

Commonwealth of Massachusetts

## Town of Hanover

### Warrant for **Special** Town Meeting With Advisory Committee Recommendations

Plymouth, SS

Greeting: To any Constable of the Town of Hanover in said County.

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town who are qualified to vote in Elections and Town Affairs to meet in the Hanover High School, CEDAR STREET, HANOVER, on

**Monday THE 5th DAY of MAY, 2008 at 7:30 P.M.**

*Pursuant to the Americans with Disabilities Act, the Town will make every effort to assure that Town Meeting is accessible to individuals with disabilities. Should any assistance be desired in this regard, please contact the Board of Selectmen's Office at (781) 826-2261.*

#### ARTICLES FOR SPECIAL TOWN MEETING WARRANT, Monday, May 5, 2008

ARTICLE 1. To see if the Town will vote to pay such accounts as may be presented against the Town for which an appropriation does not exist;  
to William F. Sargent the amount of \$97.50,  
to Thomas O'Brien the amount of \$25.98,  
to Automatic Temperature Control Corp. the amounts of \$540.00 and \$561.25,  
to CPU Guys the amounts of \$1,094.95 and \$95.00,  
to Garry A. Farrow the amount of \$197.50,  
to Quincy Medical Center the amount of \$74.10,  
to Demco the amount of \$68.14  
to Shawn McVey the amount of \$106.38,  
to W.B. Mason the amount of \$131.85  
to Northeast Rescue Services the amount of \$475.00,  
to Andy's Towing the amount of \$380.00,  
or take any other action relative thereto.

Town Accountant

**We move that the town vote to appropriate the sum of \$3,847.65 from the Undesignated Fund Balance to pay the following unpaid bills from Fiscal Year 2007.**

<b>William F. Sargent</b>	<b>\$97.50</b>
<b>Thomas O'Brien</b>	<b>\$25.98</b>
<b>Automatic Temperature Control Corp.</b>	<b>\$1,101.25</b>
<b>CPU Guys</b>	<b>\$1,189.95</b>

<b>Garry A. Farrow</b>	<b>\$197.50</b>
<b>Quincy Medical Center</b>	<b>\$74.10</b>
<b>Demco</b>	<b>\$68.14</b>
<b>Shawn McVey</b>	<b>\$106.38</b>
<b>W.B. Mason</b>	<b>\$131.85</b>
<b>Northeast Rescue Services</b>	<b>\$475.00</b>
<b>Andy's Towing</b>	<b><u>\$380.00</u></b>
<b>Total</b>	<b>\$3,847.65</b>

ARTICLE 2. To see if the Town will vote to appropriate a sum of money from available funds, or to transfer from other accounts, to the following Town departments to meet deficits or unforeseen costs therein, or take any other action relative thereto.

Snow & Ice Expenses	\$9,000.00
Town Gas Pump Expenses	\$19,500.00
Conservation Commission Payroll	\$1,500.00
Board of Health Expenses	\$4,668.00
DPW Highway Expenses	\$7,000.00
Assessor's Overlay	\$75,000.00

Advisory Committee

**We move that the Town appropriate the sum of \$34,668 from the Undesignated Fund Balance to pay deficits in Snow and Ice Expenses of \$9,000; Town Gas Pump Expenses of \$19,500; Conservation Commission Payroll of \$1,500; Board of Health Expenses of \$4,668, and to transfer the sum of \$7,000 from the DPW Highway Payroll to DPW Highway Expenses and to transfer the sum of \$75,000 from the FY07 Assessor's Overlay Account to the FY08 Assessor's Overlay Account.**

ARTICLE 3. To see if the Town will vote to add the following definition within the Town's Zoning Bylaw, or take any action relative thereto.

Conforming Structure: A conforming structure is a structure that meets all current dimensional setbacks regardless of the conforming nature of the lot.

**Refer to Town Meeting.**

Board of Selectmen

And you are hereby ordered to serve this Warrant by posting attested copies thereof fourteen days, at least, before the time of said meeting.

Given under our hands this 15<sup>TH</sup> day of April, 2008.

BOARD OF SELECTMEN

David G. Flynn, Chairman

Daniel A. Pallotta

R. Alan Rugman

\_\_\_\_\_ Constable \_\_\_\_\_, 2008

## **Advisory Committee Budget Message**

### **Budget Process**

The Town of Hanover operates under state statutes and various Town bylaws. The legislative body is an open Town Meeting, in which all voters registered in Hanover are permitted to participate. Town Meeting has the sole authority to appropriate funds for the operating budget and capital projects. Any amendments to appropriations adopted at a Town Meeting require subsequent approval at either a regular Town Meeting or a Special Town Meeting. The procedures for Town Meetings are specified in the Town bylaws. It is the Advisory Committee's responsibility to make budget recommendations to Town Meeting.

Like prior budgets, the FY2009 budget has been developed based upon projected assumptions of available revenue. The budget is based upon a budget ceiling or levy limit of revenue derived from local property taxes in accordance with Proposition 2½. Added to the tax revenues are projections for state aid; miscellaneous revenues, such as fees, permits, and interest earned; and available funds, such as free cash and transfers from Special Revenue Funds. This levy limit may be increased if Town Meeting adopts a budget requiring an override and the override amount is approved by a majority of voters at the polls.

While the projection of available revenues creates a budget ceiling for the Town, an expenditure floor is created by calculating certain fixed or semi-fixed costs, such as debt payments, employee benefits, and various assessments. These costs subtracted from projected revenues leave remaining funds that are available for discretionary spending, such as education, public safety, infrastructure maintenance, and community services.

### **FY2009 Budget Recommendation**

By state law, the Advisory Committee is required to present a balanced budget to Town Meeting. An increase in expenditures in one area must be matched by either a corresponding decrease in expenditures in another area or a corresponding increase in revenues. Our proposed fiscal year 2009 budget proposal has been balanced without an operating override. This proposal does constrain funding for many operating and capital activities for which there is a continuing need. However, no department came forward and identified that an operating override was absolutely critical in fiscal year 2009. In our opinion, Town Meeting cannot anticipate nor can future budgets be planned on the assumption that an operating override can be avoided indefinitely. The demand for increased services, the cost of maintaining the Town's existing infrastructure, improved or expanded buildings and facilities, and the effects of inflation are creating an incredible strain on the Town's available revenues. This strain will only be relieved by an increase in tax revenue or a reduction in the services to which we have become accustomed. As this Committee has stated for a number of years, the Town needs to engage in a vigorous debate as to not only what it wants for municipal services, but also the level of municipal services for which it is willing to pay.

Because Personnel Bylaw 20B rates are not available, and the Board of Selectmen have not concluded negotiations with the Department of Public Works, Fire, and Hanover Municipal Employee League unions, budget recommendations for fiscal year 2009 are not complete. We plan on providing a handout of our final recommendations at Town Meeting.

## FY2009 BUDGET SUMMARY

<u>EXPENSE</u>	<u>FY2008 Budget - Tax Recap</u>	<u>FY2009 Advisory Committee Recommendation</u>	<u>Percent Change</u>
1. Mandated Expenditures (Not subject to Town Meeting appropriation)			
Overlay for Abatements & Exemptions	152,709	165,000	
Tax Title Purposes	0	0	
Debt and Interest not appropriated	5,118	0	
Cherry Sheet Offsets	31,659	32,130	
State and County Assessments	<u>487,040</u>	<u>489,855</u>	
Total	676,526	686,985	2%
2. Department Operating Budgets			
General Fund Activities	41,984,144	43,578,213	4%
Community Preservation	116,500	192,250	65%
Water Enterprise Activities (net)*	3,256,726	3,254,452	0%
3. Cost of Articles to be financed by Taxation and Available Funds:			
General Fund Activities	521,569	548,716	5%
Community Preservation	842,260	305,060	-64%
Water Enterprise Activities	0	0	0%
4. Cost of Capital Articles to be financed by Taxation and Available Funds:			
General Fund Activities	144,164	556,080	286%
Water Enterprise Activities	232,000	25,000	-89%
5. Cost of Capital Articles to be financed by borrowing: **			
General Fund Activities	1,383,000	334,500	-76%
Water Enterprise Activities	<u>340,000</u>	<u>365,000</u>	<u>7%</u>
6. Total Appropriations (expense items 2 through 5)	48,820,363	49,159,271	1%

\* excludes indirect costs appropriated in the General Fund but paid from Water Revenue

\*\* excludes Senior Center Building \$3.7 million debt exclusion and Community Preservation \$2.5 million King Street projects in order to provide an accurate year-to-year comparison.

## MUNICIPAL FINANCE TERMINOLOGY

The following terms are used frequently in the Annual Town Report and at Town Meeting. In order to provide everyone with a better understanding of their meaning, the following definitions are provided.

### **Appropriation**

An appropriation is an authorization to make expenditures and to incur obligations for specific purposes. It is granted by Town Meeting and is usually limited in both the amount of and in the time period during which it may be expended. Any part of the omnibus budget (Article 12) not spent or encumbered by June 30 automatically reverts to surplus. A specific appropriation must be initiated within one year of approval or it reverts to surplus, also.

### **Budget**

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

### **Capital Budget**

A capital budget is a plan of proposed capital outlays for the next five years involving the acquisition of land or an expenditure of at least \$10,000 having a useful life of at least three years.

### **Capital Program**

A plan of proposed capital outlays for the following five fiscal years that alerts Town Meeting of expected future capital outlays.

### **Cherry Sheet (State and County Charges and Receipts)**

The "Cherry Sheet" (named for the color paper formerly used) is prepared by the State Department of Revenue. It charges the Town with its share of the expenses for running various state agencies and for county government. It credits the Town with its share of the Corporation Excise Tax, Individual Income Tax, Sales and Use Tax and the Massachusetts School Fund.

### **Fiscal Year**

A 12 month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYxx with the last two numbers representing the calendar year in which it ends, for example FY09 is the fiscal year ending June 30, 2009.

### **Undesignated Fund Balance**

This account represents the amount by which cash, account receivables and other assets exceed liabilities and reserves in the General Fund. It is increased by unexpended balances in the omnibus budget appropriations, unexpended balances in separate appropriations, and actual receipts in excess of budgeted amounts.

### **Free Cash (Surplus, E & D)**

Free cash is that portion of the Town's General Fund Undesignated Fund Balance that the Commissioner of the Massachusetts Department of Revenue certifies, as of July 1 of each year, as available for appropriation by Town Meeting. It is not cash, but rather, the Undesignated Fund Balance less delinquent real and personal property taxes, motor vehicle excise receivables, and departmental receivables.

**Overlay**

The overlay is the amount raised by the assessors in excess of appropriations for the purpose of creating a fund to cover abatements granted and avoiding fractions.

**Overlay Reserve**

This is the accumulated amount of the Overlay for various years not used or required to be held in the specific Overlay Account for a given year and may be appropriated by vote of the Town or closed to surplus.

**Reserve Fund**

This fund is established by the voters at the Annual Town Meeting only for the use of the Advisory Committee to pay for "extraordinary and unforeseen" expenses that may occur and may not exceed five percent of preceding year's tax levy.

**Stabilization Fund**

An account from which amounts may be appropriated for any lawful purpose. Prior to FY92, use of the Stabilization Fund was restricted to purposes for which cities and towns could legally borrow. Revisions to Ch. 40, Sec. 5B removed this restriction and amounts from the Stabilization Fund may now be appropriated for any legal purpose. A two-thirds vote of town meeting is required to appropriate money from the Stabilization Fund.

**Tax Levy**

The total amount to be raised by taxation of real estate and personal property. It consists of the total amounts appropriated less estimated receipts and transfers from available funds.

**Terms associated with Proposition 2 1/2:****Tax Levy Limit**

The maximum amount of taxes that may be levied in any given year under the restrictions of Proposition 2 1/2. It is calculated as the prior year limit plus new growth plus 2 1/2 percent of the prior year levy limit.

**Excess Levy Capacity**

The difference between the Town's tax levy limit and its actual tax levy. It is the additional amount of taxes that could be levied without an override.

**Override**

An amount, voted by the Town, that is added permanently added to the tax levy. A majority vote of the Board of Selectmen is required to put an override question on the ballot. Override ballot questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the town.

**Debt or Capital Exclusions**

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

**New Growth**

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

**Transfers**

The authorization to use an appropriation for a different purpose or to use moneys from a separate fund as a revenue source.

**Water Enterprise**

Effective July 1, 1992, a new enterprise fund was established to account for the operations of the Town's Water Department. This separate accounting demonstrates how much of the costs of providing this service are recovered through user charges and how much is being subsidized through taxes. Typically, as is the case with Hanover's Water Department, the costs of providing enterprise fund services are recovered fully by user charges. The accounting for enterprise funds is similar to a commercial business.

The enterprise form of accounting does not alter the budgetary approval process, but does require communities to budget all of the revenues and direct/indirect costs associated with providing the service in the enterprise fund. To the extent that user charges recover fully the cost of providing the service, the retained earnings (surplus) stay with the enterprise fund and may be appropriated by Town Meeting to increase the services provided, maintained for future capital purchases, or used to reduce increases in future user charges.

An enterprise fund provides management information: to measure performance of providing service; and to analyze the impact of increasing user charges and increasing the budget.

Commonwealth of Massachusetts  
Town of Hanover

# Warrant for Annual Town Meeting

With Advisory Committee Recommendations

Plymouth, SS

Greeting:

To any Constable of the Town of Hanover in said County.

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town who are qualified to vote in Elections and Town Affairs to meet in the Hanover High School, CEDAR STREET, HANOVER, on

MONDAY, THE 5th DAY of MAY, 2008

At 8:00 P.M.



Pursuant to the Americans with Disabilities Act, the Town will make every effort to assure that Town Meeting is accessible to individuals with disabilities. Should any assistance be desired in this regard, please contact the Board of Selectmen's Office at (781) 826-2261.

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4	Authorize Treasurer to Dispose of Tax Title Land	Treasurer/Selectmen
5	Enter Into Compensating Balance Agreements	Collector/Treasurer
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9	School Sick Leave Buyback Account	Advisory/School Comm.
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19	Pine Street Right-of-Way	Planning Board/Selectmen
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27	Historical Society Collection	Comm. Preserv. /Hist. Comm./Selectmen/Stetson Hse Overseers
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86	Zoning Bylaw re: Landscaping	Petition
87	Full Time Animal Control Officer	Petition
88	Full Time Animal Control Officer	Petition
89	Prohibit Hunting on Town Owned Land	Petition

ARTICLES FOR **ANNUAL** TOWN MEETING WARRANT,  
Monday, May 5, 2008

ARTICLE 1. To see if the Town will accept the reports of the Officers and Committees as printed in the Annual Town Report, or take any other action relative thereto.

Advisory Committee

**We move that the town accept the 2007 Annual Report as printed.**

ARTICLE 2. To hear reports of the Committees and State Officials and act thereon, or take any other action relative thereto.

Advisory Committee

**We move that the town accept these reports.**

ARTICLE 3. To see if the Town will authorize its Treasurer to accept such trust funds as may be placed in his hands during the fiscal year commencing July 1, 2008, or take any other action relative thereto.

Town Treasurer  
Board of Selectmen

**We move that the Town vote to authorize the Treasurer to accept trust funds for the Fiscal Year ending June 30, 2009.**

ARTICLE 4. To see if the Town will vote to authorize its Treasurer, with the approval of the Board of Selectmen, to dispose of such parcels of real estate as may have been, or may be taken by the Town under Tax Title foreclosure proceedings, or take any other action relative thereto.

Town Treasurer  
Board of Selectmen

**We move that the Town vote to authorize the Treasurer, with the approval of the Board of Selectmen, to dispose of tax title property.**

ARTICLE 5. To see if the Town will authorize its Treasurer and Collector to enter into compensating balance agreements for the fiscal year commencing July 1, 2008, pursuant to Chapter 44, Section 53F of the Massachusetts General Laws, or take any other action relative thereto.

Tax Collector  
Town Treasurer

**We move that the Town vote to authorize the Treasurer and Collector to execute compensating balance agreements for the Fiscal Year ending June 30, 2009.**

ARTICLE 6. To see if the Town will assume liability in the manner provided by Section 29 and 29A of Chapter 91 of the Massachusetts General Laws, as most recently amended, for all damages that may be incurred by work to be performed by the Department of Environmental Protection, or take any other action relative thereto.

Board of Selectmen

**We move that the Town accept this article for the Fiscal Year ending June 30, 2009.**

ARTICLE 7. To see if the Town will vote to pay such accounts as may be presented against the Town for which an appropriation does not exist, or take any other action relative thereto.

Town Accountant  
Board of Selectmen

**We move that the Town not accept this article and take no further action.**

ARTICLE 8. To see if the Town will vote to fix the pay of its elective officers as required by law as follows, or take any other action relative thereto.

Town Clerk  
Tax Collector  
Moderator: Annual Meeting  
Special Meeting

Advisory Committee

**Refer to Town Meeting.**

ARTICLE 9. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to the School Sick Leave Buyback Fund, or take any other action relative thereto.

Advisory Committee  
Hanover School Committee

**We move that the Town vote to raise and appropriate the sum of \$275,000 to the School Sick Leave Buyback Fund. Said funds to be expended at the direction of the School Committee and specify further that said appropriation shall not be returned to the Treasury except by the vote of the Town.**

ARTICLE 10. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to the Town Sick Leave Buyback Fund, or take any other action relative thereto.

Board of Selectmen

**We move that the Town vote to raise and appropriate the sum of \$150,000 to the Town Sick Leave Buyback Fund. Said funds to be expended at the direction of the Board of Selectmen and specify further that said appropriation shall not be returned to the Treasury except by the vote of the Town.**

ARTICLE 11. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to the Water Enterprise Sick Leave Buyback Fund, or take any other action relative thereto.

Advisory Committee  
Board of Public Works

**We move that the Town not accept this article and take no further action.**

ARTICLE 12. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow, such sums of money to budget and pay for town charges for the period July 1, 2008, through June 30, 2009, inclusive, or take any other action relative thereto.

Advisory Committee

**We move that the Town vote to raise and appropriate or appropriate from available funds, such sums of money to defray Town charges in the amounts specified and by the method designated as recommended in the following pages entitled Article 12 – Omnibus Budget. Each item is to be considered as a separate appropriation and such appropriation is to be expended for that purpose only.**

<b>ARTICLE 12 OMNIBUS BUDGET GENERAL GOVERNMENT</b>	<b>FY08 APPROPRIATION</b>	<b>FY09 REQUEST</b>	<b>FY09 ADVISORY RECOMMENDS</b>	<b>CHANGE FROM FY08</b>
BOARD OF SELECTMEN - PAYROLL	\$284,794	\$284,794	\$284,794	\$0
BOARD OF SELECTMEN - EXPENSES	\$14,280	\$15,055	\$14,280	\$0
ADVISORY COMMITTEE - PAYROLL	\$3,600	\$3,600	\$3,600	\$0
ADVISORY COMMITTEE - EXPENSES	\$300	\$300	\$300	\$0
CAPITAL IMPROVEMENT COMMITTEE - PAYROLL	\$1,800	\$1,800	\$1,800	\$0
CAPITAL IMPROVEMENT COMMITTEE - EXPENSES	\$110	\$110	\$110	\$0
LEGAL SERVICES - EXPENSES	\$134,900	\$136,900	\$134,900 (N)	\$0
CENTRAL COMPUTER - PAYROLL	\$77,725	\$77,725	\$77,725	\$0
CENTRAL COMPUTER - EXPENSES	\$42,900	\$42,900	\$42,900	\$0
TOWN CLERK - PAYROLL	\$85,883	\$86,387	\$85,883	\$0
TOWN CLERK - EXPENSES	\$5,515	\$5,515	\$5,515	\$0
ELECTIONS & TOWN MEETING - PAYROLL	\$22,100	\$23,100	\$23,100	\$1,000
ELECTIONS & TOWN MEETING - EXPENSES	\$22,750	\$22,750	\$22,870	\$120
REGISTRAR - PAYROLL	\$22,000	\$25,000	\$25,000	\$3,000
REGISTRAR - EXPENSES	<u>\$7,800</u>	<u>\$7,800</u>	<u>\$7,800</u>	<u>\$0</u>
<b>SUBTOTAL - GENERAL ADMINISTRATION</b>	<b><u>\$726,457</u></b>	<b><u>\$733,736</u></b>	<b><u>\$730,577</u></b>	<b><u>\$4,120</u></b>
FINANCE DEPARTMENT - PAYROLL	\$289,405	\$289,405	\$289,405 (N)	\$0
FINANCE DEPARTMENT - EXPENSES	\$29,840	\$29,525	\$29,525 (N)	-\$315
FINANCE DEPARTMENT - TOWN AUDIT EXPENSES	\$22,500	\$35,000	\$27,500 (N)	\$5,000
BOARD OF ASSESSORS - PAYROLL	\$128,468	\$128,468	\$128,468	\$0
BOARD OF ASSESSORS - EXPENSES	\$52,200	\$46,200	\$46,200	-\$6,000
TOWN COLLECTOR - PAYROLL	\$130,406	\$132,688	\$130,406 (N)	\$0
TOWN COLLECTOR - EXPENSES	<u>\$58,300</u>	<u>\$58,225</u>	<u>\$58,225 (N)</u>	<u>-\$75</u>
<b>SUBTOTAL - FINANCIAL ADMINISTRATION</b>	<b><u>\$711,119</u></b>	<b><u>\$719,511</u></b>	<b><u>\$709,729</u></b>	<b><u>-\$1,390</u></b>
CONSERVATION - PAYROLL	\$87,168	\$87,168	\$0 (P)	-\$87,168
CONSERVATION - EXPENSES	\$6,455	\$6,275	\$0 (P)	-\$6,455
PLANNING BOARD - PAYROLL	\$95,166	\$98,015	\$0 (P)	-\$95,166
PLANNING BOARD - EXPENSES	\$5,900	\$6,100	\$0 (P)	-\$5,900
BOARD OF APPEALS - PAYROLL	\$9,000	\$9,000	\$9,000	\$0
BOARD OF APPEALS - EXPENSES	<u>\$1,400</u>	<u>\$1,400</u>	<u>\$1,400</u>	<u>\$0</u>
<b>SUBTOTAL - COMMUNITY &amp; DEVELOPMENT</b>	<b><u>\$205,089</u></b>	<b><u>\$207,958</u></b>	<b><u>\$10,400</u></b>	<b><u>-\$194,689</u></b>
<b>TOTAL - GENERAL GOVERNMENT</b>	<b><u>\$1,642,665</u></b>	<b><u>\$1,661,205</u></b>	<b><u>\$1,450,706</u></b>	<b><u>(\$191,959)</u></b>

	FY08	FY09	ADVISORY	CHANGE
	APPROPRIATION	REQUEST	RECOMMENDS	FROM FY08
<b><u>PUBLIC SAFETY</u></b>				
POLICE - PAYROLL	\$2,336,260	\$2,412,488	\$2,412,488	\$76,228
POLICE - EXPENSES	\$227,336	\$236,987	\$236,987	\$9,651
POLICE - NEXTEL EXPENSES	\$8,122	\$11,000	\$11,000	\$2,878
FIRE DEPARTMENT - PAYROLL	\$1,866,630	\$1,917,561	\$1,866,630 (A)	\$0
FIRE DEPARTMENT - EXPENSES	\$248,270	\$250,670	\$248,270 (B)	\$0
BUILDING DEPARTMENT - PAYROLL	\$209,105	\$216,288	\$0 (P)	-\$209,105
BUILDING DEPARTMENT - EXPENSES	\$17,200	\$17,480	\$0 (P)	-\$17,200
EMERGENCY MANAGEMENT - EXPENSES	\$2,100	\$2,200	\$2,100	\$0
DEPARTMENT OF MUNICIPAL INSPECTIONS - PAYROLL	\$0	\$0	\$525,664 (L/P)	\$525,664
DEPARTMENT OF MUNICIPAL INSPECTIONS - EXPENSES	\$0	\$0	\$44,725 (M/P)	\$44,725
ANIMAL CONTROL - PAYROLL	\$18,911	\$18,911	\$18,911	\$0
ANIMAL CONTROL - EXPENSES	\$4,141	\$4,341	\$4,141	\$0
EMERGENCY COMMUNICATIONS - PAYROLL	\$461,848	\$460,088	\$460,088	-\$1,760
EMERGENCY COMMUNICATIONS - EXPENSES	\$55,229	\$56,414	\$56,414	\$1,185
<b>TOTAL - PUBLIC SAFETY</b>	<b><u>\$5,455,152</u></b>	<b><u>\$5,604,428</u></b>	<b><u>\$5,887,418</u></b>	<b><u>\$432,266</u></b>
<b><u>EDUCATION</u></b>				
HANOVER PUBLIC SCHOOLS - ALL EXPENSES	\$22,325,612	\$23,542,316	\$23,132,796	\$807,184
NORTH RIVER COLLABORATIVE - MEDICAID PROCESSING	\$10,000	\$10,000	\$10,000	\$0
SOUTH SHORE REGIONAL SCHOOL - ASSESSMENT	\$576,920	\$733,532	\$733,532	\$156,612
<b>TOTAL - EDUCATION</b>	<b><u>\$22,912,532</u></b>	<b><u>\$24,285,848</u></b>	<b><u>\$23,876,328</u></b>	<b><u>\$963,796</u></b>
<b><u>PUBLIC WORKS &amp; FACILITIES</u></b>				
ADMINISTRATION - PAYROLL	\$165,517	\$167,017	\$165,517	\$0
ADMINISTRATION - EXPENSES	\$19,000	\$19,200	\$19,200	\$200
HIGHWAY - PAYROLL	\$368,836	\$356,347	\$356,347	-\$12,489
HIGHWAY - EXPENSES	\$138,545	\$164,940	\$138,545	\$0
PUBLIC GROUNDS - PAYROLL	\$164,271	\$156,604	\$156,604	-\$7,667
PUBLIC GROUNDS - EXPENSES	\$45,000	\$54,662	\$45,000	\$0
TRANSFER STATION - PAYROLL	\$178,374	\$182,724	\$178,374	\$0
TRANSFER STATION - EXPENSES	\$943,013	\$926,030	\$926,030	-\$16,983
CEMETERY - PAYROLL	\$97,801	\$101,250	\$97,801 (G)	\$0
CEMETERY - EXPENSES	\$17,265	\$17,160	\$17,160 (H)	-\$105
<b>TOTAL - PUBLIC WORKS</b>	<b><u>\$2,137,622</u></b>	<b><u>\$2,145,934</u></b>	<b><u>\$2,100,578</u></b>	<b><u>(\$37,044)</u></b>
ICE & SNOW REMOVAL - PAYROLL	\$70,000	\$70,000	\$70,000	\$0
ICE & SNOW REMOVAL - EXPENSES	\$263,000	\$342,000	\$300,000	\$37,000
<b>TOTAL - SNOW &amp; ICE</b>	<b><u>\$333,000</u></b>	<b><u>\$412,000</u></b>	<b><u>\$370,000</u></b>	<b><u>\$37,000</u></b>
TOWN HALL - EXPENSES	\$120,110	\$122,858	\$120,110	\$0
ALTERNATIVE ENERGY PROJECT - EXPENSES	\$30,000	\$0	\$0	-\$30,000
ANNUAL TOWN BONFIRE - EXPENSES	\$0	\$0	\$12,000	\$12,000
STREET LIGHTING - EXPENSES	\$53,000	\$57,000	\$57,000	\$4,000
TOWN GAS PUMP - EXPENSES	\$215,000	\$266,700	\$266,700 (N)	\$51,700
<b>TOTAL - PUBLIC FACILITIES</b>	<b><u>\$418,110</u></b>	<b><u>\$446,558</u></b>	<b><u>\$455,810</u></b>	<b><u>\$37,700</u></b>

