

<b>Contents</b>
-----------------

**Page**

2		To the Voters
3		Finance Committee Report
5		Capital Expenditure Committee Report
<b>Warrant for Annual Town Meeting</b>		
12	Article 1	Reports of Town Officers and Committees
12	Article 2	Debate Rules
12	Article 3	Consent Article
14	Article 4	Reauthorization of Revolving Funds
16	Article 5	Bills of Prior Years
16	Article 6	General Bylaw Amendment - Cable Television Committee
17	Article 7	General Bylaw Amendment – Wetlands Protection
28	Article 8	Zoning Bylaw Amendment – Conversion of Public School Buildings to Multiple Residential Use – Page Place
33	Article 9	Zoning Bylaw Amendment - Package Involving Use, Dimensional, Density, Bulk and Other Provisions in Industrial and Certain Business Districts
47	Article 10	Zoning Bylaw Amendment - Amendments to Bedford Zoning Map
48	Article 11	Zoning Bylaw Amendment - Adjust Dimensional and Density Requirements within Industrial and Certain Business Districts to More Closely Align with the Existing Development Pattern
49	Article 12	Zoning Bylaw Amendment - Building Height
52	Article 13	Zoning Bylaw Amendment - Revised Flood Insurance Rate Maps
53	Article 14	Zoning Bylaw Amendment - Limited Business District (from ZBA)
54	Article 15	Bedford Business Zoning Appropriation
55	Article 16	Easement Acquisitions for Middlesex Turnpike and Great Road/Mudge Way Intersection
56	Article 17	Mudge Way Street Acceptance
56	Article 18	Bond Authorization - Job Lane School Addition
57	Article 19	Proposed FY2017 Capital Projects Plan
58	Article 20	Community Preservation Budget – Fiscal Year 2017
60	Article 21	Expanded Local Transit Pilot Program
60	Article 22	Supplement Operating Budget for Fiscal Year 2016 and Articles of the 2015 Annual Town Meeting
61	Article 23	Salary Administration Plan Bylaw Amendment – Classification & Wage Schedule
65	Article 24	Operating Budgets – FY2017
65	Article 25	Ambulance Enterprise Budget – Fiscal Year 2017
66	Article 26	Salary Plan Additional Funding
66	Article 27	Other Post-Employment Benefits Liability Trust Fund Appropriation
67	Article 28	Supplement Accrued Sick Leave Fund
67	Article 29	Stabilization Fund Appropriation
68	Article 30	Free Cash
69		Fiscal Year 2017 Operating Budget
73		Appendix Town Meeting Procedure
76		Guideline for Civil Discourse
79		Volunteer Opportunities
80		Questionnaire for Volunteers

*Cover designed by Bedford resident Jean Hammond  
Photographs of Depot Park taken by Bedford resident James Shea*

## To the Voters

The articles listed in this Annual Town Meeting Warrant reflect the operational needs and proposals for improvements to Town services for Fiscal Year 2017. It represents information furnished to the Selectmen, Finance Committee, and Capital Expenditure Committee by various Town departments, boards, and committees. Recommendations are provided where appropriate as guidelines for your consideration. Various boards, committees, and staff have all participated in the process of formulating the Warrant in the hope that the articles presented here will sustain and enhance the quality of life for the citizens of Bedford.

This year's Warrant includes three proposed General Bylaw amendments. Article 6 proposes amendments to the current General Bylaw pertaining to the Cable Television Committee so as to amend the responsibilities of this Committee. A second General Bylaw amendment is being proposed by the Conservation Commission in Article 7 to repeal the current Wetlands Protection Bylaw and replace it in its entirety with a new bylaw. Article 23 asks voters to approve an updated Classification and Wage Schedule under the Salary Plan Bylaw.

There are seven (7) Zoning Bylaw Amendments proposed. Article 8 submitted by the Page Place Condominium would amend the Zoning Bylaw provision allowing conversion of public school buildings to residential use. Articles 9 through 13 have been submitted by the Planning Board in order to update the Zoning Bylaws. (See the Article descriptions in the Warrant for more details.) In Article 14, the Zoning Board of Appeals is proposing to allow larger retail spaces in the Limited Business District. The Planning Board in Article 15 is also requesting an appropriation of funds to examine and reconstruct business zoning along The Great Road.

The Capital Projects Plan (Article 19), the Operating Budget (Article 24) and the Ambulance Enterprise Budget (Article 25) for Fiscal Year 2016 fund the Town's continuing operations. Details concerning these budgets are contained in the reports of the Finance Committee and the Capital Expenditure Committee that follow in the next several pages. The Capital Projects Plan requests funds for 32 projects requested by various Town departments. A bond separate bond authorization is proposed in Article 18 to construction an addition to the Job Lane School. The Operating Budget funds the Town's day-to-day operations undertaken by all Town departments.

Article 20 would appropriate funds under the Community Preservation program for projects in Fiscal Year 17. It would provide funding for principal & interest payments previously approved under the Community Preservation Program, funding for athletic field development, a Municipal Affordable Housing Trust project to renovate Ashby Place kitchens and bathrooms, a Job Lane House fire protection system, replacement of the Old Town Hall exterior stairs, rehabilitation of Town/Schools recreational grounds, permitting and design of a project to restore Fawn Lake, and design of the Minuteman Bikeway Extension. An additional appropriation is also proposed for the Historic Properties Preservation Fund.

Finally, Article 27 continues the Town's recent funding of a portion of the unfunded liability for other post-employment benefits, principally for retiree health insurance, and Article 28 seeks to appropriate money to a Sick Leave Buyback Fund to assist the Town with making payments to retiring employees for time owed.

Please bring the Warrant Report to Town Meeting, which begins on Monday, March 28, 2016, continuing to Tuesday, March 29, 2016. If necessary, Town Meeting would resume on Monday, April 3, 2016 and Tuesday, April 4, 2016. Your participation is central to the success of our Town Meeting form of government, and we look forward to seeing you there!

Mark Siegenthaler, *Chair*

## Finance Committee Report

The Finance Committee presents for your approval the FY2017 operating budget that supports the excellent quality of life we enjoy in Bedford. It is based on sound financial planning and careful review of departmental requests.

The Finance Committee began work on the operating budget in Fall, by first considering the available sources of revenue. Some of those sources were:

- Certified Free Cash from FY15 was \$3,965,794. Our policy is to leave an amount equal to 1% of the operating budget in order to mitigate uncertainty in estimates for local receipts and State Aid. This year, we recommend using \$3,000,000.
- Stabilization Fund has a balance of \$3,517,684. This is within our midpoint of our target range of \$1.5M - \$5M. We are not recommending further use of this fund at this time, and we are recommending an additional allocation of \$500,000
- Growth allowed under Proposition 2 ½ rules is \$1,498,889, or an additional 2 ½% increase of the tax levy. We recommend leaving \$2,186,831 levy unused to help mitigate tax increases of the past few years. At the time of this warrant, there was also a \$703,002 surplus, which the Finance Committee will review and make additional recommendations at STM.
- New Growth is estimated to be \$1,100,000 of new property value joining the tax roll.
- Payment of \$1,607,329 is estimated In Lieu of Taxes from the MITRE Corporation.
- At this time we are projecting no increase to State Aid. Although the Governor has released his proposed number, it is still early to determine what the final State Aid numbers will be.
- As a starting point for each Town Department and Board, the Finance Committee determined initial budget guidelines by allocating available revenue proportional to last year's budgets. This year, the Finance Committee recommended a guideline increase of 2 ½% over FY16 budgets for all Departments and Boards, except the Schools. The Schools were given a 3 1/2 % increase over FY16. This increase was given due to the projected enrollment increases as well as the changing student demographics. We developed the final operating budget accommodating several changes justified by the departments and other known items, which included:
  - An additional \$35,000 for the Finance Department in the IT division, which is to increase needs and demands on IT.
  - An additional \$7,474 for the Planning Board, which is to add a Recording Secretary to take minutes at the Planning Board meetings and less than \$800 for various general expenditures.
  - An additional \$4,381 for the Board of Health, which is to increase Professional Services for community education programs and a partnership with University of Rhode Island for the tick bite prevention/education services.
  - An additional \$7,706 for the Assessors, which is to increase the hours for their Administrative Assistant in their department, as well as an increase in their maintenance agreement within their general expenditures.
- Capital Article of \$2,339,836, which is less than .01% increase from FY2016.
- The committee also is recommending an appropriation of \$120,000 for the Planning Board to exam the Bedford Business Zoning along Great Road.

The Finance Committee recommends that Town Meeting adopt a FY17 operating budget of \$83,895,311 and a total budget of \$90,571,325 including Articles and Assessments, and an Ambulance Enterprise Operating Budget of \$896,509.

Bedford, Massachusetts

	<u>FY12</u>	<u>FY13</u>	<u>FY14</u>	<u>FY15</u>	<u>FY16</u>	<u>Proposed FY17</u>
<u>Revenue</u>						
Tax Levy	52,300,912	54,532,823	56,745,981	60,132,532	63,080,418	65,565,661
Local Revenues	15,853,193	17,467,804	16,830,615	19,212,773	18,811,935	19,061,321
Other Sources*	7,420,806	7,284,926	7,386,973	7,996,711	7,892,668	8,834,176
	<u>75,574,911</u>	<u>79,285,553</u>	<u>80,963,569</u>	<u>87,342,016</u>	<u>89,785,021</u>	<u>93,461,158</u>
<u>Expense</u>						
Operating Budget	71,136,430	72,421,991	74,926,602	77,389,478	81,133,710	83,895,311
Articles** / Other	2,217,849	4,578,192	3,394,149	5,852,095	4,840,557	5,080,621
Governmental Charges/Offsets	364,243	387,870	408,436	413,634	392,893	392,893
Overlay Reserve	854,611	899,804	893,191	1,154,245	950,381	900,000
Miscellaneous Charges	1,700	2,500	2,500	2,500	2,500	2,500
Snow Deficit	432,495	-	295,159	351,385	546,983	300,000
	<u>75,007,328</u>	<u>78,290,357</u>	<u>79,920,037</u>	<u>85,163,337</u>	<u>87,867,024</u>	<u>90,571,325</u>
Surplus/(Deficit)	<u>567,583</u>	<u>995,196</u>	<u>1,043,532</u>	<u>2,178,679</u>	<u>1,917,997</u>	<u>2,889,833</u>
% Increase in Total Expenditures	80.00%	4.38%	2.08%	6.56%	3.17%	3.08%
Average Assessed Residential Value	\$518,300	\$518,113	\$522,100	\$567,800	\$574,400	TBD
Residential Tax rate per \$1,000 of value	\$15.21	\$15.37	\$15.71	\$14.62	\$15.28	TBD
Average Residential Tax***	\$7,883	\$7,963	\$8,202	\$8,301	\$8,776	TBD
% Increase	7.1%	1.0%	3.0%	1.2%	5.7%	TBD
* Includes State aid and Community Preservation						
** Includes Capital Article, Community Preservation , Misc. Articles (excludes bonding) / Other Overlay Deficit						
***Includes 3% Community						
Preservation surcharge additions	\$191	\$193	\$199	\$205	\$217	TBD

The current residential impact of \$100,000 in expenses is \$1.91 per \$100,000 of assessed value. For example, the impact of \$100,000 in expenses for a home with an assessed value of \$500,000 would be \$9.55 (5 x \$1.91).

The FY17 budget presented to you accommodates justified requests from the Town departments and Schools. With your continued thoughtful deliberation and support, Bedford maintains the highest rating of AAA from the Standard & Poor Rating Agency.

Please note that some changes may occur between the time this Warrant goes to press and the time of Town Meeting as more up-to-date information becomes available.

**Acknowledgements**

The Finance Committee receives assistance from many different Town employees, as well as elected officials, and members of other Town Boards and Committees. We appreciate everyone’s advice, guidance, and opinions. The Finance Committee is particularly grateful to Victor Garofalo, Bedford’s Finance Director, Treasurer/Collector, Richard Reed, Bedford Town Manager, Jon Sills, Superintendent of Schools and David Coelho, Bedford School District’s Director of Finance.

Respectfully submitted,  
 Stephen Steele, *Chair*  
 Ben Thomas, *Vice Chair*  
 Richard Bowen  
 Tom Busa  
 Stephen Carluccio

Elizabeth McClung, *Clerk*  
 Karen Dunn  
 Paul Mortenson  
 David Powell

## Capital Expenditure Committee Report

### Introduction

The Capital Expenditure Committee (CEC) reviews and offers recommendations concerning all requests for funds for capital items and projects submitted by Town and School departments. These projects, and their costs, appear in Article 19 – Capital Projects Plan Fiscal Year 2017 beginning on page 57 of the Annual Town Meeting Warrant.

### Definition of Capital

The CEC defines a capital expenditure as any item or project expenditure of \$5,000 or more per item with a useful life of two or more years. Individual capital items of less than \$5,000 each are considered operating capital and are funded through departmental operating budgets with the exception of multiple, similar items that are “bundled” together to reach an amount that exceeds \$30,000.

### Capital Projects Plan

This year, the Town and the CEC continued its collaborative approach to the project selection process. Beginning in June 2015, a core group of Department Heads from both the Town and School began holding bi-weekly meetings to review the various projects that were in need of completion or purchase not only for the current fiscal year but for five additional years beyond that, through FY2022. At the start of the process, there were forty-four (44) projects totaling \$10,233,133 for FY2017. The Finance Committee Guideline allocated \$2,339,836 for capital projects, to be funded from the FY17 tax levy. Other sources of funds, such as water/sewer rates, open article balances, Community Preservation funds, etc., could potentially be used to fund projects above that guideline. The Finance Committee Guideline did not include capital projects funded through Bond Authorization.

The Department Heads discussed the merits of each of their projects and worked together to put together a draft six-year Capital Expenditure Plan. This plan was then presented to the CEC for review in September 2015. At that time, the CEC then proceeded to hear presentations and review the merits of projects contained within that plan. The projects proposed for FY2017 are explained in detail in this report, and listed in Article 19 of this Warrant. The draft of proposed projects for years FY2018 thru FY2022 will be provided in a handout at Annual Town Meeting as a subsection to the budget summary booklet.

The CEC once again had discussions with the Community Preservation Committee (CPC) in an effort to determine if items on the capital request list could possibly be funded with Community Preservation Funds. As a result, seven (7) capital requests were referred to the Community Preservation Committee for funding in whole or in part based on eligibility. The seven (7) items are:

#### ***Department of Public Works***

Athletic Field Design*	\$100,000	*Deferred to a future year
Fawn Lake Design	\$100,000	
Town/School Recreational Grounds Capital Rehabilitation	\$26,469	

#### ***Facilities Department***

Library Exterior Window Replacement*	\$72,800	*CPC deferred, so CEC funded
Old Town Hall Exterior Stairs	\$43,500	
Job Lane House Fire Protection System- Sprinklers	\$65,790	
Old Town Hall Interior Repairs*	\$128,425	*Deferred to a future year

***Total*** **\$536,984**

Through the CEC assessment and rating process, forty (40) items totaling \$8,562,772 are recommended for funding from the following sources:

\$2,339,836 for projects 17-01 through 17-25, to be funded through the tax levy or available funds;

\$95,000 for projects 17-26 and 17-27, to be funded through water and sewer revenue in Fiscal Year 2017; and

\$3,344,177 for projects 17-28 through 17-32, of which \$3,219,177 will be funded through bond authorizations and \$125,000 will be transferred from another source.

The balance of \$2,783,759 represents funding for capital projects from Community Preservation funds and Operating Budget/Chapter 90.

All of the debt service costs for the projects funded through bond authorizations will be reflected in future Town principal and interest budgets. The remaining items or projects originally requested and not being recommended for funding this year may be: deferred until a later year, or removed from consideration, or deemed operating capital, or have been funded through alternative sources.

Project	Project Description	FY17 Cost																																			
17-01	<u>Police Mobile Radio Replacement</u> Funding for this ongoing project would allow for the replacement of 4 cruiser mobile radios, the youngest of which is 13 years old.	\$15,400																																			
17-02	<u>High School Exhaust Fan Capacity (Phase 2 of Planned Improvements)</u> Funding for this project would increase exhaust fan capacity in the science labs at Bedford High School. An evaluation of the ventilation system in June 2013 found the need for additional exhaust ventilation when the room was being used by students conducting experiments. Using smoke generation devices to check the ventilation, it took more than the recommended five minutes to remove the smoke from the room. This is the second and final phase of this project.	\$137,500																																			
17-03	<u>Vehicles and Equipment Replacement</u> The procurement and upkeep of major equipment and the vehicle fleet is a major factor in the Town’s ability to provide quality services. All equipment is evaluated to ensure a cost effective approach to equipment retirement versus ongoing maintenance and repairs.  Below is a list of vehicles that are proposed for replacement in FY2017, with the final priority determined by the Public Works Director at the time funding becomes available.	\$215,000																																			
<table border="1"> <thead> <tr> <th data-bbox="318 1501 402 1602">ID</th> <th data-bbox="402 1501 487 1602">Year</th> <th data-bbox="487 1501 618 1602">Mileage as of 2/1/16</th> <th data-bbox="618 1501 756 1602">Dept.</th> <th data-bbox="756 1501 954 1602">Desc.</th> <th data-bbox="954 1501 1133 1602">Use</th> <th data-bbox="1133 1501 1271 1602">Cost to Replace</th> </tr> </thead> <tbody> <tr> <td data-bbox="318 1602 402 1682">B4</td> <td data-bbox="402 1602 487 1682">2008</td> <td data-bbox="487 1602 618 1682">115,158</td> <td data-bbox="618 1602 756 1682">Facilities</td> <td data-bbox="756 1602 954 1682">Van</td> <td data-bbox="954 1602 1133 1682">Maintenance Technician</td> <td data-bbox="1133 1602 1271 1682">\$34,000</td> </tr> <tr> <td data-bbox="318 1682 402 1751">B5</td> <td data-bbox="402 1682 487 1751">2008</td> <td data-bbox="487 1682 618 1751">114,054</td> <td data-bbox="618 1682 756 1751">Facilities</td> <td data-bbox="756 1682 954 1751">Utility Body</td> <td data-bbox="954 1682 1133 1751">Maintenance Technician</td> <td data-bbox="1133 1682 1271 1751">\$34,000</td> </tr> <tr> <td data-bbox="318 1751 402 1787">C1</td> <td data-bbox="402 1751 487 1787">2008</td> <td data-bbox="487 1751 618 1787">55,883</td> <td data-bbox="618 1751 756 1787">Fire</td> <td data-bbox="756 1751 954 1787">Sedan</td> <td data-bbox="954 1751 1133 1787">Fire Chief</td> <td data-bbox="1133 1751 1271 1787">\$40,000</td> </tr> <tr> <td data-bbox="318 1787 402 1854">P4</td> <td data-bbox="402 1787 487 1854">2012</td> <td data-bbox="487 1787 618 1854">74,534</td> <td data-bbox="618 1787 756 1854">Police</td> <td data-bbox="756 1787 954 1854">SUV</td> <td data-bbox="954 1787 1133 1854">Marked Cruiser</td> <td data-bbox="1133 1787 1271 1854">\$47,000</td> </tr> </tbody> </table>			ID	Year	Mileage as of 2/1/16	Dept.	Desc.	Use	Cost to Replace	B4	2008	115,158	Facilities	Van	Maintenance Technician	\$34,000	B5	2008	114,054	Facilities	Utility Body	Maintenance Technician	\$34,000	C1	2008	55,883	Fire	Sedan	Fire Chief	\$40,000	P4	2012	74,534	Police	SUV	Marked Cruiser	\$47,000
ID	Year	Mileage as of 2/1/16	Dept.	Desc.	Use	Cost to Replace																															
B4	2008	115,158	Facilities	Van	Maintenance Technician	\$34,000																															
B5	2008	114,054	Facilities	Utility Body	Maintenance Technician	\$34,000																															
C1	2008	55,883	Fire	Sedan	Fire Chief	\$40,000																															
P4	2012	74,534	Police	SUV	Marked Cruiser	\$47,000																															

	T6	2003	N/A	DPW	Trailer	Highway Division	\$15,000	
	40	1978	N/A	DPW	Generator	Trailer Mounted	\$20,000	
	15	1996	N/A	DPW	Asphalt Roller	Highway Division	\$20,000	
	A23	2000	N/A	DPW	Attachment, Fertilizer Spreader	Grounds Division	\$5,000	
17-04	<u>Schools Flooring</u> Funding for this project would allow for currently broken, brittle, and cracked flooring to be repaired.							\$33,645
17-05	<u>Fire Station Vehicle Exhaust System</u> Funding for this project would allow for the replacement of the Plymovent Vehicle Exhaust Capture System. The vehicle exhaust capture system consists of an exhaust fan, ductwork, and flexible hose drops to each vehicle in the apparatus bay.							\$57,010
17-06	<u>Town Data Back-up System</u> Funding for this project would allow for a dedicated storage device to be used for backups, archiving, and disaster recovery. It consists of specialized software that compresses data up to 20:1, and it only transfers data that has changed, reducing network usage and reducing backup time. It provides automated replication between similar devices. This project would also ensure compliance with Massachusetts General Laws regarding archiving.							\$16,512
17-07	<u>Town IT Network &amp; Servers</u> This is an ongoing program to update computer servers and network equipment. Funding for this project would allow for consolidation of old, standalone servers onto a more powerful virtual server. It would also replace aging network switches with more functional switches to accommodate comprehensive infrastructure improvements.							\$14,500
17-08	<u>Schools Kitchen Warmers</u> Funding for this project would allow for the replacement of two (2) food warmers at each school. The current conditions of the food warmers are very poor. Multiple repairs to each warmer has been reoccurring frequently.							\$18,900
17-09	<u>Lane School Space Modifications</u> Funding for this project would allow for ongoing modifications found necessary from the previous year. These modifications are necessary even with school additions. Prior examples include temporary walls, shelving, and seating.							\$8,725
17-10	<u>Town IT Equipment Replacement Plan</u> Funding for this project would allow for the scheduled replacement and renewal of IT systems and equipment, including the scheduled replacement of PCs, network printers, tablets, and scanners, according to anticipated operational lifetimes. This is a separate project from 17-07, "Town IT Network & Servers."							\$55,000
17-11	<u>Schools IT Replacement Plan</u> Funding for this project would allow for the scheduled replacement and renewal of IT infrastructure systems, computer server and switch hardware, and classroom equipment.							\$562,450

