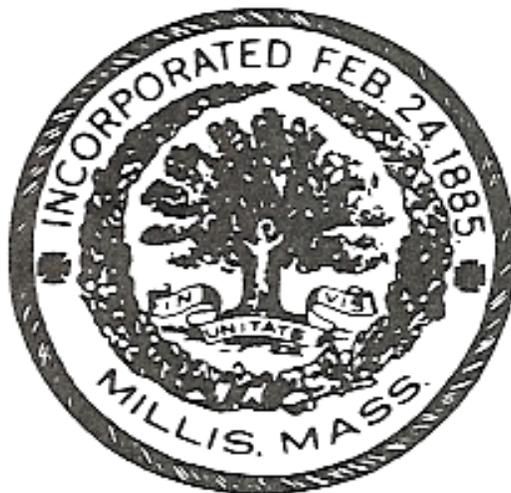


# **FINANCE COMMITTEE REPORT**

**FISCAL PERIOD JULY 1, 2015 THROUGH JUNE 30, 2016 ANNUAL FALL MEETING  
Containing the Recommendations of the Finance Committee**

**PLEASE BRING THIS REPORT WITH YOU TO TOWN MEETING**



**ANNUAL FALL TOWN MEETING – MONDAY, NOVEMBER 2, 2015 AT 7:30 PM  
MIDDLE/HIGH SCHOOL AUDITORIUM**

**PRE-TOWN MEETING – OCTOBER 28, 2015 AT 7:30 PM  
VETERANS MEMORIAL BUILDING – ROOM 229**

## To The Residents of Millis:

### Introduction:

This fall we are facing a few important and time-sensitive expenditures for your consideration. However, one in particular is of significant importance. I refer, of course, to the need to appropriate funds to pay for the decontamination and remediation of the site of the old library, which is also the future home of the new police station. Articles 5, 6 and 27 specifically address this issue. It is important to note that State laws preclude us from ignoring this problem or just refilling the area. The Town of Millis is now obligated to remediate this site. The issues associated with the remediation of this site include the cleanup and disposal of the materials that have been found to date. These include:

- Asbestos and asbestos-related products
- Petroleum waste products
- Organic materials
- Other waste including old shingles, license plates, etc., some of which date back to the 1940's

The problems that we are confronting are best addressed by looking at the history of the site as a former dumping ground. Since encountering these problems, the Permanent Building Committee (PBC) has made presentations to a number of Town committees discussing in detail the severity of the contamination that has been encountered and as a result must be remedied at the site, the testing that was done in advance of the project to attempt to identify such waste prior to construction and why the costs of remediation are likely to be so high. Regardless of how the materials got there and why they weren't detected during earlier tests, the reality now confronting us is that the Town of Millis is obligated to remediate the site. It is now estimated that the cost for this cleanup is likely to be \$1,250,000. Whether or not construction of the new police station were to continue, the site must be cleaned up.

Of course, this leads into a much larger issue which will necessarily be discussed at future Finance Committee meetings and at a future Town Meeting. I refer, as in the past, to the continuing need to fund a myriad of projects relating to the Town's infrastructure that have been deferred for years. These include road maintenance, repair of culverts and bridges, maintenance of schools and other public buildings, and maintenance and upgrades to the Town playing fields.

In addition, there are personnel issues. The Town Manager has done a superb job of managing our needs with a minimal staff. But there is a growing need for additional staff. Adding to this is the need to fund salary increases, ever increasing health insurance costs, retirement funds and continuing educational training, much of which is mandatory, so that our staff is aware of new regulations and is prepared to implement new programs that are required by the Commonwealth. And finally there is the need to repair, replace and upgrade our equipment. We have ongoing requirements to maintain our fire trucks, police cruisers, ambulances, school vans and busses, computers, etc. These items can only be deferred for so long. Eventually they must be dealt with, which means we must identify a procedure that is fair to the taxpayers while allowing the Town administration to address these concerns.

The members of the Finance Committee are frequently asked why our discretionary funds and free cash are so limited, whereas in the past we seemed to have adequate funds to address these many needs and the Town had an even larger staff. The answer is that there are many new programs and costs that have been legislated and that must now be managed but are not otherwise funded. And most of these

programs are unfunded or underfunded mandates. These include the Charles River cleanup, sewer systems remediation (you'll see some of this in Article 23), the building of catch basins, the cleanup procedures for hazardous waste, educational guidelines for programs such as SPED, mandatory personnel training and new computer programs for the Building Department, Treasury, DPW, etc. that require extra time for the staff to input the data necessary to conform to these new State rules.