	FY08	FY09	FY09	CHANGE
	APPROPRIATION	REQUEST	ADVISORY RECOMMENDS	FROM FY08
<b><u>HUMAN SERVICES</u></b>				
BOARD OF HEALTH - PAYROLL	\$134,225	\$134,225	\$0 (P)	-\$134,225
BOARD OF HEALTH - EXPENSES	\$15,350	\$16,200	\$0 (P)	-\$15,350
VISITING NURSE - PAYROLL	\$91,630	\$91,630	\$91,630	\$0
VISITING NURSE - EXPENSES	\$1,500	\$1,500	\$1,500	\$0
COUNCIL FOR AGING - PAYROLL	\$141,551	\$152,735	\$141,551	\$0
COUNCIL FOR AGING - EXPENSES	\$36,773	\$38,457	\$36,773	\$0
VETERANS' SERVICES - PAYROLL	\$16,078	\$16,078	\$16,078	\$0
VETERANS' SERVICES - EXPENSES	\$3,200	\$3,200	\$3,200	\$0
VETERANS' BENEFITS - EXPENSES	\$53,000	\$53,000	\$53,000	\$0
<b>TOTAL - HUMAN SERVICES</b>	<b>\$493,307</b>	<b>\$507,025</b>	<b>\$343,732</b>	<b>(\$149,575)</b>
<b><u>CULTURE &amp; RECREATION</u></b>				
JOHN CURTIS FREE LIBRARY - PAYROLL	\$324,261	\$328,894	\$324,261	\$0
JOHN CURTIS FREE LIBRARY - EXPENSES	\$178,964	\$202,038	\$178,964	\$0
PARK & RECREATION - PAYROLL	\$25,378	\$40,194	\$40,194 (K)	\$14,816
PARK & RECREATION - EXPENSES	\$0	\$0	\$0	\$0
<b>TOTAL - CULTURE &amp; RECREATION</b>	<b>\$528,603</b>	<b>\$571,126</b>	<b>\$543,419</b>	<b>\$14,816</b>
<b><u>DEBT SERVICE - TOWN &amp; SCHOOL</u></b>				
<b><u>NONEXEMPT (Subject to Proposition 2 1/2 Tax Cap)</u></b>				
1996 GENERAL PURPOSE BOND - PRINCIPAL	\$0	\$0	\$0	\$0
1996 GENERAL PURPOSE BOND - INTEREST	\$0	\$0	\$0	\$0
1998 GENERAL PURPOSE BOND - PRINCIPAL	\$135,000	\$95,000	\$95,000	-\$40,000
1998 GENERAL PURPOSE BOND - INTEREST	\$14,872	\$8,798	\$8,798	-\$6,074
2000 GENERAL PURPOSE BOND - PRINCIPAL	\$145,000	\$135,000	\$135,000	-\$10,000
2000 GENERAL PURPOSE BOND - INTEREST	\$70,315	\$62,478	\$62,478	-\$7,837
2000 WPAT BOND - PRINCIPAL	\$10,872	\$10,872	\$10,872 (O)	\$0
2002 GENERAL PURPOSE BOND - PRINCIPAL	\$135,000	\$125,000	\$125,000	-\$10,000
2002 GENERAL PURPOSE BOND - INTEREST	\$18,286	\$13,832	\$13,832	-\$4,454
2004 GENERAL PURPOSE BOND - PRINCIPAL	\$65,000	\$60,000	\$60,000	-\$5,000
2004 GENERAL PURPOSE BOND - INTEREST	\$9,945	\$7,671	\$7,671	-\$2,274
2006 GENERAL PURPOSE BOND - PRINCIPAL	\$220,000	\$215,000	\$215,000 (C)	-\$5,000
2006 GENERAL PURPOSE BOND - INTEREST	\$51,800	\$43,100	\$43,100 (D)	-\$8,700
2008 GENERAL PURPOSE BOND - PRINCIPAL	\$0	\$315,000	\$315,000 (E)	\$315,000
2008 GENERAL PURPOSE BOND - INTEREST	\$0	\$112,050	\$112,050 (F)	\$112,050
TEMPORARY LOANS - INTEREST	\$90,000	\$90,000	\$0	-\$90,000
OTHER INTEREST - EXPENSE	\$2,500	\$2,500	\$2,500	\$0
BOND / NOTE ISSUE - EXPENSE	\$7,500	\$7,500	\$7,500	\$0
<b>SUBTOTAL - NONEXEMPT DEBT SERVICE</b>	<b>\$976,090</b>	<b>\$1,303,801</b>	<b>\$1,213,801</b>	<b>\$237,711</b>

	FY08	FY09	FY09	CHANGE
	APPROPRIATION	REQUEST	ADVISORY RECOMMENDS	FROM FY08
<b>DEBT SERVICE - TOWN &amp; SCHOOL</b>				
<b><u>EXEMPT (Not Subject to Proposition 2½ Tax Cap)</u></b>				
1998 DEBT EXCLUSION/POLICE STATION - PRINCIPAL	\$155,000	\$175,000	\$175,000	\$20,000
1998 DEBT EXCLUSION/POLICE STATION - INTEREST	\$81,100	\$74,125	\$74,125	-\$6,975
2001 DEBT EXCLUSION/SCHOOL PROJECTS - PRINCIPAL	\$600,000	\$635,000	\$635,000	\$35,000
2001 DEBT EXCLUSION/SCHOOL PROJECTS - INTEREST	\$555,935	\$531,935	\$531,935	-\$24,000
2001 DEBT EXCLUSION/LIBRARY PROJECT - PRINCIPAL	\$125,000	\$125,000	\$125,000	\$0
2001 DEBT EXCLUSION/LIBRARY PROJECT - INTEREST	\$75,938	\$70,938	\$70,938	-\$5,000
SUBTOTAL - EXEMPT DEBT SERVICE	<u>\$1,592,973</u>	<u>\$1,611,998</u>	<u>\$1,611,998</u>	<u>\$19,025</u>
<b>TOTAL - DEBT SERVICE</b>	<b><u>\$2,569,063</u></b>	<b><u>\$2,915,799</u></b>	<b><u>\$2,825,799</u></b>	<b><u>\$256,736</u></b>
<b><u>EMPLOYEE BENEFITS - TOWN &amp; SCHOOL</u></b>				
CONTRACTUAL ALLOCATION - EXPENSES	\$0	\$0	\$0	\$0
FICA - EXPENSES	\$339,000	\$352,560	\$352,560 (N)	\$13,560
COUNTY RETIREMENT FUND - ASSESSMENT	\$1,672,641	\$1,790,119	\$1,790,119 (J/N)	\$117,478
WORKERS' COMPENSATION - ASSESSMENT	\$159,500	\$169,070	\$169,070 (N)	\$9,570
UNEMPLOYMENT COMPENSATION - EXPENSES	\$55,372	\$56,000	\$56,000	\$628
GROUP HEALTH INSURANCE - EXPENSES	\$2,702,878	\$2,827,058	\$2,765,358 (I/N)	\$62,480
GROUP LIFE INSURANCE - EXPENSES	\$14,850	\$14,900	\$14,900 (N)	\$50
EMPLOYEE TRAINING - EXPENSES	\$5,000	\$6,000	\$6,000	\$1,000
EMPLOYEE MEDICAL - EXPENSES	\$32,445	\$52,945	\$52,945	\$20,500
<b>TOTAL - EMPLOYEE BENEFITS</b>	<b><u>\$4,981,686</u></b>	<b><u>\$5,268,652</u></b>	<b><u>\$5,206,952</u></b>	<b><u>\$225,266</u></b>
<b><u>UNCLASSIFIED</u></b>				
PROPERTY & LIABILITY INS. - TOWN & SCHOOL	\$354,419	\$367,346	\$367,346 (N)	\$12,927
COUNTY AID TO AGRICULTURE - ASSESSMENT	\$125	\$125	\$125	\$0
<b>TOTAL - UNCLASSIFIED</b>	<b><u>\$354,544</u></b>	<b><u>\$367,471</u></b>	<b><u>\$367,471</u></b>	<b><u>\$12,927</u></b>
<b>TOTAL - ALL GENERAL FUND ACTIVITIES</b>	<b><u>\$41,826,284</u></b>	<b><u>\$44,186,046</u></b>	<b><u>\$43,428,213</u></b>	<b><u>\$1,601,929</u></b>
<b><u>RESERVE FUND</u></b>				
ADVISORY COMMITTEE - TRANSFERS	\$157,890	\$150,000	\$150,000	-\$7,890
<b>COMBINED TOTAL - GENERAL &amp; RESERVE FUNDS</b>	<b><u>\$41,984,174</u></b>	<b><u>\$44,336,046</u></b>	<b><u>\$43,578,213</u></b>	<b><u>\$1,594,039</u></b>

<u>SOURCES OF FUNDS</u>	FY08	FY09	FY09	CHANGE
	<u>APPROPRIATION</u>	<u>REQUEST</u>	<u>ADVISORY RECOMMENDS</u>	<u>FROM FY08</u>
RAISE AND APPROPRIATE	\$39,610,324		\$41,234,788	\$1,624,464
TRANSFER FROM AMBULANCE RECEIPTS RESERVED	\$530,000		\$324,350 (A)	-\$205,650
TRANSFER FROM AMBULANCE RECEIPTS RESERVED	\$60,000		\$60,000 (B)	\$0
TRANSFER FROM AMBULANCE RECEIPTS RESERVED	\$0		\$55,000 (C)	\$55,000
TRANSFER FROM AMBULANCE RECEIPTS RESERVED	\$0		\$2,100 (D)	\$2,100
TRANSFER FROM AMBULANCE RECEIPTS RESERVED	\$0		\$50,000 (E)	\$50,000
TRANSFER FROM AMBULANCE RECEIPTS RESERVED	\$0		\$8,550 (F)	\$8,550
TRANSFER FROM CEMETERY GRAVES & FOUNDATIONS	\$60,000		\$65,000 (G)	\$5,000
TRANSFER FROM CEMETERY PERPETUAL CARE	\$8,000		\$10,000 (H)	\$2,000
APPROPRIATE FROM UNDESIGNATED FUND BALANCE	\$874,940		\$874,940 (I)	\$0
APPROPRIATE FROM UNDESIGNATED FUND BALANCE	\$504,088		\$542,594 (J)	\$38,506
TRANSFER FROM OVERLAY SURPLUS	\$12,900		\$0	-\$12,900
TRANSFER FROM RECREATION REVOLVING	\$0		\$20,194 (K)	\$20,194
TRANSFER FROM WETLANDS PROTECTION	\$7,000		\$11,000 (L)	\$4,000
TRANSFER FROM WETLANDS PROTECTION	\$1,000		\$1,000 (M)	\$0
TRANSFER FROM WATER ENTERPRISE FUND	\$305,050		\$307,825 (N)	\$2,775
TRANSFER FROM SEPTIC BETTERMENT FUND	<u>\$10,872</u>		<u>\$10,872</u> (O)	<u>\$0</u>
<b>GRAND TOTAL - SOURCES OF FUNDS</b>	<b><u>\$41,984,174</u></b>		<b><u>\$43,578,213</u></b>	<b><u>\$1,594,039</u></b>
<b>SURPLUS / (DEFICIT)</b>	\$0		\$0	\$0

**RECOMMENDED APPROPRIATIONS OF AVAILABLE FUNDS:**

- (A) The Advisory Committee recommends that \$324,350 from the Ambulance Receipts Reserved Fund be appropriated to Fire Department - Salaries.
- (B) The Advisory Committee recommends that \$60,000 from the Ambulance Receipts Reserved Fund be appropriated to Fire Department - Expenses.
- (C) The Advisory Committee recommends that \$55,000 from the Ambulance Receipts Reserved Fund be appropriated to 2006 General Purpose Bond - Principal
- (D) The Advisory Committee recommends that \$2,100 from the Ambulance Receipts Reserved Fund be appropriated to 2006 General Purpose Bond - Interest
- (E) The Advisory Committee recommends that \$50,000 from the Ambulance Receipts Reserved Fund be appropriated to 2008 General Purpose Bond - Principal
- (F) The Advisory Committee recommends that \$8,550 from the Ambulance Receipts Reserved Fund be appropriated to 2008 General Purpose Bond - Interest
- (G) The Advisory Committee recommends that \$65,000 from the Cemetery Graves & Foundations Fund be appropriated to Cemetery - Payroll.
- (H) The Advisory Committee recommends that \$10,000 from the Cemetery Perpetual Care Interest Fund be appropriated to Cemetery - Expenses.
- (I) The Advisory Committee recommends that \$874,940 from the Undesignated Fund Balance be appropriated to Group Health Insurance - Expenses.
- (J) The Advisory Committee recommends that \$542,594 from the Undesignated Fund Balance be appropriated to County Retirement Fund - Assessment.
- (K) The Advisory Committee recommends that \$20,194 from the Recreation Revolving Fund be transferred to Recreation - Payroll.

**RECOMMENDED APPROPRIATIONS OF AVAILABLE FUNDS:**

- (L) The Advisory Committee recommends that \$11,000.00 from the Wetlands Protection Fund be transferred to Department of Municipal Inspections - Payroll.
- (M) The Advisory Committee recommends that \$1,000.00 from the Wetlands Protection Fund be transferred to Department of Municipal Inspections - Expenses.
- (N) The Advisory Committee recommends that the following amounts be appropriated in the General Fund but paid from Water Enterprise Revenue (Water Indirect Costs, so-called).

Shared Employees and Shared Expenses:

Finance Department - Payroll	\$28,708
Finance Department - Expenses	\$2,501
Finance Department - Audit	\$1,500
Town Collector - Payroll	\$18,412
Town Collector - Expenses	\$3,028
Legal Services - Expenses	\$7,500
Town Gas Pump - Expenses	\$31,000
Property & Liability Insurance - Expenses	\$19,080

Employee Benefits - Water Department Personnel:

FICA - Expenses	\$15,250
County Retirement - Assessment	\$48,500
Workers' Compensation - Expenses	\$6,500
Group Health Insurance - Expenses	\$125,346
Group Life Insurance - Expenses	<u>\$500</u>
Total - Water Enterprise Indirect Costs	\$307,825

- (O) The Advisory Committee recommends that \$10,872.00 from the Septic Betterment Fund be appropriated to the 2000 Water Pollution Abatement Trust Bond (WPAT) - Principal
- (P) The May 2007 Annual Town Meeting created the new Department of Municipal Inspections. Effective with the fiscal year 2009 budget, the expenses of the Conservation Commission, Planning Board, Building Department, and Board of Health are now budgeted under this department.

ARTICLE 13. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow, such sums of money to budget and pay for the operation and expenses of the Water Department for the period July 1, 2008, through June 30, 2009, inclusive, or take any other action relative thereto.

Advisory Committee

**We move that that the Town vote to raise and appropriate or appropriate from available funds, such sums of money to defray Water Department charges in the amounts specified and by the method designated as recommended in the following pages entitled Article 13 – Water Enterprise Budget. Each item is to be considered as a separate appropriation and such appropriation is to be expended for that purpose only.**

<b>ARTICLE 13</b>			FY09	DOLLAR
<b><u>WATER ENTERPRISE BUDGET</u></b>	<b><u>FY08</u></b>	<b><u>FY09</u></b>	<b><u>ADVISORY</u></b>	<b><u>CHANGE</u></b>
	<b><u>APPROPRIATION</u></b>	<b><u>REQUEST</u></b>	<b><u>RECOMMENDS</u></b>	<b><u>FROM FY08</u></b>
WATER ADMINISTRATION - PAYROLL	\$239,220	\$240,720	\$239,220	\$0
WATER ADMINISTRATION - EXPENSES	<u>\$95,577</u>	<u>\$95,577</u>	<u>\$94,077</u>	<u>-\$1,500</u>
<b>SUBTOTAL - WATER ADMINISTRATION</b>	<b>\$334,797</b>	<b>\$336,297</b>	<b>\$333,297</b>	<b>(\$1,500)</b>
WATER TREATMENT - PAYROLL	\$471,538	\$478,576	\$471,538	\$0
WATER TREATMENT - EXPENSES	<u>\$881,504</u>	<u>\$901,031</u>	<u>\$874,466</u>	<u>-\$7,038</u>
<b>SUBTOTAL - WATER TREATMENT</b>	<b>\$1,353,042</b>	<b>\$1,379,607</b>	<b>\$1,346,004</b>	<b>(\$7,038)</b>
WATER DISTRIBUTION - PAYROLL	\$473,109	\$458,379	\$458,379	-\$14,730
WATER DISTRIBUTION - EXPENSES	<u>\$255,887</u>	<u>\$274,335</u>	<u>\$256,387</u>	<u>\$500</u>
<b>SUBTOTAL - WATER DISTRIBUTION</b>	<b>\$728,996</b>	<b>\$732,714</b>	<b>\$714,766</b>	<b>(\$14,230)</b>
WATER - 1996 BOND - PRINCIPAL	\$0	\$0	\$0	\$0
WATER - 1996 BOND - INTEREST	\$0	\$0	\$0	\$0
WATER - 1998 BOND - PRINCIPAL	\$35,000	\$30,000	\$30,000	-\$5,000
WATER - 1998 BOND - INTEREST	\$8,853	\$7,278	\$7,278	-\$1,575
WATER - 2002 BOND - PRINCIPAL	\$110,000	\$110,000	\$110,000	\$0
WATER - 2002 BOND - INTEREST	\$19,855	\$16,225	\$16,225	-\$3,630
WATER - 2002 STATE POOL BOND - PRINCIPAL	\$8,256	\$8,380	\$8,380	\$124
WATER - 2002 STATE POOL BOND - INTEREST	\$7,568	\$7,267	\$7,267	-\$301
WATER - 2004 BOND - PRINCIPAL	\$285,000	\$285,000	\$285,000	\$0
WATER - 2004 BOND - INTEREST	\$201,509	\$191,535	\$191,535	-\$9,974
WATER - 2006 BOND - PRINCIPAL	\$105,000	\$110,000	\$110,000	\$5,000
WATER - 2006 BOND - INTEREST	\$48,700	\$44,400	\$44,400	-\$4,300
WATER - 2008 BOND - PRINCIPAL	\$0	\$35,000	\$35,000	\$35,000
WATER - 2008 BOND - INTEREST	\$0	\$15,300	\$15,300	\$15,300
WATER - INTEREST ON TEMPORARY LOANS	\$10,000	\$0	\$0	-\$10,000
WATER - BOND/NOTE ISSUE EXPENSE	<u>\$150</u>	<u>\$0</u>	<u>\$0</u>	<u>-\$150</u>
<b>SUBTOTAL - WATER DEBT SERVICE</b>	<b>\$839,891</b>	<b>\$860,385</b>	<b>\$860,385 (A)</b>	<b>\$20,494</b>
<b>TOTAL - WATER ENTERPRISE OPERATING BUDGET</b>	<b><u>\$3,256,726</u></b>	<b><u>\$3,309,003</u></b>	<b><u>\$3,254,452</u></b>	<b><u>(\$2,274)</u></b>
<b><u>SOURCES OF FUNDS</u></b>				
WATER ENTERPRISE REVENUE	\$2,801,726		\$2,394,067	-\$407,659
WATER ENTERPRISE RETAINED EARNINGS (DEBT SERVICE)	<u>\$455,000</u>		<u>\$860,385 (A)</u>	<u>\$405,385</u>
<b>GRAND TOTAL - SOURCES OF FUNDS</b>	<b><u>\$3,256,726</u></b>		<b><u>\$3,254,452</u></b>	<b><u>(\$2,274)</u></b>
<b>SURPLUS / (DEFICIT)</b>	<b><u>\$0</u></b>		<b><u>\$0</u></b>	<b><u>\$0</u></b>

**RECOMMENDED APPROPRIATIONS OF CERTIFIED WATER RETAINED EARNINGS**

(A) The Advisory Committee recommends that \$860,385 from Water Enterprise Retained Earnings be appropriated to pay the total FY2009 Water Debt Service.

ARTICLE 14. To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money to the Stabilization Fund, or take any other action relative thereto.

Advisory Committee

**We move that that the Town vote to raise and appropriate the sum of \$50,000 to the Stabilization Fund.**

ARTICLE 15. To see if the Town will vote as recommended by the Community Preservation Committee to appropriate the Town's Community Preservation Revenues for fiscal Year 2009 as follows:

- I. 10% of the said revenues to be set aside for future appropriation for open space (other than open space for recreational use);
- II. 10% of the said revenues to be set aside for future appropriation for historic resources;
- III. 10% of the said revenues to be set aside for future appropriation for community housing;
- IV. 5% of the said revenues to be set aside for administrative expenses; and
- V. the remainder of said revenues to be set aside for future appropriation for any purposes permissible under the Community Preservation Act, Chapter 44B, or take any other action relative thereto.

Community Preservation Committee

**We move that that the Town vote as recommended by the Community Preservation Committee to appropriate the Town's Community Preservation Revenues for Fiscal Year 2009 as follows:**

- I. 10% of the said revenues to be set aside for future appropriation for open space (other than open space for recreational use);**
- II. 10% of the said revenues to be set aside for future appropriation for historic resources;**
- III. 10% of the said revenues to be set aside for future appropriation for community housing;**
- IV. Refer to Article 16**
- V. the remainder of said revenues to be set aside for future appropriation for any purposes permissible under the Community Preservation Act, Chapter 44B.**

ARTICLE 16. To see if the Town will vote to appropriate the sum of \$55,150 from available Community Preservation funds to pay the Community Preservation Committee's Administrative Expenses for Fiscal Year 2009, said funds to be expended by the Community Preservation Committee for administrative purposes in accordance with the proposed Fiscal Year ending June 30, 2009 Budget, or take any other action relative thereto.

Community Preservation Committee

**We move that the Town vote to appropriate the sum of \$55,150 from Community Preservation Fund revenues to pay the committee's administrative expenses for Fiscal Year 2009. Said funds to be expended at the direction of the Community Preservation Committee.**

ARTICLE 17. To see if the Town will vote on the report of the Community Preservation Committee on the Fiscal Year for the period July 1, 2008 through June 30, 2009 Community Preservation Budget and to appropriate or reserve for later appropriation monies from Community Preservation fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year, or take any other action relative thereto.

Community Preservation Committee

**We move that the Town vote to appropriate the sum of \$137,100 from Community Preservation Fund revenues to pay the FY09 principal and interest due on the purchase of the Cervelli Property. Said funds to be expended at the direction of the Community Preservation Committee.**

ARTICLE 18. To see if the Town will vote to amend the Zoning Bylaw and the Zoning Map for the Town in the manner described below, or, to see if the Town will vote to take any action relative thereto:

*Amend the Hanover Zoning Map by adding a new overlay zoning district entitled "Interchange District" as shown on a map entitled "Interchange Zoning District" prepared by the Town of Hanover Planning Department, and dated January 31, 2008. The boundaries of the Interchange District shall include all parcels of land referenced on the map within the district boundaries according to Assessors Map and Lot Numbers for Fiscal Year 2007 as well as the portions of any Rights-of-Way shown within the district boundaries on said map.*

*Amend the Hanover Zoning Bylaw, Section 3.010, entitled "Establishment of Districts" by adding a new overlay zoning district as follows:*

L. Interchange District (Overlay District)

*Amend the Hanover Zoning Bylaw, Section 6, "Use Regulations" by adding the following new section:*

**6.12.0 – INTERCHANGE DISTRICT**

Purpose: The purpose and intent of allowing for an "Interchange District" Overlay Zoning is to encourage and promote the development of projects that are characterized by economically viable commercial uses which are regional in nature and benefit from or require adjacent highway access.

**6.12.10** Uses Allowed: The following uses are allowed in the Interchange District.

- A. Uses allowed in underlying Districts pursuant to the requirements of such Districts, except as otherwise provided herein.

**6.12.20** Uses Permitted by Special Permit: The following uses are permitted upon application to and granting of a Special Permit in the Interchange District.

- A. Uses allowed by Special Permit in underlying Districts pursuant to the requirements of such Districts.

**6.12.30** Uses Permitted by Special Permit and with Site Plan Approval: The following uses are permitted upon application to and granting of a Special Permit with Site Plan Approval in the Interchange District.

- A. Uses allowed by Special Permit and with Site Plan Approval in underlying Districts pursuant to the requirements of such Districts.

**6.12.40** Additional Uses Permitted by Special Permit and with Site Plan Approval: The following additional uses are permitted in the Interchange District without regard to the underlying District upon application to and granting of a Special Permit with Site Plan Approval by the Planning Board, acting as the Special Permit Granting Authority, as specified in Section 10 of this Bylaw. The applicant shall clearly demonstrate to the Board that said use is safe and appropriate for the specific site and that it will not create a nuisance by virtue of noise, traffic generated or unsightliness.

- A. **Hotels.**

- B. **Convention Centers and Conference Centers.** A convention center shall be defined as a facility designed to accommodate 500 or more persons and used for conventions, conferences, seminars, and entertainment functions, along with accessory functions including food and beverage preparation and service for on-premises consumption. A conference center shall be defined as a facility used for service organizations, business

and professional conferences, and seminars which may include sleeping, eating, and recreation accommodations principally intended for use by conference attendees. The accommodations can include sleeping, eating, and recreation.

- C. **Office Parks.** An office park shall be defined as a development that contains a number of separate buildings which may be occupied for business office, medical and professional office and research and development uses, including supporting ancillary uses, and open space. Ancillary uses allowed within approved office park buildings may include food service, sandwich and coffee shops, convenience retail, banking facilities including ATMs, newsstands, and like uses principally for the convenience of office park employees. An office park shall be designed, planned, constructed and managed on an integrated and coordinated basis with special attention to circulation, parking, utility needs, aesthetics, and compatibility among the buildings and uses within the office park.
- D. **Restaurants.**
- E. **Retail Stores or Service Establishments** the principal activity of which shall be offering goods or services at retail within a building.
- F. **Parking Garages** (subject to architectural design review pursuant to subsection 6.12.80.B) serving uses located within the Interchange District, whether or not on the same lot as such uses.
- G. **Surface Parking Lots, Access Roads, Driveways, and Utilities** serving uses located within the Interchange District, whether or not on the same lot as such uses.
- H. **Wastewater Treatment Plants or Facilities** designed and operated in accordance with the applicable requirements of, and having a groundwater discharge permit from the Massachusetts Department of Environmental Protection in accordance with, the provisions of 314 C.M.R. 5.00, and intended principally to service the uses located within the Interchange District.

**6.12.50 Prohibited Uses:** The following uses are prohibited within the Interchange District whether or not allowed in the underlying District.

- A. Residential Uses (not including hotels permitted in accordance with subsection 6.12.40.A.).
- B. Warehousing and similar storage facilities.
- C. Automobile Dealerships, Service or Repair Shops.