17-12	<u>School Administration Entrance Security Camera</u> Funding for this project would allow for the installation of a video camera at the exterior door to the Superintendent's Office. The current configuration does not allow for the observation of visitors. The addition of an entrance security camera is more cost effective than reconfiguration.	\$6,643
17-13	<u>Police Station Roof Replacement</u> Funding for this project would allow for the replacement of an asphalt shingled roof that has deteriorated beyond repair.	\$37,713
17-14	<u>Town Photocopier Replacement Plan</u> Copier Replacement is a long term plan for the replacement of copiers in all Town Departments. In general the copiers are used until their useful-functional lifespan is reached. Older machines may be rotated to secondary locations.	\$5,000
17-15	<u>Schools Photocopier Replacement Plan</u> Copier Replacement is a long term plan for the replacement of copiers in all Schools. In general the copiers are used until their useful-functional lifespan is reached. Older machines may be rotated to secondary locations.	\$32,348
17-16	<u>Elementary School Modular Classrooms</u> This project would continue to fund one (1) single modular classroom due to elementary school enrollment increases. In FY 2016, \$121,000 was approved to fund this project. The monies requested this year are the additional funds needed to complete the project.	\$120,000
17-17	<u>School Buildings Interior Painting</u> Funding for this project would allow for painting work to be performed within the interior of all four school buildings.	\$35,000
17-18	<u>School Cafeteria Point-of-Sale Registers</u> Funding for this project would allow for the installation and integration of an electronic point of sale and inventory system at Lane, JGMS, and BHS cafeterias to link with existing system at Davis school.	\$29,496
17-19	<u>Bedford Free Public Library Exterior Window Replacement</u> Funding for this project would replace 20 large windows and 16 smaller basement windows in the Bedford Free Public Library. The existing windows are originally from the 1960s, and they will be replaced with energy efficient, style-matching windows. The existing windows also leak, which has resulted in replacing sections of carpet in 2015.	\$72,800
17-20	<u>Town &amp; Schools Grounds Hardscape Improvements</u> Funding for this project would allow for the repaving of the High School front parking lots, access road, the westerly portion of Mudge Way, the Police Station parking lot, and the Town Hall parking lots that were not redone with School Way. It will cover approximately 134,000 square feet. A retaining wall will also be rebuilt in the Police Station parking lot.	\$540,456
17-21	<u>High School Clock &amp; Bell System Replacement</u> Funding for this project would replace the Clock and Bell system that is starting to fail in the High School.	\$74,304
17-22	<u>Fire Department Utility Trailer Replacement</u> Funding for this project would allow for the replacement of a 20-year-old utility trailer used to store and transport material for hazardous waste cleanup, and rehabilitation equipment for cold weather and warm weather emergencies.	\$5,756



17-23	<u>High School Foreign Language Lab Equipment Replacement</u> Funding for this project would replace outdated and obsolete equipment at BHS Foreign Language Lab, purchase computers, server hardware, licenses, and install the system.	\$41,935
17-24	<u>High School Greenhouse Vent Motor Replacement</u> Funding for this project would allow for the replacement of the failed vent motors in the greenhouse.	\$20,000
17-25	<u>Springs Road Sidewalk Replacement</u> The Springs Road sidewalk from the VA Hospital to the northern end of the Middlesex Community College campus was installed in the early 1980s. Currently, repair costs have been excessive, and have outpaced the cost of replacement.	\$183,743
17-26	<u>Water System Backflow Prevention Program</u> This project will fund semiannual inspections of approximately 570 backflow prevention devices on commercial and industrial water services. The cost of the contract will be recouped with revenue from payments by the customer for testing services.	\$35,000
17-27	<u>Stormwater Template Permit Requirements</u> Funding for this project will allow the Town to adhere to the EPA's Phase 2 Stormwater Regulations which require proper management of peak flows and stormwater discharges to reduce pollutants. The benefits of effective stormwater management are improved water quality to natural resources and potential reduction of flooding events by eliminating sediment in stormwater runoff.	\$60,000
17-28	<u>Sewer System Force Main Replacement</u> <i>(Bond Authorization)</i> This project will fund an inspection of the Town's sewer force mains, preventing future sewer emergencies. Of the 30 sewer pumping stations, 12 have conditions that may be conducive to external corrosion of the buried force mains. This project will fund testing and inspections of the pipes to determine which may be failing, so that prevention measures can be taken to avoid a sewer emergency.	\$258,000
17-29	<u>Ambulance Replacement</u> <i>(Bond Authorization)</i> Funding for this project would replace an active 2006 model Ambulance. This piece of equipment has served for six years as the Town's primary ambulance and four years as a secondary ambulance. Potential downtime for repairs compromises response time, and could lead to a lack of service to the citizenry.	\$256,000
17-30	<u>Fire Engine Replacement</u> <i>(Bond Authorization)</i> Funding for this project would replace Engine One (a 2003 Pierce Fire Engine) that serves as the Town's primary fire engine on a rotating basis 6-months out of the year. Potential downtime for repairs compromises response time, and could lead to a lack of service to the citizenry.	\$564,515
17-31	<u>Water Main Improvements</u> <i>(Bond Authorization)</i> The Public Works Department will continue with the multi-year program of rehabilitating/replacing older water mains to reduce rust deposits inside cast-iron pipes. It is anticipated that water mains along Ashby Road, Walsh Road, Hartford Street, Crescent Avenue, and Bacon Road will be cleaned and cement lined.	\$791,802

17-32	<u>Town &amp; Schools Communications System</u> ( <i>Bond Authorization</i> ) This project is proposed based on the Town Consultant's 2014 study and audit of the Town departments and schools, who found that many buildings are not presently connected via fiber optics. The project includes connecting the Town's public buildings and schools with a ring of fiber optics to provide connectivity. It will improve the reliability of public safety for communications and radio services, provide the Town with opportunities for savings on communications and phone services, and provide the schools with IT improvement for connectivity of computer networks.	\$1,473,860
<b>TOTAL RECOMMENDED REQUESTS</b>		<b>\$5,779,013</b>

The following table shows a capital expenditures historical perspective for five fiscal years based on capital requests of the various School and Town departments.

	<b>Actual FY13</b>	<b>Actual FY14</b>	<b>Actual FY15</b>	<b>Actual FY16</b>	<b>Originally Requested FY17</b>	<b>Revised FY17</b>
Total funding requested	\$6,331,649	\$6,066,783	\$9,178,841	\$11,216,419	\$10,233,133	\$10,688,072
Funded through tax levy or available funds	\$1,573,441	\$1,043,442	\$1,458,644	\$2,532,601	\$2,348,306	\$2,339,836
Tax Levy impact as a percent of total funding requested	24.8%	17.2%	15.9%	22.6%	23.0%	21.9%

The FY17 review process has been completed. Forty-four (44) requests totaling \$10,233,133 from School and Town departments were originally presented to the CEC. However, adjustments were made as the CEC met with individual Town and School departments, and resulted in the revised total of funding requests becoming \$11,410,782.

### Capital Expenditures Over the Next Five Years

As indicated above, the proposed projects for years FY2018 thru FY2022 will be provided at Annual Town Meeting as a subsection to the budget summary booklet. Below are the planned amounts for each fiscal year, inclusive of all projects.

<i>Category</i>	<b>Proposed FY2018</b>	<b>Proposed FY2019</b>	<b>Proposed FY2020</b>	<b>Proposed FY2021</b>	<b>Proposed FY2022</b>
School Buildings	\$127,582	\$4,121,227	\$297,862	\$127,582	\$1,417,582
<u>Other School Projects</u>	<u>\$1,015,424</u>	<u>\$1,653,846</u>	<u>\$905,074</u>	<u>\$930,172</u>	<u>\$2,018,343</u>
<b>Schools Total</b>	<b>\$1,143,006</b>	<b>\$5,775,073</b>	<b>\$1,202,936</b>	<b>\$1,057,754</b>	<b>\$3,435,925</b>
Fire Equipment	\$189,718	\$63,886	\$164,562	\$35,000	\$0
<u>Police Equipment</u>	<u>\$278,932</u>	<u>\$288,253</u>	<u>\$0</u>	<u>\$0</u>	<u>\$32,029</u>
<b>Public Safety Total</b>	<b>\$468,650</b>	<b>\$352,139</b>	<b>\$164,562</b>	<b>\$35,000</b>	<b>\$32,029</b>

Bedford, Massachusetts

Heavy Fire Vehicles	\$0	\$588,240	\$571,228	\$0	\$256,000
Heavy DPW Vehicles and Equipment	<u>\$464,524</u>	<u>\$0</u>	<u>\$0</u>	<u>\$438,130</u>	<u>\$0</u>
<b>Heavy Vehicle Total</b>	<b>\$464,524</b>	<b>\$588,240</b>	<b>\$571,228</b>	<b>\$438,130</b>	<b>\$256,000</b>
<b>Information Technology</b>	<b>\$136,345</b>	<b>\$147,364</b>	<b>\$131,317</b>	<b>\$135,396</b>	<b>\$157,000</b>
Town Building Infrastructure and other Town Facility Work	\$2,124,732	\$125,896	\$1,399,621	\$1,043,389	\$111,020
Building Additions	<u>\$0</u>	<u>\$2,500,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b>Facilities Total</b>	<b>\$2,124,732</b>	<b>\$2,625,896</b>	<b>\$1,399,621</b>	<b>\$1,043,389</b>	<b>\$111,020</b>
Water	\$841,157	\$1,912,713	\$38,534	\$774,000	\$954,000
Sewer	\$495,360	\$237,360	\$0	\$361,200	\$0
Road Resurfacing	\$1,548,000	\$1,736,480	\$1,716,407	\$1,815,290	\$1,906,297
Other	\$1,870,870	\$659,911	\$824,861	\$881,063	\$0
Vehicle and Equipment Replacement	<u>\$254,409</u>	<u>\$264,719</u>	<u>\$384,255</u>	<u>\$335,712</u>	<u>\$438,000</u>
<b>DPW Total</b>	<b>\$5,009,796</b>	<b>\$4,811,183</b>	<b>\$2,964,057</b>	<b>\$4,167,265</b>	<b>\$3,298,297</b>
<b>Misc. and Unassigned</b>	<b>\$34,124</b>	<b>\$1,023,690</b>	<b>\$300,308</b>	<b>\$719,574</b>	<b>\$762,538</b>
<b>TOTAL</b>	<b>\$9,381,177</b>	<b>\$15,323,585</b>	<b>\$6,734,029</b>	<b>\$7,596,508</b>	<b>\$8,052,809</b>

Respectfully submitted,

Brian Bartkus, *Chair*  
 Mary Ellen Carter  
 Anthony Battaglia  
 Eric Dahlberg  
 James O'Neil

Barbara Perry  
 William Moonan, *Selectmen Representative*  
 Paul Mortenson, *Finance Committee Representative*  
 Dan Brosgol, *School Committee Representative*

**Warrant for Annual Town Meeting 2016**

To any of the Constables of the Town of Bedford in the County of Middlesex.  
Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the legal voters of said Town of Bedford, qualified to vote at Town Meeting for the transaction of Town affairs, to meet in said Town in the Bedford High School Auditorium, Monday, March 28, 2016 at 7:30 p.m. then and there to vote upon the following articles:

***Article 1***  
***Reports of Town Officers and Committees***

To hear and act upon the reports of Town officers and committees.

*This article provides for officers and committees so instructed to report to Town Meeting their progress or recommendations.*

***Article 2***  
***Debate Rules***

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

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

pass any vote or take any action relative thereto.

*This article proposes time limitations on presentations and debate of articles before this Town Meeting.*

**RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended

***Article 3***  
***Consent Article***

To determine whether the Town will vote to:

- A. Authorize the Town Treasurer, with the approval of the Selectmen, to borrow money from time to time in anticipation of the revenue of the financial year beginning July 1, 2016 in accordance with the provisions of M.G.L., Chapter 44, Section 4, and to issue a note or notes therefor, payable within one year, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of M.G.L., Chapter 44, Section 17, as may be appropriate;

- B. Raise and appropriate the sum of \$64,000 for an audit of Fiscal Year 2016 and related services;
- C. Accept the provisions of Chapter 184, Section 51 of the Acts of 2002, amending Massachusetts General Laws, Chapter 59, Section 5 (41C) as provided therein concerning a tax exemption of \$500.00 for the elderly so as to increase the gross receipts limitations to \$20,000.00 for a single person and \$30,000.00 for married persons and so as to increase the whole estate limitations to \$40,000.00 for a single person and \$55,000.00 for married persons, and further to increase the amount of property tax exemption granted to persons who qualify for said exemption under said Section 5 (41C) by 100% to \$1,000.00, effective in the Fiscal Year 2017;
- D. Accept the provisions of Chapter 73, Section 4 thereof of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988 so as to act under the aforesaid statute to increase the amount of property tax exemptions by 100% for persons who qualify for said exemptions under clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, and 37A of Section 5 of Chapter 59 of the General Laws, said increase to be 100% above the minimum exemption amounts otherwise provided in the aforementioned clauses of Section 5 of Chapter 59 of the General Laws, effective in the Fiscal Year 2017;
- E. Authorize the Selectmen, during Fiscal Year 2017, to accept any and all easements for sidewalks, trails, drainage, or other utility purposes, as they may deem in the Town's best interests;

pass any vote or take any action relative thereto.

*Sections A-E of this article has been regularly voted by past Town Meetings. Section A would authorize short-term borrowing in anticipation of revenue. Section B would appropriate funds for the FY16 audit.*

*Section C proposes that the Town accept a state law provision that permits adjustment in Fiscal Year 2017 to the eligibility age permitted, gross receipts and whole estate limits set forth in Massachusetts General Laws pertaining to an existing elderly property tax exemption. This same provision has been approved by Town Meeting each fiscal year since 2004. It must be reapproved each fiscal year by Town Meeting for the increased exemption to be available. If this section is not adopted, the exemptions levels would return to Fiscal Year 2003 levels. At that time, property owners could qualify for the exemptions if they were 70 years old, had income (gross receipts) not more than \$13,000 for a single person and \$15,000 combined for two married people, and had combined assets (whole estate) of not more than \$28,000 for a single person and \$30,000 combined for two married people. Under this proposed article, the income limit would be increased to \$20,000 for a single person and \$30,000 combined for two married people, and the asset limit could be increased up to \$40,000 for a single person and \$55,000 combined for two married people. These are the maximums permitted under the law allowing property tax exemptions. Persons who qualified for exemptions in Fiscal Year 2003 were eligible for a maximum exemption of \$500. If Section C is approved as written, the exemption would increase 100% resulting in a maximum exemption of \$1,000. In Fiscal Years 2004 and 2005 the exemption was increased by only 50% resulting in a maximum exemption of \$750. Since Fiscal Year 2006 the exemption was increased by 100% as is proposed for Fiscal Year 2017.*

*Section D proposes that the Town accept a state law provision that allows for increases in all property tax exemptions currently granted by the Town. This same provision has been approved by Town Meeting for each fiscal year since 2004. It must be reapproved each fiscal year by Town Meeting for the increased exemptions to be available. If Section D is not adopted, the exemptions levels would return to Fiscal Year 2003 levels which at that time were as follows: Clause 17D allowed an exemption of up to \$175 for surviving spouses or minor children occupying a property; Clauses 22, 22A, 22B, 22C, 22D, and 22E allowed veterans exemptions of various types and amounts between a maximum of \$400 and \$2,500; Clause 37A allowed an exemption of up to \$500 for a blind person owning and occupying a property. Each clause has certain eligibility requirements that must be satisfied to receive the exemption and only one type of exemption can be granted for each property. If Section D is adopted, a uniform percentage*

*increase of 100% would be applied to all of the exemptions. In Fiscal Years 2004 and 2005 the exemptions were increased by only 50%. Since Fiscal Year 2006 the exemption was increased by 100% as is proposed for Fiscal Year 2017.*

*Section E proposes to delegate to the Selectmen on behalf of the Town to accept any and all easements for sidewalks, trails, drainage, and other utility purposes during Fiscal Year 2017. Massachusetts General Laws otherwise require that Town Meeting accept any interest in real property including easements. In the course of the year, easements on private property are often required to implement sidewalk, trails, road, and drainage improvements. Providing the Selectmen with the authority to accept easements will expedite planning and implementation of projects.*

**RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Residential Tax Impact:	\$1.08

***Article 4***  
***Reauthorization of Revolving Funds***

To determine whether the Town will vote to:

- A. Establish, pursuant to M.G.L., Chapter 44, Section 53E½ for Fiscal Year 2017, a departmental revolving fund to be under the jurisdiction of the Board of Library Trustees, such fund to be used for the purchasing of library materials, and to be comprised of charges for lost or damaged library materials or cards, and late fines to the extent that such fines and charges exceed \$17,000, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$25,000 for said Fiscal Year 2017;
- B. Establish, pursuant to M.G.L., Chapter 44, Section 53E½ for Fiscal Year 2017, a departmental revolving fund for the Conservation Commission, and to authorize the Conservation Commission to deposit into such fund any and all consultant fees from permit applicants, and to use such funds for the purchase of consultant services needed to fulfill the work of the commission, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$100,000 for said Fiscal Year 2017;
- C. Establish, pursuant to M.G.L., Chapter 44, Section 53E½ for Fiscal Year 2017, a departmental revolving fund for cable television revenue to be under the jurisdiction of the Selectmen, such fund to be used for purchasing equipment, supplies, and services related to cable television including public, educational and government access, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$325,000 for said Fiscal Year 2017;
- D. Establish, pursuant to M.G.L., Chapter 44, Section 53E½ for Fiscal Year 2017, a departmental revolving fund for fees and revenue received from the operation of Depot Park to be under the jurisdiction of the Selectmen, such fund to be used for the maintenance and improvements for Depot Park and purchasing equipment, supplies, and services related to the operation of Depot Park, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$75,000 for said Fiscal Year 2017;
- E. Establish, pursuant to M.G.L., Chapter 44, Section 53E½ for Fiscal Year 2017, a departmental revolving fund for fees and revenue received from the operation of Old Town Hall and Town Center to be under the jurisdiction of the Selectmen, such fund to be used for the operation and maintenance of Old Town Hall and Town Center, including utility expenses and purchasing equipment, supplies, and services related to Old Town Hall and Town Center, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$150,000 for

- said Fiscal Year 2017;
- F. Establish, pursuant to M.G.L., Chapter 44, Section 53E1/2 for Fiscal Year 2017, a departmental revolving fund for the Department of Public Works for any and all revenue from the refuse collection and recycling program, and to use such funds for any expenses related to said refuse collection and recycling program including collection and disposal costs, the purchase of refuse carts, recycling bins, compost bins, educational mailings and postage, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$100,000 for said Fiscal Year 2017;
- G. Establish, pursuant to M.G.L. Chapter 44, Section 53E1/2 for Fiscal Year 2017, a departmental revolving fund for the Facilities Department, and to authorize the Facilities Department to deposit into such fund any and all revenue generated from utility incentives for the purchase and resale of energy, and to use such funds for the purchase of energy and energy conservation efforts, and to provide, moreover, that expenditures from such revolving fund shall not exceed a total of \$100,000 for said Fiscal Year 2017;
- H. Establish, pursuant to M.G.L., Chapter 44, Section 53E1/2 for Fiscal Year 2017, a departmental revolving fund to receive monies, gifts, and fees charged for public health programs, such as clinics sponsored by the Board of Health, and further, to authorize the Board of Health to administer and expend funds for these and related programs, such as medical services, up to a limit of \$25,000 in Fiscal Year 2017; pass any vote or take any action relative thereto.

*Section A would reauthorize a revolving fund for the library charges and fines. Section B would reauthorize a revolving fund for Conservation Commission contributions used for consultant fees. Section C would reauthorize a revolving fund for cable television franchise fees and revenue to be used for purchasing equipment, supplies, and services related to the operation of cable television municipal access channels. Section D would reauthorize a revolving fund for the maintenance and operation of Depot Park. Section E would reauthorize a revolving fund administered by the Facilities Department for Old Town Hall and Town Center. Section F would reauthorize a revolving fund for refuse and recycling programs that offset operating budget expenses for these programs. Section G would reauthorize a revolving fund for energy-related revenue and expenses to be used for energy purchase and conservation efforts. Section H would reauthorize a revolving fund for the Board of Health for the purchase of vaccines and conducting flu clinics. The revolving funds in Sections C, D, E, F and G are all under the control of the Selectmen. The following table represents the FY2015 and FY2016 financial data as required under Massachusetts General Laws for each of the above revolving funds:*

	FY2015			FY2016 (as of 12/31/15)	
	Revenues	Expenditures	Ending Balance	Revenues	Expenditures
A. Library	\$12,087.84	\$26,644.33	\$32,742.01	\$1,838.77	\$273.71
B. Conservation Commission	\$8,582.00	\$343.04	\$47,358.86	\$5,832.50	\$4,991.94
C. Cable Television	\$477,715.20	\$225,035.00	\$392,074.17	\$120,152.03	\$95,033.50
D. Depot Park	\$32,048.83	\$30,948.96	\$58,901.39	\$19,202.08	\$15,050.09
E. Old Town Hall & Town Center	\$113,454.92	\$104,663.09	\$19,198.26	\$52,221.84	\$35,273.15
F. Refuse Collection & Recycling	\$44,588.13	\$57,227.53	\$50,592.68	\$26,050.00	\$3,568.31
G. Utility Incentives & Energy	\$4,828.00	\$0.00	\$7,198.00	\$0.00	\$4,828.00
H. Public Health Programs	\$33,339.05	\$17,811.23	\$34,159.81	\$ 10,334.09	\$28,243.14

**RECOMMENDATIONS**

Selectmen: Approval Recommended  
Finance Committee: Approval Recommended

***Article 5  
Bills of Prior Year***

To determine whether the Town will vote to appropriate, and transfer from available funds or otherwise provide a sum of money to pay for services rendered or goods received in a previous year; pass any vote or take any action relative thereto.

*This article provides for the payment of bills that were not received in time for payment in prior fiscal years.*

**RECOMMENDATIONS**

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

***Article 6  
General Bylaw Amendment - Cable Television Committee***

**ARTICLE 26 – CABLE TELEVISION COMMITTEE**

To determine whether the Town will vote to amend the General Bylaws of the Town of Bedford under Article 26 – Cable Television as follows:

**26.4 Responsibilities**

*Current Text:*

The committee responsibilities are to:

- Monitor the Cable Operators’ license and the PEG Access Service Provider’s contract for compliance;
- Inform relevant parties of instances of license or contract noncompliance;
- Investigate and work to resolve any consumer problems relating to the operation of cable television.

*Proposed Text:*

The committee responsibilities are to:

- Monitor the Cable Operators’ license and the PEG Access Service Provider’s contract for compliance;
- Inform relevant parties of instances of license or contract noncompliance;
- **Receive information regarding the Town’s cable television funds and make recommendations to the Selectmen concerning expenditures from those funds.**
- Investigate and work to resolve any consumer problems relating to the operation of cable television.

*This article proposes to amend the General Bylaws so as to add an additional responsibility for the Cable Television Committee. Specifically, the bylaw would state that it is the Committee’s responsibility to make recommendations to the Selectmen concerning the expenditure of cable television funds.*



## RECOMMENDATIONS

Selectmen: Approval Recommended  
Finance Committee: Approval Recommended

### *Article 7* *General Bylaw Amendment – Wetlands Protection*

To determine whether the Town will vote to amend the General Bylaws of the Town of Bedford by replacing Article 54 – Wetlands Protection Bylaw in its entirety and replacing it with a revised bylaw as follows:

#### **54.1 Authority**

This bylaw is adopted under the Home Rule Amendment of the Massachusetts Constitution and the Home Rule statutes, independent of the Wetlands Protection Act, G.L. c. 131, Section 40 (the “Act”) and its implementing Regulations 310 CMR 10.00 (the “Regulations”), which set forth minimum standards only. It uses the Home Rule authority of the Town of Bedford to afford, where appropriate, a greater degree of protection to resource areas subject to regulation under the Act and its Regulations.

#### **54.2 Purpose**

The purpose of this bylaw is to maintain the quality of surface water and the quality and level of the groundwater table and water recharge areas for existing or potential water supplies; protect the public health and safety; protect the community against unwanted costs that may be incurred when development occurs in or adjacent to wetland resource areas; and provide for the reasonable protection and conservation of certain irreplaceable natural resources, features and amenities for the benefit of the present and future inhabitants of the Town of Bedford.