All of this adds to the burden placed on the existing staff. Eventually, it means that our existing staff must be augmented. And thus the costs for operating the Town increase.

The remaining articles concern themselves with the need to replace a DPW truck, primarily used for snow plowing, the repair of the DPW building roof, the replacement of a police cruiser, some policy issues and replenishment of some funds.

### Articles Overview:

Let me give you a brief overview of the 34 articles that we will be presented at Town Meeting:

- There are several zoning articles involving street acceptance and solar zoning.
- We have several articles dealing with policy issues.
- There are articles for the repair of the DPW roof leaks and replacement of a DPW truck.
- There are numerous budget funding and adjustment articles ranging from adjustments of the water and sewer enterprise funds to replenishment of the stabilization fund, OPEB funding and unpaid bills.
- There are three petitioned articles and a number of other articles covering a variety of issues that range from fields design and maintenance, building a new veterans monument and initiating a town human resource management study.
- And as mentioned earlier, there are three articles dealing with contamination at Town sites.

The Finance Committee will present an overview of each article and its recommendations. However, the final responsibility rests with those who attend the Town Meeting to vote on each of the articles. In arriving at our recommendations, the Finance Committee has considered many factors, including the immediacy of the need for a project, the cost of the project, available funds and the impact on future requirements.

In closing, let me also note that the full Finance Committee should consist of 9 members. However, we are one member short of that number at this time. Please see me or Paul Jacobsen, the Town Moderator, at the end of this meeting if you have any interest in serving on the Finance Committee. We need your support.

### Respectfully Submitted,

Peter Jurmain, Chair

Craig Schultze

Jerry Nunnaley

Susan Vecchi, Vice Chair

Doug Riley

Tom Krimmel

Richard Molloy, Clerk

Jodie Garzon



## WARRANT

2015

### FALL ANNUAL TOWN MEETING

### TOWN OF MILLIS COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

GREETING:

To either of the Constables of the Town of Millis in said county, in the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Millis qualified to vote in elections and in town affairs, to meet on Monday, the second day of November, AD 2015 at 7:30 p.m. in the Middle-Senior High School Auditorium in said Millis:

FOR THE BUSINESS MEETING, THEN AND THERE,  
TO ACT ON THE FOLLOWING ARTICLES, VIZ

## FALL 2015 TOWN MEETING ARTICLE LIST

1. Adjust Veterans Budget
2. Adjust Debt Budget
3. Adjust Water Enterprise Fund
4. Adjust Sewer Enterprise Fund
5. Police-Fire Project Unanticipated Costs
6. Library Project Unanticipated Costs
7. Repurchase of Cemetery Lots
8. Ross Ave water main easement taking
9. Street Acceptance, Evergreen Ter.
10. Street Acceptance, Frontier La.
11. Street Acceptance, Beech St.
12. Solar Zoning Amendment
13. Adopt Green Communities Stretch Code
14. CORI Policy
15. Housing Production Plan
16. Payment In Lieu of Taxes Agreement (PILOT) Solar Farm
17. Replenish Stabilization Fund
18. OPEB Funding
19. Veterans Monument
20. School Van
21. School Repairs
22. ALS Program Costs
23. Sewer Infiltration/Inflow
24. DPW Roof
25. DPW Truck and/or Equipment, purchase or repair
26. Field Design
27. Library parking lot contamination
28. Assessors – Develop neighborhood valuation maps
29. Police Cruiser
30. Unpaid Bills
31. Town Human Resources Management Study
32. Petitioned article - irrigation systems
33. Petitioned article – fields
34. Petitioned article - historical markers

**TOWN OF MILLIS**  
**NOVEMBER 2, 2015 FALL ANNUAL TOWN MEETING WARRANT**

**ARTICLE 1.** To see if the Town will vote to **amend** the vote taken under Article 9 of the June 8, 2015 Annual Town Meeting relative to the Operating Budget, by changing line #6 **Health and Human Services**, Veterans Budget, and by changing revenue sources by adding or deleting Overlay Surplus, Taxation, Free Cash, Stabilization Fund or other available funds as funding sources therefor, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$12,616**