**6.12.60** Dimensional Requirements for all projects permitted pursuant to subsection 6.12.40:

- A. Unless otherwise specified within this Section, all applicable Business District requirements of Section 7, “Dimensional Requirements” shall apply within the Interchange District.
- B. A minimum one hundred and fifty (150) foot wide continuous and heavily vegetated Buffer Area, measured from the boundaries of the Interchange District, shall be provided for any development within the Interchange District from the boundaries of said District as further defined by Section 8, “Landscaping and Buffer Zones.” The buffer area shall be continuous, heavily vegetated, and shall be of a minimum width of not less than one hundred and fifty (150) feet. No buildings, structures, parking areas, or other new construction shall be allowed within the Buffer Area, except for vehicular access roads and driveways, pedestrian paths, signage and utilities serving uses within the Interchange District, as shown on an approved Site Plan. The buffer area shall be landscaped with natural vegetation, new plantings, or a combination, which shall include groundcover, shrubs, and trees in accordance with the provisions of Section 8 of this Zoning Bylaw. The applicant shall have the burden of proof to ensure that sufficient landscaping exists or is proposed to provide a continuous buffer and visual screening from the development for any and all residential uses. The requirements of Section 8 may be waived or reduced by the Planning Board in its sound discretion, consistent with an appropriate plan for the overall landscaping of the proposed development that is protective of abutters outside the Interchange District and enhances the visual character of the development. This provision shall not apply to those boundaries of the Interchange District along any state numbered highway, including Route 3 and Route 53.
- C. A minimum three hundred (300) foot setback shall be provided from the boundaries of the Interchange District for any buildings within the Interchange District from the boundaries of said District. This provision shall not apply to those boundaries of the Interchange District along any state numbered highway, including Route 3 and Route 53.
- D. Notwithstanding the provisions of Section 7.100, “Height Regulations,” any building or structure within the Interchange District shall not exceed eighty-four (84) feet at any face measured from the average grade for each such face, and shall not exceed seven (7) stories above the average grade at the foundation lines. However, any buildings within the Interchange District in excess of forty-eight (48) feet or four (4) stories in height shall be located within six hundred (600) feet of the northeast Interchange District boundary line abutting the Right-of-Way for Route 3 and Route 3/Route 53 interchange.

- E. Notwithstanding the provisions of Section 7 “Dimensional Regulations” Lot Frontage within the Interchange Zoning District shall be a minimum of one hundred-fifty (150) feet. If a lot abuts more than one way, only one lot frontage is required to meet this minimum.

**6.12.70** Parking Requirements for all projects permitted pursuant to Section 6.12.40:

- A. Unless otherwise specified within this Section, all applicable requirements of Section 9, “Parking Requirements” shall apply within the Interchange District. The Planning Board may waive or reduce the requirements of Section 9 for development within the Interchange District in accordance with the requirements of Section 9.300.
- B. In determining the parking requirements for a development within the Interchange District, the Planning Board shall reference Table 9-1 and other parking standards such as those published by the Institute of Transportation Engineers, and shall set such requirements as are necessary to meet the realistic requirements of the proposed development. In setting such requirements, the Planning Board shall take due account of the ability of various uses having different peak demand periods to share parking facilities.
- C. All parking spaces shall be a minimum of nine (9) feet in width by eighteen (18) feet in length.
- D. Notwithstanding the provisions of Section 9 “Parking and Loading Requirements” parking spaces for all hotel uses within the Interchange Zoning District shall be provided at a ratio of at least one (1) space per every bedroom plus adequate loading, service and employee parking commensurate with the use, as determined by the Planning Board in consideration of the proposed use and location.
- E. Notwithstanding the provisions of Section 9 “Parking and Loading Requirements” parking spaces for all convention and conference uses within the Interchange Zoning District shall be provided at a ratio of at least one (1) space for every three (3) seats or occupants permitted by the Building Code and certified by the Inspector of Buildings plus adequate loading, service and employee parking commensurate with the use, as determined by the Planning Board in consideration of the proposed use and location.
- F. Notwithstanding the provisions of Section 9 “Parking and Loading Requirements” parking spaces for all office uses within the Interchange Zoning District shall be provided as one space per three hundred sq. ft. of GFA, but not fewer than five per separate enterprise, plus adequate loading, service and employee parking commensurate with the use, as determined by the Planning Board in consideration of the proposed use and location.

- G. Parking lots may be constructed with concrete or granite curbing. All access drives must be constructed with granite curbing. No bituminous curbing may be utilized along any access drives or within any parking lots.
- H. A use or building within the Interchange District need not be served by a parking facility located on the same building lot.
- I. Primary access for all development within the Interchange District shall be provided from Route 53.
- J. The Planning Board may reduce the requirements of Section 6.12.70 in accordance with the provisions of Section 9.300 and further taking into account any shared parking facilities, existing or proposed.

**6.12.80** Additional Requirements for all projects permitted pursuant to Section 6.12.40:

- A. Traffic Impact Assessment shall be required in accordance with Section 10.120.A. to determine the necessary capacity of such roads and/or drives, and to determine what transportation improvements will be required by the applicant for existing and proposed roads to ensure such capacity is provided for under the proposed development scheme.
- B. All proposed buildings within the Interchange District shall be subject to design review and approval by the Planning Board prior to overall project approval. Architectural Plans shall be provided to the Planning Board by the applicant for all buildings and structures proposed. Such Architectural Plans showing elevations of all typical principal structures shall be prepared by a Registered Professional Architect.

The applicant shall provide specifications for building materials and shall ensure that the facades of all buildings are reasonably articulated. The applicant shall be required to adhere substantially to the design scheme submitted and approved by the Planning Board as part of any Building Permit application and to substantially complete approved façade treatments prior to issuance of Site Plan Signoff by the Planning Board or Town Planner and prior to the issuance of any Certificate of Occupancy. Minor modifications to approved site plans and building designs that do not depart from the overall design concept or represent a change in architectural style may be reviewed and approved by the Town Planner and authorized on that basis, or referred to the Planning Board for review under the Limited Site Plan Review procedures of Section 10.400 as a modification to the previously approved plans.

Except on the ground floor of structures, vertical dimensions of all windows should be greater than their horizontal dimensions. Porches, pent roofs, roof overhangs, hooded front doors or other similar architectural elements should define the front entrance to all structures.

- C. All buildings, structures, open spaces, roads and drives, parking areas and other development features shall be designed and located with consideration for the existing natural terrain and minimizing overall environmental impacts on the site, to the extent practical in view of the proposed development program.
- D. All exterior lighting, whether placed along roads, drives, or walks, in parking areas, or on structures or other facilities, shall be arranged and shielded so as not to distract in an unreasonable manner the occupants of any dwelling(s) nor shine directly upon abutting properties and/or public ways. All lighting shall be pure white illumination. A detailed lighting plan shall be submitted as part of any Special Permit application to verify compliance with this section. Said plan shall include illumination labels and detailed specifications for proposed lighting fixtures.
- E. All existing or proposed utilities and municipal services within the Interchange District shall be installed underground at the time of initial construction except to the extent that this provision is waived by the Planning Board as part of the Special Permit.
- F. Provisions shall be made for the storage, collection and removal of all solid waste generated by buildings or uses within the Interchange District. All necessary waste storage facilities, including but not limited to dumpsters, shall be screened from public view by wood stockade, brick or similar fencing or walls, a minimum of six (6) feet in height, and in no case less than the height required to shield the structures from public view. Trash removal shall be limited to between the hours of 7AM and 7 PM.
- G. Individual lots within the Interchange District may contain multiple buildings and multiple uses, and individual buildings within the Interchange District may contain a combination of uses as provided for in an approved development plan.
- H. Proposed developments shall be subject to the provisions of Section 11 and Section 10.030 of the Zoning Bylaw for project thresholds, submission of a Development Impact Statement (DIS) and mitigation of development impacts accordingly. Said DIS shall include sections addressing impacts from the proposed development on the environment, traffic, municipal facilities and services (police, fire, public works, etc.), water supply, utilities and infrastructure and wastewater. The Traffic Impact Assessment required under Section 10.120.A. shall be prepared by a registered professional Traffic or Civil Engineer. The Environmental Impact Assessment required under Section 10.120.B. shall be prepared by a registered

professional Environmental Engineer or other qualified professional(s) with expertise in the relevant subject matter areas. The applicant shall mitigate all off-site traffic impacts anticipated by the proposed development, through the provision of reasonable off-site improvements to road capacity and safety or by other effective means.

- I. All applications shall be reviewed by the Planning Board's Consultant Review Engineer. The applicant, in accordance with the Planning Board Rules and Regulations, shall deposit with the Treasurer of the Town funds in the amount of six thousand dollars (\$6,000.00) for the purpose of covering the initial costs associated with said engineering review. Funds shall be accounted for in accordance with G.L. c. 40 sec. 54G, and unexpended funds shall be returned to the Applicant. The applicant shall provide additional funds in the amount of \$3,000, whenever notified by the Planning Board that actual remaining funds are less than \$3,000. The Planning Board may require that the applicant and developer maintain such consultant review funds during both permitting and construction of the project to ensure proper construction and compliance with permit conditions.

6.12.90           **Severability: The invalidity of any section or provision of this section of the bylaw shall not invalidate any other section or provision thereof.**

Route 53 Study Committee  
Planning Board

**Refer to Town Meeting.**

ARTICLE 19. To see if the Town will vote to permanently and completely abandon and discontinue (including ceasing maintenance and eliminating the public right of passage) all that portion of the Pine Street Right-of-Way between the Washington Street (Route 53) Right-of-Way and the intersection of Pine Street with Tower Hill Drive, shown and labeled as "To Be Abandoned" on a plan entitled "Proposed Squires & KAM Layout Sketch" prepared by Kelly Engineering Group, Inc. for Hanover Washington L.P., and dated 1/14/08 in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 15 and Massachusetts General Laws, Chapter 82, Section 21 and to authorize the sale and disposition of such land, and the acceptance or grant by the Board of Public Works and Board of Selectmen one or more easements to be granted for the proper maintenance and protection of any municipal or private utilities, or to authorize the Selectmen to abandon and convey for a minimum consideration of One (\$1.00) Dollar and upon such other terms and conditions as the Selectmen shall consider proper the Town's interest in the portion of Pine Street Right-of-Way between the Washington Street (Route 53) Right-of-Way and the intersection of Pine Street with Tower Hill Drive, shown and labeled as "To Be Abandoned" on a plan entitled "Proposed Squires & KAM Layout Sketch" prepared by Kelly Engineering Group, Inc. for Hanover Washington L.P., and dated 1/14/08, and to see if the Town will discontinue (including ceasing maintenance and eliminating the public right of passage) on said portion of Pine Street, and to authorize the

acceptance or grant by the Board of Public Works and Board of Selectmen one or more easements to be granted for the proper maintenance and protection of any municipal or private utilities, or to act on anything relative thereto.

Planning Board  
Board of Selectmen

**We move that the Town permanently and completely abandon and discontinue (including ceasing maintenance and eliminating the public right of passage) all that portion of the Pine Street Right-of-Way between the Washington Street (Route 53) Right-of-Way and the intersection of Pine Street with Tower Hill Drive, shown and labeled as “To Be Abandoned” on a plan entitled “Proposed Squires & KAM Layout Sketch” prepared by Kelly Engineering Group, Inc. for Hanover Washington L.P., and dated 1/14/08 in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 15 and Massachusetts General Laws, Chapter 82, Section 21 and authorize the sale and disposition of such land, and accept or grant by the Board of Public Works and Board of Selectmen one or more easements for the proper maintenance and protection of any municipal or private utilities.**

ARTICLE 20. To see if the Town will vote to appropriate from the Route 53 Mitigation Fund, a sum of money, to the Route 53 Improvement Account, or take any other action relative thereto.

Board of Selectmen

**We move that the Town vote to appropriate the sum of \$1,949.70 from the Route 53 Mitigation Fund to the Route 53 Improvement Account for the continuation of Route 53 Improvements. Said funds to be expended at the direction of the Board of Selectmen.**

ARTICLE 21. Will the Town raise and appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for remodeling, constructing new, reconstructing, adding to, or making extraordinary repairs to the High School located at 287 Cedar Street, including originally equipping and furnishing the same, including athletic fields and treatment plants, and for the payment of all costs incidental and related thereto, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least fifty (50) years, and for which the Town may be eligible for a school construction grant not to exceed the lesser of (1) approximately forty (48%) percent of eligible, approved project costs or (2) the total maximum grant amount as determined by the Massachusetts School Building Authority under its non-entitlement discretionary grant program, with any project costs in excess of such grant to be the sole responsibility of the Town, or act on anything relative thereto.

School Building Committee

**We refer this article back to the School Building Committee and the School Committee for them to report back at the next Special or Annual Town Meeting.**

ARTICLE 22. To see if the Town will vote as authorized by M.G.L. C. 41, S. 1B, to change the Collector (of Taxes) from an elected position to an appointed position effective upon the conclusion of the current term ending in 2010 of the incumbent Collector, or when that incumbent otherwise vacates the office, and to amend the Town's General Bylaw 4-2 C, sections 2 and 5, by adding the position of Collector so it will read as follows (Changes from the present bylaw are indicated by underlines):

**“4-2 C. Consolidated Department of Municipal Finance.**

**Section 2.** This Department shall include the following statutory, by-law, or otherwise authorized presently existing entities as follows: Accountant, Collector, Treasurer, Assistant Assessor/Appraiser, and Data Processing Personnel. Additionally the Director of Municipal Finance, acting in an ex-officio capacity, shall coordinate and assist the following financial committees: Advisory Committee, Capital Budget Committee, Trust Fund Commissioners.

**Section 5.** The Director of Municipal Finance shall appoint the Accountant, Collector, Treasurer, Assistant Assessor/Appraiser, and the Data Processing Personnel (Computer), subject to approval by the Selectmen, except the appointment of the Assistant Assessor/Appraiser is subject to the approval of the Board of Assessors. In performing duties where approval of the Board of Assessors is statutorily required, the Assistant Assessor/Appraiser may be directed by the Director of Municipal Finance, but any final decision will be made by the Board of Assessors. The Collector, the Treasurer, and Accountant shall appoint his/her own staff, subject to approval by the Director of Municipal Finance.”

so as to provide for the eventual combining of, and creation of, a Collector/Treasurer position, or take any other action relative thereto.

Board of Selectmen  
Town Collector  
Director of Municipal Finance  
Advisory Committee

**We move that the Town vote to accept this article.**

ARTICLE 23. To see if the Town will vote, Pursuant to Massachusetts General Laws Chapter 44B (Community Preservation), and the Hanover General Bylaw, Section 4-19, to appropriate \$17,000 dollars, from the Town's Community Preservation Fund (CPF) Balance, for "Trail Improvements on Conservation Parcels", said funds to be administered by the Open Space Committee, or take any other action relative thereto.

Community Preservation Committee  
Conservation Commission  
Open Space Committee

**We move that the Town vote to appropriate the sum of \$13,410 from Community Preservation Fund revenues to make trail improvements on conservation parcels. Said funds to be expended at the direction of the Open Space Committee.**

ARTICLE 24. To see if the Town will vote, Pursuant to Massachusetts General Laws Chapter 44B (Community Preservation), and the Hanover General Bylaw, Section 4-19, to appropriate \$2,500,000 dollars, from the Town's Community Preservation Fund (CPF) Balance, and/or borrow in anticipation of future CPF Revenues, said appropriation to be based on a twenty (20) year bond, hereby authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow under Massachusetts General Laws Chapter 44, 44B, or any other enabling authority, and to issue the bonds or notes of the Town for said purpose, and to authorize said borrowing for the purpose of implementing co-called "Phase I Program" parks and recreation facility improvements proposed by the Parks and Recreation Committee and shown on a draft concept plan entitled "King Street Preferred Master Plan – Proposed Phase I Program," prepared by Weston & Sampson, dated November, 2007, said funds to be administered by the Parks and Recreation Committee, or take any other action relative thereto.

Community Preservation Committee  
Parks & Recreation Committee

**We move that the Town vote to appropriate the sum of \$2,500,000 for the purpose of engineering and constructing new recreation infrastructure and fields at the King Street site, and for all costs incidental and related thereto, and that to meet this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$2,500,000 under and pursuant to Massachusetts General Laws Chapter 44, Section 7(25) and Massachusetts General Laws, Chapter 44B, Section 11, or any other enabling authority, and to issue the bonds or notes of the Town therefor. Said funds to be expended at the direction of the Parks and Recreation Committee and the Board of Public Works.**

ARTICLE 25. To see if the Town will vote, Pursuant to Massachusetts General Laws Chapter 44B (Community Preservation), and the Hanover General Bylaw, Section 4-19, to appropriate \$275,000 dollars, from the Town's Community Preservation Fund (CPF) Balance, for "Tiling Abating, Replacement and Restoration at the Sylvester School", said funds to be administered by the School Department, subject to prior review and approval of scope of work and specifications by the Historical Commission, or take any other action relative thereto.

Community Preservation Committee  
Hanover School Committee

**We move that the Town vote to appropriate \$275,000 dollars from Community Preservation Fund revenues to abate and re-tile floors at the Sylvester School. Said funds to be expended at the direction of the School Committee, subject to prior review and approval of scope of work and specifications by the Historical Commission, and specify further that the final payment will not be released until the project has been approved by the Historical Commission.**

ARTICLE 26. To see if the Town will vote, Pursuant to Massachusetts General Laws Chapter 44B (Community Preservation), and the Hanover General Bylaw, Section 4-19, to appropriate \$1,250 dollars, from the Town's Community Preservation Fund (CPF) Balance, for "Historical Restoration and Repairs to the Stetson House Cobbler Shop Roof", said funds to be administered by the Historical Society, or take any other action relative thereto.

Community Preservation Committee  
Historical Commission  
Board of Selectmen  
Board of Overseers of the Stetson House

**We move that the Town vote to appropriate \$1,250 from Community Preservation Fund revenues to make repairs to the Stetson House Cobbler Shop Roof. Said funds to be expended at the direction of the Overseers of the Stetson House, subject to prior review and approval of scope of work and specifications by the Historical Commission.**

ARTICLE 27. To see if the Town will vote, Pursuant to Massachusetts General Laws Chapter 44B (Community Preservation), and the Hanover General Bylaw, Section 4-19, to appropriate \$15,400 dollars, from the Town's Community Preservation Fund (CPF) Balance, for "Stetson House Collection Care & Restoration", said funds to be administered by the Hanover Historical Society, or take any other action relative thereto.

Community Preservation Committee  
Historical Commission  
Board of Selectmen  
Board of Overseers of the Stetson House

**We move that the Town vote to appropriate \$15,400 dollars from Community Preservation Fund revenues to restore and maintain the Historical Society's Collection at the Stetson House. Said funds to be expended at the direction of the Overseers of the Stetson House and the Hanover Historical Commission.**

ARTICLE 28. To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$1,000 or another sum, to the Stetson House Fund for the purpose of improvements, maintenance, and repairs to buildings and property at 514 Hanover Street with the expenditure of said funds to be under the direction of the Overseers of the Stetson House and Board of Selectmen, and specify that said appropriation shall not be returned to the Treasury except by vote of the Town, or take any other action relative thereto.

Overseers of the Stetson House  
Board of Selectmen

**We move that the Town not accept this article and take no further action.**

ARTICLE 29. To see if the Town will vote, Pursuant to Massachusetts General Law Chapter 44B (Community Preservation), the Hanover General Bylaw, Section 4-19, and any other state or local laws relative thereto, to authorize the Community Preservation Committee and Board of Selectmen to subdivide, lease, sell or otherwise transfer and/or permit portions of the so-called Murtha Property (645 Center Street) for the purposes of developing two dwelling units of community housing as defined by Massachusetts General Laws Chapter 44B, historic preservation of any existing structures deemed feasible, and preservation of at least 50% of land as open space, said project to be solely for said purposes and administered by the Community Preservation Committee with assistance from the Board of Selectmen, or take any other action relative thereto.

Community Preservation Committee

**Refer to Town Meeting.**

ARTICLE 30. To see if the Town will vote, Pursuant to Massachusetts General Laws Chapter 44B (Community Preservation), and the Hanover General Bylaws, Section 4-19, to appropriate \$1,000,000 dollars, or some other sum of money not to exceed \$1,000,000 dollars, from the Town's Community Preservation Fund (CPF) Balance, and/or borrow in anticipation of future CPF Revenues, said appropriation to be based on a twenty (20) year bond, hereby authorizing the Treasurer, with the approval of the Board of Selectmen, to borrow under Massachusetts General Laws Chapters 44, 44B, or any other enabling authority, and to issue the bonds or notes of the Town for said purpose, and to authorize said borrowing for the purpose of acquiring a portion of the so-called Nava Property, 553 Center Street (land exclusive of the existing house), said funds to be administered by the Open Space Committee, or take any other action relative thereto.

Community Preservation Committee  
Open Space Committee

**We move that the town not accept this article and take no further action.**

ARTICLE 31. To see if the Town will vote to amend the Town Bylaws by replacing the existing bylaw 4-18 entirely, with the following language:

#### **4-18 PARKS AND RECREATION COMMITTEE**

**Section 1.** There shall be a Parks and Recreation Committee, appointed by the Moderator with the approval of the Selectmen. The Parks and Recreation Committee will consist of 7 (seven) residents of Hanover, all of whom will be members at large. The committee members will be appointed for terms of three years, with the option for re-appointment at the end of any term. The members of the Parks and Recreation Committee as constituted at the time of the adoption of these by-laws shall continue in the office until their respective terms shall be expired. Effective October 1<sup>st</sup>, 2008, three members of the Committee will be appointed for three year terms. Effective October 1<sup>st</sup>, 2009, there will be two members appointed for three year terms, and effective October 1<sup>st</sup>, 2010, there will be two members appointed for three year terms. Appointments shall rotate as above (three the first year, and two each the following two years) thereafter. If there is a mid-term vacancy of any position, a successor for the unexpired term so created, will be appointed in the same manner as the original appointment.

**Section 2.** The Parks and Recreation Committee shall have the duties to establish policies governing the provision of recreation and parks services, including Bandstand activities, develop goals and objectives and long range plans for the provision and future development of; playgrounds, athletic facilities, park amenities such programs and activities that allow citizens to make the best possible use of present and future recreation facilities and services, and oversee the long term maintenance and improvements of the recreation facilities under its jurisdiction. It shall additionally set reasonable fees for the department as authorized under bylaw 6-18, and administer through the Recreation Director, Park and Recreation Trust funds, revolving accounts under Massachusetts

General Law, and General Funds as approved by Town Meeting. The Parks and Recreation Committee will meet as needed and work closely with the Department of Public Works. On an annual basis, the Parks and Recreation Committee will present a report of its actions in the Town Report.

**Section 3.** The personnel practices of this Committee shall come under the Personnel Bylaws of the Town. The Recreation Administrator shall be appointed by the Town Administrator subject to the approval of the Park and Recreation Committee. The Recreation Administrator shall appoint all other Park and Recreation employees subject to approval of the Town Administrator, or take any other action relative thereto.

Parks and Recreation Committee  
Board of Selectmen

**We move that the town vote to accept this article.**

ARTICLE 32. To see if the Town will vote to amend the Town Bylaws by adding under General Provisions the following:

“4-21 Historical Commission

As provided for under Massachusetts General Law Chapter 40, Section 8D and by vote of the Annual Town Meeting held May 6, 1981 Article 34, the Selectmen will appoint an Historical Commission. This Commission shall have the rights and duties provided by law, and be composed of five members with terms of three years and appointed such that two members’ terms shall end each year except that every third year only one members’ term shall end. Filling of a vacancy for the duration of an unfulfilled term is to be handled in the same manner as the original appointment. The make up of the Commission is recommended to be, but not required to be, an architect, a member of the Hanover Historical Society, a realtor, and two members at large. The Commission shall publish a report of its activities each year in the annual Town Report,” or take any other action relative thereto.

Board of Selectmen  
Historical Commission  
Bylaw Review Committee

**We move that the town vote to create Town Bylaw 4-21 entitled Historical Commission.**

ARTICLE 33. To see if the Town will vote to authorize the Board of Selectmen and Parks and Recreation Committee to negotiate with and acquire all appropriate licenses, certificates, permits, approvals and other authorizations from the federal and state government and their departments, officials and agencies for the development of the Senior Center on Town-owned land on Center Street, Lot 14, Plan 69 of the Assessor's Maps, and authorize the Board and Committee to enter into restrictions on the property as may be necessary for such permitting, or to take any other action relative thereto.

Senior Center Building Committee

**We move that the town vote to accept this article.**

ARTICLE 34. To see if the Town will vote to raise and appropriate, appropriate from available funds or borrow under the provisions of M.G.L. Chapter 44, Section 8C, a sum of money for the purpose of building and originally equipping a new Senior Center to be constructed on Town owned land on Center Street, Lot 14, Plan 69 of the Assessor's Maps. Said funds to be expended under the direction of the Senior Center Building Committee, with approval of the Finance Director, or to take any other action relative thereto.

Senior Center Building Committee

**We move that the Town vote to appropriate the sum of \$3,700,000 for constructing and originally equipping a new Senior Center on Town owned land on Center Street, and for all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$3,700,000 under and pursuant to Chapter 44, Section 7(3) of the General Laws, as amended, or pursuant to any other enabling authority, and to issue the bonds or notes of the Town therefor; provided, however, that no funds shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts required to pay any bonds or notes issued hereunder from the limits of Chapter 59, Section 21C of the General Laws (Proposition 2 1/2, so-called). Said funds to be expended at the direction of the Senior Center Building Committee and the Board of Selectmen.**

ARTICLE 35. To see if the Town will vote to authorize and direct the Board of Selectmen to sell the land and building occupied by the Senior Center at 624 Circuit Street, Lot 23, Plan 51 of the Assessor's Maps, and to apply the net proceeds therefrom to reduction of the debt incurred for the construction of a new Senior Center. Said sale to close following occupancy of the new Senior Center, or to take any other action relative thereto.

By Petition:  
John T. Thomson  
Lois A. Thomson  
Joan F. DuBois  
Richard Farwell  
Eleanor M. Kimball

**We move that the Town vote to authorize and direct the Board of Selectmen to sell the land and building occupied by the Senior Center at 624 Circuit Street, Lot 23, Plan 51 of the Assessor's Maps, and to apply the net proceeds therefrom to reduction of the debt incurred for the construction of a new Senior Center. Said sale to close following occupancy of the new Senior Center.**

ARTICLE 36. To see if the Town will vote to raise and appropriate, appropriate from undesignated fund balance, or borrow in accordance with Massachusetts General Laws, or any other enabling act, the sum of \$86,700.00 or another sum, to the Public Safety Vehicle Account authorized under Article 32 of the 1983 Annual Town Meeting. The amount will be for the purchase, lease, or lease purchase of three police vehicles and to authorize related trade-ins or to be sold by sealed bid, said funds to be expended at the direction of the Board of Selectmen, or take any other action relative thereto.

Police Department  
Board of Selectmen

**We move that the Town vote to raise and appropriate the sum of \$64,593 and to transfer the sum of \$22,107 from the Public Safety Vehicle Account authorized under Article #32 of the 1983 Annual Town Meeting to purchase one marked police cruiser, one un-marked police cruiser, and one marked police SUV. Said funds to be expended at the direction of the Board of Selectmen and the Chief of Police who are authorized to trade-in or sell three existing police cruisers.**

ARTICLE 37. To see if the Town will vote to raise and appropriate, appropriate from undesignated fund balance, or borrow in accordance with Massachusetts General Laws, or any other enabling act, the sum of \$18,000.00 or another sum, to purchase seven (7) new semi-automatic AR15/M4 type carbine patrol rifles with sights and accessories. Said funds to be expended at the direction of the Chief of Police, or take any other action relative thereto.