Accordingly, this bylaw protects the wetlands, related water resources, adjoining land areas and important wildlife habitat areas in the Town of Bedford by controlling activities deemed by the Conservation Commission (the “Commission”) to have a significant immediate or cumulative effect upon resource area values including but not limited to the following:

- public or private water supply
- groundwater
- flood control
- soil erosion and sedimentation control
- storm damage prevention
- water pollution prevention and control
- fisheries
- wildlife habitat and state-listed rare plant species
- agriculture and aquaculture
- recreation
- aesthetics

#### **54.3 Jurisdiction**

Except as permitted by the Commission or as stated in this bylaw, no person shall remove, fill, dredge, build upon, degrade, discharge into or otherwise alter, nor commence to remove, fill, dredge, build upon, degrade, discharge into or otherwise alter, the following resource areas:

- within 100 feet of any freshwater wetland, including isolated vegetated wetlands; marsh; wet meadow; bog; swamp; or vernal pool

- within 100 feet of any bank or beach
- within 100 feet of any lake, river, pond or stream
- land under said waterways and water bodies
- within 100 feet of any land subject to flooding or inundation by groundwater or surface water

or, collectively, the “resource areas protected by this bylaw”.

Activities outside protected resource areas are not regulated unless and until any such activity actually alters a resource area. Any person who requests the Commission to regulate activity taking place outside a resource area, including enforcement has the burden of demonstrating to the satisfaction of the Commission that the activity has altered a resource area. The presentation of such information shall be made in writing, sent to the Commission, with a copy sent to the owner of the land and the project proponent (if different than the owner of the land), and the person conducting any such activities outside a protected resource area.

#### **54.4 Exceptions, Limited Projects and Variances**

##### **54.4.1 Exceptions**

The following exceptions shall apply and no applications for Determination of Applicability or Notice of Intent are required for:

(a) **Public Utilities Maintenance, Repair or Replacement** --- 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, sewer, telephone, telegraph or other telecommunications services, or any other public utility, provided that written notice has been given to the Commission prior to commencement of work, and provided further that the work conforms to performance standards and design specifications in regulations adopted by the Commission.

(b) **Emergency Projects** --- Undertaking emergency work necessary for the protection of the health or safety of the public, provided that the work is to be performed by or has been ordered to be performed by the Commonwealth or a political subdivision thereof; that advance notice, oral or written, has been given to the Commission prior to commencement of work or within 24 hours after commencement; that the Commission or its agent certifies the work as an emergency project; that the work is performed only for the time, place and extent certified by the Commission for the limited purposes necessary to abate the emergency; and that within 21 days of commencement of an emergency project an application for a Notice of Intent shall be filed with the Commission for review as provided in 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 as stated in this section, the exceptions provided in the Wetlands Protection Act, G.L. c. 131, Sec. 40 and CMR 10.00 shall not apply.

##### **54.4.2 Limited Projects**

Notwithstanding the general and specific Performance Standards provided in the regulations for this bylaw, the Commission may issue an Order of Conditions which will protect the resource area values identified in the bylaw by permitting the following limited projects:

**(a) Public Utilities** --- The installation and/or construction of underground and overhead public utilities such as distribution, transmission, sewer, water or natural gas lines, and telephone, telegraph or other telecommunication services.

**(b) Access** --- The construction of a new roadway or driveway of minimum practical width acceptable to the Planning Board, Department of Public Works, Fire Department, and Police Department; provided there exists no alternative reasonable use of the land and no possible reasonable alternative means of access from a public way to an upland area. The Commission shall require that the proponent minimize all potential impacts to the resource areas impacted by the project.

**(c) Construction of Water Bodies** --- If a proponent proposes an activity which results in the excavation of wildlife impoundments, farm ponds or ponds for fire protection, the proponent must furnish for the Commission's consideration, prior to the excavation, the information specified in the regulations for this bylaw.

#### 54.4.3 Variances

The Commission may waive the application of this bylaw and its regulations when it receives a written request for a variance from the proponent, and it determines that such variance is necessary to accommodate:

**(a) Overriding Public Interests** --- An overriding community, regional, state or national public interest. The proponent shall have the burden of demonstrating that there is no reasonable alternative design of the project that would minimize any alteration of protected resource areas, and that the activity serves an overriding public interest; or

**(b) Avoidance of a Taking** --- In the case of an unimproved lot existing prior to the effective date of the particular bylaw or regulation provision in question, the proponent proves by a preponderance of the credible evidence that a provision of this bylaw or its regulations will deprive the proponent of any economic use of the proponent's property as a whole, including any present or former property of the proponent which previously incorporated the subject lot. The proponent shall have the burden of proving that there is no reasonable alternative design of the project or use of the lot that would result in an economic use while still complying with this bylaw and its regulations.

#### 54.5 Definitions

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

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, the Town of Bedford, and any other legal entity, its legal representatives, agents or assigns;

The term "**wetland**" shall include both bordering vegetated wetlands (wet meadows, marshes, swamps, and bogs bordering on creeks, rivers, streams, ponds or lakes) as well as isolated wetlands. Vegetated wetlands are areas where the soils are saturated and/or inundated such that they support a predominance of wetland indicator plants, the ground and surface water regime and the vegetated community for each type being as specified in M.G.L. c. 131, Section 40. An area consisting of predominantly peat/muck soils, even where no vegetation exists, shall be considered a wetland;

The term “**delineation**” shall mean the demarcation of the boundary of a bordering vegetated wetland, the delineation procedure to follow the criteria specified in 310 CMR 10.55(2)(c) and any amendments thereto as well as the associated guidance contained in *Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act*, Massachusetts Department of Environmental Protection, March 1995 and any revisions thereto;

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 alteration of water table levels;
- (d) Dumping, discharging or filling with any material which may degrade water quality, including, but not limited to bituminous material and concrete;
- (e) Placing of fill, or removal of material, which would alter elevation;
- (f) Driving of piles, and erection or alteration of buildings or structures of any kind;
- (g) Placing of obstructions or objects in water;
- (h) Removal or destruction of plant life, including cutting of trees and shrubs, which may result in environmental damage to the resource areas protected by this bylaw;
- (i) Destruction of wildlife habitat or state-listed rare plant or animal species;
- (j) Changing water temperature, biochemical oxygen demand, or other physical, biological or chemical characteristics of any waters in protected resource areas;
- (k) Any activities or changes of work which may cause or tend to contribute to pollution of any body of water or groundwater, including, without limitation, any activity that may cause surface water runoff to be contaminated with sediments or chemicals; and
- (l) Incremental activities that have, or may have, a cumulative adverse impact on the resource areas protected by this bylaw.

The term “**tree**” shall mean woody plants with a diameter of 5 inches or greater at 4 ½ feet above the ground and an overall height of 20 feet or more.

Except as otherwise provided in this bylaw or in regulations of the Commission, the definition of terms in this bylaw shall be as set forth in the Wetlands Protection Act, G.L. Ch. 131, s. 40 and the Regulations, 310 CMR 10.00.

#### **54.6 Applications and Fees**

Written application shall be filed with the Commission to perform activities regulated by this bylaw affecting resource areas protected by this bylaw. The application shall include such information and plans as are deemed necessary by the Commission to describe proposed activities and their effects on the resource area, including such information and plans required under this bylaw and in regulations of the Commission. No activities shall commence without receiving and complying

with either a negative Determination of Applicability or Order of Conditions issued pursuant to this bylaw.

Any person desiring to certify, for purposes of this bylaw, the boundaries of resource areas on a site shall file a written **Abbreviated Notice of Resource Area Delineation** (ANRAD). Such a filing shall include such information and plans as are deemed necessary by the Commission to describe and define the wetland resource areas, including such information and plans required under this bylaw and in regulations of the Commission.

Any person desiring to know whether or not a proposed activity or area is subject to this bylaw may file in writing a **Request for Determination of Applicability**. Such a filing for a Request for Determination of Applicability shall contain dates and plans specified by the regulations of the Commission. The Commission in an appropriate case may accept, as the application for Determination of Applicability and related plans under this bylaw, the Request for Determination of Applicability and plans filed under the Act.

Any person proposing activity in a resource area protected by this bylaw shall file in writing a **Notice of Intent** with the Commission. Such a Notice of Intent shall contain data and plans specified by the regulations of the Commission. The Commission in an appropriate case may accept, as the application for Notice of Intent, the Notice of Intent and plans filed under the Act.

At the time of an application for a Notice of Intent the applicant shall pay a **filing fee** specified in the regulations to this bylaw. This fee is in addition to that required by the Act. This fee shall not be refundable. The Commission may waive the filing fee and costs and expenses for an application or request filed by a government agency.

Upon receipt of a Request for Determination of Applicability or a Notice of Intent under the bylaw, the Commission is authorized to require an applicant to pay a fee, called a **consultant fee**, for the reasonable costs and expenses borne by the Commission for specific expert engineering and other consultant services deemed necessary by the Commission to assist the Commission with issuing a final decision on said application. The exercise of discretion by the Commission in making its determination to require the payment of a consultant fee shall be based upon its reasonable finding that additional information acquirable only through outside consultants would be necessary for the making of an objective decision with respect to compliance with the bylaw.

These specific consultant services may include but are not limited to resource area survey and delineation, analysis of resource values and impacts thereto, including wildlife habitat evaluations, hydro geological and drainage analyses, and relevant environmental or land use law.

In each case the maximum amount of the consultant fee charged to reimburse the Commission for reasonable costs and expenses shall be based upon the estimated, entire cost of the applicant's proposed project. These maximum fee amounts and the estimated project costs reflected, fee assessment, exemptions, the timing and method of fee payment, refund and appeal procedures, as well as procedures for managing consultants shall be as specified by the regulations of the Commission.

#### **54.7 Hearings and Notice**

The Commission shall conduct a public hearing on any application for an Abbreviated Notice of Resource Area Delineation (ANRAD), Request for Determination of Applicability or Notice of Intent, except as otherwise provided by this bylaw [Sec. 54.10(c) below].

The hearing shall commence within 21 days from receipt of a completed application of an Abbreviated Notice of Resource Area Delineation, a Request for Determination of Applicability or Notice of Intent 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 Act.

Notice of the date, time, place and subject matter of the hearing shall be given by the Commission, at the expense of the applicant, not less than five days prior to the hearing, by publication in a newspaper of general circulation in the Town of Bedford. Notice shall be mailed to the applicant and, when the applicant is other than the owner, the application and the notice of the hearing shall be sent to the owner. Notice shall also be delivered or mailed in each instance to such other Town boards required by state law to receive it, also to any other Town officials as the Commission may determine to be relevant to the specific matter under consideration.

Written notice of the date, time and place of the said hearing shall be given by the applicant by certified mail (return receipt requested), not less than seven days prior to such hearing, to all abutters, including owners of land directly opposite on any public or private street or way or body of water within 100 feet of the property or lot (as determined by the most recent Assessor's records) on which the proposed activity is to take place. For purposes of this bylaw, the 100 foot measurement shall be from the property line of the property or lot on which the proposed activity is to take place. Said abutter notification shall also state where copies of the applicant's application may be examined or obtained, and the subject matter of the hearing.

The Commission shall have authority to continue any such hearing to a date certain announced at the hearing, for reasons stated at the hearing, which may include receipt of additional information offered by the applicant or others; information and plans required of the applicant that are deemed necessary by the Commission in its discretion; or comments and recommendations received from other boards and officials of the Town of Bedford. In the event that the applicant objects to a continuance or postponement, the hearing shall be closed and the Commission shall take action on such information as is available at the time, provided that such objection and resulting decision are more than 21 days after the receipt of the Notice of Intent.

## **54.8 Presumptions**

### **(a) Buffer Zone**

When an activity is proposed that entails any filling, dredging, building upon, degrading, discharging into or otherwise altering the area within the 100 feet in a horizontal straight line from any resource area protected by this bylaw, i.e., in its Buffer Zone, the Commission shall presume that this activity has a high likelihood of altering that resource area unless the proponent proves by a preponderance of the credible evidence that either:

- the Buffer Zone does not play a role in the protection of any of the resource area values protected by this bylaw; or
- the activity shall occur in such a manner that any potential adverse environmental impacts on any of the resource area values are avoided

### **(b) Specific Resource Areas**

When a proponent proposes altering a wetland, bank, land under waterways and water bodies, or land subject to flooding (bordering and isolated), the Commission shall presume that said land is significant to all the resource area values protected by this bylaw. In each case this presumption is rebuttable, and may be overcome upon the applicant proving by a preponderance of the credible

evidence that the land in question does not play a role in the protection of any of the resource area values protected by the bylaw.

**(c) Rare and Endangered Species**

When a wildlife or plant species listed as rare, threatened, endangered or of special concern by the Massachusetts Natural Heritage and Endangered Species Program is known to inhabit or occur in a protected resource area, the Commission shall presume that any activity proposed in that area will adversely affect the species unless the contrary is proven by a preponderance of the credible evidence presented to the Commission by the proponent.

**54.9 Burden of Proof**

The applicant for a Determination of Applicability shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the application is not within the jurisdiction of this bylaw.

The applicant for a Notice of Intent shall have the burden of proving by a preponderance of the credible evidence that the work proposed in the application will not have unacceptable, significant, or cumulative effect upon the resource area values protected by this bylaw.

Failure to provide adequate credible evidence to the Commission supporting the burden of either an application for Determination of Applicability or Notice of Intent shall be sufficient cause for the Commission to deny the application.

**54.10 Determinations and Orders of Conditions**

(a) **Orders of Resource Area Delineation** --- The Commission shall issue an Order of Resource Area Delineation, either confirming or modifying the boundaries delineated in the ANRAD filing, within 21 days of the close of the public hearing, unless the applicant authorizes an extension in writing.

(b) **Determinations of Applicability** --- The Commission shall issue a written Determination of Applicability within 21 days after receipt of the Request for Determination, unless the applicant authorizes an extension in writing.

The Commission shall make specific determinations as to (1) whether the area of proposed work is an area subject to the jurisdiction of the Act; (2) whether the boundaries of the affected resource areas are accurately delineated; (3) whether the Act applies to the work proposed within a wetland resource area or its buffer zone; (4) whether the affected area or proposed work is subject to the jurisdiction of this bylaw; and (5) whether the project also requires review under the Massachusetts Rivers Protection Act .

The Commission shall issue a **Negative Determination** if the area of proposed work is not an area subject to protection under the Act or this bylaw (including the buffer zone); or if the work is in an area subject to protection under the Act but the work will not remove, fill, dredge or alter that area; or if the work is within the buffer zone as defined in the Regulations, but will not alter an area subject to protection under the Act or this bylaw and does not require the filing of a Notice of Intent, subject to conditions as may be determined by the Commission; or the work is not within an area subject to protection under the Act (including the buffer zone) and does not require the filing of a Notice of Intent unless and until such work alters an area subject to protection under the Act; or the area is subject to protection under the Act but the work proposed is exempt as specified either in the Act or its Regulations and no Notice of Intent is required; and if the area and/or the work is not subject to review and approval by the Commission under this bylaw.

The Commission shall instead issue a **Positive Determination** if the area is an area subject to protection under the Act or the buffer zone, and thus removing, filling, dredging or altering the area requires the filing of a Notice of Intent; the boundary delineations of the specific resource area either are confirmed and are afterwards binding as to all decisions rendered pursuant to the Act and its Regulations for as long as this Determination is valid, or are not confirmed; the work proposed is within an area subject to protection under the Act and will remove, fill, dredge or alter the area, requiring the filing of a Notice of Intent; the work is within the buffer zone and will alter an area subject to protection under the Act, requiring the filing of a Notice of Intent; and/or the area or the work or both are subject to review and approval by the Commission under this bylaw. When the person requesting this determination is other than the owner, notice of the determination shall be sent to the owner as well as to the requestor by certified mail (return receipt requested).

The Commission may in an appropriate case combine the Determination of Applicability issued under this bylaw with the corresponding Determination of Applicability issued under the Act.

(c) **Administrative Approvals** --- Proposed activities considered minor in scope and that would predictably have no significant or cumulative effect upon the resource areas protected by this bylaw may be reviewed and approved by the Conservation Administrator, without a public hearing. The Conservation Administrator shall inform the Commission on a regular basis of all such administrative approvals issued, upon request by either the applicant or the Commission, these approvals may be reviewed by the Commission and subject to change at its discretion. The Commission may identify examples of proposed activities that may be subject to administrative approval in its regulations.

(d) **Notices of Intent** --- If the Commission after a Notice of Intent public hearing determines that the activities which are the subject of an application for Notice of Intent are likely to have a significant or cumulative effect upon the resource areas values protected by this bylaw, the Commission, within 21 days of the close of the hearing, shall issue an Order of Conditions. If the Commission issues an Order of Conditions, it shall impose conditions which it deems necessary or desirable to protect those values, and all activities shall be done in accordance with those conditions.

The Commission may in an appropriate case combine the Order of Conditions issued under this bylaw with the corresponding Order of Conditions issued under the Act.

No work proposed in any application for Notice of Intent shall be undertaken until the Order of Conditions issued by the Commission with respect to such work has been recorded in the Middlesex (South) Registry of Deeds or, if the land affected is registered land, in the registry section of the land court for the Middlesex (South) Registry of Deeds, and until the holder of the Order of Conditions certifies in writing to the Commission that these documents have been recorded.

Where no conditions are adequate to protect the affected resource area values, the Commission is empowered to deny an Order of Conditions for failure to meet the requirements of this bylaw. The Commission may also deny an Order of Conditions for:

- failure to submit necessary information and plans requested by the Commission;
- failure to meet the design specifications, performance standards and other requirements in regulations of the Commission; or
- failure to avoid or prevent unacceptable significant or cumulative effects upon the resource area values protected by this bylaw



An Order of Conditions shall expire three years from the date of issuance. Any permit may be renewed for one or more periods of up to three years each, provided that a request for renewal is received in writing by the Commission at least 30 days prior to expiration.

For good cause the Commission may revoke or modify an Order of Conditions issued under this bylaw after public notice and public hearing, and written notice to the holder of the Order of Conditions. Good cause for such revocation or modification shall include but not be limited to the following:

- failure by the applicant or his successors to comply with the terms of the Order of Conditions;
- receipt of new information relating to the project which indicates that previous information presented to the Commission was inaccurate;
- changes to the project after completion of the Commission's review

(e) **Trees** --- If a tree does not pose an immediate safety hazard, e.g., to a house or garage, driveway, power line, children's play area or flower garden, a Request for Determination of Applicability and, possibly, a Notice of Intent must be filed with the Commission before cutting any such tree can occur in a wetland or within the 100 foot buffer zone.

If a tree in such resource areas does pose an immediate safety hazard, the property owner can have the tree removed without filing a Request for Determination of Applicability or Notice of Intent, provided that a Massachusetts-certified arborist examines the tree and confirms the immediate safety hazard, and the property owner then notifies the Commission in writing within 30 days of the removal of the tree, such notification including a photograph of the tree and a letter from the arborist testifying to the hazard.

Alternatively, a property owner can seek an Emergency Certification for removal of immediately dangerous trees under the Massachusetts Wetlands Protection Act. The property owner must first request a public agency, such as the Bedford Department of Public Works or the Bedford Fire Department, to declare the situation an emergency in writing, then submit an application for emergency certification including such declaration from a public agency to the Bedford Conservation Commission.

#### **54.11 Coordination with Other Town Boards or Officials**

Other Town of Bedford boards and officials shall be entitled to file written comments and recommendations with the Commission regarding any requested decisions covered under Sections 54.10(a), (b) and (d) applications above, at least three business days prior to the scheduled public hearing where these are to be discussed. The Commission shall take such comments and recommendations into account during its deliberations but shall not be bound by them. The applicant shall have the right to receive copies of any such comments and recommendations before the public hearing.

#### **54.12 Security**

As part of an Order of Conditions issued under this bylaw, in addition to any security required by any other municipal or state board, agency, or official, the Commission may require that the performance and observance of the conditions imposed hereunder be secured wholly or in part by one or more of the following methods:

- by a proper bond or deposit of money or negotiable securities or other undertaking of financial responsibility sufficient in amount and type in the opinion of the Commission; and/or

- by 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 the Town of Bedford, as may be deemed to be sufficient in the opinion of the Commission.

#### **54.13 Regulations**

After public notice and public hearing the Commission shall promulgate rules and regulations to effectuate the purposes of this bylaw. 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.

As a minimum, these regulations may define key terms in this bylaw not inconsistent with this bylaw.

#### **54.14 Enforcement**

**(a) Authority** --- The Commission and its agent shall have authority to enforce this bylaw, its regulations, Determinations of Applicability and Orders of Conditions issued thereunder by letters, telephone calls, electronic communication and other informal methods, and/or violation notices, non-criminal citations under G.L. c 40, Section 21D, and civil 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, may be fined, or both.

**(b) Entry** --- The Commission, its agents, officers, and employees shall, subject to and in compliance with the United States Constitution and Massachusetts Constitution and laws of the United States and the Commonwealth of Massachusetts, have authority to enter upon privately owned land after notification to the landowner 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.

**(c) Legal Action** --- Upon written request of the Commission, the Board of Selectmen is authorized to take legal action for enforcement under civil law. Upon written request of the Commission, the chief of police is authorized to 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.

**(d) Fines and Penalties** --- Any person, who violates any provision of this bylaw, regulations thereunder, Determinations of Applicability or Orders of Conditions issued thereunder, may be punished by a fine of not more than \$300. Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of the bylaw, regulations, Determination of Applicability or Order of Conditions shall constitute a separate offense.

**(e) Alternative to Criminal Prosecution** --- In an alternative to criminal prosecution the Commission may elect to utilize the non-criminal disposition procedure set forth in G.L. c. 40, Section 21D, in which case the penalty shall be as follows: First Offense \$75; Second Offense \$150; Third and subsequent offenses \$300. Each day or portion thereof during which a violation continues shall constitute a separate offense, and each provision of the bylaw regulations, Determination of Applicability or Order of Conditions shall constitute a separate offense.

**(f) Appeals** --- A decision of the Commission shall be reviewable in the superior court in an action filed within 60 days thereof, in accordance with G.L. c. 249, Section 4 as amended. In addition to the appeal procedures under G.L. c. 40, Section 21D, persons fined may appeal in writing to the Commission within 21 days. The Commission may vacate fines where compliance

has been established, or their issuance is inconsistent with the resource area values protected by this bylaw. The Commission may suspend fines as long as the person in violation demonstrates a reasonable, good faith effort toward obtaining compliance. The Commission may restore suspended fines at any time during an existing violation.

