seven days before each Annual Town Meeting and a minimum of fourteen days before a Special Town Meeting.

The warrant report shall be constructed as follows:

1. The text of the proposed article;
2. A non-partisan summary of the article and any related factual information;
3. For an article submitted by petition, a statement by the petitioners supporting the article;
4. Recommendations by Selectmen and Finance Committee. The Selectmen may request recommendations from other boards and committees;
- 5. The residential tax impact, if any, of the article.**

The warrant report for a Special Town Meeting need not be prepared if the Selectmen and the Finance Committee agree that the time required for its preparation would delay the holding of such a meeting sufficiently to do harm to the Town.

This amendment clarifies and formats the requirements for the preparation of the warrant report. Items 1–4 were already in the article; item 5 was added to reflect current practice.

Article 8—Section 8-5

Current Text: If the successor fails to qualify within five working days after receiving notification of his or her election, the office shall thereupon be deemed vacant.

Proposed Text: If the successor fails **to take the oath of office** within five ~~working~~ business days after receiving **official** notification **from the Town Clerk** ~~of his or her~~ their election, the office shall thereupon be deemed vacant.

Article 8 of the Charter defines the process necessary for the Recall of Elected Officials. This amendment clarifies how a successor, once elected at a town election, “qualifies” and how they are to be notified.

General Changes: Added Oxford commas throughout. Capitalize T in “**Town,**” and made charter and bylaw gender neutral.

Recommendations:

- | | |
|--------------------|--|
| Selectmen: | Approval Recommended |
| Finance Committee: | Recommendation to be given at Special Town Meeting |

ARTICLE 19—CHARTER AMENDMENT—BOARD OF ASSESSORS

To determine whether the Town will vote to propose the following amendments to the Town of Bedford Charter, Article 5-1(b): regarding the authority of appointment for the Town Assessor.

Article 5-1(b)

Current Text: Appoint and remove, subject to the approval of the Selectmen, and supervise the heads of departments for which the Selectmen are responsible and all other town officers whose appointment is required to perform a necessary town function and who are not listed in Section 3 of Article 3. A department head is defined for this Charter

as an official who, in the prolonged absence of the Town Manager, would normally report directly to the Selectmen. The Town Manager shall have the power of final review and approval of subordinates' appointments, removal and supervisions of personnel under the subordinates' jurisdiction.

Proposed Text: Specific Authority for Assessor Appointment. Appoint and remove, subject to the approval of the Selectmen, and supervise the heads of departments for which the Selectmen are responsible and all other town officers whose appointment is required to perform a necessary town function and who are not listed in Section 3 of Article 3. **The Town Manager shall also have the power to appoint and remove, subject to the approval of the Board of Assessors, and supervise the Town Assessor.** ~~A department head is defined for this Charter as an official who, in the prolonged absence of the Town Manager, would normally report directly to the Selectmen.~~ The Town Manager shall have the power of final review and approval of subordinates' appointments, removal, and supervisions of personnel under the subordinates' jurisdiction.

Article 5 of the Charter details duties and responsibilities of the Town Manager. This amendment provides for shared appointing and removal process between the Town Manager and the Board of Assessors for the Town Assessor position and clarifies that the Town Manager is responsible for day-to-day supervision of the employee in that position.

Recommendations:

Selectmen:	Approval Recommended
Finance Committee:	Recommendation to be given at Special Town Meeting

and you are directed to serve this Warrant by posting attested copies thereof at the Town Hall and in at least three other public places in the Town at least fourteen days before the time of said meeting.

Hereof fail not and make return of this Warrant with your doings thereof at the time and place of said meeting. Given under our hands on this 4th day of November in the year Two Thousand and Nineteen.

SELECTMEN OF BEDFORD

MICHAEL ROSENBERG, CHAIR

MARGOT R. FLEISCHMAN

EMILY J. MITCHELL

WILLIAM S. MOONAN

EDWARD M. PIERCE

GUIDELINES FOR CIVIL DISCOURSE

The Town of Bedford respects and recognizes each citizen's right to free speech. In order to guarantee all people's right to free speech and to ensure productive civil discourse, we request that all citizens respect the following guidelines.

Show respect for others.

Discuss policies and ideas, not people.

Only one person should be speaking at any given time.

Use helpful, not hurtful language.

Speak as you would like to be spoken to.

Use courtesy titles (Mr., Ms., Sir, etc.) and ask if unsure.

Restate ideas when asked.

Use a civil tone of voice.

Agree to listen.

Respectfully hear and listen to differing points of view.

When unsure, clarify what you heard.

Realize that what you say and what people understand you to have said may be different

Recognize that people can agree to disagree.

Speak for yourself, not others.

Speak from your own experience.

Use "I" statements ("I think that the ideas presented . . .").

Follow agreed-upon guidelines regarding who speaks when and for how long.

**Town of Bedford,
Massachusetts 01730**

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**Special Town Meeting
Monday, November 4, 2019
Bedford High School
7:00 PM
Open to All Registered Voters**