Police Department  
Board of Selectmen

**We move that the Town vote to appropriate the sum of \$18,000 from the Undesignated Fund Balance to purchase and originally equip 7 new semi-automatic patrol rifles. Said funds to be expended at the direction of the Board of Selectmen and Chief of Police.**

ARTICLE 38. To see if the Town will delete in its entirety the General Bylaw of the Town Article 3-2, Section 7, which reads as follows:

“**Section 7.** All committees shall be appointed by the moderator, unless the Town otherwise directs, and shall report as directed by the Town. If a committee does not report as directed, or at the next Annual Town Meeting, it shall be deemed discharged, unless an extension of time be granted by the town.”

and replace with “Not Used”, so as to leave the existing Section 15 as the only section to address this issue as follows:

“**Section 15.** All committees shall be appointed by the Moderator within sixty days of the conclusion of the Town Meeting, unless the town otherwise directs, and shall report as directed by the Town. If a committee does not report as directed, or at the next Annual Town Meeting, it shall be deemed discharged, unless an extension of time be granted by the Town.”

or take any other action relative thereto.

Bylaw Review Committee  
Board of Selectmen

**We move that the town not accept this article and take no further action.**

ARTICLE 39. To see if the town will change Article 3-1, Section 1, of the Town Bylaws by deleting it in its entirety and replacing it with the following: “Every Town Meeting shall be called by a Warrant which shall be served by posting a printed and attested copy thereof in each of the Post Offices in the Town, in the Town Hall, on the Town of Hanover Website, in a newspaper with extensive local readership, and at least three other public places that are frequented by Hanover residents”, or take any other action relative thereto.

Bylaw Review Committee

**We move that the town vote to accept this article.**

ARTICLE 40. To see if the Town will delete in its entirety Article 6-2, Section 6, of the Town Bylaws requiring a permit from the Board of Selectmen for solicitation and replace with “Not Used”, as Article 6-11 Section 4 more clearly addresses the process of applying for a solicitation permit from the Police Chief, or take any other action relative thereto.

Bylaw Review Committee  
Board of Selectmen

**We move that the town vote to accept this article.**

ARTICLE 41. To see if the Town will authorize the Moderator to appoint a Fire-Rescue Station Building Committee consisting of five (5) members as follows: one member to be a Selectman, one member to be the Fire Chief, and three citizens-at-large, for the purpose of planning, construction and equipping a new Fire-Rescue Station on land owned by the Town on Main Street (former Curtis School site), or take any other action relative there to.

Fire Station Study Committee  
Fire Department  
Board of Selectmen

**We move that the town not accept this article and take no further action.**

ARTICLE 42. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with Massachusetts General Laws, the sum of \$9,000 for the purpose of conducting a program and study (which shall include space needs and site assessment studies) related to the planning, construction of a new Fire-Rescue station on land owned by the Town on Main Street (former Curtis School site), or take any other action relative there to.

Fire Station Study Committee  
Fire Department  
Board of Selectmen

**We move that the town not accept this article and take no further action.**

ARTICLE 43. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with Massachusetts General Laws, the sum of \$10,000 to conduct a needs assessment of the HVAC systems at Hanover Fire Headquarters, or take any action relative there to.

Fire Department

**We move that the town vote to appropriate the sum of \$10,000 from the Undesignated Fund Balance to conduct a needs assessment of the HVAC systems at Hanover Fire Headquarters. Said funds to be expended the Board of Selectmen and the Fire Chief.**

ARTICLE 44. To see if the Town will vote to raise and appropriate, appropriate from undesignated fund balance, or borrow in accordance with Massachusetts General Laws, or any other enabling act, the sum of \$33,000 to the Public Safety Vehicle Account authorized under Article 32 of the 1983 Annual Town Meeting. The amount will be for the purchase, lease, or lease purchase of a Ford Explorer 4x4, or equal, and to authorize the related trade-in or sale by sealed bid of a 1999 Ford 4-dr. sedan, or take any other action relative there to.

Fire Department

**We move that the Town vote to raise and appropriate the sum of \$15,107 and to transfer the sum of \$17,893 from the Public Safety Vehicle Account authorized under Article 32 of the 1983 Annual Town Meeting to purchase a Ford Explorer 4-wheel drive command vehicle. Said funds to be expended at the direction of the Board of Selectmen and the Fire Chief who are authorized to trade-in or sell a 1999 Ford sedan.**

ARTICLE 45. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$25,000, or another sum, for the purchase of a special needs van, purchasing and equipping to be at the direction of the Hanover School Committee which is authorized to trade-in a vehicle or take any other action relative thereto.

Hanover School Committee

**We move that the Town vote to appropriate the sum of \$25,000 from the Undesignated Fund Balance to purchase a special needs van. Said funds to be expended by the School Committee who are authorized to trade-in an existing special needs van.**

ARTICLE 46. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$33,000, or another sum, for the purchase of a pick up truck, purchasing and equipping to be at the direction of the Hanover School Committee which is authorized to trade-in a vehicle or take any other action relative thereto.

Hanover School Committee

**We move that the Town vote to appropriate the sum of \$23,000 from the Undesignated Fund Balance to purchase a pick up truck. Said fund to be expended at the direction of the School Committee who is authorized to trade-in an existing maintenance van.**

ARTICLE 47. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$160,380, or another sum, for the purchase of computers, purchasing and equipping to be at the direction of the Hanover School Committee or take any other action relative thereto.

Hanover School Committee

**We move that the Town vote to appropriate the sum of \$160,380 from the Undesignated Fund Balance to purchase and originally equip new school computers. Said funds to be expended at the direction of the School Committee.**

ARTICLE 48. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$275,000, or another sum, for renovations at the Sylvester School to include the abating of asbestos tile and mastic, removal of contaminated sub-flooring, removal of rugs, and the purchase and installation of new sub-flooring, leveling of existing flooring, tiling and related costs for hallways, stairwells, landings, and rooms, purchasing, repair, replacement, disposal, and installation to be at the direction of the Hanover School Committee or take any other action relative thereto.

Hanover School Committee

**We move that the town not accept this article and take no further action.**

ARTICLE 49. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$45,000, or another sum, for renovation of six classroom floors at the Cedar School to include the removal of rugs, abating of asbestos and the purchase and installation of tiling and related costs, purchasing, repair, replacement, disposal, and installation to be at the direction of the Hanover School Committee or take any other action relative thereto.

Hanover School Committee

**We move that the town vote to appropriate the sum of \$45,000 from the Undesignated Fund Balance to replace flooring at the Cedar School. Said funds to be expended at the direction of the School Committee.**

ARTICLE 50. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$65,000, or another sum, for preparation of a Capital Needs Survey and Report for the Center, Cedar, Sylvester, Salmond, Middle and High Schools, funds to be expended at the direction of the Hanover School Committee or take any other action relative thereto.

Hanover School Committee

**We move that the Town not accept this article and take no further action.**

ARTICLE 51. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, a sum of \$50,000, or another sum, to conduct an existing conditions survey, and other analyses as necessary, resulting in a design specification and estimated cost for repairs to the HVAC system at the Middle School, funds to be expended at the direction of the Hanover School Committee or take any other action relative thereto.

Hanover School Committee

**We move that the Town not accept this article and take no further action.**

ARTICLE 52. To see if the Town will authorize the Board of Selectmen to petition, in substantially the same form as identified in this article, the General Court of The Commonwealth of Massachusetts that it enact a special law authorizing the Town to establish an Other Post Employment Benefits Trust Fund; such special Act, when and if enacted, shall not require acceptance by the Town at a future Town Meeting; does not need further Town Meeting action after Legislature and allow the Board of Selectmen to accept language changes that stay within the spirit of the Article:

“AN ACT AUTHORIZING THE TOWN OF HANOVER TO ESTABLISH AN OTHER POST EMPLOYMENT BENEFITS TRUST FUND:

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. As used in this act, the following words shall have the following meanings:

“GASB 43 and 45”, Statements 43 and 45 of the Governmental Accounting Standards Board and its successors.

“Other post employment benefits” or “OPEB”, post employment benefits other than pensions as that term is defined in GASB 43 and 45, including post employment healthcare benefits, regardless of the type of plan that provides them, and all post employment benefits provided separately from a pension plan, excluding benefits defined as termination offers and benefits.

Section 2. (a) Notwithstanding any general or special law to the contrary, there shall be in the Town of Hanover an OPEB Trust Fund. The Town Treasurer shall be the custodian of the OPEB Trust Fund, who shall invest and reinvest the amounts in said Fund not needed for current disbursement consistent with the prudent investor rule.

(b) Beginning in fiscal year 2009, the OPEB Trust Fund shall be credited with all amounts appropriated or otherwise made available by the Town for the purposes of meeting the current and future OPEB costs payable by the Town. Said appropriation shall not be returned to the Treasury except by vote of the Town. The OPEB Trust Fund shall be credited with all amounts contributed or otherwise made available by employees of the Town for the purpose of meeting future OPEB costs payable by the Town.

(c) Beginning in fiscal year 2009, payments for the purposes of meeting the Town’s costs of OPEB under this act shall be made from the OPEB Trust Fund.

Section 3. This Act shall take effect upon its passage.”

And to see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow in accordance with the Massachusetts General Laws, the sum of \$50,000, or another sum, for this Trust Fund, or to take any other action relative thereto.

Board of Selectmen

**We move that the Town vote to petition the Great and General Court of the Commonwealth to enact special legislation that will enable the town to establish an OPEB trust fund.**

ARTICLE 53. To see if the Town will vote to amend the Wetland Protection Bylaw for the Town in the manner described below, or to see if the Town will vote to take any action relative thereto:

*By deleting the current text of the 2001 Wetland Protection Bylaw 6.14: in its entirety and replacing said text with the following:*

**#6.14: Wetlands Protection Bylaw**

**I. PURPOSE**

The purpose of this bylaw is to protect the wetlands, water resources, flood prone areas, and adjoining upland areas in the Town of Hanover by controlling activities deemed by the Conservation Commission likely to have a significant or cumulative effect on resource area values, including but not limited to the following: public or private water supply, groundwater supply, flood control, erosion and sedimentation control, storm damage prevention including coastal storm flowage, water quality, prevention and control of pollution, fisheries, shellfisheries, wildlife habitat, rare species habitat including rare plant and animal species, agriculture, aquaculture, and recreation values deemed important to the community (collectively, the “resource area values protected by this bylaw”).

This bylaw is intended to utilize the Home Rule authority of this municipality so as to protect the resource areas under the Wetlands Protection Act Massachusetts General Laws (M.G.L.) Ch.131 §40; (the Act) to a greater degree, to protect additional resource areas beyond the Act recognized by the Town as significant, to protect all resource areas for their additional values beyond those recognized in the Act, and to impose in local regulations and permits additional standards and procedures stricter than those of the Act and regulations there under (310CMR 10.00), subject, however, to the rights and benefits accorded to agricultural uses and structures of all kinds under the laws of the Commonwealth and other relevant bylaws of the Town of Hanover.

**II. JURISDICTION**

Except as permitted by the Conservation Commission no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following

resource areas: any freshwater wetlands, marshes, wet meadows, bogs, swamps, vernal pools, springs, banks, reservoirs, lakes, ponds of any size, beaches, estuaries, lands under water bodies, and intermittent streams/brooks/creeks; or lands adjoining these resource areas out to a distance of 100 feet, known as the buffer zone. Said resource areas shall be protected whether or not they border surface waters. The buffer zone is not in itself a resource area.

Except as permitted by the Conservation Commission no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter perennial rivers, streams, brooks and creeks, and lands adjoining these resource areas out to a distance of 200 feet, known as the riverfront area.

Except as permitted by the Conservation Commission no person shall commence to remove, fill, dredge, build upon, degrade, discharge into, or otherwise alter the following resource areas: lands subject to flooding or inundation by groundwater or surface water; and lands subject to tidal action, coastal storm flowage, or flooding. Said resource areas shall be protected whether or not they border surface waters.

The jurisdiction of this bylaw shall not extend to uses and structures of agriculture that enjoy the rights and privileges of laws and regulations of the Commonwealth governing agriculture, including work performed for normal maintenance or improvement of land in agricultural or aquacultural uses as defined by the Wetlands Protection Act regulations, found at 310 CMR 10.04.

### III. EXEMPTIONS AND EXCEPTIONS

The applications and permits required by this bylaw shall not be required for work performed for normal maintenance or improvement of land in agricultural and aquacultural use as defined by the Wetlands Protection Act regulations at 310 CMR 10.04.

The applications and permits required by this bylaw shall not be required for maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public to provide electric, gas, water, telephone, telegraph, or other telecommunication services, provided that written notice has been given to the Conservation Commission prior to commencement of work, and provided that the work conforms to any performance standards and design specifications in regulations adopted by the Commission.

The applications and permits required by this bylaw shall not be required for emergency projects necessary for the protection of the health and safety of the public, provided that the work is to be performed by or has been ordered to be performed by an agency of the Commonwealth or a political subdivision thereof; provided that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; provided that the Commission or its agent certifies the work as an emergency project; provided that the work is performed only for the time and place

certified by the Commission for the limited purposes necessary to abate the emergency; and provided that within 21 days of commencement of an emergency project a permit application shall be filed with the Commission for review as provided by this bylaw. Upon failure to meet these and other requirements of the Commission, the Commission may, after notice and a public hearing, revoke or modify an emergency project approval and order restoration and mitigation measures.

Other than stated in this bylaw, the exceptions provided in the Wetlands Protection Act (M.G.L. Ch. 131 §40) and regulations (310 CMR 10.00) shall not apply under this bylaw.

#### IV. APPLICATIONS AND FEES

Written application shall be filed with the Conservation Commission to perform activities affecting resource areas protected by this bylaw. The permit application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource areas protected by this bylaw. No activities shall commence without receiving and complying with a permit issued pursuant to this bylaw.

The Commission in an appropriate case may accept as the application and plans under this bylaw any application and plans filed under the Wetlands Protection Act (M.G.L. Ch. 131 §40) and regulations (310 CMR 10.00), but the Commission is not obliged to do so.

Any person desiring to know whether or not a proposed activity or an area is subject to this bylaw may in writing request a determination from the Commission. Such a Request for Determination of Applicability (RDA), Abbreviated Notice of Resource Area Delineation (ANRAD) or ANRAD with Simplified Review filed under the Act shall include information and plans as are deemed necessary by the Commission.

At the time of the submission of any application, the applicant shall pay a filing fee specified in regulations of the Commission. The fee is in addition to that required by the Wetlands Protection Act and regulations. Pursuant to M.G.L. Ch. 44 §53G and regulations promulgated by the Commission, the Commission may impose reasonable fees upon applicants for the purpose of securing outside consultants including engineers, wetlands scientists, wildlife biologists or other experts in order to aid in the review of proposed projects. Such funds shall be deposited with the town treasurer, who shall create an account specifically for this purpose (a Guaranteed Deposit Account). Additional consultant fees may be requested where the requisite review is more expensive than originally calculated or where new information requires additional consultant services.

Only costs relating to consultant work done in connection with a project for which a consultant fee has been collected shall be paid from this account, and expenditures may be made at the sole discretion of the Commission. Any consultant hired under this provision shall be selected by, and report exclusively to, the Commission. The Commission shall provide applicants with written notice of the selection of a consultant, identifying the consultant, the amount of the fee to be charged to the applicant, and a request for payment

of that fee. Notice shall be deemed to have been given on the date it is mailed or delivered. The applicant may withdraw the application or request within five (5) business days of the date notice is given without incurring any costs or expenses.

The entire fee must be received before the initiation of consulting services. Failure by the applicant to pay the requested consultant fee within ten (10) business days of the request for payment shall be cause for the Commission to declare the application administratively incomplete and deny the permit without prejudice, except in the case of an appeal. The Commission shall inform the applicant and Department of Environmental Protection (DEP) of such a decision in writing.

The applicant may appeal the selection of an outside consultant to the Selectmen, who may disqualify the consultant only on the grounds that the consultant has a conflict of interest or is not properly qualified. The minimum qualifications shall consist of either an educational degree or three or more years of practice in the field at issue, or a related field. The applicant shall make such an appeal in writing, and must be received within ten (10) business days of the date that request for consultant fees was made by the Commission. Such appeal shall extend the applicable time limits for action upon the application.

## **V. Notice and Hearings**

Any person filing a permit application, including but not limited to an RDA, ANRAD, or ANRAD with Simplified Review, Notice of Intent or other request with the Conservation Commission that requires a public meeting or hearing, shall at the same time give written notice thereof, by certified mail with return receipt, or certificate of mailing, or hand delivered, to all abutters within 100 feet of the property lines of the subject parcel(s), at their mailing addresses shown on the most recent applicable property tax list of the assessors, including owners of land directly opposite on any public or private street or way, and abutters to the abutters within 100 feet of the property line of the applicant, including any in another municipality or across a body of water. Wording for said notice shall be approved by the Conservation Commission. The notice shall state a brief description of the project or other proposal and the date of any Commission hearing or meeting date if known. The notice to abutters also shall include a copy of the application or request, or shall state where copies may be examined and obtained by abutters. An affidavit of the person providing such notice, with a copy of the notice mailed or delivered, shall be filed with the Commission. When a person requesting a determination is other than the owner, the request, the notice of the hearing and the determination itself shall be sent by the Applicant or his/her representative to the owner(s) as well as to the person making the request.

The Commission shall conduct a public hearing on any permit application (NOI), RDA, or ANRAD with written notice given at the expense of the applicant, at least five business days prior to the hearing, in a newspaper of general circulation in the municipality. The Commission shall commence the public hearing within 21 days from receipt of a completed permit application, RDA, or ANRAD unless an extension is authorized in

writing by the applicant. The Commission shall have authority to continue the hearing to a specific date announced at the hearing, for reasons stated at the hearing, which may include the need for additional information from the applicant or others as deemed necessary by the Commission in its discretion, based on comments and recommendations of the boards and officials listed in §VI.

The Commission shall issue its permit, other order or determination in writing within 21 days of the close of the public hearing thereon unless an extension is authorized in writing by the applicant. The Commission in an appropriate case may combine its hearing under this bylaw with the hearing conducted under the Wetlands Protection Act (M.G.L. Ch.131 §40) and regulations (310 CMR 10.00).

#### **VI. Coordination with Other Boards**

Any person filing a permit application (NOI), RDA, or ANRAD with the Conservation Commission shall provide a copy thereof at the same time, by certified mail, or certificate of mailing, or by hand delivery, to the Conservation Commission of the adjoining municipality, if the application or RDA pertains to property within 300 feet of that municipality. An affidavit of the person providing notice, with a copy of the public hearing notice mailed or delivered shall be filed with the Commission. The Commission shall notify all pertinent Town Departments, as necessary, of the public hearing and will review any and all written comments or recommendations received by those boards or departments. The applicant shall have the right to receive any such written comments and recommendations, and shall be given time to respond to them at a public hearing of the Commission, prior to final action.

#### **VII. Permits and Conditions**

If the Conservation Commission, after a public hearing, determines that the activities which are subject to the permit application, or the land and water uses which will result therefrom, are likely to have a significant individual or cumulative effect on the resource area values protected by this bylaw, the Commission, within 21 days of the close of the hearing, shall issue or deny a permit for the activities requested. The Commission shall take into account the extent to which the applicant has avoided, minimized and mitigated any such effect. The Commission also shall take into account any loss, degradation, isolation, and replacement or replication of such protected resource areas elsewhere in the community and the watershed, resulting from past activities, whether permitted, unpermitted or exempt, and foreseeable future activities.

If it issues a permit, the Commission shall impose conditions which the Commission deems necessary or desirable to protect said resource area values, and all activities shall be conducted in accordance with those conditions. Where no conditions are adequate to protect said resource area values, the Commission is empowered to deny a permit for failure to meet the requirements of this bylaw. It may also deny a permit: for failure to submit necessary information and plans requested by the Commission; for failure to

comply with the procedures, design specifications, performance standards, and other requirements in regulations of the Commission; or for failure to avoid, minimize or mitigate unacceptable significant or cumulative effects upon the resource area values protected by this bylaw. Due consideration shall be given to any demonstrated hardship on the applicant by reason of denial, as presented at the public hearing. The Commission may waive specifically identified and requested procedures, design specifications, performance standards, or other requirements set forth in its regulations, provided that: the Commission finds in writing after said public hearing that there are no reasonable conditions or alternatives that would allow the proposed activity to proceed in compliance with said regulations; that avoidance, minimization and mitigation have been employed to the maximum extent feasible; and that the waiver is necessary to accommodate an overriding public interest or to avoid a decision that so restricts the use of the property as to constitute an unconstitutional taking without compensation.

In reviewing activities within the buffer zone, the Commission shall presume the buffer zone is important to the protection of other resource areas because activities undertaken in close proximity have a high likelihood of adverse impact, either immediately, as a consequence of construction, or over time, as a consequence of daily operation or existence of the activities. These adverse impacts from construction and use can include, without limitation, erosion, siltation, loss of groundwater recharge, poor water quality, and loss of wildlife habitat. The Commission may establish, in its regulations, design specifications, performance standards, and other measures and safeguards, including setbacks, no-disturb areas, no-build areas, and other work limits for protection of such lands, including without limitation strips of continuous, undisturbed vegetative cover, unless the applicant convinces the Commission that the area or part of it may be disturbed without harm to the values protected by the bylaw.

In reviewing activities within the riverfront area, the Commission shall presume the riverfront area is important to all the resource area values unless demonstrated otherwise, and no permit issued hereunder shall permit any activities unless the applicant, in addition to meeting the otherwise applicable requirements of this bylaw, has proved by a preponderance of the evidence that (1) there is no practicable alternative to the proposed project with less adverse effects, and that (2) such activities, including proposed mitigation measures, will have no significant adverse impact on the areas or values protected by this bylaw. The Commission shall regard as practicable an alternative which is reasonably available and capable of being done after taking into consideration the proposed property use, overall project purpose (e.g., residential, institutional, commercial, or industrial), logistics, existing technology, costs of the alternatives, and overall project costs.

To prevent resource area loss, the Commission shall require applicants to avoid alteration wherever feasible; to minimize alteration; and where alteration is unavoidable and has been minimized, to provide full mitigation. The Commission may authorize or require replication of wetlands as a form of mitigation, but only with specific plans, professional design, proper safeguards, adequate security, and professional monitoring and reporting to assure success, because of the high likelihood of failure of replication.

The Commission may require a wildlife habitat study of the project area, to be paid for by the applicant, whenever it deems appropriate, regardless of the type of resource area or the amount or type of alteration proposed. The decision shall be based upon the Commission's estimation of the importance of the habitat area considering (but not limited to) such factors as proximity to other areas suitable for wildlife, importance of wildlife "corridors" in the area, or actual or possible presence of rare plant or animal species in the area. The work shall be performed by an individual who at least meets the qualifications set out in the wildlife habitat section of the Wetlands Protection Act regulations (310 CMR 10.60).

The Commission shall presume that all areas meeting the definition of "vernal pools" under §IX of this bylaw, including the adjacent area, perform essential habitat functions. This presumption may be overcome only by the presentation of credible evidence which, in the judgment of the Commission, demonstrates that the basin or depression does not provide essential habitat functions. Any formal evaluation should be performed by an individual who at least meets the qualifications under the wildlife habitat section of the Wetlands Protection Act regulations.

A permit, Order of Conditions (OOC), Determination of Applicability (DOA), or Order of Resource Area Delineation (ORAD) shall expire three years from the date of issuance. Notwithstanding the above, the Commission in its discretion may issue a permit expiring five years from the date of issuance for recurring or continuous maintenance work, provided that annual notification of time and location of work is given to the Commission. Any permit may be renewed once for an additional one-year period, provided that a request for a renewal is received in writing by the Commission prior to expiration. Notwithstanding the above, a permit may identify requirements which shall be enforceable for a stated number of years, indefinitely, or until permanent protection is in place, and shall apply to all present and future owners of the land.

For good cause the Commission may revoke any permit, (OOC), DOA, or ORAD or any other order, determination or other decision issued under this bylaw after notice to the holder, the public, abutters, and town boards, pursuant to §V and §VI, and after a public hearing.

Amendments to permits, (OOC), DOAs, or ORADs shall be handled in the manner set out in the Wetlands Protection Act regulations and policies thereunder.

The Commission in an appropriate case may combine the decision issued under this bylaw with the permit, (OOC), DOA, ORAD, or Certificate of Compliance (COC) issued under the Wetlands Protection Act and regulations.

No work proposed in any application shall be undertaken until the permit, or ORAD issued by the Commission with respect to such work has been recorded in the Registry of Deeds, or if the land affected is registered land, in the Registry Section of the Land Court for the district wherein the land lies, and until the holder of the permit certifies in writing to the Commission that the document has been recorded. If the applicant fails to perform such

recording, the Commission may record the documents itself and require the Applicant to furnish the recording fee therefore, either at the time of recording or as a condition precedent to the issuance of a COC.

### **VIII. Regulations**

After public notice and public hearing, the Conservation Commission shall promulgate rules and regulations to effectuate the purposes of this bylaw, effective when voted and filed with the town clerk. Failure by the Commission to promulgate such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this bylaw. At a minimum these regulations shall reiterate the terms defined in this bylaw, define additional terms not inconsistent with the bylaw, and impose filing and consultant fees.

### **IX. Definitions**

The following definitions shall apply in the interpretation and implementation of this bylaw.

The term “**agriculture**” shall refer to the definition as provided by M.G.L. Ch. 128 §1A.

The term “**alter**” shall include, without limitation, the following activities when undertaken to, upon, within or affecting resource areas protected by this bylaw:

- A. Removal, excavation, or dredging of soil, sand, gravel, or aggregate materials of any kind
- B. Changing of preexisting drainage characteristics, flushing characteristics, salinity distribution, sedimentation patterns, flow patterns, or flood retention characteristics
- C. Drainage, or other disturbance of water level or water table
- D. Dumping, discharging, or filling with any material which may degrade water quality
- E. Placing of fill, or removal of material, which would alter elevation
- F. Driving of piles, erection, expansion or repair of buildings, or structures of any kind
- G. Placing of obstructions or objects in water
- H. Destruction of plant life including cutting or trimming of trees and shrubs
- I. Changing temperature, biochemical oxygen demand, or other physical, biological, or chemical characteristics of any waters
- J. Any activities, changes, or work which may cause or tend to contribute to pollution of any body of water or groundwater
- K. Incremental activities which have, or may have, a cumulative adverse impact on the resource areas protected by this bylaw.

The term “**bank**” shall include the land area which normally abuts and confines a water body; the lower boundary being the mean annual low flow level, and the upper boundary

being the first observable break in the slope or the mean annual flood level, whichever is higher.

The term “**person**” shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the Commonwealth or political subdivision thereof to the extent subject to town bylaws, administrative agency, public or quasi-public corporation or body, this municipality, and any other legal entity, its legal representatives, agents, or assigns.

The term “**pond**” shall follow the definition of 310 CMR 10.04 except that the size threshold of 10,000 square feet shall not apply.

The term “**rare species**” shall include, without limitation, all vertebrate and invertebrate animals and all plant species listed as endangered, threatened, or of special concern by the Massachusetts Division of Fisheries and Wildlife, regardless of whether the site in which they occur has been previously identified by the Division.

The term “**vernal pool**” shall include, in addition to scientific definitions found in the regulations under the Wetlands Protection Act, any confined basin or depression not occurring in existing lawns, gardens, landscaped areas or driveways which, at least in most years, holds water for a minimum of two continuous months during the spring and/or summer, contains at least 200 cubic feet of water at some time during most years, is free of adult predatory fish populations, and provides essential breeding and rearing habitat functions for amphibian, reptile or other vernal pool community species, regardless of whether the site has been certified by the Massachusetts Division of Fisheries and Wildlife. The boundary of the resource area for vernal pools shall be the mean annual high-water line defining the depression. Regulations promulgated by the Conservation Commission will address the protection of the vernal pool habitat surrounding the vernal pool.