#### **54.15 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 or determination which previously has been issued.

*This article proposes to amend the General Bylaws so as to replace the current Wetlands Protection Bylaw with a revised bylaw. This initiative to update the bylaw was undertaken by the Conservation Commission. The significant differences between the current bylaw and the proposed bylaw are as follows:*

*Since Bedford's current Bylaw was last amended in 1995, the Massachusetts Association of Conservation Commissions has issued a "model" Wetlands Protection Bylaw/Ordinance which many cities and towns, including all of the towns adjacent to Bedford, have since used to update their own local wetlands protection bylaws. The MACC model provides a logical, straightforward way of structuring and organizing such a bylaw, one which the Commission feels is easier for citizens as well as local officials to understand and apply as compared to that provided by the current bylaw format. So the Commission's principal objective in proposing to revise the Bedford bylaw was editorial in nature, not necessarily to strengthen or weaken its existing provisions but instead to make its structure more clear, readable and user-friendly.*

*Consistent with this objective, the language of the current bylaw has been reorganized --- in some cases relocated elsewhere within the bylaw itself, in other cases shifted from the bylaw to the Commission's Regulations, or vice versa. Consequently this proposed revision is equally as protective of the Town's wetland resource areas as the current bylaw. It's simply intended to be easier to read and follow.*

*In carrying out its bylaw revision work the Commission also reviewed the current wetlands protection bylaws of eight other selected Massachusetts communities, in order to help identify innovative approaches or best practices adopted by other towns. As a result, there are five specific instances where this proposed revision adds language not currently found in the existing bylaw, all of these taken from elsewhere and intended as either clarifications or enhancements of Bedford's existing bylaw:*

- *Additional detail regarding the Commission's process for making Determinations of Applicability, incorporating wording from the applicable Massachusetts Department of Environmental Protection form WPA-2 [see Section 54.10(b)]*
- *Provision for a process of administrative approvals regarding proposed actions that would predictably have no significant or cumulative effects upon resource areas protected under the bylaw, whereby such actions could be reviewed and approved by the Conservation Administrator without the necessity of holding a public hearing [see Section 54.10(c)]*
- *Incorporation of the Commission's existing Tree Policy, describing the process for managing the cutting of trees within the 100 foot buffer zone of a wetland, into the wording of the bylaw itself [see Section 54.10(e)]*
- *Clarification that the Commission's authority to enter upon privately owned land after notification to the landowner for the purpose of performing its duties under the bylaw is subject to the protections of the United States Constitution, the Massachusetts Constitution and the laws of the United States and the Commonwealth of Massachusetts [see Section 54.14(b)]*
- *Provision for a graduated scheme of penalty amounts for noncompliance with Commission*

*orders, designed to encourage early settlement by violators by making use of the non-criminal disposition procedure set forth in M.G.L. ch. 40, Section 21D [see Section 54.14(e)]*

*The Conservation Commission has posted a comparison of the current bylaw and the proposed bylaw on the Town website and will distribute this comparison at Annual Town Meeting.*

**RECOMMENDATIONS**

Selectmen: Approval recommended  
Finance Committee: Recommendation to be given at Annual Town Meeting

**Article 8**  
**Zoning Bylaw Amendment - Conversion of Public School Buildings to Multiple Residential Use - Page Place**

To determine whether the Town will vote to amend the Bedford Zoning Bylaws to revise the current Zoning Section 11 - Conversion of Public School Buildings to Multiple Residential Use (and related references in other sections of the Bylaw) to permit additional building construction by amending the following sections of the Bedford Zoning Bylaw:

**Section 4.2.8** is hereby amended to read as follows:

*4.2.8 Public School Property Reuse ~~Building Conversion~~.  
~~Conversion~~ Reuse of a public school building and grounds to a multiple residential use in accordance with the provisions of Section 11.*

**Table I: Use Regulations** is hereby amended by changing the title of section 4.2.8 from “Public School Building Conversion” to “Public School Property Reuse” and changing the requirement for Site Plan Approval from “R” to “NR” as site plan review will occur through the special permit process.

**Section 11 Title** is hereby amended by replacing the term “Conversion of Public School Buildings to Multiple Residential Use” with the new title “**Reuse of Public School Properties for Multiple Residential Use.**”

**Section 11.1** The first paragraph of section 11.1 is hereby amended by replacing the word “conversion” and replacing it with “reuse” and inserting “and properties” after the words “public school buildings” such that the first paragraph reads:

*The Planning Board may grant a Special Permit (SP) for the ~~conversion~~ reuse of public school buildings and properties, declared to be no longer required for public purposes, to Multiple Residential Use subject to the requirements set forth below and such additional conditions and limitations as may be imposed by the Planning Board.*

Section 11.2 is hereby amended to expand the explanation of purpose to read as follows:

*11.2 Purpose  
The purpose of this section is to encourage the most appropriate conversion and re-use of each public school building and to maintain consistency of treatment of each application.  
The principal purpose of this section is to foster reuse of former public school buildings and grounds for residential use in ways that are attractive, useful and harmonious with their neighborhood and the community. In doing so, the intent is to re-purpose the school structure and incorporate any additional dwellings, in a manner that respects the scale and form of the surrounding area, retains a*

*significant amount of open space, preserves existing natural and built amenities as key site features and creatively blends architectural and landscape elements into a desirable overall design. The secondary purpose of this section is to broaden the array of the town's housing options, preserve open space and provide links between the locus and surrounding neighborhood in an effort to create pedestrian and bicycle friendly circulation throughout town.*

Section 11.3 is hereby amended by replacing the section to read as follows:

#### 11.3 Permitted Uses

*Multiple Residential Use ~~only~~ shall only be permitted as indicated in Table I: Use Regulations, line 4.2.8. For the purposes of this section "Multiple Residential Use" shall be defined as more than one residential dwelling unit located in one or more attached or detached buildings on a single lot or property.*

Sections 11.4 and 11.5 are hereby amended to clarify the permitting requirements as follows:

#### 11.4 Application Requirements

##### 11.4.1 Procedure

*An application for Special Permit (SP) for such ~~conversion~~ reuse shall be made and processed in accordance with the provisions of this Section 7.5.2.1 in so far as ~~applicable to conversion to reuse existing school buildings and properties or for modification to or expansion of prior special permit approvals for school property reuse.~~*

##### 11.4.1.1 Site Plan

*~~In addition to those items required for plan submission for site plan approval. The Special Permit application shall be accompanied by a site plan that includes property lines, zoning boundaries and zoning district, topography in 2-foot contours, existing and proposed buildings and their uses, parking and loading areas, driveway openings, service areas, open space and utilities. Plans shall show all surface and subsurface drainage, wetlands, flood plain, and other existing conditions and resource areas. Plans shall be stamped by a Massachusetts Professional Engineer, Professional Land Surveyor, Registered Architect, Registered Landscape Architect, or other professional as appropriate.~~*

*Plans or supporting information shall also indicate maximum groundwater elevation as determined between December 1 and April 30, and the classification as delineated on the Bedford Planning Board's Groundwater Supply Favorability Map of November 1980 (as it may be revised or replaced), location of aquifers, private or public wells and drinking water supplies in relation to the site, and all landscape features (such as walks, planting areas, trees and fences), lighting fixtures and signs on the lot, both existing and proposed. The site plan shall show the relation of the above features to adjacent ways and properties.*

*Open space areas and their use as well as exclusive use areas (if any) shall be delineated. Existing and proposed easements and their purpose shall be indicated as well as existing or proposed pedestrian trails, bike paths or other public amenities.*

*The site plan shall show all contiguous land owned by the applicant or the owner of the property which is subject of the application and shall indicate the names and addresses of other owners of record of contiguous property as determined by the Bedford Assessors.*

*The following shall also be required to be shown on the plan if applicable: proposed renovation/rehabilitation plan for interior and exterior of existing buildings, elevations and floor*

*plans for proposed buildings, including facade treatments and elevations, proposed site improvements, existing and proposed buildings and their proposed uses and proposed densities.*

Section 11.4.2 is hereby deleted as the Site Plan requirement is incorporated in the Special Permit provisions and a new Section 11.4.2 shall be inserted to define additional information to accompany the Special Permit application.

*11.4.2 Planning Board Signature Block*

*A block shall also be placed on each page of the plan for the Planning Board signature of approval. This block shall be titled "Special Permit/School Building Reuse."*

*11.4.2 Project Narrative*

*The Special Permit application shall be accompanied by a description of the project including existing conditions, proposed number of units and layout, table of zoning dimensions, calculation of impervious surface, lot coverage, open space and other information helpful to evaluate the proposal. The drainage design proposal shall include drainage calculations and methods of stormwater management. A statement of how the proposal satisfies the intent of the bylaw shall include any proposals for pedestrian or bicycle connections, any voluntary public benefits such as public access trails or contributions in support of affordable housing, open space preservation and method of preservation, form of ownership and long term maintenance and other features of the proposal.*

*11.4.3 Schedules*

*The applicant shall also provide a financial and development schedule which includes estimated costs of rehabilitation and site development and a time schedule for completion of various phases of the project (site work, construction phases, utilities, framing, completion, occupancy, etc.).*

*11.4.4 Authority*

*The Planning Board shall be the Special Permit granting authority for projects permitted in accordance with this Public School Property Reuse Section. The Planning Board may vary the dimensional (excepting density) and parking requirements of this Section and as noted in Table II: Dimensional Requirements, if, in its opinion, such change will result in a desirable design of the development. This authority continues subsequent to occupancy. New development or redevelopment shall be in accordance with the Special Permit requirements of Section 14.6 and performance standards noted below.*

**11.5 Special Permit Procedure**

*11.5.1 Schedule and Procedure*

*Within sixty-five days of the receipt of an application for a Special Permit for Public School Building Property Reuse by the ~~Inspector of Buildings~~ Town Clerk, the Planning Board shall hold a public hearing on the proposal. Within ninety days of said hearing, the Planning Board shall take final action on the proposal. A written report of the Planning Board's action shall be forwarded to the Inspector of Buildings, Selectmen, Town Clerk and applicant within fourteen days of ~~their~~ its action.*

*11.5.2 Special Permit Expiration*

*A Special Permit for Public School Building Property Reuse shall lapse if substantial use thereof or construction has not begun within ~~one~~ two years of the Special Permit approval (exclusive of time required to pursue or await the determination of an appeal referred to in M.G.L. Chapter 40A, Section 17, from the grant thereof).*

*11.5.3 Extension of ~~Review~~ Period to Commence Construction*

*Upon mutual agreement between the Planning Board and the applicant, the deadline outlined in Section 11.5.2 may be extended by up to one ~~two~~ years ~~from the date of the original permit~~.*

#### 11.5.4 Revocation of Permit

*Failure to comply with the standards of this section and/or the conditions established by the Planning Board shall result in the revocation of the Special Permit.*

Section 11.6 is hereby amended to modify the performance standards and to detail the open space requirements as follows:

### **11.6 Performance Standards**

#### 11.6.1 Land Use

*The proposed land use shall be compatible with land use in the surrounding area.*

#### 11.6.2 Parking and Other Facilities

*Parking, loading and service areas shall be limited to rear yards where possible; where such areas are not possible, they may be located in side or front yards if sufficient landscape barriers are provided.*

#### 11.6.3 Additional Structures / Density

~~*No additional principal structures shall be permitted unless determined by the Planning Board to be essential to the overall plan and economic viability of the proposal, provided, however, that any additional principal structure so permitted shall not be used for dwelling purposes. Accessory buildings shall be suitably screened from adjacent properties, shall be of an architecture consistent with that of the principal building and shall be sited to be unobtrusive to the siting and layout of the principal structure and development plan. In addition to the conversion of the original school building(s), additional residential structures may be permitted by Special Permit, either at the time of the original reuse or a subsequent application for expansion of the original school property reuse subject to the provisions herein.*~~

*The overall density of the Multiple Residential Use located within the entire development (whether on one parcel or multiple parcels) shall not exceed three (3) units per acre.*

#### 11.6.4 Access to Public Way

*Access shall be provided which minimizes traffic hazards. In addition to minimizing vehicular traffic hazards, safe and convenient connections to pedestrian and/or bicycle routes shall be provided where feasible. Proposals shall describe how they are consistent with the goals and recommendations of the Bedford Pedestrian and Bicycle Plan and other planning documents.*

#### 11.6.5 Open Space

~~*The general requirements of Section 10.3.7 shall apply to Common Open Space.*~~

*The area of Common Open Space shall equal at least 35% of the total area of the development tract, and no more than 50% of the minimum required Common Open Space shall be situated within the Flood Plain/Wetland District. The Common Open Space shall have a shape, dimension, character and location suitable to enable its enjoyment and use for conservation, agriculture or passive recreational purposes by the public and/or residents of the development. Open space provided within a development parcel shall comprise a combination of usable open space and / or recreation areas and natural resource areas that support wildlife and natural vegetation that will be preserved in an undeveloped state.*

*The use of greens is encouraged as integral organizing elements for the buildings, and open space or passive recreation areas shall provide scenic viewsheds for the enjoyment of both residents and passing public. Other landscape assets such as trees or attractive walls shall be identified and retained as much as possible in the layout. Provisions shall be made so that the Common Open Space is owned by a homeowners association, the Town or otherwise as the Board may direct and*

shall be readily accessible to all residents in the development. The Planning Board will look favorably on proposals providing publicly accessible open space or trail connections.

In appropriate cases where the size and value of the open space is significant, the Board may require a perpetual restriction of the type described in M.G.L. Chapter 184, Section 31 (including future amendments thereto and corresponding provisions of future laws), to be recorded in respect to such Common Open Space. Regardless of form of ownership or control, it is the intent that the open space shall be restricted to provide that the Common Open Space shall be retained in perpetuity for benefit of residents of the development (and the inhabitants of the Town of Bedford should the open space or portions thereof be accessible to the public). The restriction shall specifically prohibit the use of the Common Open Space for all terrain vehicles, snowmobiles, motorbikes, motorcycles and similar vehicles. It shall prohibit the construction of any buildings, roads or paved areas, except for the construction and maintenance of duckwalks, bicycle, equestrian and foot paths, gazebos, play structures, exercise stations or similar facilities for the benefit of the residents or the public. Such restrictions shall be in such form and substance as the Board shall prescribe and may contain additional restrictions on development and use of the Common Open Space as the Board may deem appropriate.

#### 11.6.6 Exterior Lighting

Exterior lighting fixtures shall be arranged so that they neither unreasonably distract occupants of nearby properties nor interfere with traffic on any public way. They shall be placed or hooded so as to prevent direct light from shining onto any adjacent street or property.

#### 11.6.7 Mixed Use of Unit Sizes and Bedroom Count

Mixed unit sizes shall be encouraged. To provide a mix of unit sizes available to varying family types, the following criteria shall be applied by the Planning Board in determining whether the purposes of the bylaw are satisfied.

- a. Individual units shall not include greater than 2,200 sf of living area, including finished basements.
- b. Not more than 20% of the total number of units in the development shall include three (3) or four (4) bedrooms. No unit shall have more than four (4) bedrooms.
- c. There shall be an average floor space of 1500 square feet or greater per unit. The average unit size for all units within the development shall not exceed 1,500 sf of living area per unit.

#### 11.6.8 Parking Requirements

At least ~~two~~ one and one-half (1.5) parking spaces shall be provided per dwelling unit. No space shall be considered available which reduces the effective width of the driveway. In addition to the per-unit parking ratio, sufficient visitor parking shall be provided. Impervious surface material shall be kept to a minimum. The applicant shall demonstrate the sufficiency of the proposed parking provision and the Board may require a reserve area for parking expansion in the event of uncertainty.

### **11.7 Design Considerations**

The development of any new dwelling structures shall be limited in scale and site design to be compatible with the neighborhood in which the property is located. Open space preservation shall be included in accordance with Section 11.6.5 to provide aesthetic and functional open land for use by residents of the property and/or the town. New structures (expansion) shall be subordinate in massing and number of units to the originally converted building(s).



*In evaluating the overall density and composition of the Multiple Dwelling development, the Planning Board shall consider local housing needs, proximity of the site to town amenities, and availability of transportation, pedestrian and bicycle connections to serve the site and the town. The board may favorably consider proposals that provide public benefits such as public access for pedestrians and bicycles and/or affordable housing either by provision of housing units or a contribution to the Affordable Housing Trust Fund.*

*Any new buildings, including accessory buildings, shall be suitably screened from adjacent properties, shall be compatible in style with the converted original buildings and shall be sited to be harmonious with the overall site layout.*

Section 11.8 is hereby added to provide for amendments to approved plans:

### **11.8 Amendments**

After approval of a special permit in accordance with this section (as originally drafted or as amended), the applicant or property owner may seek amendments to the approved special permit and associated plan. Minor amendments may be made by a majority vote of the Planning Board. It shall be a finding of the Planning Board, not subject to dispute by the applicant, whether a requested amendment is deemed to be major or minor. A major amendment shall require the filing of a request for amendment to the Special Permit.

pass any vote or take any action relative thereto.

### **SUBMITTED BY PETITION**

*This Article would permit redevelopment or expansion of existing or former public school properties for Multiple Residential Use (defined as more than one residential dwelling unit located in one or more attached or detached buildings located on a single lot or property). The current bylaw allows conversion of the school buildings to residential use; the change would allow additional dwellings to be built on the grounds, subject to certain criteria and still subject to special permit review.*

### **RECOMMENDATIONS**

Selectmen:	Recommendation to be given at Annual Town Meeting
Finance Committee:	Recommendation to be given at Annual Town Meeting
Planning Board:	Recommendation to be given at Annual Town Meeting

## **Article 9**

### ***Zoning Bylaw Amendment - Package Involving Use, Dimensional, Density, Bulk and Other Provisions in Industrial and Certain Business Districts***

To determine if the Town will vote to amend the Bedford Zoning Bylaws to revise the current language to incorporate an array of changes to the zoning associated with industrially-related provisions involving land use classifications, permitted uses, dimensional, density, bulk and related requirements, by amending parts of sections 2, 4, 5, 6, 7, and 15, as well as Tables I and II therein:

> *Amend SECTIONS TWO, THREE, FOUR, SIX, AND FIFTEEN & TABLES I and II of the Zoning Bylaw to eliminate the terms “Industrial Park” or “Industrial Park A” and substituting the term “Industrial A” wherever they occur.*

> Amend Section 3, USE REGULATIONS, in sub-section 3.2.2, by adding the following definition to that paragraph, to read as follows:

Current text to remain with new text in bold in 2<sup>nd</sup> sentence:

**3.2.2** Permitted with Town Meeting approval

The letters "SP" followed by the numeral one, SP<sup>1</sup>, denotes that the use is permitted only upon Town Meeting approval and if the Board subsequently grants a Special Permit as provided herein and makes such specific findings as may be required by this Bylaw in respect of such use. **The letters "SPM" denote that the use is permitted only by means of an Industrial Mixed Use special permit from the Planning Board, under Section 15 of the Zoning Bylaw, Industrial Mixed Use.**

> Amend Section 4, CLASSIFICATION OF PRINCIPAL USES, in the sub-sections below:

> In sub-section 4.2 Residential Uses, amend current text with new hotel definition:

Current Text:

~~4.2.6 Hotel or Motel~~

~~Lodging for more than four roomers, boarders or tourists, provided that such lodging facilities shall not be within 1,300 feet of a similar business and open space shall be provided on the lot in addition to any area required for parking and associated driveways, equal to twice the gross floor area of the hotel or motel and in the Industrial Park District provided that the parcel contains at least 10 acres and the hotel or motel has at least 100 guest rooms. If the above hotel or motel has independent living units with cooking facilities, such units shall not be occupied by any guest for more than four(4) continuous months, nor may the guest reoccupy any unit within 30 days of a four month continuous stay, nor may the guest stay more than six months in any calendar year. —~~

Proposed Text:

**4.2.6 Hotel**

**A commercial establishment offering lodging for travelers and other transient guests, that may include uses accessory to the principal use, such as, but not limited to, meals, entertainment, retail stores, recreation facilities or other amenities, and subject to the following restrictions:**

**4.2.6.1 In a hotel in any district in which such use is allowed, individual rooms, or lodging units that contain permanent cooking facilities or other features and amenities for long term occupancy, shall not be occupied by guests as their sole residence. Guests may not occupy rooms or lodging units for more than four (4) continuous months, nor may guests stay in the hotel more than six months in any calendar year, except as provided below in section 4.2.6.2.**

**4.2.6.2 Hotels in the Industrial districts are permitted only under an Industrial Mixed Use special permit from the Planning Board. Upon the granting of a special permit for an Industrial Mixed Use in the Industrial A, Industrial B, or Industrial C districts, a hotel located therein may contain lodging units that are suites with permanent cooking facilities for temporary or intermittent stay required for guests who are there as transient occupants engaged in business activity, or if for other purpose, subject to the limitations of 4.2.6.1 above.**

> Amend 4.5 Business Uses, in the sub-section, 4.3, by inserting a new sub-section 3.9, *Specialized Institutional uses*:

Current Text to Remain:

4.3 Institutional Uses

#### 4.3.1 Educational

Use of land, buildings and structures for providing learning in a general range of subjects on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic, or by a recognized religious sect or denomination or by a non-profit educational entity which may include athletic facilities, dormitories, administrative offices and similar facilities and activities whose purpose is substantially related to furthering learning.

#### 4.3.2 Religious

Use of land, buildings and structures for public worship carried on by a recognized religious sect or denomination which may include religious instruction, maintenance of a convent, parish house and similar facilities and activities whose purpose is substantially related to furthering the beliefs of such sect or denomination.

#### 4.3.2 Philanthropic

Charitable or nonprofit library, museum, art gallery or other similar use.

#### 4.3.4 Nursing Home

Sanitarium or nursing, rest or convalescent home.

#### 4.3.5 Nursing Care Facility

Nursing care, congregate living, independent living, day care for elderly persons and facilities for medical or rehabilitation programs all in accordance with the provisions of Section 10.

#### 4.3.6 Lodge and Club

Private lodge or club operated for members or employees.

#### 4.3.7 Cemetery

#### 4.3.8 Child Care Facility

Use of land, buildings or structures for a facility or program providing day care to children as defined in MGL Ch. 40A, Section 3.

#### Proposed Additional Text:

#### **4.3.9 Specialized Institutional uses**

**Special institutional uses include the following: professional education and training center, for profit; and research or applied research foundation, not for profit; cultural institution for research, curating and/or public viewing.**

*> In sub-section 4.5.7 Restaurant, amend current text and replace with a new restaurant definition:*

#### Current Text:

#### 4.5.7 Restaurant

Restaurant where the principal service is the sale of food or beverage to be consumed by persons at tables within the building and the incidental sale of food to “take out” and in the Industrial Park District, provided that the parcel contains at least 10 acres and the restaurant has at least a 150-seat capacity.

#### Proposed Text:

#### **4.5.7 Restaurant**

**Restaurant where the principal service is the sale of food or beverage to be consumed by persons at tables indoors and/or in permitted outdoor seating areas, and the incidental sale of food to “take out” (as defined in 4.5.18 Take Out Retail), provided that the parcel contains a minimum of two (2) acres in land area, or is situated within a retail shopping center, industrial mixed use building or industrial mixed use campus on a parcel containing at least two acres. In the Industrial A, Industrial B, or Industrial C districts, restaurants are permitted only under an Industrial Mixed Use special permit from the Planning Board.**

> Further amend Section 4.5 Business Uses by eliminating the heading of sub-section 4.5.10 “Research Facility” and the text to follow, and reserving sub-section 4.5.10 for a future use.

Current Text:

~~4.5.10 Research Facility~~

~~Scientific and medical research facilities, educational facilities for profit and support services for the foregoing, such as office and laboratory, provided that in Limited Business District such facilities shall not exceed 4,000 square feet of gross floor area, exclusive of stairwells.~~

Proposed Text:

**4.5.10 [Reserved for future use.]**

> Further amend Section 4.5 Business Uses in sub-section 4.5.16 “Mixed Business and Residential” in the first sentence, and in sub-section (g), with the rest of the text to remain as is:

Current Text:

~~The use of an existing or a new structure for mixed business and residential uses, provided the following conditions are met:~~

Proposed Text:

**The use of an existing or a new structure for mixed business and residential uses in designated Mixed Use Overlay Districts (MUOD) by special permit from the Planning Board, and in Limited Business districts as a fully permitted use, provided the following conditions are met**

> Further amend Section 4.5 Business Uses in sub-section 4.5.16 “Mixed Business and Residential” by striking a portion of sub-paragraph (g) therein which presently reads as follows:

Current Text:

~~The design of each unit shall conform to all applicable building, health and other codes, and the gross floor area shall not exceed 750 square feet... Mixed uses shall comply with the site plan review requirements of Section 7.5.~~

Proposed Text:

Mixed uses shall comply with the site plan review requirements of Section 7.5.