Except as otherwise provided in this bylaw or in associated regulations of the Conservation Commission, the definitions of terms and the procedures in this bylaw shall be as set forth in the Wetlands Protection Act (G.L. Ch. 131 §40) and regulations (310 CMR 10.00).

## **X. Security**

As part of a permit issued under this bylaw, in addition to any security funds required by any other municipal or state board, agency, or official, the Conservation Commission may require that the performance and observance of the conditions imposed thereunder (including conditions requiring mitigation work) be secured wholly or in part by one or both of the methods described below:

- A. By a proper bond, deposit of money or negotiable securities under a written third-party escrow arrangement, or other undertaking of financial responsibility sufficient in the opinion of the Commission, to be released in whole or in part upon issuance of a COC for work performed pursuant to the permit. These funds shall be held by

the Town Treasurer in an Escrow Account which is non-interest bearing, and shall be released upon successful completion of the requirements as established for each account.

- B. By accepting a conservation restriction, easement, or other covenant enforceable in a court of law, executed and duly recorded by the owner of record, running with the land to the benefit of this municipality whereby the permit conditions shall be performed and observed before any lot may be conveyed other than by mortgage deed. This method shall be used only with the consent of the applicant.

## **XI. Enforcement**

No person shall remove, fill, dredge, build upon, degrade, or otherwise alter resource areas protected by this bylaw, or cause, suffer, or allow such activity, or leave in place unauthorized fill, or otherwise fail to restore illegally altered land to its original condition, or fail to comply with a permit or an enforcement order issued pursuant to this bylaw.

The Conservation Commission, its agents, officers, and employees shall have authority to enter upon privately owned land for the purpose of performing their duties under this bylaw and may make or cause to be made such examinations, surveys, or sampling as the Commission deems necessary, subject to the constitutions and laws of the United States and the Commonwealth.

The Commission shall have authority to enforce this bylaw, its regulations, and permits issued thereunder by letters, phone calls, electronic communication and other informal methods, violation notices, non-criminal citations under G.L. Ch. 40 §21D, and civil and criminal court actions. Any person who violates provisions of this bylaw may be ordered to restore the property to its original condition and take other action deemed necessary to remedy such violations, or may be fined, or both.

Upon request of the Commission, the Selectmen and town counsel shall take legal action for enforcement under civil law. Upon request of the Commission, the chief of police shall take legal action for enforcement under criminal law.

Municipal boards and officers, including any police officer or other officer having police powers, shall have authority to assist the Commission in enforcement.

Any person who violates any provision of this bylaw, or regulations, permits, or administrative orders issued thereunder, shall be punished by a fine of not more than \$300 each day or portion thereof during which a violation continues, or unauthorized fill or other alteration remains in place, shall constitute a separate offense, and each provision of the bylaw, regulations, permits, or administrative orders violated shall constitute a separate offense.

As an alternative to criminal prosecution in a specific case, the Commission may elect to utilize the non-criminal disposition procedure set forth in M.G.L. Ch. 40 §21D.

## **XII. Burden of Proof**

The applicant for a permit shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the permit application will not have unacceptable significant or cumulative effect upon the resource area values protected by this bylaw. Failure to provide adequate evidence to the Conservation Commission supporting this burden shall be sufficient cause for the Commission to deny a permit or grant a permit with conditions.

## **XIII. Appeals**

A decision of the Conservation Commission shall be reviewable in the Superior Court in accordance with M.G.L. Ch. 249 §4, or in Land Court in instances where Land Court has jurisdiction.

## **XIV. Relation to the Wetlands Protection Act**

This bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, independent of the Wetlands Protection Act (M.G.L. Ch. 131 §40) and regulations (310 CMR 10.00) thereunder. It is the intention of this bylaw that the purposes, jurisdiction, authority, exemptions, regulations, specifications, standards, and other requirements shall be interpreted and administered as stricter than those under the Wetlands Protection Act and regulations.

## **XV. Severability**

The invalidity of any section or provision of this bylaw shall not invalidate any other section or provision thereof, nor shall it invalidate any permit, approval or determination which previously has been issued.

Conservation Commission

**We move that this article be referred back to the Conservation Committee for further study and to report at the next annual town meeting.**

ARTICLE 54. To see if the Town will vote to amend the Zoning Bylaw and the Zoning Map for the Town in the manner described below, or, to see if the Town will vote to take any action relative thereto:

*Amend the Hanover Zoning Map by rezoning to “Commercial District” all parcels of land within the boundaries of the area labeled “Area to be Rezoned ‘Commercial District’ ” shown on a map entitled “Route 53 South Commercial Rezoning” prepared by the Town of Hanover Planning Department, and dated January 31, 2008, according to the applicable Assessors Map and Lot Numbers for Fiscal Year 2007 shown within the district boundaries on said map.*

Planning Board  
Route 53 Study Committee

**We move that this article be referred back to the Planning Board and the Route 53 Study Committee for study and to report back at the next annual town meeting.**

ARTICLE 55. To see if the Town will vote to amend the General Bylaws of the Town (Chapter VI: General Articles) by adopting and adding the following Article (6-27: Scenic Roads), or to see if the Town will vote to take any action relative thereto:

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**6-27: Scenic Roads**

**Section 1. Authority & Purpose**

- A. This article is adopted under authority of Massachusetts General Laws (M.G.L.) Chapter 40, Section 15C (Scenic Roads) and Massachusetts General Laws (M.G.L.) Chapter 40, Section 21 (Town Bylaws) and Article LXXXIX, Article II, Section 6 of Articles of Amendment of the Constitution of the Commonwealth of Massachusetts.
- B. The purpose of this article is to maintain the rural, natural, historic and scenic character of the Hanover's roads (as defined herein). The article ensures that town roads will be recommended for designation as scenic roads in accordance with the criteria stated in this article, and that trees (as defined herein) and stone walls within the rights-of-way of all designated scenic roads will not be altered without the public hearing required by, nor without following the other procedures set forth in, this article.
- C. Emergency repair. This article shall not apply when the Tree Warden acts in an emergency in accordance with applicable law.

**Section 2. Definitions**

In the absence of contrary meaning established through legislative or judicial action, the following terms contained in Massachusetts General Laws (M.G.L.) Chapter 40, Section 15C (Scenic Roads), or used herein shall be defined as follows:

**CUTTING OR REMOVAL OF TREES** - The removal of one or more trees, trimming of major branches, cutting of roots, but not trimming or cutting of dead trees or dead branches.

**REPAIR, MAINTENANCE, RECONSTRUCTION OR PAVING WORK** - Any work done within a scenic road layout by any person or agency, public or private. Included within this definition is any work on a portion of a scenic road layout which was not physically commenced at the time the road was designated as a scenic road. Construction of new driveways or alteration of existing driveways is also included, insofar as it takes place within the scenic road layout.

**ROAD** - Any right-of-way used and maintained as a public way including the vehicular traveled way plus necessary appurtenances within the right-of-way, such as bridge structures, drainage systems, retaining walls, traffic control devices, and sidewalks. Trees or stone walls or portions thereof shall be presumed to be within the bounds of the right-of-way unless it is shown to the contrary on the scenic road layout plan.

**SCENIC ROAD** - A road so designated in accordance with Massachusetts General Laws (M.G.L.) Chapter 40, Section 15C (Scenic Roads), and these regulations. Said roads are listed in Section 5 of this Article.

**STONE WALL** – A man-made grouping of stones forming a straight or curved line.

**TEARING DOWN OR DESTRUCTION OF STONE WALLS** – Any intentional act of removal of stones, moving of stones in any direction, covering over with nonstone materials, or any other intentional act by which stones are dislocated from a stone wall.

**TREES** – Includes a tree whose trunk has a diameter of three inches or more as measured 4 ½ feet above the ground (dbh).

### **Section 3. Criteria for Designation of Scenic Roads**

- A. In determining which roads or portions of roads should be recommended to town meeting for designation as scenic roads, the following criteria shall be considered:
1. Overall scenic beauty.
  2. Contribution of trees to scenic beauty.
  3. Contribution of stone walls to scenic beauty.
  4. Age and historic significance of roads, trees and bordering stone walls.
  5. Bordering trees of exceptional quality, in terms of type, age, specimen size or spread, density of stand or related flora.

6. Bordering trees which themselves constitute, or are a significant part of, natural or man-made features of aesthetic value, including by way of illustration, trees having spring flowering or high fall color potential; trees which are part of vistas paralleling roadways or which create a frame of reference for more distant views; and trees whose presence contributes substantially to the rural or woodland character of a roadway, particularly in comparison to more developed or urbanized adjacent areas.
  7. Built features, such as historic buildings, historic monuments, historic burial grounds, historic structures, farm buildings and fencing.
  8. Features of the road, such as historic right-of-way, surface, carriage width, use restrictions and nonhistoric bridges.
- B. Roads that have previously been designated as scenic roads may be reevaluated using the foregoing criteria.

#### **Section 4. Procedure for designation of Scenic Roads**

- A. The Planning Board, the Conservation Commission or the Historical Commission, or a petition of ten (10) citizens of the town, may propose scenic road designation for any road other than a numbered route or state highway. Said proposal shall be filed in writing with the Planning Board.
- B. The Planning Board then shall hold a public hearing, notifying the Board of Selectmen, the Tree Warden, the Board of Public Works, the Conservation Commission, the Historical Commission and the public by advertising twice in a newspaper of general circulation, the first advertisement to appear at least 14 days prior to the date of the public hearing.
- C. The Planning Board shall make a recommendation to town meeting on the merits of designation of the road as a scenic road.
- D. Following designation by town meeting, the Planning Board shall:
  1. Notify all municipal departments that may take any action with respect to such road.
  2. Notify the Massachusetts Highway Department.
  3. Notify the Commissioners of Plymouth County.
  4. Indicate such designation on applicable maps currently in use by municipal departments.
  5. Notify utility companies or other such parties that may work on such road.
  6. Work with the Tree Warden, Historical Commission and Department of Public Works to install street signage indicating the locations of all Scenic Roads listed in Section 5 for ease of identification and public education.

#### **Section 5. Designated Scenic Roads**

The following roads have been designated as Scenic Roads as defined herein and in accordance with the requirements of Massachusetts General Laws (M.G.L.) Chapter 40, Section 15C (Scenic Roads):

<b>Road Name</b>	<b>Length and Description</b>	<b>Town Meeting</b>	<b>Article</b>	<b>Voted</b>
Broadway	From the Norwell town line to the Hanson town line	A.T.M.	73	5/5/1987
Center Street	From Main Street to Broadway	A.T.M.	78	5/9/1994
Circuit Street	From the intersection of King Street Northerly to the end of Circuit Street	A.T.M.		5/5/2008
Hanover Street	From a point 300 feet west of the intersection of Hanover Street with Grove Street to a point 800 feet east of the intersection of Hanover Street with Silver Street	A.T.M.		5/5/2008
King Street	All of King Street	A.T.M.		5/5/2008
Main Street	From Norwell town line to Hanover Street	A.T.M.	78	5/9/1994
Pleasant Street	All of Pleasant Street	A.T.M.		5/5/2008
Silver Street	From Old Washington Street to Main Street	A.T.M.	78	5/9/1994
Union Street	All of Union Street	A.T.M.	58	3/6/1974
Washington Street	From the Pembroke town line to its junction with Route 53, Columbia Road and Hanover Street	A.T.M.	59	3/6/1974
Whiting Street	All of Whiting Street	A.T.M.	57	3/6/1974

## **Section 6. Permit Required for Certain Work along Scenic Roads**

A. **Filing.** Any person, organization, public agency or utility company contemplating the cutting or removal of trees, the tearing down or destruction of stone walls, or portions thereof, on a designated Scenic Road shall first obtain the written authorization of the Planning Board by filing a request for approval of any such work with the Planning Board. Said request shall include the following:

1. One completed and signed copy of the Planning Board's application form on file with the Town Clerk.
2. Three copies of a plan showing the proposed work and the extent of alterations or removal of trees or stone walls. The plan shall be drawn at a scale of one inch equals 40 feet, or to any other scale approved by the Planning Board, and shall show the name of the street or streets, the lines of the scenic road layout, north arrow, names of all abutters within one hundred (100) feet along that portion of the Scenic Road wherein the work is proposed, on a Certified Abutters List as provided by the Assessors Office. Said plan shall include a title block indicating reference scale, plan title and date(s).

3. A written statement of the purpose, or purposes, for the changes proposed.
  4. A certified list of abutters from the Hanover Assessors Office indicating all owners of properties located in whole or in part within 100 feet of the proposed work.
  5. Except in the case of town agencies, a filing fee of \$250.
- B. **Notice.** The Planning Board shall, as required by statute, give notice of a public hearing regarding the proposed work by advertising twice in a newspaper of general circulation in the Town. This notice shall contain a statement as to the date, time, place and purpose of the hearing with a reasonable description of the work proposed by the applicant. Copies of this notice shall also be provided to the Board of Selectmen, the Department of Public Works, and the owners of property within 100 feet of the proposed work. The applicant shall be required to pay the cost of all abutter notifications and the cost of legal notice in the local newspaper.
- C. **Timing of Notice and Hearing.** The first publication of the notice shall be made as soon as practicable after the Planning Board receives the request from the applicant. The last publication shall occur, as required by statute, at least seven (7) days prior to the hearing. The Planning Board shall hold a public hearing within thirty (30) days of the date upon which a properly filed request is received.
- D. **Timing of Decision.** Within 21 days after the close of the Public Hearing, the Planning Board shall render a written decision on the request. The Planning Board may continue the Public Hearing to obtain additional information if necessary. A copy of the decision shall be provided to the Tree Warden and the Town Clerk.
- E. **Performance Guarantee.** Before approval of any plan for proposed work under this Section, the Planning Board may require that the proposed work to be done, be secured by the applicant by a bond sufficient in form and amount in the opinion of the Planning Board to ensure satisfactory performance of the proposed work on a designated Scenic Road.
- F. **Tree Warden.** Whenever a public hearing concerning the proposed action is also required to be held by the Tree Warden pursuant to Massachusetts General Laws (M.G.L.) Chapter 87 (The Public Shade Tree Law), the Planning Board and Tree Warden hearings shall be consolidated and notice thereof shall be given by the Tree Warden in accordance with the provisions of Massachusetts General Laws (M.G.L.) Chapter 87 (The Public Shade Tree Law). The authorization of the Planning Board to such proposed work shall not be regarded as implying the authorization of the Tree Warden or vice versa. The Planning Board decision shall include a condition that no work shall be done until all applicable provisions of Massachusetts General Laws (M.G.L.) Chapter 87 (The Public Shade Tree Law), have been complied with.

## **Section 7. Criteria for Review and Approval or Disapproval of Proposed Work**

The Planning Board's decision on any application for proposed work affecting scenic roads shall be based on consideration of the following criteria:

- A. The degree to which the proposed work would adversely affect the scenic and aesthetic values upon which the scenic road designation was originally based.
- B. The necessity for the proposed work in terms of public safety, welfare, or convenience.
- C. Availability of reasonable alternatives to the proposed work which could reduce or eliminate anticipated damage to trees or stone walls.
- D. Whether the proposed work would compromise or harm other environmental or historical values.
- E. Consistency of the proposed work with previously adopted Town plans and policies.
- F. Preservation of natural resources.
- G. Preservation of historic resources.
- H. Scenic and aesthetic characteristics.
- I. Environmental values.
- J. Public safety.
- K. Local residential traffic patterns and overall traffic volume and congestion.
- L. Compensatory actions proposed, such as tree and wall replacement.
- M. Functional importance and urgency of repair, maintenance, reconstruction or paving.
- N. Additional evidence contributed by abutters, town agencies and other interested parties.

## **Section 8. Enforcement.**

- A. The Planning Board is responsible for the enforcement of this chapter. The Planning Board may delegate administrative day-to-day enforcement and citation powers to the Town Planner or Zoning and Code Enforcement Officer of the Town.
- B. Whoever violates any provision of this chapter or any conditions of any permit granted pursuant hereto shall be liable for a fine of not more than the maximum permitted by law for each citation for any violation and shall be required to restore any damage. Removal of each individual tree shall be considered a separate violation. Removal of each linear foot of stone wall shall be considered a separate violation.
- C. Failure to file with the Planning Board for permission to cut or remove trees or for destruction of any portion of a stone wall along any designated scenic road will require an immediate filing as detailed above, and the applicant shall be required to restore any such features to their original state or as close as possible in the opinion of the Planning Board in consultation with the Tree Warden. This

restoration shall consist of replacing the stone wall as necessary and replacing the trees cut on a square-inch-per-square-inch basis (combined area of the replacement trees measured one foot above ground level to equal total area of the original tree trunk as measured at the stump) at locations specified by the Planning Board.

D. Failure to comply with a duly issued decision of the Planning Board shall be subject to restoration as detailed above and other remedial measures that the Planning Board deems necessary. Any decision not carried out within two years of issue shall be void and shall require a new filing. The Planning Board and the Tree Warden shall have the authority to enforce the provisions of this article.

E. Any violation of this article, Massachusetts General Laws (M.G.L.) Chapter 40, Section 15C (Scenic Roads), or a Planning Board decision issued under this article or Massachusetts General Laws (M.G.L.) Chapter 40, Section 15C (Scenic Roads) shall be punishable by a fine not to exceed \$300 per offence.

### **Section 9. Severability**

In case any section, paragraph or part of this Article is for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

### **Section 10. Effective Date**

This Article shall be effective upon acceptance at Town Meeting, approval of the Attorney General and proper posting by the Town Clerk required by law.

Planning Board

### **Refer to Town Meeting.**

ARTICLE 56. To see if the Town will vote to appropriate the sum of \$60,000, or another sum of money from the Planning Board Oversight Mitigation Fund for the purposes of developing and establishing in coordination with other departments additional services based on the existing Town Geographic Information System (GIS) including (1) provision for web-based online mapping and database records available to the public; (2) an internal permit-tracking system for all land use and licensing permits feasible; and (3) hardware and software updates necessary to establish and support these new services, such funds to be expended by the Planning Board with assistance and direction from the Town Planner and Director of Municipal Inspections, with the condition that any unexpended funds be returned to the Planning Board Oversight Mitigation Fund, or take any other action relative thereto.

Planning Board  
Director of Municipal Inspections  
Board of Selectmen

**We move that the Town vote to appropriate the sum of \$60,000 from the Planning Board Oversight Mitigation Fund for additions to the Town’s GIS system. Said funds to be expended at the direction of the Planning Board and the Director of Municipal Inspections.**

ARTICLE 57. To see if the Town will vote to amend the Zoning Bylaw for the Town (Section 10 – Site Plan Approval) in the manner described below, or, to see if the Town will vote to take any action relative thereto:

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*to adopt, and add as a new Section 10.150 the following:*

**10.150 Architectural Design Review**

**A. Authority and Purpose**

D. This article is adopted under authority of Massachusetts General Laws (M.G.L.) Chapter 40, Section 21 (Town Bylaws) and Article LXXXIX, Article II, Section 6 of Articles of Amendment of the Constitution of the Commonwealth of Massachusetts.

E. The purpose of this article is to conserve the value of land and buildings; to prevent blight; to encourage the most appropriate use of land throughout the Town, including consideration of the recommendations of the Master Plan adopted by the Planning Board; to preserve and increase amenities; to enhance the visual environment of the Town; to preserve and promote the use of New England Vernacular Architecture within the Town; and to protect and promote the character, natural, scenic and aesthetic qualities of the Town of Hanover (a New England Village) by the promulgation of regulations to fulfill said objectives in accordance with the provisions of Chapter 40A of the General Laws of the Commonwealth of Massachusetts.

**B. Applicability**

1. Construction of new buildings, or alteration of building facades within any non-residential district or for any non-residential construction within a Residential District, and any development or project which is required by this Zoning Bylaw to follow the procedures or standards of Section 10.000 (Site Plan Review) or that requires a Site Plan and/or Special Permit approval by the Planning Board shall be subject to Architectural Design Review by the Planning Board for any applicable structures prior to the grant of Building Permits and/or Occupancy Permits by the Building Inspector, as they are applicable.
2. Single-family houses shall be exempt from this Section.

3. Nothing in this section shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature which does not involve a change in design, material, color or the outward appearance of a building, or to prevent meeting requirements by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the adoption of this Section.
4. The Planning Board may waive the requirements for Architectural Design Review for any application which does not propose or require the construction of new buildings nor the expansion or alternation of any facades on existing buildings.
5. The Planning Board may waive Architectural Design Review or reduce the requirements of this Section where, in their opinion, it is not needed because projects are minor, or for other good cause.

**C. Criteria for Design Review**

The Planning Board shall utilize the following guidelines and considerations when reviewing any plans submitted under this Section:

1. Buildings and structures should be designed in an architectural style compatible with that of traditional New England Vernacular Architecture. Exterior walls should be clad in wood, brick, stone or other building materials traditionally used in New England. Roofs should have a minimum pitch of 8:12 and flat roofs should be permitted only when hidden by a raised parapet and when necessary due to size or nature of the proposed uses within the building. Roofs should be pitched to a center ridge.
2. Except on the ground floor of structures devoted to non-residential use, vertical dimensions of all windows should be greater than their horizontal dimensions. Porches, pent roofs, roof overhangs, hooded front doors or other similar architectural elements should define the front entrance to all structures.
3. All façade elevations should be provided with embellishments and articulation so as to prevent long expanses of blank walls and windowless elevations. Use of building elements such as structural bays, trellis structures, chimney stacks, projections, and recesses should be used to section the apparent building mass and partition long expanses of blank wall.
4. Buildings should utilize semi-private transitional space along facades such as covered porches, recessed entries, and raised stoops.

5. Facades should provide definition of individual units with subtle façade articulations.
6. Side building elevations facing a public way or publicly accessible area should have the same articulation elements and treatment as the front façade.
7. Façade treatments should avoid long unbroken walls and box-like forms.
8. Façade treatments should avoid the extremes of monotonous repetition and excessive variety in forms, patterns, and colors.
9. Equipment mounted on the roof of any building should be avoided if possible. Any necessary vertical projections through the roof, such as towers, vents, and stacks should be grouped or housed within a penthouse. All roof structures such as mechanical equipment, skylights, penthouses, and similar elements should be organized and screened in a manner that is integral to the architectural form of the building and should address visibility and adequate screening from adjacent buildings, roadways, and other public or semi-public spaces.
10. A minimum of fifty (50) percent of ground floor building facades and thirty (30) percent of second floor building facades facing a public way or semi-public space should be glazed.
11. Building facades should extend no longer than twenty (20) feet without articulation.

**D. Illustrated Guidelines**

1. The Planning Board may develop illustrative Design Review Guidelines not inconsistent with this Section which illustrate in greater detail the guidelines described in Section 10.150.C. for reference and practical application of said guidelines so as to assist applicants and the general public.
2. Said Guidelines shall be approved by the Planning Board, filed with the Town Clerk, and made available to all applicants and the general public as a guidance document only.

**E. Review & Approval Process**

1. Plans submitted for review and approval under this Section shall be forwarded to the Hanover Design Review Board for review and comment, however opinions of the Design Review Board shall be advisory only.

2. Plans submitted for review and approval under this Section may be approved or disapproved based on the criteria established in Section 10.150.C above.
3. Failure of the applicant to address concerns raised by the Board relative to the proposed plans shall be reasonable grounds for the Planning Board to approve or disapprove the submission or to continue any applicable hearing or administrative review to allow sufficient time for the applicant to make design changes and address comments accordingly.
4. The Planning Board may, at its own discretion, waive some of the requirements of this Section, including the guidelines described in Section 10.150.C. if it determines that the proposed project will have minimal impact on the surrounding area and that it will have no impact on residential areas.

**F. Plan Submission Requirements**

1. A Site Plan prepared in accordance with Section 10.100 or a plot plan if a Site Plan is not otherwise required.
2. Façade elevations for each side of the applicable buildings and/or structures. Architectural Plans showing elevations of all buildings and structures should be prepared by a Registered Professional Architect unless this requirement is waived by the Planning Board due to size or limited nature of the proposed work.
3. Details and Catalog Cuts of exterior elements and materials not clearly illustrated by the Building Elevations, including any lighting fixtures.

**G. Plan Submission Requirements**

1. As a condition of plan approval, the Planning Board may require that before Site Plan Signoffs and/or Occupancy Permits are issued for any building permitted under this Section, the required façade design and treatments for the applicable structures shall be substantially completed in accordance with the above referenced and approved plans.
2. In order to ensure compliance with the approved architectural plans (with respect to façade design and treatments), applications for any Building Permits shall require signoff (approval) from the Town Planner to indicate compliance with any plans approved by the Planning Board. Said signoff (approval) shall not be withheld unless the architectural and building plans submitted to the Building Inspector do not comply or substantially deviate from the approved façade design and treatments. In the event that signoff (approval) is withheld, the Town Planner shall indicate in writing the reason(s) for such denial to the applicant and the Building Inspector.

**H. Severability**

1. In case any section, paragraph or part of this Article is for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

Planning Board

**Refer to Town Meeting.**

ARTICLE 58. To see if the Town will vote to adopt the Key Recommendations of the 2008 Hanover Master Plan on file with the Town Clerk, or take any other action relative thereto.

Planning Board

**Refer to Town Meeting.**

ARTICLE 59. To see if the Town will vote to accept the Parks and Recreation Facilities Master Plan, or take any other action relative thereto.

Parks and Recreation Committee

**Refer to Town Meeting.**

ARTICLE 60. To see if the Town will vote to raise and appropriate from available funds, or borrow under Massachusetts General Laws, Chapter 44, \$500,000 to pay for landscape and building architectural designs for the King Street Property. Said funds will include the design of facilities including fields, parking lots and driveways at King Street which may include, but is not limited to a small ADA compliant building with bathrooms, office and meeting space, concession stand and storage for the Parks and Recreation Department. Said funds to be expended at the direction of the Park and Recreation Committee after completion of the Parks and Recreation Master Plan, and consideration of any additional information the Master Plan elucidates. Or take any other action relative thereto.

Parks and Recreation Committee

**We move that the town not accept this article and take no further action.**

ARTICLE 61. To see if the Town will vote to raise and appropriate from available funds, or borrow under Massachusetts General Laws, Chapter 44, \$500,000 to pay for recreation-related design improvements at B. Everett Hall Field. Said funds will address the first steps toward the long-awaited improvements at B. Everett Hall Field that may include, but are not limited to: ADA compliant bathrooms and meeting space, office and storage space, a concession stand to generate revenue, improved water service to irrigate fields, rotation

of overused fields, plans to remedy inadequate parking, and a re-aligned bandstand. Said funds to be expended at the direction of the Park and Recreation Committee after completion of the Parks and Recreation Master Plan, and consideration of any additional information the Master Plan elucidates. Or take any other action relative thereto.

Parks and Recreation Committee

**We move that the town not accept this article and take no further action.**

ARTICLE 62. To see if the Town will vote to raise and appropriate, appropriate from available funds, or borrow under Massachusetts General Laws, Chapter 44, the sum of \$140,000 to pay for parking lot improvements at Ellis Field. Said improvements include but are not limited to reconfiguring the layout of the existing fields to add a much needed parking. Said funds to be expended at the direction of the Parks and Recreation Committee and Board of Public Works. Or take any other action relative thereto.

Parks and Recreation Committee  
Board of Public Works  
Board of Selectmen

**We move that the Town vote to appropriate the sum of \$140,000 to construct a new parking lot at Ellis Field, and for costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$140,000 under and pursuant to Chapter 44, Section 7(6) of the Massachusetts General Laws, as amended, or any other enabling authority and to issue the bonds and notes of the Town therefor. Said funds to be expended at the direction of the Parks and Recreation Committee and the Board of Public Works.**

ARTICLE 63. To see if the Town will vote to authorize the Board of Selectmen and the Board of Public Works to accept such sums of money as may be distributed by the Commonwealth of Massachusetts through the Chapter 90 highway grant program, so-called, or take any other action relative thereto, funds to be expended by the Board of Selectmen and the Board of Public Works in accordance with the guidelines and requirements of the Massachusetts Highway Department.

Board of Selectmen  
Board of Public Works

**We move that the Town vote to authorize the Board of Selectmen and the Board of Public Works to accept Chapter 90 Highway Funds as distributed by the Commonwealth of Massachusetts. Said funds to be expended at the direction of the Board of Selectmen and the Board of Public Works in accordance with the guidelines and requirements of the Massachusetts Highway Department.**

ARTICLE 64. To see if the Town will vote to authorize the Board of Selectmen to sign and/or amend a five-year extension of the Intermunicipal Agreement relative to Hanover's membership in the South Shore Recycling Cooperative, effective July 1, 2008 or take any other action relative thereto.

Board of Public Works  
Board of Selectmen

**We move that the Town vote to authorize the Board of Selectmen to sign a five-year extension of the Intermunicipal Agreement relative to Hanover's membership in the South Shore Recycling Cooperative.**

ARTICLE 65. To see if the Town will appropriate a sum of money to pay the costs of designing, constructing and equipping a wind turbine tower to generate electrical power for the use of the water department at the Pond Street Water Treatment Plant, and for the payment of any and all other costs incidental and related thereto said funds to be expended at the direction of the Board of Public Works and Board of Selectmen who are authorized to apply for and accept any grants that may be available for said design and construction, and to determine whether this amount should be raised by taxation, transfer from available funds, borrowing or otherwise, or to take any other action relative thereto.

Board of Selectmen  
Board of Public Works

**We move that the Town appropriate the sum of \$500,000 to pay the costs of constructing and equipping a wind turbine to generate electrical power for the Pond Street Water Treatment Plant, and for all costs incidental and related thereto; and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$500,000 under and pursuant to Chapter 44, Section 7(3B) of the Massachusetts General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefor; that the Selectmen are authorized to apply for and accept any grants that may be available for this project, and that the amount authorized to be borrowed by this vote shall be reduced to the extent of any grants received by the Town on account of this project prior to the issuance of any bonds or notes, and that all funds appropriated by this vote shall be expended at the direction of the Board of Public Works and the Board of Selectmen, as appropriate.**

ARTICLE 66. To see if the Town will vote to raise and appropriate, appropriate from available funds and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$200,000, or another sum, to perform road maintenance and reconstruction of all types of various streets including roadway, drainage systems, sidewalks, curbing, signs, pavement markings, shoulder improvements, and related

structures in accordance with the Town's ongoing pavement management program, said funds to be expended at the direction of the Board of Public Works, or to take any other action relative thereto.

Board of Public Works

**We move that the Town vote to appropriate the sum of \$100,000 from the Undesignated Fund Balance to perform road maintenance and reconstruction. Said funds to be expended at the direction of the Board of Public Works.**

ARTICLE 67. To see if the Town will vote to raise and appropriate, appropriate from available funds and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$150,000, or another sum, to perform repairs to the Hackett's Pond Dam as recommended in the 2006 inspection of the dam by Weston and Sampson, said funds to be expended at the direction of the Board of Public Works and to authorize the Board of Public Works to apply for and accept any state or federal grants or loans that may be available for such, or to take any other action relative thereto.

Board of Public Works

**We move that the Town not accept this article and take no further action.**

ARTICLE 68. To see if the Town will vote to raise and appropriate, appropriate from available funds and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$194,500, or another sum, to perform equipment and facility upgrades in the Ames Way DPW garage, including the repair or replacement of the roof, construction of a canopy to shield vehicles, installation of fire sprinkler system, installation of ventilation equipment, and electrical upgrades, said work to be done at the direction of the Board of Public Works, or to take any other action relative thereto.

Board of Public Works

**We move that the Town vote to appropriate the sum of \$194,500 to perform equipment and facility upgrades at the Ames Way DPW garage, and any other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$194,500 under and pursuant to Chapter 44, Section 7(3A) of the Massachusetts General Laws, as amended, or any other enabling authority and to issue the bonds and notes of the Town therefor. Said funds to be expended at the direction of the Board of Public Works.**

ARTICLE 69. To see if the Town will vote to raise and appropriate, appropriate from available funds and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$55,000, or another sum, to purchase and equip a one-ton dump truck with plow, said purchase to be done at the direction of the Board of Public Works who is authorized to sell or make appropriate trade-ins, or to take any other action relative thereto.

Board of Public Works

**We move that the Town vote to appropriate the sum of \$55,000 from the Undesignated Fund Balance to purchase and originally equip a one-ton dump truck with plow. Said purchase to be at the direction of the Board of Public Works who is authorized to sell or trade-in an existing one-ton dump truck.**

ARTICLE 70. To see if the Town will vote to raise and appropriate, appropriate from available funds and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$33,000, or another sum, to purchase and equip a 4x4 pickup truck with plow, said purchase to be done at the direction of the Board of Public Works who is authorized to sell or make appropriate trade-ins, or to take any other action relative thereto.

Board of Public Works

**We move that the Town not accept this article and take no further action.**

ARTICLE 71. To see if the Town will vote to raise and appropriate, appropriate from available funds and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$115,000, or another sum, to repair or replace the roof of the 219 Winter Street water distribution garage, said work to be done at the direction of the Board of Public Works, or to take any other action relative thereto.

Board of Public Works

**We move that the Town vote to appropriate the sum of \$115,000 to replace the roof at the 219 Winter Street facility, and for costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$115,000 under and pursuant to Chapter 44, Section 7(3A) of the Massachusetts General Laws, as amended, or any other enabling authority and to issue the bonds and notes of the Town therefor. Said funds to be expended at the direction of the Board of Public Works.**

ARTICLE 72. To see if the Town will vote to raise and appropriate, appropriate from available funds and/or borrow in accordance with Chapter 44 of the Massachusetts General Laws the sum of \$25,000, or another sum, to purchase and equip a water service van, said purchase to be done at the direction of the Board of Public Works who is authorized to sell or make appropriate trade-ins, or to take any other action relative thereto.

Board of Public Works

**We move that the Town vote to appropriate the sum of \$25,000 from Water Revenues to purchase and equip a water service van. Said purchase to be done at the direction of the Board of Public Works who is authorized to trade-in or sell an existing water service van.**

ARTICLE 73. To see if the Town will vote to accept the following streets as public ways, or take any other action relative thereto:

	<b>Street Name</b>	<b>Plan Reference</b>
1	<b>Berry Street (extension)</b>	The entire length of Berry Street (extension), as shown on a plan entitled "Roadway As-Built Plan – Berry Street Extension" prepared by McKenzie Engineering Group, Inc., dated January 31, 2008, a copy of which is on file in the office the Hanover Department of Public Works.
2	<b>Great Acres Drive</b>	The entire length of Great Acres Drive, as shown on a plan entitled "As Built Plan – Great Acres Drive" prepared by Merrill Associates, Inc. dated January 28, 2008, a copy of which is on file in the office the Hanover Department of Public Works.
3	<b>Lally Farms Drive</b>	The entire length of Lally Farms Drive, as shown on a plan entitled "Street Acceptance Plan – Lally Farms Drive in Hanover, Massachusetts," prepared by Aaberg Associates, Inc. dated February 1, 2007, a copy of which is on file in the office the Hanover Department of Public Works.
6	<b>Shingle Mill Lane</b>	The length of Shingle Mill Lane from station 2+20.42 to station 6+26.33, as shown on a plan entitled "Street Acceptance Plan – Oak Hill Estates (Shingle Mill Lane) in Hanover, Massachusetts," prepared by McKenzie Engineering Group, Inc. dated January 23, 2008, a copy of which is on file in the office the Hanover Department of Public Works.
7	<b>TE Berry Farm Road</b>	The entire length of TE Berry Farm Road, as shown on a plan entitled "As-Built Plan – TE Berry Farm Road," prepared by Merrill Associates, Inc., dated January 7, 2008, a copy of which is on file in the office the

- 8     **Windward Lane**                     Hanover Department of Public Works.  
 The entire length of Windward Lane, as shown on a plan entitled “As Built Plan – Windward Lane” prepared by Merrill Associates, Inc., dated January 28, 2007, a copy of which is on file in the office of the Hanover Department of Public Works.

Board of Public Works  
 Planning Board

**Refer to Town Meeting.**

ARTICLE 74. To see if the Town will vote to accept the following streets as public ways, or take any other action relative thereto:

<b>Street Name</b>	<b>Plan Reference</b>
1 <b>River Road (extension)</b>	The entire length of River Road, from the end of the previously accepted portion approximately 525 feet southwest of Columbia Road (accepted by the March 1950 Town Meeting) to the existing cul-de-sac turnaround, and as shown on a Definitive Subdivision Plan entitled “River Road Extension – Definitive Subdivision Plan – Hanover, MA,” prepared by Merrill Associates, dated September 3, 1987 with a latest revised date of 11/9/87, a copy of which is on file in the office of the Hanover Department of Public Works.

Board of Public Works

**Refer to Town Meeting.**

ARTICLE 75. To see if the Town will vote to amend the Zoning Bylaw for the Town in the manner described below, or take any other action relative thereto:

*By deleting section 6.840 F. and replacing said section with the following:*

- F. Storage of liquid hazardous materials, as defined in M.G.L. c. 21E, and/or liquid petroleum products unless such storage is:
  - a. above ground level, and on an impervious surface, and

b. either in container(s) OR above-ground tank(s) within a building, OR outdoors in covered container(s) OR above-ground tank(s) in an area that has a containment system designed and operated to hold either 10% of the total possible storage capacity of all containers OR 110% of the largest container's storage capacity, whichever is greater; however, these storage requirements shall not apply to the replacement of existing tanks or systems for the keeping, dispensing or storing of gasoline provided the replacement is performed in a manner consistent with state and local requirements.

*By deleting section 6.840 V. and replacing said section with the following:*

V. Storage of animal manures, unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff and leachate.

*By deleting section 6.840 BB. and replacing said section with the following:*

BB. Facilities that generate and treat hazardous materials and facilities subject to M.G.L. c.21C and 310 CMR 30.00.

*By deleting section 6.860 A.1 and replacing said section with the following:*

1. A one-time expansion of an existing use in an underlying district, *excluding hazardous waste generators as defined by 310 CMR 30.00*, provided that such expansion shall not be greater than fifteen percent (15%) in volume and not greater than fifteen percent (15%) in floor area and not greater than fifteen percent (15%) in total lot coverage and land utilization. In addition, such expansion shall not result in any increase in non-conformance of use as those uses are restricted by this Section, and shall not result in any increase in non-conformance other than use.

Board of Public Works

**Refer to Town Meeting.**

ARTICLE 76. To see if the Town will vote as authorized by M.G.L. Chapter 41, S. 1B, to change the Board of Health from an elected board to an appointed board, or take any other action relative thereto.

Board of Selectmen

**We move that the Town vote to accept this article.**

ARTICLE 77. To see if the Town will vote to appropriate for the use of the Trustees of the John Curtis Free Library, the sum of \$13,716 now in the Unreserved Balance Account, representing fines received by the library during fiscal year 2007, or take any other action relative thereto.

Trustees of the John Curtis Free Library

**We move that the Town vote to appropriate the sum of \$13,716 from the Undesignated Fund Balance to the Trustees of the John Curtis Free Library.**

ARTICLE 78. To see if the Town will vote to create a new Bylaw, by adding Section (to be determined), the purpose of this Bylaw:

1. To require all Town Departments, Boards, Commissions and Officers to seek and obtain Town Meeting approval for any increase in the fee(s) or amount(s) charged for any license, certificate, fine, permit, penalty, inspection, application, or service or work performed for a person or class of persons by that Town Department, Board, Commission or Officer, except as otherwise authorized by law. Town Meeting approval shall not be required for a state- or federally-mandated increase in the fee(s) or amount(s) charged for any license, certificate, fine, permit, penalty, inspection, application, or service or work performed for a person or class of persons by a Town Department, Board, Commission or Officer. In the event of an unforeseen circumstance the Board of Selectmen can temporarily approve a requested increase to be ratified at the next Annual Town Meeting, provided that no other Town Department, Board, Commission or Officer is exclusively authorized by law to increase said fee(s) or charge(s).
2. To require all Town Departments, Boards, Commissions and Officers to seek and obtain Town Meeting approval to establish or create a new fee or amount charged for any license, certificate, fine, permit, penalty, inspection, application, or service or work performed for a person or class of persons by that Town Department, Board, Commission or Officer, except as otherwise authorized by law. Town Meeting approval shall not be required for a state- or federally-mandated fee(s) or amount(s) charged for any license, certificate, fine, permit, penalty, inspection, application, or service or work performed for a person or class of persons by a Town Department, Board, Commission or Officer.

3. Any proposal by a Town Department, Board, Commission or Officer to create a new, fee or charge or increase an existing fee or charge for a license, certificate, fine, permit, penalty, inspection, application, or service or work performed for a person or class of persons shall require a public hearing to be held no later than 30 days prior to the Town Meeting, at which it is to be considered;

or act on anything relative thereto.

Fee Study Committee

**Refer to Town Meeting.**

ARTICLE 79. To see if the Town will vote to create a Bylaw to require all Town Departments, Boards, Commissions and Officers to provide to the Town Clerk a list of all licenses, fees, fines and permits for applications, service, inspection or penalty to be published in the Annual town report. In addition they shall also visibly post in their respective offices a complete list of all licenses, fees, fines and permits. The Board of Selectmen shall cause this information to be posted and updated as needed on the Town's web site; or to act on anything relative thereto.

Fee Study Committee

**Refer to Town Meeting.**

ARTICLE 80. To see if the Town will strike from the existing Town Bylaws all references to specific dollar amounts for fees and charges for licenses, certificates, fines, permits, penalties, inspections, applications, or service or work performed for a person or class of persons by a Town Department, Board, Commission or Officer, except as is otherwise required by law, or take any other action relative thereto.

Fee Study Committee  
Bylaw Review Committee

**We move that the town vote to accept this article.**

ARTICLE 81. To see if the Town will authorize the Board of Selectmen to petition, in substantially the same form as identified in this article, the General Court of The Commonwealth of Massachusetts that it enact a special law to allow the Town to issue additional liquor licenses and that such special Act, when and if enacted, shall not require acceptance by the Town at a future Town Meeting:

“AN ACT AUTHORIZING THE TOWN OF HANOVER TO ISSUE LIQUOR  
LICENSES

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. Notwithstanding any general or special law to the contrary, including Section 17 of Chapter 138 of the General Laws, the licensing authority of the Town of Hanover may grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (a/k/a all-alcohol/restaurant), additional licenses for the sale of wines and malt beverages to be drunk on the premises (a/k/a beer & wine/restaurant), pursuant to Section 12 of Chapter 138, and additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (a/k/a all-alcohol/package goods store), pursuant to Section 15 of said Chapter 138. The licenses shall be subject to all of said Chapter 138 except said Section 17.

Section 2. Further notwithstanding Section 17 of Chapter 138 of the General Laws, the licenses so issued herein shall not be counted towards the quota of licenses allowed to the Town of Hanover pursuant to that Section 17, and shall not impact an increase in that quota to which the Town would be entitled owing to a future increase in population.

Section 3. This act shall take effect upon its passage.

Or take any other action relative thereto.

Board of Selectmen

**We move that the town not accept this article and take no further action.**

ARTICLE 82. ADDITIONAL LIQUOR LICENSES, To see if the Town will authorize the Board of Selectmen to petition the Senator and Representative in the General Court for the Town of Hanover to submit the following legislation for the authorization of additional licenses solely for issuance within The Village Park development off Washington Street, to wit, and any other acts necessary thereto:

Chapter \_\_\_ of the Acts of 2008

AN ACT AUTHORIZING THE TOWN OF HANOVER TO GRANT CERTAIN LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Hanover may grant one (1) additional license for the sale of wines and malt beverages to be drunk on the premises (a/k/a beer & wine/restaurant), pursuant to section 12 of chapter 138, and one (1) additional license for the sale of all alcoholic beverages not to be drunk on the premises (a/k/a all-

alcohol/package store), pursuant to section 15 of said chapter 138, to establishments located in The Village Park development in the Town of Hanover, as the same is more particularly described in the Decision and Special Permit of the Hanover Planning Board dated April 9, 2007, and to be recorded with the Plymouth County Registry of Deeds, as it may be amended from time to time. The licensing authority shall not approve the transfer of the licenses to any other location. The licenses shall be subject to all of said chapter 138 except said section 17.

SECTION 2. This act shall take effect upon its passage.

By Petition  
Robert Tombari  
Karon C. Tombari  
James Rodriguez  
Jason Coluci  
Kevin McLeod

**We move that the town not accept this article and take no further action.**

ARTICLE 83. ADDITIONAL LIQUOR LICENSES - To see if the Town will authorize the Board of Selectmen to petition the Senator and Representative in the General Court for the Town of Hanover to submit the following legislation for the authorization of additional licenses solely for issuance within The Village Park development off Washington Street, to wit, and any other acts necessary thereto:

Chapter \_\_\_ of the Acts of 2008

AN ACT AUTHORIZING THE TOWN OF HANOVER TO GRANT CERTAIN LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the Town of Hanover may grant one (1) additional license for the sale of all alcoholic beverages to be drunk on the premises (a/k/a all-alcohol/restaurant), one (1) additional license for the sale of wines and malt beverages to be drunk on the premises (a/k/a beer & wine/restaurant), pursuant to section 12 of chapter 138, and one (1) additional license for the sale of all alcoholic beverages not to be drunk on the premises (a/k/a all-alcohol/package store), pursuant to section 15 of said chapter 138, to establishments located in The Village Park development in the Town of Hanover, as the

same is more particularly described in the Decision and Special Permit of the Hanover Planning Board dated April 9, 2007, and to be recorded with the Plymouth County Registry of Deeds, as it may be amended from time to time. The licensing authority shall not approve the transfer of the licenses to any other location. The licenses shall be subject to all of said chapter 138 except said section 17.

SECTION 2. Further notwithstanding section 17 of chapter 138 of the General Laws, the licenses so issued herein shall not be counted towards the quota of licenses allowed to the Town of Hanover pursuant to that section 17, and shall not impact an increase in that quota to which the Town would be entitled owing to a future increase in population.

SECTION 3. This act shall take effect upon its passage.

By Petition  
Robert Tombari  
Karon C. Tombari  
Kenneth L. Blanchard  
Jeffery Blanchard  
Catherine Harder-Bernier

**We move that the town vote to accept this article.**

ARTICLE 84. To see if the Town will vote to create a Sign Bylaw Study Committee to review and revise the bylaw and to make recommendations at the next Annual Town Meeting of such recommended revisions. The Committee shall be appointed by the Moderator and consist of (5) five members at large whose terms shall expire with their Committee recommendation at the next Annual Town Meeting unless the Town Meeting should otherwise provide for, or take any other action relative thereto.

Board of Selectmen

**We move that the town vote to accept this article.**

ARTICLE 85. To see if the Town will revise the Sign Bylaw by deleting it in its entirety and replacing it with the following:

Article 1. Purposes

This by-law is adopted for the regulation and restriction of Billboards, Signs and other advertising devices within this Town on public ways or on private property within public view of a public way, public park or reservation in order to protect and enhance the visual environment of this Town and the safety, convenience and welfare of its residents.

## Article 2. Authority and Interpretation

This by-law is hereby declared to be remedial and protective and is to be so construed as to secure the beneficial interests and purposes thereof. This by-law is adopted pursuant to Chapters 93 and 43B of the General Laws of Massachusetts.

## Article 3. Definitions

### 3.1. Sign – Definition & Types:

(a) Base Definition: A sign is any permanent or temporary structure, billboard, device, letter, word, illuminated fixture, electric bulb, tube or similar contrivance, medal, banner, pennant, insignia, flag, or any other representation, whether rigid or flexible, used as, or which is in the nature of, an advertisement, announcement, attraction or direction which is on a public way, or on private property within public view of a public way, public park or reservation.

(b) Accessory Sign: Any sign or device of similar intent that advertises, calls attention to, or indicates the person occupying the premises on which the sign is erected or maintained, or the business transacted thereon, or advertises the property itself or any part thereof as for sale or rent, and which contains no other matter.

(c) Non-Accessory Sign: Any sign not an Accessory Sign including, but not limited to, billboards. Billboards are defined as standing signs which advertise or call attention to a business, a service, a political, religious or other cause, or an event, or conveys some other form of information, which is not resident at, conducted at, connected to or involved with the property on which the billboard lies. Banners and Pennants, as defined herein, that bear no writing or advertising and are just intended as an aesthetic display of colors, are also deemed Non-Accessory Signs.

(d) Standing Sign: Any Accessory Sign that is not attached to a building.

A Pole Banner is a type of Standing Sign wherein a Banner is mounted on two or more poles or halyards from a light fixture or other utility pole located along sidewalks or walkways.

A Rock Sign is one painted or chiseled into a rock, using a color deemed sufficiently visible by the Fire Department, and limited to displaying the street number or full address of a property.

(e) Building Sign: Any Accessory Sign that is attached to a building at one or more points.

A Parallel Building Sign is one that is attached flush to the surface of the building at all points, or that is attached at one point flush to the surface of a building and by one bracket to a roof, with only one side exposed for reading.

An Extended Building Sign is one that extends away from the surface of a building so that two sides are exposed for reading, whether attached by a single pole, post or halyard, as in a Flag, or that is fully attached along one of its side points, and whether perpendicular or angled to the surface of the building.

An Awning Sign is a type of Extended Building Sign that is a rigid or flexible sign attached to a frame that is in turn attached to the facade of a building and projecting therefrom as a protection against sun or rain.

(f) Roof Sign: Any Accessory Sign attached by any means at all points to the roof of a building, whether at the highest point of the roof, on top of a flat roof, or on the slope of a sloped roof.

(g) Window Sign: Any Accessory Sign displayed on either the inner or outer surface of a window or door.

(h) Wall Sign: Any Accessory Sign placed upon a wall that is not part of a building, but that is free-standing, serving as a decorative entry wall, landscape wall, retaining wall or the like.

(i) Flag: A flag shall mean an American flag, State flag, Town of Hanover flag or flag of an existing nation or international organization. It shall not include any historical flags except American historical flags. A flag may be a Standing, Parallel Building, Extended Building, Roof, Window or Wall Sign.

(k) Banner: A banner shall mean a flexible Standing, Window or Wall Sign supported by two or more poles, posts, trees or other means of support, and which does not constitute a Flag.

(l) Pennant: A pennant shall mean a flexible Standing, Extended Building, Window or Wall Sign supported by a single pole, post, tree or other means of support, and which does not constitute a Flag.

(m) Political Sign: a rigid or flexible sign advertising or bringing attention to the candidacy of any candidate for federal, state or local office.

(n) Special Event Sign: a rigid or flexible sign used to signify a special, short-term event or offering at a residence or business, including signs announcing items for sale, real estate for sale, for seasonal or holiday advertising or display and/or that a business is “open”.

### **3.2. Temporary Sign:**

Any Accessory Sign which by the nature of the material it is made of, its content, the overt expectations of the property owner or tenant, or by terms of any permit are not intended to

be permanent. If no intent of permanence can be discerned by applying such criteria, a Temporary Sign is any Accessory Sign that will be permitted to be in place by the Sign Officer for a limited period of time of anywhere up to twelve (12) months, or as otherwise set by this by-law. The following Signs will be deemed Temporary:

- (1) Political Signs
- (2) Parallel Building, Extended Building, Standing and Wall Signs made of any flexible materials.
- (3) Special Event Signs.

**3.3. Sign, Area of:**

(a) The area of a Sign shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background upon which they are displayed, and any frame around the Sign and any “cutouts” or extensions, but shall not include any supporting structure or bracing if such structure or bracing is incidental to the function of the Sign.

(b) The area of a Sign consisting of individual letters or symbols attached to or painted on a surface, building, wall or window, shall be considered to be that of the smallest rectangle or triangle which encompasses all of said letters and symbols.

(c) Only one side shall be counted in computing the area of a double-faced Sign.

**3.4. Interested Person:**

Any person residing in or owning or operating a business in this town who requests the Sign Officer in writing that his name be placed on a mailing list. In addition, such list shall include the Board of Selectmen and the Planning Board of the Town of Hanover.

**3.5. Person:**

Shall include an individual, corporation, society, association, partnership, trust or other entity, public or private.

**3.6. Public Way**

Shall include any private way that is open to public use, except that private ways open to public use that lie within a condominium, multi-unit rental apartment or other multi-unit development, PRDS or VPUD development, or business, office, or industrial park signs upon which would not be visible from a public way shall not be deemed public ways for purposes of this by-law.

## Article 4. Administration and Enforcement

### **4.1. Permits:**

No Sign shall be erected, altered or enlarged until an application on the appropriate form furnished by the Sign Officer has been filed with the Sign Officer containing such information, including photographs, plans and scale drawings, as he may require, and a permit for such erection, alteration or enlargement has been issued by him. The Sign Officer shall act upon the application within five (5) business days. Such permit shall be issued only if the Sign Officer determines that the Sign complies or will comply with all applicable provisions by this by-law, or shall be deemed constructively permitted if not acted upon within five (5) business days. A schedule of fees for such permits shall be determined from time to time by the Board of Selectmen.

### **4.2. Enforcement:**

The Building Inspector of the Town of Hanover is hereby charged with the enforcement of this by-law and is hereby designated as the Sign Officer.

(a) The Sign Officer and his duly authorized agents shall, at reasonable times and upon presentation of credentials, have the power to enter upon the premises on which any Sign is erected or maintained in order to inspect such Sign.

(b) The Sign Officer is further authorized, upon notice as herein provided, to order the repair, removal or revocation of any Sign which in his judgment is, or is likely to become, dangerous, unsafe or in disrepair, and/or to order the removal of, and/or assess a fine for the continuation of, a Sign that has not been erected with the proper permit or which exceeds the conditions of a permit or which in any other way violates this by-law, or which is erected or maintained contrary to this by-law. The Sign Officer shall serve a written notice and order upon the owner of record of the premises where the Sign is located and any advertiser, tenant or other person known to him having control or a substantial interest in said Sign, directing the repair or removal of the Sign within a time not to exceed thirty days after giving of such notice. The Sign Officer and his duly appointed agents shall have the power to remove, or cause to be repaired or removed, said Sign that lies within the layout of a public way, at the owner's expense.

## Article 5. Movement, Illumination, Materials and Color

### **5.1. Movement:**

No Accessory Sign of any type shall contain any moving, flashing or animated lights, or visible moving or moveable parts, except such portions of a Sign that consist solely of indicators of time or temperature. Automatically or manually changing message signs are not permitted, except in the case of signs used in gas stations to advertise gas prices, in the

case of movie or stage theaters or such other circumstances that the Sign Officer may permit upon the express finding that such sign does not derogate from the intent of this by-law.

### **5.2. Illumination:**

Accessory Signs may be illuminated only by the following means:

- (a) By a white, steady stationary light of reasonable intensity, shielded and directed solely at the Sign.
- (b) By a white, steady interior light of reasonable intensity.
- (c) By a white, steady stationary light of reasonable intensity “back-lighting” a Fully-Attached Sign.
- (d) Neon tubes or similar devices are not permitted except as a Window Sign which meets the provisions of Article 7, and may utilize such a tube if such sign contains no more than two colors, is not moving or flashing and is less than one and one half (1 1/2) square feet in overall area.