> Further amend Section 4.5 Business Uses by striking in its entirety sub-section 4.5.17 “Industrial Mixed Use”, which presently reads as follows but is no longer applicable in this sub-section:

Current Text:

~~Business and residential uses in accordance with the provisions of Section 15.~~

> Amend Section 4.6 Industrial Uses by eliminating the title and text following that sub-section:

~~4.6.4 Heavy Vehicular Dealership and Repair Garage~~

~~Salesroom and related dealership facilities for trucks, buses or similar heavy motor vehicles (gross vehicle weight in excess of 10,000 pounds and wheel base in excess of 135 inches) and establishments for the storage or repair of trucks, construction equipment or similar heavy motor vehicles and equipment, provided that the making of all but minor repairs shall be conducted wholly within a building sufficiently sound insulated to confine disturbing noise to the premises.~~

[NOTE: This classification is eliminated due to being allowed only in the Commercial district, where the

*prevailing land uses and the character of the area are changing; existing businesses in the district falling under this classification will be protected for current usage by being entitled to full grandfathering rights.]*

> *Further amend Section 4.6 Industrial Uses by inserting the following new text sub-section 4.6., in place of 4.6.4 “Heavy Vehicular Dealership and Repair Garage “*

Proposed Text:

**4.6.4 Information Technology, Life and Materials Science & Engineering**

**Information technology & data storage; Software development & services; Bio-pharmaceuticals research, development and manufacturing; Industrial biotechnology or informatics; Biological testing laboratories, excluding bio-safety level four (BL-4) as per Centers for Disease Control regulations; Earth sciences, environmental research, testing & development; Material sciences and engineering.**

> *Further amend Section 4.3.6, Light Manufacturing as follows:*

Current Text (all to remain):

**4.6.3 Light Manufacturing**

Research or testing laboratory, printing or publishing plant, bottling works, manufacturing establishment or other assembling, packaging, finishing or processing use, provided that all operations shall be such as to confine disturbing smoke, fumes, dust, odors and noise to the premises, and that no operations shall constitute a hazard by reason of the potential for fire, explosion, radiation release or other casualty and provided further that in the Limited Business and General Business Districts only manufacturing of products primarily for sale at retail on the premises shall be conducted and that no more than five full-time workers, or their equivalent, shall be employed on the premises.

Proposed Text:

**4.6.3 Light Manufacturing**

Research or testing laboratory; **computer and related manufacturing or assembly; electronic parts, circuitry and products, manufacturing or assembly; medical device, research or assembly;** printing or publishing plant; bottling works, manufacturing establishment or other assembling, packaging, finishing or processing use, provided that all operations shall be such as to confine disturbing smoke, fumes, dust, odors and noise to the premises, and that no operations shall constitute a hazard by reason of the potential for fire, explosion, radiation release or other casualty and provided further that in the Limited Business and General Business Districts only manufacturing of products primarily for sale at retail on the premises shall be conducted and that no more than five full-time workers, or their equivalent, shall be employed on the premises.

> *Further amend Section 4.6 Industrial Uses by inserting the following new sub-section 4.6.5:*

**4.6.5 Health Care**

**Health care shall consist of medical clinics, offices & diagnostic services directly administered for the benefit of patients.**

> *Further amend Section 4.6 Industrial Uses by inserting the following new sub-section 4.6.6:*

**4.6.6 Industrial Mixed Use**

**Industrial, office and business uses, as allowed by special permit from the Planning Board in Section 15, Industrial Mixed Use.**

> *Amend Section 4, Table I as follows:*

Amend Table I in the PRINCIPAL USES row at the top of the table, under the INDUSTRIAL DISTRICTS heading, to re-arrange the column sub-headings “I and IP/IC” into three column headings in alphabetical order,

reading as follows: “IA, IB, IC.”, and reorder the entire contents of these columns accordingly, for their full length in the table; Note: industrial district “I” in the current zoning is clarified in the proposed amendment to be “IB”.

Amend Table I sub-section 4.2.6, in left column under 4.2 Residential Uses, to change “Hotel or Motel” to “Hotel”.

Amend Table I sub-section 4.2.6, “Hotel” under the INDUSTRIAL DISTRICTS column heading, change “No” to “SPM” under INDUSTRIAL DISTRICT heading, and change “SP1” to “SPM” under the proposed IA, IB, IC column headings, allowing Hotels by means of an Industrial Mixed Use special permit under Section 15 of the Zoning Bylaw.

Amend Table I sub-section 4.2.7, “Home Occupation” under the BUSINESS DISTRICTS column heading, changing “No” to “Yes” in the Commercial district.

Amend Table I sub-section 4.2.7, “Home Occupation” under the BUSINESS DISTRICTS column heading, by inserting a “Yes” under the LB (Limited Business) column and then shifting the entire row to the right, so that the “NR” now falling under the IP/IC column heading falls under the column heading SITE PLAN APPROVAL.

Amend Table I sub-section 4.5.7, “Restaurant” under the INDUSTRIAL DISTRICTS column heading, change “SP1” to “SPM” under the proposed IA, IB, IC column headings, allowing Restaurants by means of an Industrial Mixed Use special permit under Section 15 of the Zoning Bylaw.

Amend Table I sub-section 4.5.8, “Bank” under the INDUSTRIAL DISTRICTS column heading, changing “No” to “SPM” in the IB district, and changing “SP” to “SPM” in the IA & IC districts.

Amend Table I sub-section 4.5.10 by eliminating “Research Facility” under the PRINCIPAL USES column heading.

Amend Table I under the INDUSTRIAL DISTRICTS column heading, in sub-section 4.5.16, “Mixed Business and Residential” by adding an endnote to the “No” under the proposed IA, IB, IC column headings, to read as follows: “Mixed Business with residential shall be prohibited in all Industrial districts, with the exception of Hotels allowed by special permit from the Planning Board under Section 15, Industrial Mixed Use.”

Amend Table I sub-section 4.5.17, “Industrial Mixed Use” under the INDUSTRIAL DISTRICTS column heading, changing “SP” to “SPM” in the IB district, and changing “SP” to SPM in the IA & IC districts.

Amend Table I sub-section 4.6 INDUSTRIAL USES, by inserting the following new use as sub-section 4.6.5, “Health Care,” and inserting the following allowed use status in each column, starting with the column heading RESIDENTIAL DISTRICTS, and reading left to right across the 4.6.5, Health Care row: “No” in Residence -R, Residence-A, Residence-B, Residence-C, and Residence-D; “SP” in the Limited Business (LB) and General Business (GB); “SP” in Commercial; “Yes” in I Industrial A, Industrial B and Industrial C; and R under Site Plan Approval.

Amend Table I sub-section 4.6.4, “Heavy Vehicular Dealership” under the INDUSTRIAL USES section, by eliminating the entire row in the table, thus removing this use from the table in all districts.

> *Further amend Section 4, Table I by adding the following new endnote, as a reference for every new SPM permitting designation in Table I:*

**“SPM” denotes a special permit granted by the Planning Board for uses allowed by means of an Industrial Mixed Use special permit, under Section 15 of the Zoning Bylaw.**

Proposed

**TABLE I: USE REGULATIONS  
PRINCIPAL USES**

**4.1 EXTENSIVE USES**

- 4.44.1.1 Forestry
- 4.1.2 Agriculture
- 4.1.3 Greenhouse
- 4.1.4 Earth Removal
- 4.1.5 Conservation Use
- 4.1.6 Private Recreation

**4.2 RESIDENTIAL USES**

- 4.2.1 Single Fam. Dwelling
- 4.2.2.1 Two Family Dwelling (Conv)
- 4.2.2.2 Two Family Dwelling (New)
- 4.2.3 Cluster Development
- 4.2.4 Planned Res. Development
- 4.2.5 Housing for Elderly
- 4.2.6 Hotel
- 4.2.7 Home Occupation
- 4.2.8 Public Sch. Bldg. Conversion
- 4.2.9 Accessory Apartment
- 4.2.10 Adaptive Reuse
- 4.2.11 Multiple Dwellings

**4.3 INSTITUTIONAL USES**

- 4.3.1 Educational
- 4.3.2 Religious
- 4.3.3 Philanthropic
- 4.3.4 Nursing Home

	RESIDENTIAL DISTRICTS				BUSINESS DISTRICTS			INDUSTRIAL DISTRICTS			SITE PLAN APPROVAL	
	R	A	B	C	D	LB	GB	C	IA	IB		IC
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NR
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NR
SP	SP	SP	SP	SP	SP	No	No	Yes	Yes	Yes	Yes	NR
SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	NR
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NR
SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	R
Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	NR
SP	SP	SP	SP	SP	SP	SP	No	No	No	No	No	NR
Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	NR
SP	SP	SP	SP	SP	SP	No	No	No	No	No	No	NR
SP	SP	SP	SP	SP	SP	No	No	No	No	No	No	NR
No	No	No	No	No	No	Yes	Yes	No	SPM	SPM	SPM	R
Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	No	No	NR
SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	R
Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	No	No	NR
SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	NR
No	No	No	No	No	No	No	No	No	No	No	No	NR
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	R
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	R
SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	R
SP	SP	SP	SP	SP	SP	No	No	No	No	No	No	NR

Meeting Warrant

4.3.5	Nursing Care Facility	SP1	SP1	SP1	SP1	No	No	No	No	No	No	No	NR
4.3.6	Lodge and Club	SP	SP	SP	SP	SP	SP	SP	SP	No	No	No	R
4.3.7	Cemetery	SP	SP	SP	SP	No	No	No	No	No	No	No	NR
4.3.8	Child Care Facility & Religious Use	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	R

**4.4 GOVERNMENTAL AND PUBLIC SERVICES**

4.4.1	Municipal Use	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NR
4.4.2	Aviation	No	No	No	SP	No	No	No	Yes	No	Yes	Yes	NR
4.4.3	Underground Utility	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NR
4.4.4	Above Ground Utility	SP	SP	SP	SP	SP	SP	SP	Yes	Yes	Yes	Yes	NR
4.4.5	Wireless Comm. Utility	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	NR
4.4.6	Amateur Radio Towers	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	NR

**4.5 BUSINESS USES**

4.5.1	Retail Store	No	No	No	No	SP	Yes	No	No	No	No	No	R
4.5.2	Supermarket & General Dept. Store	No	No	No	No	No	No	No	No	No	No	No	R
4.5.3	Personal Service Shop	No	No	No	No	SP	Yes	No	No	No	No	No	R
4.5.4	Funeral Home	No	No	No	No	SP	SP	No	No	No	No	No	R
4.5.5	Repair Shop & Bldg. Trade	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	R
4.5.6	Indoor Amusement	No	No	No	No	No	Yes	Yes	Yes	No	No	No	R
4.5.7	Restaurant	No	No	No	No	SP	SP	No	SPM	SPM	SPM	SPM	R
4.5.8	Bank	No	No	No	No	No	Yes	No	SPM	SPM	SPM	SPM	R
4.5.9	Business & Professional Office	No	No	No	No	SP	Yes	Yes	Yes	Yes	Yes	Yes	R
4.5.10	<u>Reserve for future use</u>												
4.5.11	Auto Service Station	No	No	No	No	No	No	SP	No	No	No	No	R
4.5.12	Auto Body Shop	No	No	No	No	No	No	No	Yes	No	No	No	R
4.5.13	Retail/Wholesale New/Rebuilt Auto Parts	No	No	No	No	No	Yes	Yes	Yes	No	No	No	R
4.5.14	Vehicular Dealership	No	No	No	No	No	No	No	Yes	No	No	No	R
4.5.15	Parking Facility	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	R
4.5.16	Mixed Business & Residential	No	No	No	No	No	Yes	No	No	No	No	No	R
4.5.17	Industrial Mixed Use	No	No	No	No	No	No	No	SP	SPM	SPM	SPM	NR
4.5.18	Take Out Retail	No	No	No	No	No	SP	No	SP	No	No	No	R



**4.6 INDUSTRIAL USES**

4.6.1 Warehouse	No	No	No	No	No	No	No	No	Yes	Yes	Yes	R
4.6.2 Storage Yard, Open-air Sales	No	No	No	No	No	No	No	Yes	No	No	No	R
4.6.3 Light Manufacturing	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	R
4.6.5 Health Care	No	No	No	No	SP	SP	SP	SP	Yes	Yes	Yes	R

**4.7 RESTRICTED & PROHIBITED USES**

4.7.1 Prohibited Uses	No	No	No	No	No	No	No	No	No	No	No	NR
-----------------------	----	----	----	----	----	----	----	----	----	----	----	----

\* See Section 3 for provisions applicable to Table 1

\*\* Mixed business w/ residential prohibited in industrial districts w/ exception of hotels allowed by Special Permit under Section 15, Industrial Mixed Use.  
*NOTE: SPM = IMU Special Permit, under Section 15 of Zoning bylaw*

> Amend Section 5 Accessory Uses in sub-section 5.1.5, Home Occupation, to read as follows in the first sentence:

Current text:

5.1.5 Home Occupation

~~In the Residential Districts or for dwellings in the Limited Business District,~~ The practice or conduct of a profession or occupation in a dwelling or in an accessory building shall be permitted provided that the same is conducted by a resident of the dwelling, no employees or clients come to the premises, the home occupation is secondary to the use of the dwelling as the principal place of residence of the resident conducting the same and no external changes are made which alter the residential character of the premises. Home occupations with not more than one full-time employee, or his equivalent, (exclusive of other residents of the dwelling) and home occupations where clients come to the premises may be authorized by the Board by Special Permit.

Proposed text:

**5.1.5 Home Occupation**

**In all Residential Districts, the Commercial District, or for dwellings in the Limited Business District,** the practice or conduct of a profession or occupation in a dwelling or in an accessory building shall be permitted provided that the same is conducted by a resident of the dwelling, no employees or clients come to the premises, the home occupation is secondary to the use of the dwelling as the principal place of residence of the resident conducting the same and no external changes are made which alter the residential character of the premises. Home occupations with not more than one full-time employee, or his equivalent, (exclusive of other residents of the dwelling) and home occupations where clients come to the premises may be authorized by the Board by Special Permit.

> Amend Section 6, Dimensional and Landscaping Regulations, in the following sub-sections:

> Amend Section 6 Dimensional and Landscaping Regulation, in sub-section 6.2.10 Height, by eliminating the current height limit measure in the Industrial B and C districts and replacing it with a revised height limit, as follows:

In all Districts, except the Limited Business, Industrial B and C districts, ~~no building shall be altered or erected to exceed three (3) stories or thirty-seven (37) feet in height where the front yard minimum is thirty-five (35) feet, the height shall not exceed three (3) stories or thirty-seven (37) feet; and where the front yard minimum is ten (10) feet, the height shall not exceed two (2) stories or twenty-five (25) feet. In the Industrial B and C Districts, height shall not exceed 56 feet or four (4) stories.~~

> Amend Section 6 Dimensional and Landscaping Regulations, by inserting a new sub-section, 6.7 Performance Standards, to read as follows:

**6.7 Industrial District Development: General Performance Standards**

**When property owners are proposing new development or redevelopment in Industrial B, Industrial A and Industrial C districts under a required site plan review, full special permit or, where applicable, in a minor special permit amendment, their site design shall comply to the greatest practical extent with the following standards:**

**6.7.1 Landscape Buffer and screening**

**Provision of protective buffering elements at the outer perimeter of the site, where it abuts a Residential District, meeting or exceeding the criteria set forth in section 6.2.12 Minimum Lot Landscaping and Standards, and utilizing any combination of natural vegetative and topographic elements, man-made elements such as fencing and stone walls, and new tree or shrub plantings, to provide substantial, permanent protection to abutting residential areas.**

### **6.7.2 Site Amenities**

**Provision where feasible of features and amenities to beautify and enliven the site for the enjoyment of employees, or in designated instances the public, in response to needs in the office/industrial real estate market; such features may include outdoor park and seating areas, active recreation improvements, and features of a similar nature.**

### **6.7.3 Low Impact Development**

**Use of pervious paving and or other filtrating surfaces, rain gardens, bio-vegetated swales or other design features, as a secondary or primary means of managing surface stormwater and roof runoff.**

### **6.7.4 Pedestrian and Bicycle-related Site Improvements**

**Provision of pedestrian paths, trails or walks to facilitate safe movement within the site, as well as connections to external sidewalks or public trails. Provision of bicycle racks, pavement route marking, signs or other improvements designed to encourage bicycle travel. To accommodate bicycle and/or pedestrian travel, may include a site plan change, a proportional monetary contribution or other project mitigation, to facilitate a multi-modal street improvement program on an adjacent way. See sub-section 7.4.4 Bicycle Parking Facilities for specific standards.**

### **6.7.5 Transit and Transportation Features**

**Provision of shuttle bus pullovers or turnarounds at building entrances, where such transit is or might be available. Provision of preferred parking spaces for car and van pooling vehicles or fuel-efficient vehicles.**

*>Amend Section 6, Table II as follows:*

Amend Table II in the last three districts by renaming and reordering those rows as follows: Industrial A, Industrial B, Industrial C.

Amend Table II in the ZONING DISTRICTS row, under the MAXIMUM HEIGHT IN FEET column heading, by changing that heading to MAXIMUM HEIGHT IN FEET/STORIES”.

Amend Table II in the ZONING DISTRICTS row, under the MAXIMUM FLOOR AREA RATIO % OR DENSITY column heading, by eliminating the “%” sign in the column heading, and by adding a period before the floor area ratios falling thereunder, in all business, commercial and industrial districts.

Amend Table II in the MINIMUM LOT AREA column heading, by changing “MINIMUM LOT AREA IN SQ. FT.” to read “MINIMUM LOT AREA”.

Amend Table II in the INDUSTRIAL B row, under the MINIMUM SIDE YARD in Feet column heading, and under the MINIMUM REAR YARD column heading, by changing the “50/100” to “50/75”

Amend Table II in the COMMERCIAL row, under the MAXIMUM LOT COVERAGE % column heading, by changing the percentage from “25”to “30”.

Amend Table II in the INDUSTRIAL B row, under the proposed MAXIMUM HEIGHT IN FEET/STORIES column heading, by changing the “42” to ”56’/4.”

Amend Table II in the INDUSTRIAL B row, under the MINIMUM LOT LANDSCAPING % column heading, by changing the “50” to “25”.

Amend Table II in the INDUSTRIAL B row, under the MAXIMUM FLOOR AREA RATIO OR DENSITY column heading, by changing the “.25” to “.40”.

Amend Table II in the INDUSTRIAL A row, under the MINIMUM LOT FRONTAGE IN FEET column heading, by changing the “50” to “150”.

Amend Table II in the INDUSTRIAL A row, under the MINIMUM SIDE YARD in Feet column heading, and under the MINIMUM REAR YARD column heading, by changing the “50/150” to “50/100”.

Amend Table II in the INDUSTRIAL A row, under the MINIMUM LOT WIDTH IN FEET column heading, by changing the “50” to “100”.

Amend Table II in the INDUSTRIAL C row, under the MINIMUM SIDE YARD in Feet column heading, and under the MINIMUM REAR YARD column heading, by changing the “50/150” to “50/100”.

Amend Table II in the INDUSTRIAL A row, under the MINIMUM LOT LANDSCAPING % column heading, by changing the “50” to “25”.

Amend Table II in the INDUSTRIAL C row, under the MAXIMUM HEIGHT IN FEET column heading, by changing the “45” to “56<sup>3</sup>/<sub>4</sub> stories.

Amend Table II in the INDUSTRIAL C row, under the MINIMUM LOT LANDSCAPING % column heading, by changing the “50” to “25”.

Amend Table II in the INDUSTRIAL C row, under the MAXIMUM FLOOR AREA RATIO OR DENSITY column heading, by changing the “.35” to “.40”.

**Proposed Changes Depicted (from Article 9 & 11)**

**Table II Dimensional Regulations**

ZONING DISTRICTS	MINIMUM LOT AREA	MINIMUM LOT FRONTAGE IN FEET	FRONTAGE EXCEPTION IN FEET	MINIMUM LOT WIDTH IN FEET	MINIMUM FRONT YARD IN FEET	MINIMUM SIDE YARD IN FEET	MINIMUM REAR YARD IN FEET	CORNER CLEARANCE IN FEET	MAX HEIGHT IN FEET & STORIES	MAX LOT COVERAGE %	MINIMUM LOT Landscaping %	MAX Floor Area Ratio or Density
RESIDENCE R Standard Subdivision	60,000	200	160	160	35	15	30	15	37	—	—	—
RESIDENCE A "	40,000	150	120	120	35	15	30	15	37	—	—	—
RESIDENCE B "	30,000	125	100	100	35	15	30	15	37	—	—	—
RESIDENCE C "	25,000	115	92	92	35	15	30	15	37	—	—	—
RESIDENCE D 10 acres		50	-	50	20	50	50	15	37	25	50	4 Dwellings Per/acre
RESIDENCE R Cluster Development	40,000	125	50	125	35	15	30	15	37	—	—	—
RESIDENCE A "	30,000	100	50	100	35	15	30	15	37	—	—	—
RESIDENCE B "	20,000	75	50	75	35	15	30	15	37	—	—	—
RESIDENCE C "	15,000	75	50	75	35	15	30	15	37	—	—	—
LIMITED BUSINESS	10,000	60	—	50	35	10	10	15	37	35	25**	<u>.50</u>
LIMITED BUSINESS	10,000	60	—	50	10	10	10	15	25	35	25**	<u>.50</u>
GENERAL BUSINESS	80,000	—	—	—	10	10	10	15	37	35	25**	<u>.50</u>
COMMERCIAL <u>30</u>	20,000	90	—	50	35	20/50*	20/50*	15	37	<u>30</u>	—	30**
INDUSTRIAL A 4 acres		<u>150</u>	—	<u>100</u>	100	<u>50/100*</u>	<u>50/100*</u>	15	42	25	25**	<u>.25</u>
INDUSTRIAL B <u>2 acres</u>		<u>125</u>	—	<u>75</u>	<u>60</u>	<u>50/75*</u>	<u>50/75*</u>	15	<u>56/4</u>	25	25**	<u>.40</u>
INDUSTRIAL C <u>5 acres</u>		<u>150</u>	—	50	100	<u>50/100*</u>	<u>50/100*</u>	15	<u>56/4</u>	25	25**	<u>.40</u>

\*Where the use abuts a residential district, the higher yard size applies.

\*\*Where the use abuts a residential district, a landscape buffer shall be provided as specified in Section 6.2.12.

See Section 6 for provisions applicable to this Table II

> *Amend Section 15.4 Industrial Mixed Use by inserting the following additional use classification:*

Current Text indicated below, with new text in bold letters:

Information Technology, Life Sciences **and Materials Sciences & Engineering**

- Information technology & data Storage
- Software Development & Services
- Bio-pharmaceuticals research, development and manufacturing
- Industrial biotechnology or informatics
- Biological testing laboratories, excluding bio-safety level four (BL-4) as per Centers for Disease Control
- Earth sciences, environmental research, testing & development
- **Material sciences and engineering.**

pass any vote or take any action relative thereto.