### **5.3. Materials:**

- (a) Permanent Parallel Building, Extended Building, Standing, Roof and Wall Signs may be made of any rigid material, with the exception of neon as qualified by Sect. 5.2. Examples of rigid materials are wood, metals, hard plastics, concrete and stone. Permanent Awning Signs, however, may be made of either rigid or flexible materials. Temporary Parallel Building, Extended Building, Standing, Roof and Wall Signs may be made of rigid or flexible materials, their use being qualified by Section 7.4. Examples of flexible materials are paper, cloth, canvas, nylon and the like.
- (b) Window Signs may be constructed of any rigid or flexible material, or may be made of paint, markers, chalk, ink, or like material, or of stickers.
- (c) Banners and Pennants as defined in Section 3.1 are made of flexible materials.
- (d) Permissible Flags will be made of flexible materials.
- (e) Political Signs and Special Event Signs may be constructed of any rigid or flexible material.
- (f) All Signs should be constructed of materials reasonably designed to hold up to weather so as not to become hazards or eyesores, and if of a flexible material, only where such Sign is adequately secured so as not to create a hazard during wind or other adverse weather conditions.

**5.4. Color:**

No Sign shall contain more than six colors excluding the background and frame, excepting company or development logos. No Sign shall contain colored lights, interior or exterior. Rock Signs are limited in color by their definition above.

**5.5. Christmas & Other Seasonal and Holiday Decorations:**

Christmas decorations shall not be subject to this by-law for the period from November 1 to January 10 of any given Season. Decorations for the following holidays may be displayed in all Residence districts and not be subject to this by-law for a period of two weeks prior and two days after the holiday: Easter, Fourth of July, Halloween. Other Seasonal and Holiday decorations shall be as permitted by the Sign Officer in all Business, Commercial, Light Industrial and VPUD districts as Special Event Signs.

**5.6. Interior Signs:**

The provisions of the by-law shall apply not only to exterior Signs but also to interior Signs which are so placed as to be visible through windows, doors or other openings from the exterior.

**5.7. Three Dimensional Signs:**

No Sign shall be permitted which is dependent upon a three dimensional effect as a design element. This specifically shall apply to (but shall not be limited to) reproductions of products, packages, emblems, trademarks and the like.

Article 6. Non-Accessory Signs

All Non-Accessory Signs including Billboards, but not including Flags as defined herein, are prohibited in all districts, meaning that all Signs on a property must be related to the occupancy and/or use of that property.

Article 7. Use of Accessory Signs

**7.1. Residence Districts:**

(a) In any area zoned as Residence, the following Accessory Signs shall be permitted:

- (1) One (1) permanent, rigid Parallel Building, Extended Building, Standing or Wall Sign displaying the street number and/or name of the occupant of the premises not exceeding six square feet in area. Such Sign may include identification of an accessory professional office or other accessory uses permitted in a residential district.

- (2) Entrance signs only as permitted by Section 7.2.
- (3) Flags per Section 7.5.

(b) Permanent Accessory Signs for a church, synagogue, school or similar institution shall be permitted. The size and location shall be at the discretion of the Sign Officer, but in no case shall a Sign exceed 18 square feet in size nor shall it exceed 15 feet in height from the ground. The provisions of Article 5 shall apply to these Signs.

(c) Where a legal, nonconforming business use is within a residential district, the Sign Officer may allow a permanent, rigid Accessory Sign exceeding the requirements above, provided said Sign is in keeping with the general intent of this by-law and the appearance, placement and size will not harm the appearance and safety of the general area. In no case shall such Signs exceed 50% of the area requirements in business zones. Before granting such a permit, the Selectmen shall hold a public hearing and give notice, at the petitioner's expense, to Interested Persons and abutters and shall reach a decision within ten days from the date of the hearing.

(d) In any area zoned as Residence, the following Signs shall not be permitted as permanent Signs:

- (1) Any Accessory Sign not permitted within this Section 7.1 or Sections 7.2 and 7.5.
- (2) Any Accessory Sign with internal illumination.
- (3) All Non-Accessory Signs.
- (4) All Window and Awning Signs.
- (5) Signs on trash receptacles, benches, shelters and any other structures or similar units.

**7.2 Subdivisions, Multi-Family/Multi-Unit Condominium or Rental Apartment, PRDS, VPUD Developments:**

(a) All residential subdivisions of 5 lots or more, all multi-family/multi-unit condominium or rental apartment and PRDS developments may display a permanent, rigid Standing or Wall Sign at their entrance. All VPUD developments may display both a permanent, rigid Standing and Wall sign at their entrance, per Section 7.3(a)(3). The provisions of Article 5 shall apply to these Signs.

(b) In the case where a permanent entry Sign into a residential subdivision of 5 lots or more, or into a multi-family/multi-unit condominium or rental apartment, PRDS and VPUD development is to be a Wall Sign, the determinations as to whether 1) a wall to hold such Sign can be built, 2) a wall can be placed on both sides of the entrance, and 3) the size, location and orientation of such wall(s) as may be permitted, shall be made by the Planning Board as part of the permitting process for the subject project. If walls on both sides of an entrance are so permitted, such will be an exception to the limitation on number of Signs set forth in this by-law. While the existence, number, size, location and orientation of entrance walls shall be determined by the Planning Board, the size, type, materials, illumination, color, etc. of the Wall Sign that can be placed upon such wall(s) shall be governed by the provisions of this by-law. Where an entrance wall is proposed for an already-existing residential subdivision of 5 lots or more, multi-family/multi-unit condominium or rental apartment, PRDS or VPUD development, the Planning Board shall make the same determinations as set forth herein through a modification of the permit that originally governed the development.

(c) Nothing contained in this section or this by-law shall be construed to override any restrictions on the number, use and placement of signs contained within the governing documents of any residential or commercial condominium, cooperative, owners' association, restrictive covenants or the like.

### **7.3. Business, Commercial, Limited Industrial & VPUD Districts:**

In an area zoned as a Business, Commercial, Limited Industrial or VPUD district, the following Accessory Signs shall be permitted as permanent Signs, and as qualified as follows:

(a) Number of Signs:

(1) Where one (1) building is occupied by only one business or tenant, that building is entitled to:

- One (1) rigid Parallel Building Sign or Rock Sign displaying the street name and number of the building as assigned by the Assessors office ("Address Sign").
- One (1) rigid Parallel Building or Roof Sign identifying the business, per each of two facades (front and either rear or side façade).
- One (1) Extended Building Sign.
- One (1) rigid Standing Sign.
- Flags as defined herein and as permitted herein.

(2) Where one (1) building is occupied by multiple businesses or tenants, that building is entitled to:

- One (1) rigid Parallel Building Sign or Rock Sign displaying the street name and number of the building as assigned by the Assessors office.

- One (1) rigid Parallel Building Sign displaying the list of businesses and tenants (“Tenant Directory”) per 10,000 square foot of gross floor area.
- One (1) rigid Parallel Building or Roof Sign per tenant space, identifying the businesses, per each of two façades (front and either rear or side façade).
- One (1) Extended Building Sign per street level tenant.
- One (1) rigid Standing Sign announcing the name of the building or development and/or listing all or some of the tenants and businesses located therein.
- Flags as defined herein and as permitted herein.

(3) In addition to the Signs permitted in subsection (2) above, in any business/office/industrial park-type development or any VPUD development, containing two (2) or more buildings, which buildings are set back from the layout of the public way by more than one hundred (100) feet, there may also be one Pole Banner sign per tenant or business within the development, and one (1) or more entrance walls upon which may be installed Wall Signs, the procedure governing which will be the same as set forth in Sect. 7.2(c) above. If utilized, a Wall Sign may only announce the name of the development, with any listing of tenants and businesses being reserved to the other Signs herein permitted for that purpose.

(4) No building owner is obligated to install all of the signs so permitted.

(5) When a business departs a building or site, all signs for that business shall be removed within thirty (30) days.

(b) Location of Signs:

(1) The Parallel Building “Address” Sign identifying the street name and number of the building shall be located above or to the immediate side of the main entry door of the building, or where there is no single main entrance, in a central location.

(2) Any Parallel Building “Tenant Directory” Sign identifying multiple tenants in a building shall be located to the immediate side of the main entrance, or if none, in a central location. If there is more than one entrance to a building, a Sign for this purpose may be located at each entrance.

(3) If a Parallel Building or Extended Building Sign is chosen as the identifying sign for a business, it must be affixed to the wall or façade within the boundaries of the unit where the business is located and for which the Sign is advertising, above its window and/or door. Excepting for raised, molded letters and framing, no part of a Parallel Building Sign shall project more than six inches from the wall of the building. An Extended Building Sign, whether perpendicular or angled or an Awning Sign, shall not project more than thirty-six inches from the wall of the building.

(4) If a Roof Sign is chosen as the identifying sign for a business, it shall not project more than four feet above the roof line of a flat-roof building nor above the ridge of a sloped roof. Where there are multiple tenants displaying Roof Signs, those Signs shall be located directly above the boundaries of the unit for which the Sign is advertising.

(5) Any entrance wall(s) will be as located by the Planning Board per Section 7.2(c). Wall Signs on such walls shall be located as chosen by the property owner.

(6) Pole Banners may identify tenants and businesses, and/or the development as a whole. The Pole Banner identifying a particular tenant or business need not be located in front of the particular business.

(7) Any Standing Sign shall be set back a minimum of ten (10) feet from any street, right of way, driveway, parking area and loading area.

(8) A multiple buildings development or large single-building shopping mall with multiple entrances may have additional rigid Standing Signs and additional entrance walls with Wall Signs at each entrance provided such entrances are more than 250 feet apart.

(c) Size of Signs:

**(1) (i) For purposes of determining the size of Signs as they relate to façades as set forth below, the area of the façade includes the entire area of the subject building wall upon which the sign is proposed to be located that faces out to the public, including any recessed or projected areas. It does not include any eaves underlying a projected area of wall nor does it include the sides of any recesses or projected areas. Where a sloped roof faces the public on that same façade, the area of the roof is included within the countable façade.**

(ii) Where there are multiple tenants in a building, countable façade for the purposes of their individual signs shall be only that part of the building façade that contains that tenant's unit, as if the boundaries of the unit were projected out through the façade.

(iii) In the scenario where a sloped roof is counted towards the countable façade, and a building has multiple floors with multiple tenants, the sloped roof's area shall be divided amongst each unit below it pro rata for purposes of allocating that roof area amongst each unit's countable façade.

(2) The area of a Parallel Building “Address” Sign identifying the street name and number of the building shall not exceed six (6) square feet at the main entrance or central location chosen, unless required by the Fire Department to be larger, and shall not exceed four (4) square feet at any secondary entrances.

(3) The area of a Parallel Building “Tenant Directory” Sign shall not exceed one (1) square foot per business or tenant.

(4) The area of a Parallel Building or Roof Sign shall not exceed the lesser of (i) 250 square feet or (ii) 10 percent of the area of the wall or facade (including window and door areas) within the boundaries of the unit for which the sign is advertising.

(5) The area of an Extended Building Sign shall not exceed fifty percent (50%) of the size of a parallel Building or Roof Sign that would be allowed for the same premises.

(6) The area of a Standing Sign shall be as follows:

- (i) Where a single building is occupied by only one business or tenant, seventy-five (75) square feet, not to exceed fifteen (15) feet in height.
- (ii) Where a single building is occupied by multiple businesses or tenants, one hundred (100) square feet, not to exceed fifteen (15) feet in height.
- (iii) Where there is a development of two or more buildings, but each building is occupied by only one business or tenant, one hundred (100) square feet, not to exceed fifteen (15) feet in height.
- (iv) Where there is a development of two or more buildings, but each building is occupied by multiple businesses or tenants, fifty (50) square feet per each 10,000 square feet of rentable floor space, not to exceed 350 square feet nor twenty (20) feet in height.

(6) The area of a Wall Sign may not exceed fifty percent (50%) of the area of the wall upon which it is mounted.

(7) The area of a Window Sign may not exceed twenty percent (20%) of the area of the subject glass or door. Signs and devices of this nature shall conform in all respects with Article 5.

(d) In an area zoned as a Business, Commercial, Limited Industrial or VPUD district, the following Signs shall not be permitted as permanent Signs:

- (1) Any Accessory Sign not permitted within this Section 7.1 or Sections 7.2 and 7.5.

(2) All Non-Accessory Signs.

(3) Signs on trash receptacles, benches, shelters and any other structures or similar units.

(e) Parking & Traffic: Signs designating parking spaces or otherwise directing traffic within a Business, Commercial, Light Industrial or VPUD districts shall not be subject to this Article 7. These Signs are, however, subject to Article 5.

#### **7.4. Temporary Signs:**

(a) Temporary Signs shall be permitted in all districts as specified herein. Before a Temporary Sign (other than a Temporary Sign placed in a window) shall be erected or displayed, there shall be deposited with the Sign Officer the sum of \$25.00 for each commercial sign and \$25.00 for any fixed number of political signs. A removal date shall be specified in the permit. The deposit shall be refunded upon the timely removal of the sign or signs. In the event of failure to remove the sign or signs within the period prescribed, the Sign Officer shall apply the deposit towards the cost of removing the sign or signs, and any balance of the deposit shall be forfeited.

(b) Temporary Signs may be authorized by the Sign Officer for public or charitable purposes, without collection of a fee, as a form of Special Event Sign.

(c) Any Temporary Sign, shall comply with Article 5 of this by-law, and with all other requirements of this by-law as to number, location and size, except as otherwise permitted herein.

(d) Temporary Signs shall be constructed in a manner deemed safe by the Sign Officer and in no case shall such signs be attached to or supported by a portable contrivance, wheeled or not wheeled. No vehicle, trailer, balloon, kite, boat, pennant, flag, banner, etc. shall be used as a temporary or permanent means of exhibiting a sign which may circumvent or derogate from the intent of this by-law.

(e) No signs that are handheld or otherwise carried by a person shall be permitted as Temporary Signs, a Special Event Sign or otherwise.

(f) Residence Districts:

The following Temporary Signs shall be permitted in any Residence district:

(1) Political Signs, no more than one per candidate per office.

(2) Public or charitable purpose signs as permitted by the Sign Officer.

(3) One (1) rigid Standing, Special Event Sign of a realtor or owner advertising the subject property only as “for sale” or “for rent”, not exceeding six square feet

in area. This type of Sign is to be in conformity with Article 5 and shall be removed within 30 days of the sale of said premises or within three days of the rental of said premises.

(4) One (1) rigid Standing, Special Event Sign of a contractor performing work on the subject property only, not exceeding six square feet in area, maintained on the premises while construction is in process and containing information relevant to the project. Such Sign shall be removed immediately upon completion of the construction but in any case within 60 days from the erection thereof, unless a written extension has been issued by the Sign Officer specifying the date when the extension expires.

(g) Subdivisions, Multi-Family Condominium or Rental Apartment, PRDS, VPUD Developments:

(1) In all residential subdivisions of 5 lots or more, all multi-family/multi-unit condominium or rental apartment and PRDS developments, there may be erected, in addition to any permanent Sign already in place, a rigid Temporary Standing or Wall Sign not to exceed forty-eight (48) square feet in size or 15 feet in height from the ground announcing the development, the identity of the developer, builder, financing institutions and/or listing realtor during construction of the project. The Sign may be up to seventy-five (75) square feet if the location of the Sign itself is within a Business, Commercial, Limited Industrial or VPUD district. The Sign may be located at the entrance to the site if on property belonging to the owner or on property of another if subject to a written contract or easement specifically allowing its placement. The Sign shall be removed if and when replaced by a permanent entrance Sign and/or within six (6) months of the issuance of the first occupancy permit for a unit in the development.

(2) In all residential subdivisions of any size, all multi-family/multi-unit condominium or rental apartment, PRDS and VPUD developments there may be erected a Special Event Sign of a realtor or owner advertising a lot or unit within the development only as “for sale” or “for rent”, both at the entrance to the development and in front of the subject lot or unit or building containing said unit, which Signs may be permitted in addition to such other Signs existing and/or permitted at the site. This type of Sign shall be removed within 30 days of the sale of said premises or within three days of the rental of said premises.

(3) Nothing contained in this section or this by-law shall be construed to override any restrictions on the number, use and placement of signs contained within the governing documents of any residential or commercial condominium, cooperative, owners’ association, restrictive covenants or the like.

(h) Business, Commercial, Limited Industrial or VPUD districts:

The following Temporary Signs shall be permitted in any Business, Commercial, Limited Industrial or VPUD district:

(1) Political Signs, no more than one per candidate per office.

(2) Public or charitable purpose signs as permitted by the Sign Officer.

(3) One (1) rigid Standing, Special Event Sign of a realtor or owner advertising the subject property only as “for sale” or “for rent”, not exceeding six square feet in area and advertising only the premises on which it is located. This type of Sign is to be in conformity with Article 5 and shall be removed within 30 days of the sale of said premises or within three days of the rental of said premises.

(4) One (1) rigid Standing, Special Event Sign of a contractor performing work on the subject property only not exceeding six square feet in area, maintained on the premises while construction is in process and containing information relevant to the project. Such Sign shall be removed immediately upon completion of the construction but in any case within 60 days from the erection thereof, unless a written extension has been issued by the Sign Officer specifying the date when the extension expires.

(5) One (1) rigid Extended Building, flexible or rigid Standing, or flexible or rigid Window Special Event Sign, or Special Event Banner or Pennant announcing such things as a short term sale or discount, or special announcement, or an event. The duration of the Sign shall be no longer than thirty (30) days.

(6) Signs announcing that a business is “open”, shall be limited to a small sign placed in a window or door or a 3’ x 5’ Banner or Pennant.

(7) Banners or Pennants used as Temporary Signs shall be either free-standing or attached to a building as a Parallel Building or Extended Building Sign, or to a window. They shall not be permitted to be attached as an appendage to any permanent Sign.

(8) A Parallel Building, Extended Building, Roof, Standing or Window Sign made of flexible materials, or a Banner, may be utilized as a Temporary Sign to announce the coming arrival of a new business or to serve as the main advertising sign of a new or existing business pending delivery of a rigid permanent Sign permitted hereunder.

A Temporary Sign announcing the coming arrival of a business or the opening of a business may be erected upon the obtaining of a building permit for the build-out of the business’ space or if a business is taking over existing space with no need for a building permit, up to sixty (60) days prior to its opening. It shall be removed when the permanent Sign permitted is obtained, but in no event longer

than sixty (60) days after the business has begun operations, which time may be extended by the Sign Officer for good cause shown.

A Temporary Sign serving as the main advertising sign of a new or existing business pending installation of a permitted permanent Sign may, in the case of a new business, be erected and maintained in the same manner as for Temporary Signs announcing an arrival of a business as set forth in the previous paragraph, except that it may remain installed post-opening for a period of up to sixty (60) days. For an existing business using such a Sign as a temporary replacement when repairing or replacing a permanent Sign, such a Sign may be erected and maintained such for a reasonable period of time, as demonstrated by such evidence as an estimated time of completion and installation of the new permanent sign, but in no event longer than a period of twelve (12) months.

(9) A Wall Sign made of flexible materials may be utilized as a Temporary Sign to announce the coming arrival of a new development, but not individual businesses or tenants, in the same manner that a permanent Wall Sign may only advertise a development and not individual businesses and tenants. Such a Sign may be erected upon completion of the wall upon which it is placed. It shall be removed when the permanent Sign permitted is obtained, but in no event longer than six (6) months after first building permit within the development has been issued, which time may be extended by the Sign Officer for good cause shown.

(10) Signs on trash receptacles, benches, shelters and any other structures or similar units are not allowed. Non-Accessory Signs are also not allowed.

#### **7.5. Flags:**

(a) In all districts, nothing in this by-law shall prevent the flying of:

- (1) One (1) flexible Standing, Parallel Building, Extended Building, Roof, Window or Wall American Flag, or rigid Window Flag; or
- (2) One (1) flexible Standing or Extended Building Massachusetts Flag;
- (3) One (1) flexible Standing or Extended Building Town of Hanover Flag; and
- (4) On a single flagpole, one (1) flexible Standing American Flag in combination with either another Flag or a Pennant, the latter not to exceed 12 square feet in area and which incorporates a trade mark, logotype or similar device directly related to the business or residence located on the lot, on a single flagpole.

(b) Rigid Standing, Parallel Building, Extended Building, Roof and Wall Flags will be treated as Non-Accessory Signs and prohibited, except for limited patriotic display during recognized holidays or special occasions as permitted by the Sign Officer, weighing the possible sight line, distraction and safety hazards created by placement of rigid Flags beyond the number of Signs already on a site.

(c) In Residence, PRDS and the residential portions of VPUD districts, no more than one flexible Extended Building American Flag and one flexible Standing American Flag or combination of American or other Flags on a single flagpole may be erected visible to the street on which the property lies. If not visible to the street, other Flags may be flown.

(d) In all Business, Commercial, Light Industrial and commercial portions of VPUD districts, multiple flexible Standing or Extended Building American Flags may be permitted by the Sign Officer on a case-by-case basis. The Sign Officer shall weigh the attention-getting nature of the display against the possible sight line, distraction and safety hazards created by placement of multiple Flags.

(e) Where multiple Flags are allowed, the size and setback limitations set forth herein or by the Sign Officer shall be adhered to. For setback purposes, Standing Flags or Flags on Flagpoles shall be treated as Standing Signs hereunder, unless in the case of flagpoles, a larger setback is set forth under the Hanover Zoning Bylaws.

(f) While recognizing the pride in displaying the American Flag, the display of over-sized Flags is prohibited. Flexible American Flags that can be displayed hereunder may exceed applicable limitations on the size of Signs placed in the same location by no more than 25% in area.

#### **7.6. Political Signs:**

(a) Political signs are permitted in any district for a period of three weeks before election to three days after. They shall be subject to all provisions of this by-law unless such provision be specifically superseded by this Section. In any case, political signs are subject to the provisions of Article 5. There may be no more than one sign per candidate per lot.

(b) A permit must be obtained from the Sign Officer before any Political Sign can be erected or displayed. Removal shall be within three days after Election Day.

Signs not so removed at the end of that period shall be removed by the Sign Officer and the \$25.00 security deposit shall be used for such purposes of removal and any excess amount of said deposit shall be forfeited to the Town.

(c) All Each Political Sign shall be Standing Signs and secured to a post or stake driven into the ground. Such Signs shall not be attached to buildings, trees, walls, fences, utility poles, rocks, etc.

(d) The maximum size of a Political Sign shall not exceed six square feet in any district. In the case of two-sided signs, the dimensions may apply to each side separately.

(e) One Political Sign may be attached to or painted upon each side of a registered motor vehicle provided the sign shall not extend beyond the normal profile of the vehicle. In addition, the absolute maximum size per side shall not exceed 32 square feet. One Political Sign may be allowed on the roof of a registered motor vehicle provided it is properly secured and does not exceed three square feet. No such vehicle shall be parked on private or public property without permission. In case of such violation, the Sign Officer shall have authority to tow said vehicles at the owner's expense.

#### Article 8. Nonconforming Signs

**8.1.** Any Sign legally erected prior to the adoption of this by-law, or any amendment thereof, and which does not conform to this by-law shall be deemed immediately nonconforming. As compensation to the owner or owners, such signs may continue to be maintained for a period not longer than five years after the date of adoption of this by-law. Such a Sign shall not be enlarged, reworded, redesigned, moved or altered in any way unless it is brought into conformity with this by-law. Any such Sign which has been destroyed or damaged to such an extent that the cost of restoration would exceed 35% of the replacement value of the Sign at the time of the destruction or damage, shall not be repaired or rebuilt or altered in any form unless in conformity with this by-law.

In the case of Signs erected by a specific Special Use Permit granted by the Hanover Board of Appeals during the period from June 14, 1965 through December 31, 1973, such Signs shall not be deemed nonconforming for such length of time as said signs conform to the conditions of the Special Use Permit.

**8.2.** The compensation and exemptions granted in Section 8.1 to nonconforming Signs and Signs conforming under a Special Use Permit shall immediately terminate with respect to any Sign which (1) shall have been abandoned; (2) advertises or calls attention to any products, businesses or activities which are no longer carried on or sold, whether generally or at the particular premises; (3) shall not have been repaired or properly maintained within sixty (60) days after notice to that effect has been given by the Sign Officer; or (4) is a nonconforming Non-Accessory Sign.

**8.3.** In any case, any nonconforming Sign shall be made conforming within one year of the adoption of these bylaws insofar as the provisions of Article 5 are concerned, excepting existing, non-flashing neon tubes may continue in use for the full five year period.

**8.4.** No Sign shall be affixed upon or painted upon any tree or utility pole excepting legal signs as specified in Article 8.5.

**8.5.** Such Signs as legal and public signs such as are required by law including “posting” signs, so-called, including “no hunting” and “no trespassing” signs; traffic signs; historic markers; memorial signs; and similar signs are allowed in any district.

## Article 9. Appeal

### **9.1** Proposed Signs:

Any person aggrieved by the refusal of a permit for a new Sign by the Sign Officer may file a written appeal with the Board of Appeals of the Town of Hanover within 21 days after the refusal of the Sign Officer.

### **9.2** Existing Signs:

Any person aggrieved by a decision of the Sign Officer pertaining to an existing Sign may file a written appeal with the Board of Appeals of the Town of Hanover within - twenty-one (21) days of such decision by the Sign Officer.

### **9.3** Removal and Repair:

In the case of a Sign which the Sign Officer deems dangerous to the public, removal or repair as directed by the Sign Officer shall take precedence over the right of appeal. Appeal may be made within 21 days after removal or correction as above.

### **9.4** Variance

In the case where a new Sign is sought that would exceed any of the restrictions or limitations of these by-laws, the owner/applicant shall seek a variance from the Board of Appeals.

### **9.5** Appeal & Variance Process:

Upon filing of an appeal under Sections 9.1, 9.2 or 9.3, a fee of \$25.00 shall be paid and the Board of Appeals shall hold a public hearing thereon within 21 days of the filing of the appeal, without notice to abutters but with notice to such interested persons as the property owner and/or tenant, as the case may be. Upon the filing of a request for variance under Section 9.4, a fee of \$100 shall be paid and the Board of Appeals shall hold a public hearing thereon within 21 days of the filing of the variance request, with notice to abutters in the same manner as variances under the zoning bylaw are required. The granting of an appeal or any variance from these by-laws shall be based on the applicant’s proof that such a grant or variance would meet all three of the following criteria:

- (a) The situation is unique and distinctive to the particular property in question;

(b) Strict implementation of the by-law would cause an undue hardship in the specific instance; and

(c) Granting of the appeal or a variance from this by-law would not derogate from the intent of this bylaw and would be in the public interest.

**9.6** Pending the running of the 21-day appeal period and the appeal process under Section 9.2, the Sign at issue may remain in place. Pending the running of the 21-day appeal period and the appeal process for a permanent sign under Section 9.1, a Temporary Sign that conforms to this by-law may be placed.

#### Article 10. Penalties

Unless some other penalty is expressly provided by law, or some by-law of the Town, whoever violates any provision of this by-law or any lawful order of the Sign Officer shall be subject to a fine not exceeding \$50.00 dollars for each offense. Each day that such violation continues shall be construed as a separate offense. The penalty period shall not include days accruing during the pendency of the applicable appeal period or the period of the appeal process.

#### Article 11. Severability

The invalidity of any section or provision of this by-law shall not invalidate any other section or provision thereof.