*Article 9 proposes an extensive series of amendments to five chapter sections of the Zoning Bylaw (ZBL) and to Table I (Uses) and Table II (Dimensional and Density) therein. Collectively, these changes bring the sections in the ZBL pertaining to development and redevelopment of property zoned for industrial, office, research and development and closely related business uses, as well as allowable mixed business and hotel uses, into a modern, 21<sup>st</sup> century context that more closely reflects today's markets and development modes. The existing zoning is 40 to 55 years old and out of date in various ways, which does little to encourage desirable economic development. The proposed changes achieve these objectives by amending various parts of the ZBL, as follows:*

- *Modifying various use classifications (definitions) in Section 4, inserting some new definitions, and omitting an obsolete one.*
- *Modifying Table I (Uses) accordingly, changing or inserting various updated land uses, changing permitting status where needed and adding the category for special permit mixed use.*
- *Incorporating the complementary business uses allowed in the industrial mixed use special permit option in Section 15.*
- *Making technical corrections to the Table to fix incorrect district designations, column headings and similar items.*
- *Adding general industrial development performance standards to reflect modern standards and amenities that benefit the community and the employees.*
- *Making extensive changes to Table II (Dimensions and Density) to bring Bedford's outdated development intensity patterns into alignment with modern, regional industrial development, in locations where doing so makes sense. This includes:*
  - Selected, limited increases in allowable floor area, where there is an under-developed land use pattern.*
  - Selected, limited increases in maximum building height, where there is an under-developed land use pattern.*
  - Adjustments to various dimensional requirements in various industrial districts where the standard is unrealistic, unnecessary or excessive.*

## RECOMMENDATIONS

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

**Article 10**  
**Zoning Bylaw Amendment - Amendments to Bedford Zoning Map**

To determine if the Town will vote to amend *the Bedford Zoning Map* to incorporate the following changes to several districts in the Bedford Zoning Map:

- A. General Business property described as a group of contiguous parcels of approximately 79 acres, identified in Bedford Assessor records as Parcel numbers 012-0017-1-4 generally identified as 174 to 176 Middlesex Turnpike, and Middlesex County Registry of Deeds as Book 1428 Page 132, with approximate frontage of 832 feet on Middlesex Turnpike, with approximate dimensions of 1,824 feet (northerly bound), 438 feet (rear bound), 2,197 feet (southerly bound), 1,000 feet (westerly bound), and 400 feet (east west bound), in addition to which there is an appurtenant parcel to the immediate northeast of the subject property with a depth of approximately 555 feet with frontage on Middlesex Turnpike, would be changed on the Zoning Map to Industrial B.
- B. Industrial Park A (now changed to Industrial A) property that is adjacent to the General Business property preceding above, a parcel of approximately 8.3 acres, identified in Bedford Assessor records as Parcel numbers 005-0008 at 160 Middlesex Turnpike, and Middlesex County Registry of Deeds as Book 59604 Page 48, with approximate frontage of 764 feet on Middlesex Turnpike and approximate dimensions 543 feet (northerly bound), 490 feet (northeast bound), 1,041 feet (southerly bound) would be changed on the Zoning Map to Industrial B.
- C. Industrial Park A (now changed to Industrial A) property described as a parcel of approximately 8.4 acres, identified in Bedford Assessor records as Parcel number 013-0002 at 175 Middlesex Turnpike, and Middlesex County Registry of Deeds as Book 1145 Page 053, with approximate frontage of 422 feet on Middlesex Turnpike and with approximate dimensions of 1,100 feet by 422 feet would be changed on the Zoning Map to Industrial B.

pass any vote or take any action relative thereto.

*Article 10 proposes rezoning three parcels along the northern segment of Middlesex Turnpike from Industrial (Park) A and General Business to a modified Industrial B. The IND B designation is being changed in another proposed article to allow more logical density, dimensional and height requirements, in most cases liberalizing them to a reasonable extent.*

*This geographic location is significantly under-developed by current standards, so there is sufficient land area in which to develop or expand businesses. The area is also served by gradually upgrading infrastructure, in the form of the ongoing Middlesex Turnpike improvement project. The three parcels are generally referred to as Bedford Woods Office Park, the F.W. Webb property, and the Continental Leasing property. The rezonings will create an extensive massing of the newly-updated Industrial B zoning in the part of town where there is room for businesses to grow and sufficient infrastructure to support that development. Mixed use industrial projects would still be allowed by the 2014 Industrial Mixed Use special permit process.*

**RECOMMENDATIONS**

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

***Article 11******Zoning Bylaw Amendment - Adjust Dimensional and Density Requirements within Industrial and Certain Business Districts to More Closely Align with the Existing Development Pattern***

To determine if the Town will vote to amend the Bedford Zoning Bylaws to incorporate changes that make the zoning closer to the underlying built environment, in instances where there is major misalignment between them, by amending parts of Table II therein:

Amend Table II in the COMMERCIAL row, under the MAXIMUM FLOOR AREA RATIO % OR DENSITY column heading, by inserting an FAR (Floor-to-Area-Ratio) of .30 where none now exists.

Amend Table II in the INDUSTRIAL A row, under the MINIMUM LOT WIDTH IN FEET column heading, by changing the “50” to “100”.

Amend Table II in the INDUSTRIAL B row, under the MINIMUM LOT AREA IN SQ. FT. column heading, by changing the “60,000” to “2 ac.”

Amend Table II in the INDUSTRIAL B row, under the MINIMUM LOT FRONTAGE IN FEET column heading, by changing the “90” to “125”.

Amend Table II in the INDUSTRIAL B row, under the MINIMUM FRONT YARD IN FEET column heading, by changing the “35” to “60”.

Amend Table II in the INDUSTRIAL B row, under the MINIMUM LOT WIDTH IN FEET column heading, by changing the “50” to “75”.

Amend Table II in the INDUSTRIAL C row, under the MINIMUM LOT AREA IN SQ. FT. column heading, by changing the “4 acres” to “5”.

Amend Table II in the INDUSTRIAL C row, under the MINIMUM LOT FRONTAGE IN FEET column heading, by changing the “50” to “150”.

pass any vote or take any action relative thereto.

*Article 11 proposes a series of changes to Table II (Dimensional and Density), to adjust existing zoning requirements where they might be illogical or contradictory. For example a district with a larger minimum lot area now requires a much smaller street frontage than a district with a smaller minimum lot size. The change would also align the zoning standards for setback, frontage, minimum lot area or another parameter is where they do not conform to what is built on the ground. Examples: the IND C district has a frontage requirement of 50’, when the median developed frontage is 410’ and the smallest developed frontage is 63’ and the required minimum lot area in IND B is 60,000 square feet, when the median developed lot area is 4.7 acres and the smallest developed lot area is 2.1 acres. These discrepancies emerged in land use studies that the Planning staff conducted during the summers of 2014 and 2015. These changes can be effected largely without creating new zoning non-conformities, except in*



*an isolated instance or two, in which case the property would enjoy full grandfathering protection for the existing dimensions.*

## RECOMMENDATIONS

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

## *Article 12*

### *Zoning Bylaw Amendment – Building Height*

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

#### *Section 6.2.10 Height*

Current Text:

#### ~~6.2.10 Height~~

~~In all Districts, except the Limited Business, Industrial and Industrial Park Districts, no building shall be altered or erected to exceed three (3) stories or thirty seven (37) feet in height. In the Limited Business District, where the front yard minimum is thirty five (35) feet, the height shall not exceed three (3) stories or thirty seven (37) feet; and where the front yard minimum is ten (10) feet, the height shall not exceed two (2) stories or twenty five (25) feet. In the Industrial and Industrial Park Districts height shall not exceed three (3) stories or forty two (42) feet. Height is to be measured as the vertical distance from the average ground elevation around the perimeter of the structure to the highest point of a roof or parapet in the case of a flat roof, or to the mean average finished grade between the plate and the ridge in the case of a pitched roof, plus not more than eight (8) feet additional for mechanicals to service the building.~~

Proposed Text:

Delete Section 6.2.10 in its entirety and replace with the following:

#### **6.2.10 Height**

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

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

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

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

Add a new Section, 6.2.10.1 Base Elevation:

#### **6.2.10.1 Base Elevation**

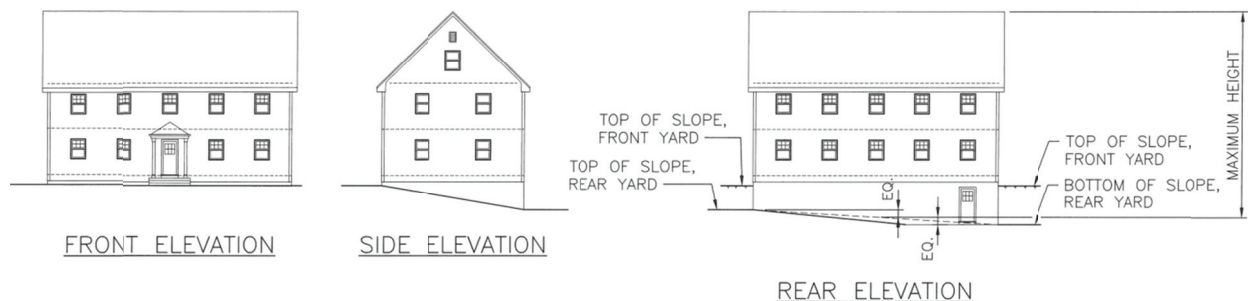
**The base elevation is the average elevation of the ground between where the two corners of the lowest foundation wall of a building meet the ground. The base elevation shall be determined prior**

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

In Residential Districts, the base elevation may be adjusted if the ground is altered to facilitate proper stormwater drainage around and/or away from the building; however, the base elevation may not be raised more than (2) two-feet at the building foundation location. A Special Permit allowing more than (2) two-feet adjustment to the base elevation noted above may be granted by the Zoning Board of Appeals if the Board finds that literal application of this requirement would be unreasonable because of soils or topography and that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.

Add a new Figure 3A depicting the method by which height is measured on a pitched-roof building in Residential Districts:

FIGURE 3A



**Table II Dimensional Regulations**

Amend Table II Dimensional Regulations, as follows: a) Add “/STORIES” to the MAXIMUM HEIGHT heading after “IN FEET.” b) Change Maximum Height (in feet) in Residence R, Residence A, Residence B, Residence C and Residence D Standard Subdivisions, and Residence R, Residence A, Residence B, Residence C and Residence D Cluster Developments from 37, to Maximum Height (in Feet/Stories) to 35/3. c) Add footnote \*\*\* to explain the rationale for two sets of Limited Business District height regulations, which was deleted under the proposed paragraph 6.2.10 amendment. d) Add “/3” after the number of feet in the MAXIMUM HEIGHT column for the General Business District and Limited Business District to clarify the maximum number of stories that are permitted in these districts, which were deleted under the proposed paragraph 6.2.10 amendment.

**Table II Dimensional Regulations**

MAXIMUM ZONING DISTRICTS Ratio %	MINIMUM	MINIMUM	FRONTAGE	MINIMUM	MINIMUM	MINIMUM	MINIMUM	CORNER	MAXIMUM	MAXIMUM	MINIMUM	
	LOT	LOT	EXCEPTION	LOT	FRONT	SIDE	REAR	CLEARANCE	HEIGHT	LOT	LOT	Floor Area
	AREA	FRONTAGE		WIDTH	YARD	YARD	YARD	HEIGHT	COVER	LANDSCAPING	DENSITY	
	IN SQ.FT.	IN FEET	IN FEET	IN FEET	IN FEET	IN FEET	IN FEET	IN FEET	IN FEET/ STORIES	%	%	or Density
RESIDENCE R Standard Subdivision	60,000	200	160	160	35	15	30	15	<del>27</del> 35/3	—	—	—
RESIDENCE A "	40,000	150	120	120	35	15	30	15	<del>27</del> 35/3	—	—	—
RESIDENCE B "	30,000	125	100	100	35	15	30	15	<del>27</del> 35/3	—	—	—
RESIDENCE C "	25,000	115	92	92	35	15	30	15	<del>27</del> 35/3	—	—	—
RESIDENCE D	10 acres	50	-	50	20	50	50	15	<del>27</del> 35/3	25	50	4 Dwellings Per Acre
RESIDENCE R Cluster Development	40,000	125	50	125	35	15	30	15	<del>27</del> 35/3	—	—	—
RESIDENCE A "	30,000	100	50	100	35	15	30	15	<del>27</del> 35/3	—	—	—
RESIDENCE B "	20,000	75	50	75	35	15	30	15	<del>27</del> 35/3	—	—	—
RESIDENCE C "	15,000	75	50	75	35	15	30	15	<del>27</del> 35/3	—	—	—
LIMITED BUSINESS***	10,000	60	—	50	35	10	10	15	<del>37</del> 3	35	25**	50
LIMITED BUSINESS***	10,000	60	—	50	10	10	10	15	<del>25</del> 3	35	25**	50
GENERAL BUSINESS	80,000	—	—	—	10	10	10	15	<del>37</del> 3	35	25**	50
COMMERCIAL	20,000	90	—	50	35	20/50*	20/50*	15	37	25	30**	—
INDUSTRIAL B	60,000	90	—	50	35	50/100*	50/100*	15	42	25	50**	25
INDUSTRIAL PARK A	4 acres	50	—	50	100	50/150*	50/150*	15	42	25	50**	25
INDUSTRIAL C	4 acres	50	—	50	100	50/150*	50/150*	15	45	25	50**	35

\*Where the use abuts a residential district, the higher yard size applies.

\*\*Where the use abuts a residential district, a landscape buffer shall be provided as specified in Section 62.12.

\*\*\* In the Limited Business District, where the front yard minimum is thirty-five (35) feet, the height shall not exceed three (3) stories or thirty-seven (37) feet; and where the front yard minimum is ten (10) feet, the height shall not exceed two (2) stories or twenty-five (25) feet.

See Section 6 for provisions applicable to this Table II.

pass any vote or take other action relative thereto.

*This amendment changes the way height is measured on buildings with pitched roofs; lowers the allowable height in all Residential Districts; and minimizes the creation on residential lots of layered “plateaus” that are constructed to significantly raise the existing ground elevation at the building’s foundation. The current maximum allowable height in all Residential Districts is 37-feet. This height is measured “...as the vertical distance from the average ground elevation around the perimeter of the structure to the highest point of a roof or parapet in the case of a flat roof, or to the mean average finished grade between the plate and the ridge in the case of a pitched roof” (in other words, half-way up the roof). This non-intuitive approach leads to misunderstanding and questions about why some residences seem so much taller than the 37-foot limit would imply. This method for measuring building height for pitched-roof buildings finds its roots in building codes, not zoning laws. However, the relevant question here is not about the interior space, but rather the impact of a building when experienced from the surrounding environment.*

*Tall structures can have a looming effect, particularly in areas with undersized (i.e. non-conforming) lots. While these homes may technically meet the current height limit, they often are out of scale with the existing neighborhood and can appear to tower over adjacent homes. Abutters and neighbors may experience a loss of light, air, and privacy. Further, it has become common practice when new dwellings are built to bring in fill to raise the lot elevation to create a walk-out basement level.*

*Approval of this amendment will bring our measurement methods and height limits in line with regional standards; offer protection to abutting property owners where tall structures are proposed; encourage preservation of neighborhood scale, proportion and character; and provide adequate light and air in neighborhoods.*

*Table II/ dimensional regulations as shown above does not include amendments that are proposed under Articles 9 and 11 of this warrant. If some combination of Articles 9, 11 and 12 is approved by Town Meeting, Table II/ Dimensional Regulations will be updated to reflect the changes made in the approved Articles. If Article 9 is not approved, the Planning Board intends to amend Article 12 to add “/3” to the Commercial and Industrial rows in the height column of Table II, so that the 3 story limit will be preserved.*

**RECOMMENDATIONS:**

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

***Article 13***

***Zoning Bylaw Amendment - Revised Flood Insurance Rate Maps***

To determine whether the Town will vote to approve the following amendments to the Zoning Bylaw, relating to flood plains:

***Section 2.2 Zoning Map***

*Current Text:*

Location and boundaries of the zoning districts shall be as shown on the following identified zoning maps as the same may be hereinafter amended, which maps are herein collectively referred to as –The Zoning Map.

- Zoning Districts, Town of Bedford, Massachusetts, Prepared by Bedford Public Works, December 2008.
- Flood Plain District--The district includes all special flood hazard areas within the Town of Bedford designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Bedford are panel numbers 25017C0264F, 25017C0268F, 20517C0377F, 25017C0381F and 25017C0383F dated July 7, 2014; and 25017C0269E, 25017C0288E, 25017C0382E, 25017C0384E and 25017C0401E dated June 4, 2010. The FIRMs and the accompanying Flood Insurance Study report dated July 7, 2014 are incorporated herein by reference and are on file with the Code Enforcement Department.
- Wetland District, Town of Bedford, July 2007 (Scale 1” = 200’, consisting of 81 matched sheets, Index Sheet, and guidelines page and designated as Wetlands Maps, prepared by Bedford GIS), subject to delineation as required in Zoning Bylaw Section 2.3.6.

The Flood Plain/Wetland District is an overlay district whose boundaries and regulations are superimposed on the Residential, Business, and Industrial Districts established by this Bylaw. Said zoning maps are hereby made part of this Bylaw and are on file in the Office of the Town Clerk.

*Proposed Text:*

Location and boundaries of the zoning districts shall be as shown on the following identified zoning maps as the same may be hereinafter amended, which maps are herein collectively referred to as The Zoning Map.

- Zoning Districts, Town of Bedford, Massachusetts, Prepared by Bedford Public Works, December 2008.
- Flood Plain District--The district includes all special flood hazard areas within the Town of Bedford designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Bedford are panel numbers 25017C0264F, 25017C0268F, 25017C0377F, 25017C0381F and 25017C0383F dated July 7, 2014; ~~and 25017C0269EF, 25017C0288EF, 25017C0382EF;~~ **and 25017C0384EF dated July 6, 2016;** and 25017C0401E dated June 4, 2010. The FIRMs and the accompanying Flood Insurance Study report dated ~~July 7, 2014~~ **July 6, 2016** are incorporated herein by reference and are on file with the Code Enforcement Department.
- Wetland District, Town of Bedford, July 2007 (Scale 1" = 200', consisting of 81 matched sheets, Index Sheet, and guidelines page and designated as Wetlands Maps, prepared by Bedford GIS), subject to delineation as required in Zoning Bylaw Section 2.3.6.

The Flood Plain/Wetland District is an overlay district whose boundaries and regulations are superimposed on the Residential, Business, and Industrial Districts established by this Bylaw. Said zoning maps are hereby made part of this Bylaw and are on file in the Office of the Town Clerk.

pass any vote or take any action relative thereto.

*This Article proposes to amend the Zoning Bylaw to incorporate revisions to the Flood Insurance Rate Maps produced by the Federal Emergency Management Agency (FEMA), and the related county Flood Insurance Study report. The map panels that are being replaced encompass the Shawsheen River flood plain. The Town is required to reference them in the Zoning Bylaw by July 6, 2016 when the new maps will take effect, to remain eligible for the National Flood Insurance Program. Maps and other materials relating to this amendment will be available for review in the Planning Office at Town Hall.*

#### **RECOMMENDATIONS**

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

### ***Article 14*** ***Zoning Bylaw Amendment - Limited Business District (from ZBA)***

To determine whether the Town will vote to approve the following amendments to the Zoning Bylaw, relating to Business Uses:

#### ***Section 4.5 Business Uses, Subsection 4.5.1: Retail Store***

*Current Text:*

Drugstore, book, stationery and gift shop, antique shop, florist, televisions and radio sales, hardware store, news store, neighborhood grocery, dry good and variety store or similar retail facility, provided that in Limited Business and Residence D Districts such retail store or facility shall not exceed 2,000 square feet of sales floor area.

*Proposed Text:*

Drugstore, book, stationery and gift shop, antique shop, florist, televisions and radio sales, hardware store, news store, neighborhood grocery, dry good and variety store or similar retail facility, provided that in Limited Business and Residence D Districts such retail store or facility shall not exceed 2,000 square feet of sales floor area, provided further that, in the Limited Business District only, such retail store or facility may exceed 2,000 square feet of sales floor area if authorized by the Board of Appeals by Special Permit to allow up to, but not more than, 4,000 square feet of sales floor area.

**Section 4.5 Business Uses, Subsection 4.5.6: Indoor Amusement***Current Text:*

Theater, cinema and bowling alley, provided that in Limited Business Districts such uses shall not exceed 2,000 square feet of gross floor area.

*Proposed Text:*

Theater, cinema and bowling alley, electronic game center, and interactive learning or play center, provided that in Limited Business Districts such uses shall not exceed 2,000 square feet of gross floor area unless authorized by the Board of Appeals by Special Permit to allow up to, but not more than, 4,000 square feet of gross floor area.

pass any vote or take other action relative thereto.

*This Article proposes to amend two subsections of the Business Uses section of the Zoning Bylaw. The first two changes (Subsections 4.5.1 and 4.5.6) would allow retail stores and indoor amusement facilities that are located in the Limited Business District to be larger than the current 2,000 square foot maximum size, up to but no greater than 4,000 square feet, but only if authorized by a Special Permit of the Zoning Board of Appeals. Such an increase would maintain small-scale businesses in the Limited Business District, but allow them some size flexibility if the Zoning Board of Appeals approved a Special Permit. The increase to 4,000 square feet proposed for Indoor Amusement facilities could allow a dance studio, gym or "black box" theatre (which seats approximately 150 people) in the Limited Business District. It would not be large enough to allow a typical movie theatre or bowling alley.*

**RECOMMENDATIONS**

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

**Article 15****Bedford Business Zoning Appropriation**

To determine whether the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$120,000 or any other sum for consulting services to examine and reconstruct all business zoning along the Great Road corridor and to draft proposed amendments to the Zoning Bylaws, pass any vote or take any action relative thereto.

*Bedford's General and Limited business zoning evolved between 1923 and 1979, with the bulk of the zoning bylaws being enacted in the late 1950's and early 1960's. While piecemeal changes have been made since, the basic underlying assumptions in the zoning remain those of another era and don't reflect what has evolved in modern retailing in the ensuing decades. Furthermore, the zoning districts were drawn with simplistic borders and without regard to lot lines, proximity to residential areas, or consideration of appropriate uses in differing areas. Obsolete and "one size fits all" zoning create*

*significant barriers to establishing and/or relocating businesses, which in turn decreases demand for commercial land and buildings. Fewer potential tenants lead to little, if any, new development, lowered rents, empty storefronts, and eventually, deferred maintenance. Ultimately, commercial tax revenues stagnate due to weakening property values.*

*This article proposes to appropriate \$120,000 to contract specialized consulting services to analyze, write, and bring to Town Meeting an entire “soup to nuts” package of new business zoning for the voters’ consideration. The scope of services will specify data gathering and a careful analysis of existing zoning; categorizing problems, inconsistencies, and opportunities; consideration of every alternative, whether modifications to existing districts, logical new districts, and/or overlay districts, all with customized bylaws crafted for each; and writing a complete and consistent package of new business zoning bylaws, ready to present to Town Meeting. A robust public participation process would inform every stage of the effort. The time frame is estimated at 18 months from the contract award.*

#### **RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Planning Board:	Approval Recommended

### ***Article 16***

#### ***Land/Easement Acquisitions for Middlesex Turnpike and Great Road/Mudge Way Intersection***

To determine whether the Town will vote to authorize the Selectmen to acquire by gift, purchase or eminent domain, land or any interest in land, including easements for roadway construction related to the Middlesex Turnpike Transportation Improvement Project as shown on a plan entitled “Massachusetts Department of Transportation Highway Division, Middlesex Turnpike/Crosby Drive - Phase 3 in the city and town of Burlington/Bedford/Billerica Middlesex County, Preliminary Right of Way Plan”, revised date February 19, 2016, prepared by VHB and a copy filed in the Office of the Town Clerk, and related to the Great Road/Mudge Way Safe Routes to School Project as shown on a plan entitled “Easement Plan of Land Bedford, Massachusetts Middlesex County” scale 1” = 40’, dated February 16, 2016 prepared by WSP and a copy filed in the Office of the Town Clerk; and to determine whether the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money for this purpose and related engineering costs; pass any vote or take any action relative thereto.

*This article proposes to authorize the Selectmen to acquire by gift, purchase or eminent domain, any additional land and easements required for the widening of Middlesex Turnpike from Crosby Drive north to the Bedford/Billerica town line and any easements required for the Great Road/Mudge Way Safe Routes to School Project.*

#### **RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended

## *Article 17*

### *Mudge Way Street Acceptance*

To determine if the Town will vote to accept the layout by the Selectmen of a way named Mudge Way, said way runs southwesterly from The Great Road a distance of 400 feet more or less, as shown on a plan entitled “Proposed Layout of Mudge Way Bedford, Massachusetts Middlesex County”, scale 1” = 20’, dated February 17, 2016 prepared by WSP and a copy filed in the Office of the Town Clerk and of which a copy is available for inspection in the Town Clerk’s office; pass any vote or take any action relative thereto.

*This article proposes to accept a portion of Mudge Way for maintenance by the Town as a public way. Mudge Way is the access drive to the Town campus serving a variety of municipal buildings and Bedford High School. Improvements to Mudge Way are planned to make it safer for pedestrians and bicyclists particularly students traveling from the Great Road area to the Bedford High School and John Glenn Middle School. The Commonwealth of Massachusetts is providing grant funds for the completion of this project. A grant requirement is that the road being improved must be an accepted public way. Although Mudge Way has been used by the public for many years, it has never been formally accepted as a public way.*

#### **RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Planning Board:	Approval Recommended

## *Article 18*

### *Bond Authorization - Job Lane School Addition*

To determine whether the Town will vote to appropriate a sum of money for constructing, equipping and furnishing an addition or additions and remodeling, reconstructing and making extraordinary repairs to the Job Lane School, including the costs of issuance of bonds or notes; to determine whether this appropriation shall be raised by borrowing or otherwise; to authorize the Treasurer, with the approval of the Selectmen, to issue any bonds or notes that may be necessary for that purpose; pass any vote take any action relative thereto.

*This article proposes to appropriate funds for renovations and construction of an addition to the Job Lane School and to authorize the issuance of bonds to raise said funds. At the time the warrant went to print, the preliminary cost estimate for building construction was \$2,055,300. The proposed addition would add 4 to 6 classrooms to the school in order to accommodate increased student enrollment. An updated estimate will be presented at Annual Town Meeting including site costs. Completion of this project is planned for the school year beginning September 2017.*

#### **RECOMMENDATIONS**

Selectmen:	Recommendation to be given at Annual Town Meeting
Finance Committee:	Recommendation to be given at Annual Town Meeting
School Committee:	Recommendation to be given at Annual Town Meeting
Capital Expenditure Committee:	Recommendation to be given at Annual Town Meeting



**Article 19**  
**Proposed FY2017 Capital Projects Plan**

To determine whether the Town will vote to appropriate the total sum of \$5,779,013, or any other sum, for the items contained within the following proposed Fiscal Year 2017 Capital Projects Plan and to determine whether such sums shall be raised in the tax levy, transferred from available funds, borrowed, appropriated from the Stabilization Fund, or by any combination of these methods; pass any vote or take any action relative thereto:

<b>Project</b>	<b>Project Description</b>	<b>Appropriation</b>
17-01	Police Mobile Radio Replacement	\$15,400
17-02	High School Exhaust Fan Capacity – Phase 2	\$137,500
17-03	Vehicles and Equipment Replacement	\$215,000
17-04	Schools Flooring	\$33,645
17-05	Fire Station Vehicle Exhaust System	\$57,010
17-06	Town Data Back-up System	\$16,512
17-07	Town IT Network & Servers	\$14,500
17-08	Schools Kitchen Warmers	\$18,900
17-09	Lane School Space Modifications	\$8,725
17-10	Town IT Equipment Replacement Plan	\$55,000
17-11	Schools IT Replacement Plan	\$562,450
17-12	School Administration Entrance Security Camera	\$6,643
17-13	Police Station Roof Replacement	\$37,713
17-14	Town Photocopier Replacement Plan	\$5,000
17-15	Schools Photocopier Replacement Plan	\$32,348
17-16	Elementary School Modular Classrooms	\$120,000
17-17	School Buildings Interior Painting	\$35,000
17-18	School Cafeteria Point-of-Sale Registers	\$29,496
17-19	Bedford Free Public Library Exterior Window Replacement	\$72,800
17-20	Town & Schools Grounds Hardscape Improvements	\$540,456
17-21	High School Clock & Bell System Replacement	\$74,304
17-22	Fire Department Utility Trailer Replacement	\$5,756
17-23	High School Foreign Language Lab Equipment Replacement	\$41,935
17-24	High School Greenhouse Vent Motor Replacement	\$20,000
17-25	Springs Road Sidewalk Replacement	\$183,743
17-26	Water System Backflow Prevention Program	\$35,000
17-27	Stormwater Template Permit Requirements	\$60,000
17-28	Sewer System Force Main Replacement <i>(Bond Authorization)</i>	\$258,000
17-29	Ambulance Replacement <i>(Bond Authorization)</i>	\$256,000
17-30	Fire Engine Replacement <i>(Bond Authorization)</i>	\$564,515
17-31	Water Main Improvements <i>(Bond Authorization)</i>	\$791,802
17-32	Town & Schools Communications System <i>(Bond Authorization)</i>	\$1,473,860
<b>TOTAL</b>		<b>\$5,779,013</b>

*This article would provide funds for the various projects contained within the Fiscal Year 2017 Capital Projects Plan. At the time the warrant was printed, it was intended that the Town would utilize the tax levy or a transfer from available funds, or a combination thereof, to fund Projects 17-01 through 17-25.*

*Projects 17-26 and 17-27 would be funded through revenue collected from sewer and water user fees during Fiscal Year 2017. Bond authorizations are proposed for Projects 17-28 through Project 17-32. Projects utilizing the tax levy or available funds require only a simple majority vote. A bond authorization requires a two-thirds vote. A description of all projects is contained in the Capital Expenditure Committee's Report on pages 5 through 11 of this Warrant.*

#### RECOMMENDATIONS

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Capital Expenditure:	Approval Recommended
Residential Tax Impact:	\$39.41 (on non-bonded projects)

### *Article 20* *Community Preservation Budget – Fiscal Year 2017*

To determine whether the Town will vote to act upon the recommendations of the Community Preservation Committee by appropriating or reserving the following amounts for Fiscal Year 2017 Community Preservation purposes with each item considered a separate appropriation; and to determine whether such sums shall be appropriated from Fiscal Year 2017 Community Preservation Fund Revenues or the current Community Preservation Fund Balance, borrowed, or by any combination of these methods:

	<b>APPROPRIATIONS</b>	<b>CP FY17 Funds</b>
1	Administrative	\$10,000
2	Affordable Housing Consultant	\$30,000
3	Bond Payment – Town Center	\$184,750
4	Bond Payment – 350A Concord Road	\$456,038
5	Bond Payment – Town Hall MEP Project	\$ 110,114
6	Bond Payment – Liljegren Way/Mudge Way Athletic Fields	\$38,000
7	Historic Properties Preservation Fund	\$75,000
8	Municipal Affordable Housing Trust – Ashby Place Kitchen and Bath Replacement	\$375,000
9	Job Lane House Fire Protection Sprinklers	\$65,790
10	Old Town Hall Exterior Stairs Replacements	\$43,500
11	Town/School Grounds Rehabilitation	\$26,469
12	Fawn Lake Permitting and Design	\$100,000
13	Minuteman Bikeway Extension Design	\$225,000
	<b>TOTAL</b>	<b>\$1,739,661</b>

and to determine whether the Town will vote to appropriate the sum of \$1,000,000 or any other sum for the construction of Liljegren Way/Mudge Way Athletic Fields and any other cost incidental or related to such project; and to determine whether such sum shall be borrowed under the Community Preservation Act or any other enabling authority; and to authorize the Treasurer, with the approval of the Selectmen, to issue any bonds or notes that may be necessary for that purpose;

pass any vote or take any action relative thereto.

*This article proposes projects and reserves recommended by the Community Preservation Committee for FY17 under Bedford's Community Preservation Act (CPA) accepted by the Town in March 2001. Descriptions of the proposed projects follow:*

- 1. **Administrative** – Administrative expenses for legal work and clerical costs are included in this item.*
- 2. **Affordable Housing Consulting Services** – Funding would allow continued use of affordable housing consultant services made available through an inter-municipal agreement made with several area communities or through other procurement contracts for such services.*
- 3. **Town Center North Wing Project Bond Payment** – Funding would provide the necessary payment during FY17 for the bonded cost of the previously approved restoration project.*
- 4. **350A Concord Road Bond Payment** – Funding would provide the necessary payment during FY17 for the bonded cost of the previously approved purchase of land.*
- 5. **Town Hall MEP Project Bond Payment** – Funding would provide the necessary payment during FY17 for the bonded cost of the previously approved mechanical, electrical and plumbing project for Town Hall.*
- 6. **Liljegren Way/Mudge Way Athletic Fields Bond Payment** - Funding would provide the necessary payment during FY17 for the bonded cost for the construction of the Liljegren Way/Mudge Way Athletic Fields to be voted under this same article.*
- 7. **Historic Properties Preservation Fund** – In 2014 funds were utilized for the Passenger Depot Restoration Project. \$75,000 would partially replenish the Historic Properties Preservation Fund to its earlier level. This fund is used as a reserve source for the preservation of historic buildings.*
- 8. **Municipal Affordable Housing Trust – Ashby Place Kitchen and Bath Replacement-** Funds would be provided to the Municipal Affordable Housing Trust for a Bedford Housing Authority project at Ashby Place, an existing public housing complex for low income/elderly/handicapped residents. The sum of \$375,000 would be utilized for refurbishing the original kitchens and bathrooms (c.1969) in eight (8) Ashby Place units. The first building is expected to be completed in February, 2016. Refurbishing all 80 units is estimated to cost around \$5.5M, and will take place over several years subject to future appropriation. Some funds (\$225,000) are being received from the State.*
- 9. **Job Lane House Fire Protection Sprinklers-** Funds would be used to install a new sprinkler system for fire protection at the Job Lane House. The Job Lane House is the only Town property with no fire protection.*
- 10. **Old Town Hall Exterior Stairs Replacements-** Funds would restore the top two wooden stairs to their initial build out when both sections were granite. The current wooden stairs are chipped due to wood rot.*
- 11. **Town/School Grounds Rehabilitation-** Funds would be used to maintain the infrastructure of the Davis and Lane School Baseball fields.*
- 12. **Fawn Lake Permitting and Design-** Funds would be used for the design work for Fawn Lake to address aquatic vegetation and possible dam replacement.*
- 13. **Minuteman Bikeway Extension Design-** Funds would be used for the completion of the final design for the extension of the Minuteman Bikeway. The conceptual plans for the extension have been completed and the Selectmen have made a choice for the final alternative for Railroad Avenue link between the Depot Park area and the beginning of the former Reformatory Branch right-of-way. The design effort would include a shared use path along Railroad Avenue and a new paved bikeway along the Reformatory Branch to the Bedford/Concord line. The design effort would include a culvert tunnel under Concord Road at the point that the Reformatory Branch crosses that road. It is intended that construction would be funded through federal and state transportation grant programs.*

**14. Liljegren Way/Mudge Way Athletic Fields Bond Authorization** – Funds would be used for the construction of an athletic field and adjacent practice area at the end of Liljegren Way, to the rear of Bedford High School for use by school athletic teams and recreation programs. These funds would be combined with \$600,000 that was appropriated at the 2015 Annual Town Meeting for this purpose. The FY17 debt service and issuance cost are estimated to be \$38,000.

**RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended all items above except #7; Disapproval Recommended for #7.
Community Preservation Committee:	Approval Recommended

**Article 21**  
**Expanded Local Transit Pilot Program**

To determine whether the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$207,300 or any other sum for operating a pilot program for expanded local transit service, pass any vote or take any action relative thereto.

*This article proposes to appropriate funds to expand the Town’s local transit services as a pilot initiative in order to ascertain the demand for such service. Surveys conducted by Town government have shown that there is citizen interest in expanded service. This would fund operation of a pilot program through a transportation services contractor to be launched in September 2016 through June 2018. It is planned that the service would operate between Noon and 6:00 PM, Monday through Friday as primarily an on-demand service coordinated through a dispatcher. After the pilot program is underway, data will be collected regarding the types of users and the most frequent destinations served. This information would be used to design any future service that might be deemed beneficial in the long-term. Fiscal Year 2017 and 2018 costs are expected to be \$104,800 and \$102,500 respectively.*

**RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Recommendation to be given at Annual Town Meeting
Residential Tax Impact:	\$3.49

**Article 22**  
**Supplement Operating Budget for Fiscal Year 2016 and Articles of the 2015 Annual Town Meeting**

To determine whether the Town will vote to transfer from available funds or otherwise provide a sum of money to be added to sums appropriated under certain Operating Budgets for Fiscal Year 2016 first voted under Article 18 of the Annual Town Meeting of 2015 or to sums appropriated under certain articles voted at the Annual Town meeting of 2015; pass any vote or take any action relative thereto.

*This article would provide additional funds to be added to the Fiscal Year 2016 Operating Budget and other articles voted at the 2015 Annual Town Meeting.*

**RECOMMENDATIONS**

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

**Article 23**  
**Salary Administration Plan Bylaw Amendment – Classification & Wage Schedule**

To determine whether the Town will vote to amend the Salary Administration Plan Bylaw, as amended, by striking out the present Classification and Wage Schedule and inserting in place thereof a new Classification and Wage Schedule, hereinafter set forth, to become effective July 1, 2016, unless another effective date is set forth herein.

**A. Management / Professional Schedule (Annual)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
<b>M-21</b>	95,800	114,577	133,355
DPW Director			
Fire Chief			
Police Chief			
<b>M-20</b>	91,238	109,121	127,005
Assistant Town Manager			
Facilities Director			
Finance Director/Treasurer & Collector			
<b>M-18</b>	82,047	97,127	112,207
Capital Project Manager			
<b>M-17</b>	77,487	90,783	104,078
Code Enforcement Director / Building Inspector			
DPW Engineer			
Library Director			
<b>M-16</b>	72,418	84,844	97,269
Accountant			
Associate Assessor			
Health Director			
Information Systems Manager			
Planning Director			
<b>M-15</b>	67,767	78,567	89,367
Assistant Facilities Director			
Council on Aging Director			
DPW Business Manager			
Economic Development Coordinator			
Grounds Operations Manager			
Highway Operations Manager			
Human Resources/Management Analyst			
Recreation Director			
Town Clerk			
Water & Sewer Operations Manager			
Youth & Family Services Director			
<b>M-14</b>	62,747	72,747	82,748
Assistant Library Director			

<b>M-13</b>	58,185	66,748	75,311
Assistant Recreation Director			
Building & Systems Superintendent			
Civil / Environmental Engineer			
Community Nurse			
Conservation Administrator			
Facilities Information and Procurement Analyst			
GIS Analyst			
Local Building Inspector			
Plumbing/Gas Inspector			
Program Coordinator			
Prevention Services Coordinator			
Recycling Coordinator			
Senior Librarian			
Technical Support Specialist			
Wiring Inspector			
<b>M-12</b>	53,381	61,237	69,092
Animal Control Officer			
Assistant Assessor			
Assistant Planner			
Elder Services Coordinator			
Engineering Technician			
Health Agent			
Librarian			
School-Age Child Care Director			
<b>M-11</b>	49,055	55,676	62,296
Archivist			
Assistant Accountant			
Assistant Treasurer & Collector			
Data Collector			
Engineering Assistant			
Engineering & Mechanical Assistant			
Healthy Bedford Coordinator			
Youth & Family Services Counselor			
<b>M-10</b>	44,596	50,614	56,633
Finance Assistant			
Respite Care Coordinator			
Senior Library Technician			
Youth Worker			
<b>M-9</b>	40,618	45,604	50,589
School Traffic Supervisor			
<b>M-7</b>	33,035	36,687	40,338
Assistant Youth Worker			
Veteran's Services Officer			

<b>B. Secretarial Clerical (35 hr/wk)</b>		<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>						
Administrative Assistant II		846.78	950.72	1,054.66						
Administrative Assistant I		784.30	880.57	976.84						
Department Assistant III		735.03	816.28	897.52						
Department Assistant II		680.31	755.51	830.70						
Department Assistant I		637.55	700.23	762.92						
<b>C. Library (40 hr/wk)</b>		<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>				
Library Assistant II		17.37	18.06	18.75	19.52	20.31				
Library Assistant I		16.08	16.72	17.36	18.08	18.81				
Library Page		9.42	9.77	10.12	10.47	10.82				
Custodian		16.01	16.63	17.32	18.02	18.72				
<b>D. Public Works (40 hr/wk)</b>		<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>			
Chief Water System Operator (c.)		969.85	1,018.35	1,069.27	1,122.75	1,178.89	1,202.47			
Chief Sewer System Operator (c.)		969.85	1,018.35	1,069.27	1,122.75	1,178.89	1,202.47			
Working Foreman (c.)		969.85	1,018.35	1,069.27	1,122.75	1,178.89	1,202.47			
Electrician (c.)		953.47	991.64	1,031.29	1,072.55	1,115.45	1,137.76			
Maintenance Craftsman (c.)		936.37	973.83	1,012.79	1,053.31	1,095.44	1,117.35			
Mechanic (c.)		936.37	973.83	1,012.79	1,053.31	1,095.44	1,117.35			
Water System Operator (c.)		936.37	973.83	1,012.79	1,053.31	1,095.44	1,117.35			
Sewer System Operator (c.)		936.37	973.83	1,012.79	1,053.31	1,095.44	1,117.35			
Assistant Working Foreman (c.)		936.37	973.83	1,012.79	1,053.31	1,095.44	1,117.35			
Heavy Equipment Operator (c.)		848.93	882.88	918.20	954.93	993.13	1,012.99			
Summer Laborer (interim / seasonal)		12.50	per hr.							
<b>E. Public Safety - Fire (42 hr/wk)</b>		<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>			
Captain Fire Prev. (40 hr/wk) (c.)		1,395.79	1,432.59	1,537.04	1,576.54	1,616.59	1,655.75			
Lieutenant - Fire (c.)		1,191.57	1,212.95	1,290.36	1,312.81	1,335.36	1,374.51			
Private - Fire (c.)		1,018.45	1,036.61	1,102.21	1,121.23	1,140.32	1,179.48			
Student Firefighter		729.96	/wk.							
Call Lieutenant		3,287.60	/yr. max	3,524.19	/yr. max with EMT					
		16.61	/hr.	17.45	/hr. Spec. Assign.					
Call Firefighter		2,802.14	/yr. max	2,974.20	/yr. max with EMT					
		15.07	/hr.	15.80	/hr. Spec. Assign.					
<b>F. Public Safety - Police (37.5 hr/wk)</b>		<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>	<b>Step 7</b>		
Lieutenant - Police (c.)		1,465.84	1,491.69	1,517.66	1,544.22					
Sergeant - Police (c.)		1,263.66	1,285.94	1,308.33	1,331.22					
Patrol Officer - Police (c.)		1,037.96	1,056.92	1,125.43	1,145.28	1,165.21	1,186.19	1,207.54		
Student Police Officer		729.96	/wk.							
Police Matron		18.50	/hr.	20.08	/hr. nights and weekends					
<b>G. Public Safety - Dispatch (37.5 hr/wk)</b>		<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>			
Emergency Communications Officer I (c.)		701.22	736.27	773.08	811.74	852.32	894.94			
Emergency Communications Officer II (c.)		718.75	754.68	792.41	832.04	873.63	917.31			
Lead Emergency Communications Officer (c.)		736.28	773.08	811.74	852.33	894.94	936.69			
<b>H. Recreation Programs</b>					<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>			
<b>School-Age Child Care Program (40 hr/wk)</b>					<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>			
Assistant Director					16.00	18.50	21.00			
Group Leader					12.78	16.72	20.66			
Aide (High School)					10.00	11.00	12.00			

**Youth Center Staff****(Hourly - effective July 1, 2013)**

Supervisor	17.00	19.00	21.00
Adult Staff (H.S. Graduates)	15.00	16.50	18.00
Junior Staff (H.S. Students)	10.00	11.00	12.00

**Springs Brook Park Program****(Hourly - effective May 15, 2014)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Director/Manager	20.55	27.76	34.96
Aquatics Director	18.00	21.50	25.00
Assistant Director	15.00	17.50	20.00
Supervisor	11.00	13.00	15.00

	<b>Level A</b>	<b>Level B</b>	<b>Level C</b>	<b>Level D</b>	<b>Level E</b>
Swimming Staff III	11.85	12.15	12.45	12.75	13.05
Swimming Staff II	10.54	10.76	10.98	11.25	11.55
Swimming Staff I	9.44	9.66	9.88	10.10	10.32
Crew III	9.20	9.40	9.60	9.80	10.00
Crew II	8.20	8.40	8.60	8.80	9.00
Crew I	7.30	7.45	7.60	7.80	8.00

**Summer Adventures/Summer Recreation Programs****(Hourly - effective May 15, 2014)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Director	19.51	24.09	28.66
Assistant Director	17.70	19.65	21.59
Program Leader	15.00	22.50	30.00

	<b>Level A</b>	<b>Level B</b>	<b>Level C</b>	<b>Level D</b>	<b>Level E</b>
Supervisor	16.00	16.40	16.81	17.23	18.01
Administrative Coordinator	16.00	16.40	16.81	17.23	17.66
Program Staff	12.00	12.66	13.36	14.09	14.87
Counselor (HS Grad) *	9.00	9.50	10.00	10.50	11.00
Counselor (HS) *	8.50	8.80			
Aide	8.00				
Overnight Stipend	100.00	/night			

\* Add for Certifications: \$.50/hr. CPR, \$.50/hr. First Aid, \$.50/hr. Life Guard Training

**Instructional Programs (hourly)**

	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Program Instructor II	25.00	42.50	60.00
Program Instructor I	15.00	22.50	30.00
Program Aide	10.00	12.50	15.00

	<b>Level A</b>	<b>Level B</b>	<b>Level C</b>	<b>Level D</b>	<b>Level E</b>
Basketball Official	12.00	13.25	14.50	15.75	17.00

**I. Miscellaneous**

	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
Local Transportation Oper./Coord. (40 hr/wk)	921.92	938.90	955.76	971.71	987.91
Recording Secretary	17.13/hr.		Alt. / Asst. Inspectors		29.16/hr.
Temporary Clerk II	10.76/hr.		Substitute Local Transportation Operator		19.34/hr.
Temporary Clerk I	9.42/hr.		Youth Leader		9.42/hr.



	<b>Min.</b>	<b>Mid.</b>	<b>Max.</b>
Temporary Painter	24.48	27.03	29.58

**(c.) Per Labor Contract**

*This article establishes the compensation ranges for all non-School Department employees of the Town. Where designated by footnote, collective bargaining agreements with the public employee unions are the legal basis for compensation rates. Those rates are shown for informational purposes and to keep the plan current with labor contracts.*

**RECOMMENDATIONS**

Selectmen: Approval Recommended  
 Finance Committee: Approval Recommended

**Article 24  
 Operating Budgets – FY2017**

To determine whether the Town will vote to make appropriations for expenditures by officers, boards, committees, and for the Reserve Fund in the fiscal year beginning July 1, 2016, and to determine whether such appropriations shall be raised in the tax levy, transferred from available funds, transferred from the Stabilization Fund, *Please see pages 69 through 72.*

borrowed, or by any combination of these methods; pass any vote or take any action relative thereto.