By Petition  
Robert Tombari  
Karon C. Tombari  
James Rodriguez  
Jason Coluci  
Kevin McLeod

**We move that the town refer this article to the newly created Sign Bylaw Committee for further study and to report back at the next annual town meeting.**

#### ARTICLE 86. Section 8 of Zoning Bylaw

To see if the Town will amend “Section 8 – Landscaping and Buffers” of the Zoning Bylaw in the following manner:

In Subsection 8.260(A), by deleting the second paragraph and replacing it with the following:

The Site Plan Reviewing Board may allow an applicant to cluster trees, rather than planting them individually, in a row across the full length of the buffer. Trees may be grouped, if in the opinion of the Reviewing Board, such grouping improves the way in which the buffer plantings relate to the overall site plan or improves safety through increased sight distances. Further, in non-residential districts and non-residential portions of VPUD districts, the Site Plan Reviewing Board may reduce the number, size and extent of Upper Story Plantings, or waive the requirement for Upper Story Plantings in their entirety to the extent such Plantings are found to be detrimental to sight lines for traffic and/or pedestrian safety, or to hinder and/or impede the ability of the businesses on the site to be reasonably seen, and identified, or be visible from the way.

By Petition  
Robert Tombari  
Karon C. Tombari  
James Rodriguez  
Jason Coluci  
Kevin McLeod

**Refer to Town Meeting.**

ARTICLE 87. To have the Town of Hanover vote to increase the Animal Control Budget by \$19,200 making the position full time allowing for the coverage needed to serve the residents of Hanover in an efficient manner. The money could come from the general fund.

By Petition  
Brian Golemme  
Joseph Golemme, Jr.  
Esther Golemme  
Christine Kempton  
Margaret Hoffman

**We move that the town not accept this article and take no further action.**

ARTICLE 88. To see if the Town will vote to raise and appropriate, appropriate from available funds, the sum of \$19,200, or another sum, to allow for the making of the Animal Control Officer a full time position and allowing for the coverage needed to serve the residents of Hanover in an efficient manner, or take any other action relative thereto.

By Petition  
Brian Golemme  
JoAnne O'Connor  
Christine Kempton  
Joseph Golemme, Jr.  
Esther Golemme

**We move that this article be referred to the Board of Selectmen for further study.**

ARTICLE 89. To see if the Town will vote to approve a bylaw which will prohibit hunting on Town owned land.

By Petition  
Robert Sellon  
Helen Sellon  
Robert Sellon, Jr.  
Judith A. Sellon  
Jeffrey Heger

**We move that this article be referred to the Board of Selectmen, the Police Chief, and the Conservation Commission, for further study and to report back at the next annual town meeting.**



Polls open from 8 A.M. to 6 P.M., unless otherwise ordered by the Town.

And you are hereby ordered to serve this Warrant by posting attested copies thereof seven days at least before the time of said meeting.

Given under our hands this 15<sup>th</sup> day of April 2008.

David G. Flynn, Chairman

Daniel A. Pallotta

R. Alan Rugman

\_\_\_\_\_ Constable  
\_\_\_\_\_, 2008

atm08a

**ANNUAL REPORT**  
**of the**  
**HANOVER**  
**CAPITAL IMPROVEMENT**  
**COMMITTEE**

**May 2008**

## **REPORT OF THE CAPITAL IMPROVEMENT COMMITTEE**

This is the twenty-sixth annual report of the Capital Improvement Committee (CIC). Our function, Capital Budget, Capital Program and related subjects are discussed on the following pages.

The Committee is recommending to the May 2008 Annual Town Meeting a Capital Budget for FY09 of \$850,980 and \$540,000 for General Fund and Water Enterprise activities respectively.

The Capital Program (FY2010 to FY2014) shows that the demand for capital outlays will continue in the future. The projects are listed according to the year in which a request is expected to be made, not necessarily when the CIC recommends that the Town undertake the project. This year, General Fund activities have been categorized to separate those projects that may be funded under the Proposition 2½ property tax cap from those projects that will need to be funded through exemptions from the property tax cap. Generally, new building construction or major renovation to existing Town buildings and any major expansion of the Town's infrastructure will require an exemption from Proposition 2½.

We appreciate the continued cooperation received from the many town officials, committees and employees who supplied the information necessary for this report. We welcome your suggestions to improve the content or format of this report.

Respectfully submitted,

Donald W. Moores, Chairman  
John T. Shelley, Vice Chairman  
John S. Barry  
John Lamoureux  
Joan F. Giroux, Advisory  
Committee Member

## **PURPOSE OF THE CIC**

The CIC is concerned with the process of planning for capital expenditures by all areas of Town government. Every proposed capital outlay involving the acquisition of land or an expenditure of at least \$10,000 having a useful life of at least three years is reviewed. The Committee annually prepares a capital budget for the next fiscal year of such proposed outlays and our recommendations for the Advisory Committee and the Town to use in their deliberation of the Articles.

A program of proposed capital outlays for the following five fiscal years is also obtained from each department in accordance with Town by-law. This process alerts the Town to expected future capital expenditures while in the early planning phase and encourages voters to register concerns on significant items that may be present in or absent from the program.

## **PROCEDURES FOLLOWED**

A proposer of a capital project submits his/her request to the Committee. The project is described and its objectives are stated in terms of benefits, consequences of not proceeding and alternative approaches. The evaluation of proposed Capital Budget items includes a review of the need, timeliness, alternatives, economics and the estimated annual effect on subsequent operating budgets, as well as a review of how the project is to be financed. Personal interviews and where feasible, on-site inspections, complete the analysis phase.

Projects, which have been identified in prior years, are given priority consideration. Unforeseen expenditures related to an accidental cause are not specifically dealt with, since they normally require emergency action by a Special Town Meeting. In general, the priorities will be in the following order: 1) public health and safety, 2) maintenance of the infrastructure such as buildings and roads, 3) projects which will generate state/federal aid, and 4) projects which will have the greatest benefit and lowest total costs.

### **The annual capital planning process is as follows:**

- Phase 1: The department heads review existing capital projects, make necessary additions, deletions and amendments, and propose projects for consideration in the new fifth year of the plan.
- Phase 2: The CIC collates the information provided by the department heads in preparation for review.
- Phase 3: The CIC meets with each department head or project sponsor to review each project and clarify any issue related thereto.

- Phase 4: The CIC meets with the Advisory Committee to determine funding available for capital projects in the upcoming fiscal year.
- Phase 5: The CIC examines the approved list of projects, compares the list to the available funds and develops a final recommended capital budget for the coming fiscal year.
- Phase 6: The CIC presents its report to the Advisory Committee and to the Town.
- Phase 7: Following adoption by Town Meeting, the capital budget for the current fiscal year is implemented and Phase 1 of the next year's capital planning process is commenced.

**Since the autumn of 1995, the Capital Improvement Committee has:**

1. Followed a planning policy that seeks to allocate approximately 5% of the prior year's revenue to finance both the Capital Budget and the Capital Program. This allocation includes principal and interest payments on existing debt service.
2. Updated the Archetype Architecture, Inc. detailed study of fifteen (15) Town buildings pursuant to the article passed at the 1994 Annual Town Meeting.
3. Identified and categorized specific financing policies and procedures available to the Town including but not limited to appropriations from general and enterprise revenue, surplus, borrowing (short & long term), lease/purchase, stabilization fund transfers, and disposal of surplus property and equipment.
4. Recommended procedures for periodic review of approved capital projects, acquisitions and feasibility studies.
5. Requested department heads to develop and maintain an inventory of capital plant and equipment.
6. Review annual needs and revise priorities as required. As part of the annual review, departments are requested to:
  - Prioritize building needs, equipment replacement and new acquisitions and infrastructure improvements.
  - Identify the incremental operating cost of any new facilities or equipment.
  - Prepare a detailed list of motor vehicles and equipment and plan for the replacement of necessary items and elimination of redundant and inoperable equipment.

**FY09 CAPITAL BUDGET**

<b><u>DEPARTMENT</u></b>	<b><u>REQUESTED</u></b>	<b><u>RECOMMENDED</u></b>
		<b><u>BY CIC</u></b>
<b><u>POLICE DEPARTMENT</u></b>		
Replace & Recycle Police Vehicles (3)	\$86,700	\$86,700
Replace Patrol Rifles	\$18,000	\$18,000
<b><u>FIRE DEPARTMENT</u></b>		
Replace HVAC Units at Headquarters	\$48,000	\$10,000
Replace Command Vehicle	\$34,000	\$27,400
<b><u>SCHOOL DEPARTMENT</u></b>		
Replace Special Needs Van	\$25,000	\$25,000
Replace Maintenance Van w/ F350 w/Plow	\$33,000	\$33,000
Replace B&C Computers	\$160,380	\$160,380
Abate and Tile Cedar School Classrooms	\$45,000	\$0
Abate and Tile Sylvester School	\$275,000	\$0
<b><u>DEPARTMENT OF PUBLIC WORKS</u></b>		
Pavement Management Program - HW	\$200,000	\$200,000
Dam Repairs - HW	\$150,000	\$0
Ames Way Improvements - HW	\$194,500	\$117,500
Cold Planer Attachment for Tractor - HW	\$24,000	\$0
Replace One Ton Dump Truck - PG	\$55,000	\$0
Replace 4X4 Pick-up Truck with Plow - PG	\$33,000	\$33,000
<b><u>COUNCIL ON AGING</u></b>		
Deck construction	\$15,500	\$0
<b><u>PARKS &amp; RECREATION</u></b>		
Ellis Field Parking	\$140,000	\$140,000
B. Everett Hall Field Renovations	\$700,000	\$0
Architectural Design of King Street	<u>\$500,000</u>	<u>\$0</u>
<b>Total - General Fund</b>	<b><u>\$2,737,080</u></b>	<b><u>\$850,980</u></b>
<b><u>WATER ENTERPRISES ACTIVITIES</u></b>		
Replace Water Service Van	\$25,000	\$25,000
Water Main Improvement - Plain/ Circuit St.	\$400,000	\$400,000
Replace Roof - 219 Winter Street	\$115,000	\$115,000
Replace Pick-up Truck with Plow	<u>\$33,000</u>	<u>\$0</u>
<b>Total - Water</b>	<b><u>\$573,000</u></b>	<b><u>\$540,000</u></b>

<b>GENERAL FUND ACTIVITIES</b> <b>(Subject to Proposition 2½ Tax Cap)</b>	<b>CAPITAL PROGRAM</b>				
	<b>FY2010</b> <b>REQUEST</b>	<b>FY2011</b> <b>REQUEST</b>	<b>FY2012</b> <b>REQUEST</b>	<b>FY2013</b> <b>REQUEST</b>	<b>FY2014</b> <b>REQUEST</b>
<b><u>POLICE DEPARTMENT</u></b>					
REPLACE DEPARTMENTAL VEHICLES	\$72,000	\$100,000	\$105,000	\$80,000	\$100,000
REPLACE FIREARMS	\$0	\$0	\$0	\$30,000	\$0
UPDATE COMPUTER SYSTEM	<u>\$20,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
SUBTOTAL	\$92,000	\$100,000	\$105,000	\$110,000	\$100,000
<b><u>FIRE DEPARTMENT</u></b>					
REPLACE FIRE ENGINE	\$450,000	\$0	\$0	\$0	\$0
REPLACE AMBULANCE	\$0	\$200,000	\$0	\$0	\$210,000
REPLACE COMMAND VEHICLE	\$0	\$35,000	\$0	\$36,000	\$0
FIRE HEADQUARTER RENOVATIONS	\$0	\$0	\$0	\$250,000	\$0
REFURBISH ENGINE	\$0	\$85,000	\$90,000	\$0	\$100,000
LARGE DIAMETER HOSE	\$0	\$20,000	\$0	\$0	\$0
EMS SOFTWARE	\$25,000	\$0	\$0	\$0	\$0
UPGRADE RADIO SYSTEM	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$80,000</u>
SUBTOTAL	\$475,000	\$340,000	\$90,000	\$286,000	\$390,000
<b><u>EMERGENCY COMMUNICATIONS</u></b>					
TELEPHONE/RADIO RECORDER/CONSOLE	\$125,165	\$0	\$0	\$0	\$0
REPEATER VOTING SYSTEM	<u>\$0</u>	<u>\$0</u>	<u>\$85,000</u>	<u>\$0</u>	<u>\$0</u>
SUBTOTAL	\$125,165	\$0	\$85,000	\$0	\$0
<b><u>HANOVER PUBLIC SCHOOLS</u></b>					
REPLACE INTERCOMS/CLOCKS-CENT/SYL	\$17,950	\$0	\$0	\$0	\$0
REPLACE SCHOOLWIDE COMPUTERS	\$160,000	\$160,000	\$0	\$0	\$0
HVAC UPGRADES	\$20,000	\$0	\$0	\$0	\$0
PAVING	\$50,000	\$0	\$0	\$0	\$0
PLAYGROUND IMPROVEMENTS	\$24,000	\$0	\$0	\$0	\$0
TRACK/TENNIS COURT MAINTENANCE	\$20,000	\$20,000	\$0	\$0	\$0
SALMOND BUILDING BOILER	\$0	\$220,000	\$0	\$0	\$0
REPLACE 2000 4x4 TRUCK	\$42,000	\$0	\$0	\$0	\$0
REPLACE 2001 250 TRUCK	\$0	\$43,500	\$0	\$0	\$0
REPLACE 2006 DUMP TRUCK	\$0	\$0	\$46,000	\$0	\$0
UTILITY TRANSPORTER	\$12,000	\$0	\$0	\$0	\$0
PURCHASE SCARIFIER	\$17,000	\$0	\$0	\$0	\$0
TRACTOR W/ FRONT LOADER, BACKHOE	\$0	\$60,000	\$0	\$0	\$0
REPLACE SPECIAL NEEDS VANS	<u>\$26,880</u>	<u>\$28,320</u>	<u>\$44,000</u>	<u>\$45,000</u>	<u>\$62,000</u>
SUBTOTAL	\$389,830	\$531,820	\$90,000	\$45,000	\$62,000
<b><u>DEPARTMENT OF PUBLIC WORKS</u></b>					
PAVEMENT MANAGEMENT PROGRAM	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
STORMWATER PHASE II	\$75,000	\$75,000	\$75,000	\$75,000	\$0
DAM INSPECTIONS/ REPAIRS	\$160,000	\$125,000	\$65,000	\$0	\$0
SMALL GARBAGE TRUCK	\$0	\$0	\$0	\$0	\$100,000
37,000 GVW DUMP TRUCK	\$108,000	\$110,000	\$115,000	\$120,000	\$125,000
ONE TON DUMP TRUCK	\$56,000	\$57,000	\$58,000	\$59,000	\$0
PICKUP TRUCK	\$30,000	\$37,000	\$37,500	\$0	\$0
CHASIS MOUNTED SANDERS	\$17,000	\$17,500	\$18,000	\$36,500	\$37,500
LOADER	\$0	\$0	\$175,000	\$0	\$0
USED ROLL-OFF TRUCK	\$60,000	\$0	\$0	\$0	\$0
BACKHOE	\$0	\$95,000	\$0	\$0	\$0

**CAPITAL PROGRAM**

<b>GENERAL FUND ACTIVITIES</b> <b>(Subject to Proposition 2½ Tax Cap)</b>	FY2010 <u>REQUEST</u>	FY2011 <u>REQUEST</u>	FY2012 <u>REQUEST</u>	FY2013 <u>REQUEST</u>	FY2014 <u>REQUEST</u>
<b><u>DEPARTMENT OF PUBLIC WORKS (cont')</u></b>					
CHIPPER	\$0	\$40,000	\$0	\$0	\$0
AMES WAY GARAGE RENOVATIONS	\$135,000	\$0	\$0	\$50,000	\$0
MULTI TOOL TRACTOR	\$0	\$0	\$0	\$115,000	\$0
PAVEMENT MAINTENANCE EQUIPMENT	\$25,000	\$40,000	\$0	\$0	\$0
VACUUM TRAILER	\$0	\$75,000	\$0	\$0	\$0
CLAMSHELL CATCH BASIN CLEANER	<u>\$100,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
SUBTOTAL	\$966,000	\$871,500	\$743,500	\$655,500	\$462,500
<b><u>PARK &amp; RECREATION COMMITTEE</u></b>					
WALKING TRAILS/PATHS					
MYRTLE FILD IMPROVEMENTS	\$0	\$46,000	\$0	\$0	\$0
FENCE REPLACEMENT - ELLIS FIELD	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$100,000</u>	<u>\$0</u>
SUBTOTAL	\$0	\$46,000	\$0	\$100,000	\$0
<b><u>COUNCIL ON AGING</u></b>					
VAN REPLACEMENT	\$0	\$0	\$80,000	\$0	\$0
CENTER IMPROVEMENTS	<u>\$10,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
SUBTOTAL	\$10,000	\$0	\$80,000	\$0	\$0
<b>TOTAL - GENERAL FUND</b>	<b>\$2,057,995</b>	<b>\$1,889,320</b>	<b>\$1,193,500</b>	<b>\$1,196,500</b>	<b>\$1,014,500</b>
<b>GENERAL FUND ACTIVITIES</b> <b>(Exempt from Proposition 2½ Tax Cap)</b>					
<b><u>FIRE DEPARTMENT</u></b>					
NEW FIRE SUBSTATION	<u>\$200,000</u>	<u>\$2,000,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
SUBTOTAL	\$200,000	\$2,000,000	\$0	\$0	\$0
<b><u>HANOVER PUBLIC SCHOOLS</u></b>					
SYLVESTER SCHOOL RENOVATIONS	\$4,559,813	\$0	\$0	\$0	\$0
HIGH SCHOOL RENOVATIONS	<u>\$12,574,842</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
SUBTOTAL	\$17,134,655	\$0	\$0	\$0	\$0
<b><u>PARK &amp; RECREATION COMMITTEE</u></b>					
B. EVERETT HALL FIELD RENOVATIONS	\$500,000	\$500,000	\$500,000	\$0	\$0
MASTER PLAN - CERVELLI	<u>\$1,000,000</u>	<u>\$1,000,000</u>	<u>\$500,000</u>	<u>\$500,000</u>	<u>\$500,000</u>
SUBTOTAL	\$1,500,000	\$1,500,000	\$1,000,000	\$500,000	\$500,000
<b>TOTAL - GENERAL FUND EXEMPT</b>	<b>\$18,834,655</b>	<b>\$3,500,000</b>	<b>\$1,000,000</b>	<b>\$500,000</b>	<b>\$500,000</b>
<b><u>WATER ENTERPRISE ACTIVITIES</u></b>					
VEHICLE REPLACEMENT	\$115,000	\$33,000	\$35,000	\$30,000	\$63,000
MASTER PLAN UPDATE	\$0	\$0	\$0	\$0	\$60,000
WATER MAIN REHABILITATION	\$0	\$0	\$450,000	\$350,000	\$0
WATER TANK MAINTENANCE	\$0	\$0	\$300,000	\$0	\$0
WATER FILTER REHABILITATION	\$60,000	\$0	\$0	\$0	\$0
GENERATOR REPLACEMENT - POND	\$0	\$150,000	\$0	\$0	\$0
REDUNDANT WELL - BEAL	\$0	\$0	\$0	\$100,000	\$100,000
WATER SUPPLY DEVELOPMENT	\$0	\$0	\$0	\$0	\$400,000
WINTER STREET FACILITY RENOVATIONS	<u>\$400,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**CAPITAL IMPROVEMENT COMMITTEE PROJECT PROPOSALS  
For Capital Budget for Fiscal Year 2009**

1. Department: Police Department
2. Project Title: Replace & Recycle Police Vehicles (3)
3. Requested Amount: \$86,700
4. Description of Project:

Purchase one (1) marked police cruiser, one (1) un-marked police cruiser, and one (1) marked police SUV. Replacement of vehicles on a yearly basis ensures that the vehicles are on-line and available for police use and emergencies. The current unmarked cruiser to be replaced will be recycled for Detective use.

- 
1. Department: Police Department
  2. Project Title: Replace Patrol Rifles
  3. Requested Amount: \$18,000
  4. Description of Project:

Purchase seven semi-automatic AR15/M4 type carbine patrol rifles with site and accessories to replace aged rifles in cruisers.

- 
1. Department: Fire Department
  2. Project Title: Replace HVAC Units at Fire Headquarters
  3. Requested Amount: \$48,000
  4. Description of Project:

Replace all HVAC units at Fire Headquarters, which includes five through the wall units, 3 split system units, place base board heating in the dayroom/kitchen area and replace the boiler.

- 
1. Department: Fire Department
  2. Project Title: Replace Fire Department Command Vehicle
  3. Requested Amount: \$34,000
  4. Description of Project:

Purchase a Ford Explorer 4X4 and authorize the trade-in or sale of a 1999 Ford 4-door sedan. The Department presently utilizes one SUV and one 4-door sedan. These vehicles insure 24-hour response capabilities of the Chief and Deputy. Command Vehicles will be utilized for 4 years by the Chief or Deputy Chief and will then be utilized by Fire Prevention for 2 years.

**CAPITAL IMPROVEMENT COMMITTEE PROJECT PROPOSALS  
For Capital Budget for Fiscal Year 2009**

1. Department: School Department
2. Project Title: Replace Special Needs Van
3. Requested Amount: \$25,000
4. Description of Project:

Purchase new special needs van to replace a 2003 special needs van used to transport students on Individual Education Programs (IEP's). The existing van has over 109,000 miles, and is used daily. Approximately \$6,000 has been spent in repairs over the last five years. This vehicle is next in the systematic replacement schedule.

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1. Department: School Department
2. Project Title: Replace Maintenance Van with F350 Truck with Plow
3. Requested Amount: \$33,000
4. Description of Project:

Replace 1995 maintenance van, which is used for daily transport of the facilities manager and to transport small tools. The current mileage on the van is over 115,000 miles. This vehicle would be replaced with an F350 pickup truck with plow attachments. This would provide an additional vehicle to help out with the snow removal process. At times last year, the School department had only 2 vehicles available for plowing due to breakdowns. A utility box in the back of the vehicle would provide necessary storage space for the transport of small tools. The pickup would provide additional utility for transport of other items.

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1. Department: School Department
2. Project Title: Replacement of "B" and "C" Class Computers District-wide
3. Requested Amount: \$160,380
4. Description of Project:

In keeping with the recommendations of the Massachusetts Department of Education, this would begin a systematic approach to the replacement of computers throughout the school district from "C" and "B" level computers to "A" level computers. The Department defines an "A" level, high-capacity computer as a computer that has at least 256 MB of RAM and either a Pentium 4 processor or a Macintosh G4 processor. The Department of Education recommends a replacement cycle of 5 years.

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1. Department: School Department
2. Project Title: Abate and Tile Floors at Cedar Elementary School
3. Requested Amount: \$45,000
4. Description of Project:

Abate and tile the floors in a portion of the school's classrooms (6 classrooms per year). The existing flooring is carpet over tiles containing asbestos materials. By replacing the carpet with VCT, the classroom air quality and cleanliness of the rooms will improve.

**CAPITAL IMPROVEMENT COMMITTEE PROJECT PROPOSALS  
For Capital Budget for Fiscal Year 2009**

1. Department: School Department
2. Project Title: Abate and Tile Floors at Sylvester Elementary School
3. Requested Amount: \$275,000
4. Description of Project:

Abate and tile floors in the hallways, stairwell, classrooms, and storage rooms. The existing flooring contains asbestos containing materials. The tile that is in place is worn, hard to keep clean, because of its texture and condition, and can be slippery when wet. Tiles are brittle and worn and subject to cracking and breaking. Tiles of this size are no longer available. The AHERA report indicates that much of this tile is damaged and should be removed.

- 
1. Department: DPW
  2. Project Title: Pavement Management
  3. Requested Amount: \$200,000
  4. Description of Project:

Continuation of on-going pavement management program.

- 
1. Department: DPW
  2. Project Title: Dam repairs – Phase I – Hackett’s Pond Dam
  3. Requested Amount: \$150,000
  4. Description of Project:

This project will make repairs to the Hackett’s Pond Dam as recommended in the 2006 Inspection program.

- 
1. Department: DPW
  2. Project Title: Ames Way Improvements-phase II
  3. Requested Amount: \$194,500
  4. Description of Project:

Incrementally improve the Ames Way highway garage by adding fire sprinklers, a new EPDM rubberized roof, ventilation improvements, electrical improvements, and outdoor covered storage for part of the snow and ice fleet.

- 
1. Department: DPW
  2. Project Title: Cold Planer Attachment for Tractor
  3. Requested Amount: \$24,000
  4. Description of Project:

This project will purchase a cold planer attachment for the multi-tool tractors.

**CAPITAL IMPROVEMENT COMMITTEE PROJECT PROPOSALS  
For Capital Budget for Fiscal Year 2009**

1. Department: DPW
2. Project Title: Replace One Ton Dump Truck (Public Grounds)
3. Requested Amount: \$55,000
4. Description of Project:

Scheduled replacement of one of the DPW's smaller dump trucks.

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1. Department: DPW
2. Project Title: Replace 4X4 Pickup Truck with Plow
3. Requested Amount: \$33,000
4. Description of Project:

This project will purchase and equip a new 4-wheel drive pickup truck with a plow.

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1. Department: Council on Aging
2. Project Title: Deck
3. Requested Amount: \$15,500
4. Description of Project:

Add a 16/20-foot deck, which could be accessed through sliding glass door from office/ reception area. This would provide for more space for seasonal activities.

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1. Department: Parks and Recreation
2. Project Title: Ellis Field Complex Parking
3. Requested Amount: \$140,000
4. Description of Project:

Address a major safety concern at the Ellis Field Complex by reconfiguring the layout of the existing fields to add a much-needed parking lot.

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1. Department: Parks and Recreation
2. Project Title: ADA compliant bathroom, trailer, and shed replacement at B. Everett Hall field.
3. Requested Amount: \$700,000
4. Description of Project:

Architectural landscape and design at B. Everett Hall field which may include ADA compliant building with bathrooms, trailer and shed, potential reconfiguration of existing resources such as the baseball field, football fields, and bandstand, and better parking plan.

**CAPITAL IMPROVEMENT COMMITTEE PROJECT PROPOSALS  
For Capital Budget for Fiscal Year 2009**

1. Department: Parks and Recreation
2. Project Title: Landscape and building architectural design of the King Street property.
3. Requested Amount: \$500,000
4. Description of Project:

Design of facilities including fields, parking lots and driveways at King Street, which may include, but is limited to a small ADA compliant building with bathrooms, office and meeting space, concession stand and storage for the Parks and Recreation Department.

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1. Department: DPW
2. Project Title: Replace Water Service Van
3. Requested Amount: \$25,000
4. Description of Project:

This project will purchase and equip a new service van for the Water Distribution division.

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1. Department: DPW-Water
2. Project Title: Water Main Replacement – Plain and Circuit Street
3. Requested Amount: \$400,000
4. Description of Project:

This project will add a reinforcing main on Plain Street from Hanover Street to Circuit Street and along Circuit Street from Plain Street to approximately 1000 feet east of Myrtle Street where it will be connected to twin 10-inch mains, which serve the industrial section of West Hanover.

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1. Department: DPW-Water
2. Project Title: Roof Replacement – 219 Winter Street Garage
3. Requested Amount: \$115,000
4. Description of Project:

This project will replace the existing roof at the Water Distribution Garage and Public Works storage building at 219 Winter Street with an insulated EPDM rubberized roof.

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1. Department: DPW-Water
2. Project Title: 4X4 Pickup Truck with Plow (Water Treatment Division)
3. Requested Amount: \$33,000
4. Description of Project:

Purchase and equip a new 4-wheel drive pickup truck with a plow, replacing a 1997 Ford Ranger in the Water Treatment Division.