**RECOMMENDATIONS**

Selectmen: Approval Recommended  
 Finance Committee: Approval Recommended

**Article 25  
 Ambulance Enterprise Budget – FY2017**

To determine whether the Town will vote to appropriate the following sums or any other sums to operate the Ambulance Enterprise for the fiscal year beginning July 1, 2016:

Budget Cost	FY 2015 Expended	FY 2016 Appropriated	FY 2017 Recommended	% Change	% Of Total
<b>Direct Cost</b>					
Salaries	421,630	592,733	647,692		
Operational Expenses	201,279	264,509	234,120		
Capital Outlay	69,576	14,697	14,697		
<b>Total Direct Cost</b>	<b>692,485</b>	<b>871,939</b>	<b>896,509</b>	<b>2.82%</b>	<b>71%</b>
<b>Indirect Cost</b>					
Salaries (in Fire Budget)	103,775	109,416	110,538		
Insurance & Benefits	102,359	142,797	151,683		
Other Personnel Cost	43,851	44,807	46,152		

Principal & Interest	29,625	28,875	28,125		
General Insurance	11,804	16,438	16,603		
Facilities (Fire Station)	9,999	13,274	13,274		
<b>Total Indirect Cost *</b>	<b>301,413</b>	<b>355,607</b>	<b>366,375</b>	<b>3.03%</b>	<b>29%</b>
<i>* ( to be raised &amp; appropriated in the General Fund Operating Budget)</i>					
<b>Total FY2017 Budget</b>	<b>993,898</b>	<b>1,227,546</b>	<b>1,262,884</b>	<b>2.88%</b>	<b>100%</b>

and that in order to meet such appropriation, Town shall raise the sum of \$801,000 or any other sum from the Ambulance Enterprise Revenues, the sum of \$60,730 or any other sum from retained earnings within the Ambulance Enterprise, and the sum of \$34,779 or any other sum from the tax levy; pass any vote or take any action relative thereto.

#### RECOMMENDATIONS

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Residential Tax Impact:	\$0.59

### *Article 26* **Salary Plan Additional Funding**

To determine whether the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide the sum of \$159,034 or any other sum, to fund salary adjustments for certain employees; pass any vote or take any action relative thereto.

*This article funds additional compensation for employees listed in Sections A and B of the Salary Administration Plan Bylaw.*

#### RECOMMENDATIONS

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Residential Tax Impact:	\$2.68

### *Article 27* **Other Post-Employment Benefits Liability Trust Fund Appropriation**

To determine whether the Town will vote to raise and appropriate, transfer from the Health Claims Trust Fund under M.G.L. Chapter 32B, Section 3A, or transfer from other available funds, or any combination of these methods, the sum of \$701,992.14, or any other sum, for the Other Post-Employment Benefits Liability Trust Fund established under Article 21 of the 2011 Annual Town Meeting, and authorized by M.G.L. Chapter 32B, Section 20, in order to offset the anticipated future cost of providing post-retirement health and life insurance benefits to current and future retired Town employees; pass any vote or take any action relative thereto.

*This article proposes to appropriate \$701,992.14 towards the Town's unfunded liability for health and life insurance benefits of both current and future retired employees. Appropriations for this liability were first made at the 1994 Annual Town Meeting. The 1999 Annual Town Meeting approved the filing of a home rule petition for special legislation to establish a trust fund for investment of the appropriations.*

*The Massachusetts Legislature approved the Town’s home rule petition to establish a trust fund in 2000. The 2011 Annual Town Meeting transferred the balance in the original trust fund to a new irrevocable trust fund. The present balance of the irrevocable trust fund is approximately \$5,283,729. Governmental Accounting Standards requires all local governments to account for other post-employment benefits (OPEB) using an accrual methodology over participants’ active working lifetimes. The Town’s most recent actuarial study indicated that the Town had an actuarially determined unfunded liability of approximately \$40.98 Million after taking into consideration the funds that the Town has already set aside for this long-term liability. This proposed appropriation is consistent with the Town’s policy to address future liability concerns.*

*The funding source for this appropriation would be the Town’s Health Claims Trust Fund which was established when the Town was self-funded for employee and retiree health insurance coverage. In the past, employee and employer health insurance premiums were placed in this trust fund to pay health insurance claims. The Town no longer provides health insurance through a self-funded trust fund. Therefore, it is proposed to move the remaining funds from the old claims trust fund to the irrevocable trust fund for the purpose of providing future health insurance benefits of retirees.*

**RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Residential Tax Impact:	None

***Article 28***  
***Supplement Accrued Sick Leave Fund***

To determine whether the Town will vote to supplement a fund established by Article 25 of the 1994 Annual Town Meeting to offset the anticipated annual and future costs of Town employee accumulated sick leave payments by appropriating the sum of \$25,000 or any other sum, for such purpose; pass any vote or take any action relative thereto.

*This article supplements a fund established by the 1994 Annual Town Meeting through which the Town maintains a reserve for future costs of accumulated sick leave benefits when Town employees retire. Such practice is highly endorsed and recommended by the Town’s auditors and is sound business practice. This fund was last supplemented at the 2015 Annual Town Meeting. As of the printing of the Warrant, approximately \$405,264 remains in this fund.*

**RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Residential Tax Impact:	\$0.42

***Article 29***  
***Stabilization Fund Appropriation***

To determine whether the Town will vote to raise and appropriate the sum of \$500,000 or any other sum of money to the Stabilization Fund, as provided under Massachusetts General Laws, Chapter 40, Section 5B; pass any vote or take any action relative thereto.

*This article requests an appropriation to be added to the Stabilization Fund. This fund may be used for any purpose in the future, but requires a vote of Town Meeting in order to transfer and spend any of these funds. The present balance in the fund is approximately \$3,517,684.*

**RECOMMENDATIONS**

Selectmen:	Approval Recommended
Finance Committee:	Approval Recommended
Residential Tax Impact:	\$8.42

***Article 30  
Free Cash***

To determine whether the Town will vote to transfer a sum of money from surplus revenue to reduce the tax levy for the fiscal year commencing July 1, 2016; pass any vote or take any action relative thereto.

*This article allows for the transfer from "free cash" a sum of money to reduce the amount of the tax levy for Fiscal Year 2017.*

**RECOMMENDATIONS**

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

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

Hereof fail not and make return of this Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 16th day of February in the year Two Thousand and Sixteen.

**Selectmen of Bedford**

Mark Siegenthaler, Chair

Caroline Fedele

Margot Fleischman

William S. Moonan

Michael Rosenberg

A true copy  
Attest:  
Constable

FISCAL YEAR 2017 OPERATING BUDGET

Account #	Department	FY 2015 Expended	FY 2016 Appropriated	FY 2017 Recommended	% Change	% Of Total	Residential * Tax Impact	Segregations Description	Amount
1220	Selectmen	530,031	669,133	816,827	22.1%	1.0%	13.76	Salaries: Chairman Clerk Other Selectmen, each Office	2,000 1,500 1,200 486,290
1300	Finance/Administrative Services	945,891	1,004,701	1,041,151	3.6%	1.2%	17.54	Out of State Travel Estimated Revenue Salaries Abatement Interest From Sewer Fund	3,700 62,000 660,577 50,000 150,500
1301	Insurance & Benefits	9,602,992	10,764,139	11,416,789	6.1%	13.6%	192.32	Out of State Travel Estimated Revenue From Sewer Fund From Pension Trust Fund	3,300 380,000 188,500 66,000
	Health Insurance	4,824,731	5,680,000	6,020,600	6.0%	7.2%			
	Retirement Assessment	3,438,459	3,548,130	3,786,284	6.7%	4.5%			
	General Insurances	694,784	825,823	875,372	6.0%	1.0%			
	Medicare Assessment	563,146	608,686	633,033	4.0%	0.8%			
	Unemployment Insurance	67,403	86,000	86,000	0.0%	0.1%			
	Life Insurance	14,469	15,500	15,500	0.0%	0.0%			
1303	Principal & Interest	7,133,340	7,398,709	7,727,819	4.4%	9.2%	134.51	Non Exempt Principal Non Exempt Interest Exempt Principal Exempt Interest CPA Debt Costs From Debt Stabilization Fund From Sewer Fund From CPA Fund	2,366,761 915,133 2,716,000 941,023 788,902 106,587 571,000 788,902

FISCAL YEAR 2017 OPERATING BUDGET

Account #	Department	FY 2015 Expended	FY 2016 Appropriated	FY 2017 Recommended	% Change	% Of Total	Residential * Tax Impact	Segregations Description	Amount
1310	Financial Committees	204	1,167,614	1,021,804	-12.5%	1.2%	17.21	Reserve Fund Capital Expenditures Committee	1,020,190 260
1410	Board of Assessors	234,922	284,228	291,529	2.6%	0.3%	4.91	Salaries: Stipend, each Assessor Office	1,600 211,171
1510	Legal Services	95,343	183,896	184,000	0.1%	0.2%	3.10	<i>Estimated Revenue</i>	600
1610	Town Clerk	211,118	222,775	222,809	0.0%	0.3%	3.75	Salaries: Office Stipends	197,349 310
1620	Elections & Registrations	48,672	41,739	56,189	34.6%	0.1%	0.95	<i>Out of State Travel</i> <i>Estimated Revenue</i>	2,199 27,395
1750	Planning Board	184,032	189,588	195,693	3.2%	0.2%	3.30	Personnel Costs Stipends Salaries	36,117 1,350 191,093
2010	Police Department	3,439,888	3,485,731	3,548,023	1.8%	4.2%	59.77	<i>Estimated Revenue</i> Salaries Capital Outlay	600 3,381,268 14,473
								<i>Out of State Travel</i> <i>Estimated Revenue</i>	3,500 188,137

FISCAL YEAR 2017 OPERATING BUDGET

Account #	Department	FY 2015 Expended	FY 2016 Appropriated	FY 2017 Recommended	% Change	% Of Total	Residential * Tax Impact	Segregations Description	Amount
2200	Fire Department	2,097,372	2,186,319	2,209,105	1.0%	2.6%	37.21	Salaries Capital Outlay	2,053,443 18,661
2360	Town Center	151,437	102,533	106,620	4.0%	0.1%	1.80	Salaries Estimated Revenue	48,596 110,000
2400	Code Enforcement	441,134	478,164	483,263	1.1%	0.6%	8.14	Salaries Out of State Travel Estimated Revenue	446,577 1,400 580,000
3000	School Department	35,753,023	36,426,143	37,710,703	3.5%	45.0%	635.24	From Impact Aid/Defense Aid	290,000
3001	Vocational Education	580,051	530,000	495,000	-6.6%	0.6%	8.34		
3500	Facilities Department								
	Municipal	859,890	2,424,337	2,466,875	1.8%	2.9%	41.55	Salaries	480,544
	School (in School budget)	2,791,865	1,781,764	1,868,136				Capital Outlay Utilities	2,525 1,785,000
	Total (Informational Only)	3,651,755	4,206,101	4,335,011	3.1%				
4000	Public Works	11,433,853	11,235,154	11,545,330	2.8%	13.8%	194.48	Salaries Snow Removal Overtime Snow Removal Materials MWRA Water Purchase Refuse/Recycling Energy Equipment/Materials Capital Outlay Road Resurfacing From Sewer Fund	2,768,649 136,659 205,653 3,387,152 1,960,111 973,409 591,725 814,714 7,258 700,000 4,350,000
								Out of State Travel Estimated Revenue	1,000 9,290,505

FISCAL YEAR 2017 OPERATING BUDGET

Account #	Department	FY 2015 Expended	FY 2016 Appropriated	FY 2017 Recommended	% Change	% Of Total	Residential * Tax Impact	Segregations Description	Amount
5000	Board of Health	550,930	269,505	272,798	1.2%	0.3%	4.60	Salaries	239,290
5001	Hazardous Waste	15,196	15,348	15,501	1.0%	0.0%	0.26	<i>Estimated Revenue</i>	21,528
5003	Mosquito Control	38,122	38,504	38,889	1.0%	0.0%	0.66		
5400	Bedford Local Transit	50,192	60,361	61,441	1.8%	0.1%	1.03	Salaries	60,663
5410	Council on Aging	168,083	193,439	194,418	0.5%	0.2%	3.27	<i>Estimated Revenue</i> Salaries Capital Outlay	15,000 181,915 1,093
5420	Youth & Family Services	382,169	468,314	471,196	0.6%	0.6%	7.94	Salaries	219,667
6100	Public Library	1,174,934	1,143,814	1,152,003	0.7%	1.4%	19.41	Salaries Capital Outlay	879,281 5,000
6300	Recreation Commission	152,274	113,450	113,450	0.0%	0.1%	1.91	<i>Estimated Revenue</i> Salaries	17,000 113,450
6910	Historic Preservation Commission	585	1,294	1,307	1.0%	0.0%	0.02		
TOTAL		76,275,678	81,098,932	83,860,532	3.4%	100.00%	1.417		

\* Per 100,000 of assessed value.



**Town Meeting Procedure**  
**(As Established Under Article 4 of the Bedford General Bylaws)**

#### **4.1 Debate Rules**

The following rules shall govern Town Meeting:

No voter may speak without recognition by the Moderator.

Speakers must give their name and address before commencing.

No voter may speak in debate more than twice on any article without specific permission from the Moderator, except to correct a statement. Questions do not fall under this rule.

Speakers must keep their debate within the scope of the motion on the floor.

All questions must be directed through the Moderator.

#### **4.2 Motions**

All motions shall require a majority vote except as noted.

##### **4.2.1 Privileged Motions**

The following motions are privileged motions addressing the conduct of the meeting, and have priority, in order as shown, over any other motion or any question which may be pending:

###### **4.2.1.1 Dissolve or adjourn *sine die***

Final adjournment of Town Meeting may occur only after the completion of action on all articles in the Warrant. Not debatable or amendable.

###### **4.2.1.2 Adjourn or recess**

Postpones the meeting to a specified time, which must be within 21 days. Debatable and amendable.

###### **4.2.1.3 Point of no Quorum**

A call for a count of voters. No vote required.

###### **4.2.1.4 Fix the time for which to adjourn**

Sets a certain time for later adjournment. Debatable and amendable.

###### **4.2.1.5 Question of privilege**

Relates to the rights and privileges of the meeting and to the rights of the members. Not debatable or amendable.

##### **4.2.2 Subsidiary Motions**

The following motions are subsidiary motions. They have a direct effect on the original or main motion. They are listed in order of their rank, which follows the privileged motions, above:

###### **4.2.2.1 Lay on or take from the table**

Postpones action on the motion for an unspecified time and resumes action at the will of the meeting. Town Meeting may not be adjourned *sine die* until some action is taken on the motion in question. Not debatable or amendable. Two-thirds majority vote required.

###### **4.2.2.2 Previous question**

Calls for a vote on the motion under discussion without further debate. Not debatable or amendable. Two-thirds majority vote required.

###### **4.2.2.3 Limit or extend debate**

Sets a time limit for each speaker or the entire debate or may reopen the bounds of debate. Debatable and amendable. Two-thirds majority vote required.

###### **4.2.2.4 Postpone to a specified time**

Postpones action on an article to a specified time, or until after a specified article. Debatable and amendable.

**4.2.2.5 Commit, recommit or refer**

Sends the Article to a committee or other body for further study. Debatable and amendable.

**4.2.2.6 Amend or substitute**

Modifies the motion on the floor, in whole or in part. A written copy of the amendment must be presented to the Moderator or the Town Clerk. Debatable and amendable.

**4.2.2.7 Postpone indefinitely**

Ends debate and removes the main motion from discussion without a vote on the main motion. Not debatable or amendable. A brief explanation of the reason(s) for indefinite postponement may be given. Two-thirds majority vote required.

**4.2.3 Incidental Motions**

The following actions have the same rank as the motion from which they arise. They are subordinate motions relating to the conduct of the meeting with respect to the motion on the floor. They are considered and acted upon before the motions out of which they arise are concluded:

**4.2.3.1 Point of order**

Questions a possible error of omission or commission. Neither debatable nor amendable and no vote taken.

**4.2.3.2 Appeal**

Moves to reverse the decision of the Moderator on a point of order. Must immediately follow the point of order. Subject to acceptance by the Moderator. Debatable but not amendable.

**4.2.3.3 Division of a question**

Divides a main motion or amendment where practical to discuss and vote on the separate parts. Debatable and amendable.

**4.2.3.4 Separate consideration**

Requests discussion on separate parts of a question which do not allow for division since the separate parts are interrelated and will not stand on their own. Debatable and amendable.

**4.2.3.5 Fix the method of voting**

Request a specific form of voting, different from the normal one. Debatable and amendable.

**4.2.3.6 Withdraw or modify a motion**

Allows the maker of a motion to withdraw or modify the motion. Not debatable or amendable.

**4.2.3.7 Suspension of rules**

Requests a change in the rules relating to the conduct of the meeting. Not debatable or amendable.

**4.2.4 Main Motions**

The following are main motions in order of the rank and stem from articles in the Warrant:

**4.2.4.1 Main motion**

A motion made within the scope of the related article in the Warrant. The motion is debatable and amendable. The main motion may require a two-thirds vote, *e.g.*, bonding and zoning.

**4.2.4.2 Reconsider or rescind**

Reconsideration requests reopening of debate on a motion previously voted on while rescission overturns a previous affirmative vote and defeats the motion involved. May be debatable but it is not amendable.

**4.2.4.3 Advance an article**

Asks to consider and discuss an article in the Warrant out of order. Debatable and amendable.

**4.3 Reconsideration**

**4.3.1 Number of reconsiderations**

When a motion of reconsideration is decided, that decision shall not be reconsidered again at the same session and shall not be reconsidered more than once thereafter.

**4.3.2 Notice of intent to reconsider at future meeting**

Articles voted upon at any meeting shall not be reconsidered at a subsequent meeting unless notice of intent to reconsider shall be given to the Moderator prior to adjournment and publicly announced to the meeting at which the article has been voted upon.

**4.3.3 Requirements for voter to move reconsideration**

Reconsideration may be moved only by one who voted on the prevailing side.

**4.4 Amendments**

**4.4.1 Amendments to amendments**

An amended amendment may not be amended.

**4.4.2 Order of voting on amendments**

In the case of several amendments of different amounts or periods of time, the largest amount and the longest time will be voted on first, and an affirmative vote will be a negative vote of the smaller sums or shorter times.

**4.4.3 Amendments to bylaws**

No amendment may be made to a proposed General Bylaw printed in the Warrant unless it is to correct an error in the printing which does not change the meaning. A proposed Zoning Bylaw article may be amended on the floor to be less restrictive.

**4.4.4 Reports to meeting**

Recommendations made in the report of any board or committee shall not be acted upon or debated at any meeting unless there is an article in the Warrant.

**4.4.5 Acceptance of reports to the meeting**

When the report of a committee is placed in the hands of the Moderator, it shall be deemed to be received. If it is a final report, a vote to accept it shall discharge the committee. If it is an interim report, the committee continues to serve unless the Town votes to discharge the committee.

**4.4.6 Amendments to articles**

Any article appearing in the Warrant and considered at any Town Meeting may be amended and any portion may be deleted or added to by the vote of the Town, provided the phrase "do anything in relation thereto," "pertaining thereto," or words of similar import appear in the article. Any proposed amendment must be within the scope of the article.

**4.4.7 Quantum of vote on bylaws and borrowing**

A motion under an article to add to or amend the Town Bylaws, unless otherwise required by the General Laws shall require a simple majority vote. An article to amend the Zoning Bylaws or one for the purpose of borrowing for a period greater than one year shall require a two-thirds vote. A vote requiring a two-thirds majority does not have to be counted unless questioned by the Moderator or seven voters.

**4.4.8 Reports and motions in writing**

All reports, resolutions, motions and amendments submitted to the meeting for

consideration shall be presented in writing to the Moderator.

**4.4.9 Secret ballot**

A majority of those present and voting may choose to vote on any article or amendment by secret ballot.

<h2 style="text-align: center;">Guidelines for Civil Discourse</h2>
---

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

**Show respect for others.**

- Discuss policies and ideas, not people
- Only one person should be speaking at any given time
- Use helpful, not hurtful language

**Speak as you would like to be spoken to.**

- Use courtesy titles (Mr., Ms., Sir, etc.) and ask if unsure
- Restate ideas when asked
- Use a civil tone of voice

**Agree to listen.**

- Respectfully hear and listen to differing points of view
- When unsure, clarify what you heard
- Realize that what you say and what people understand you to have said may be different
- Recognize that people can agree to disagree

**Speak for yourself, not others.**

- Speak from your own experience
- Use "I" statements ("I think that the ideas presented...")

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

**NOTES**

**NOTES**

### *Volunteer Opportunities and the Appointment Process*

## Opportunities for Volunteer Appointments in Bedford

All Town boards and committees consist of volunteers who reside in Bedford and are registered voters. These volunteers work toward solving complex issues and setting or recommending policy that helps to shape the kind of community in which we live. Bedford is fortunate to have many potential volunteers whose skill and technical knowledge can be applied in the Town Government. There are various opportunities available to correspond with your expertise and/or interest.

Why volunteer? There are as many reasons as there are volunteers. Here are a few:

- Learn more about your community
- Meet people
- Watch your ideas get implemented
- Be aware of important events in town
- Take charge of a project
- Add to your resume
- Help guide your community

Most appointments to committee vacancies are made following the Annual Town Meeting. However, vacancies also occur at other times during the year. Terms of office vary from one to three years. Committees which may have openings are listed below:

Arbor Resources Committee  
Cable Television Committee  
Community Preservation Committee  
Historic District Commission  
Patriotic Holiday Committee

### **Appointment Process**

If you would like to be a part of our Town Government, please initiate the process for appointment by completing the reverse side of this form and returning it as indicated. Please note that all candidates for appointment to a committee are interviewed, and that prior to interviewing, they are required to visit at least one meeting of the committee(s) in which they express interest.

**Town of Bedford Questionnaire for Volunteers**

*Good Government Depends On You  
Please read about opportunities for volunteer appointments and the process  
on the other side of this Questionnaire.*

**Name** \_\_\_\_\_ **Date** \_\_\_\_\_

**Address** \_\_\_\_\_ **Occupation** \_\_\_\_\_

**Home Phone** \_\_\_\_\_ **Cell Phone** \_\_\_\_\_ **E-mail** \_\_\_\_\_

**1. Interested in serving on** \_\_\_\_\_

**2. How many meetings have you attended of the committee(s) listed above?** \_\_\_\_\_

**3. No. years lived in Bedford: Are you a registered Bedford voter? Attended Town Meeting?** \_\_\_\_\_

**4. Please describe your background or training from work and/or life experience that relates to your interest in government.**  
\_\_\_\_\_  
\_\_\_\_\_

**5. What Town government experience have you had?**  
\_\_\_\_\_  
\_\_\_\_\_

**6. What community experience have you had? Have you served as an officer or held any leadership position in any other community organization(s)?**  
\_\_\_\_\_  
\_\_\_\_\_

**7. Additional information for the Selectmen to consider. (Please add to this form as necessary.)**  
\_\_\_\_\_  
\_\_\_\_\_

**8. Do you have any restrictions on your availability to attend committee meetings?**  
\_\_\_\_\_

Feel free to call or email (cdoyle@bedfordma.gov) a member of the Volunteer Coordinating Committee to indicate your interest or to find out more about a committee, the time commitment involved and the process of appointment. Please complete this form and return it to the Town Manager's Office, Town Hall at 10 Mudge Way.

Carol Amick 781-275-5278      Patricia Carluccio 781-275-0645      Joseph Piantedosi 781-275-6077  
Jennifer Kelley 781-275-1512      Tim Gray - 781-275-6279