**ARTICLE 2.** To see if the Town see if the Town will vote to **amend** the vote taken under Article 9 of the June 8, 2015 Annual Town Meeting relative to the Operating Budget, by changing line #8 **Debt Service**, and by changing revenue sources by adding or deleting Overlay Surplus, Taxation, Free Cash, Stabilization Fund or other available funds as funding sources therefor, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 3.** To see if the Town will vote to **amend** the vote taken under Article 10 of the June 8, 2015 Annual Town Meeting relative to the **Water Enterprise Fund**, for the period beginning July 1, 2015 and ending June 30, 2016, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$13,320**

**ARTICLE 4.** To see if the Town will vote to **amend** the vote taken under Article 11 of the June 8, 2015 Annual Town Meeting relative to the **Sewer Enterprise Fund**, for the period beginning July 1, 2015 and ending June 30, 2016, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$930.75**

**ARTICLE 5.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for additional wages and additional expenses for the **Millis Police-Fire Station project** due to **unanticipated costs**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$1,183,00**

**ARTICLE 6.** To see if the town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under

the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for additional wages and additional expenses for the **Millis Library project** due to **unanticipated costs**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$67,717**

**ARTICLE 7.** To see if the Town will vote to raise and appropriate a sum for money to **repurchase cemetery lots** no longer wanted by their current owners, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$400**

**ARTICLE 8.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, by transfer from water surplus, or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for acquiring easements for the **Ross Ave.** water main project and to authorize the Board of Selectmen to acquire such lands or permanent or temporary **easements** by gift purchase or eminent domain as may be required for such purposes, including but not limited to the fee or easements, on parcels of land shown on Assessors Map 24 parcel 149 and Map 29 Parcel 7, and as shown on a map on file with the Board of Selectmen entitled "Utility Easement Plan" drawn by GCG Associates, Michael Carter P.L.S., dated September 16, 2105, which may be viewed during normal business hours, at the Selectmen's office 900 Main St., Millis, MA 02054 Monday 8:30 AM – 7:00 PM, Tuesday through Thursday 8:30 AM – 4:00 PM and Friday 8:30 AM to 12:30 PM; and further to authorize the Board of Selectmen to execute any documents, enter into any agreements, and take any action necessary to effectuate the purpose of this article; or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 9.** To see if the Town of Millis will vote to **accept Evergreen Terrace** as a Town way, as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled "Street Acceptance Plan of Land, Millis, MA" dated July 8, 2015 prepared by J.D. Marquedant & Associates Inc. Land Surveying and on file with the Town Clerk, excepting detention basins and drainage appurtenances, and to see if the Town will vote to raise and appropriate a sum of money from taxation, and authorize the Board of Selectmen to accept as a gift, purchase or take by eminent domain, permanent and temporary easements or fee interest in land, for the layout of said way, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Board of Selectmen deems appropriate, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 10.** To see if the Town of Millis will vote to **accept Frontier Lane** as a Town way, as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled "Street Acceptance Plan of Land, Millis, MA" dated July 8, 2015 prepared by J.D. Marquedant & Associates Inc. Land Surveying and on file with the Town Clerk, excepting detention basins and drainage appurtenances, and to see if the Town will vote to raise and appropriate a sum of money from taxation, and authorize the Board of Selectmen to accept as a gift, purchase or take by eminent domain, permanent and temporary easements or fee interest in land, for the layout of said way, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Board of Selectmen deems appropriate, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 11.** To see if the Town of Millis will vote to **accept Beech St.** as a Town way, as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled "Street Acceptance Plan of Land, Millis, MA" dated July 8, 2015 prepared by J.D. Marquedant & Associates Inc. Land Surveying and on file with the Town Clerk, excepting detention basins and drainage appurtenances, and to see if the Town will vote to raise and appropriate a sum of money from taxation, and authorize the Board of Selectmen to accept as a gift, purchase or take by eminent domain, permanent and temporary easements or fee interest in land, for the layout of said way, and further, to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, on such terms and conditions as the Board of Selectmen deems appropriate, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 12.** To see if the Town will vote to **amend** the Zoning Bylaws, as most recently amended, by amending the various sections identified herein as follows, or to take any other action related thereto:

By amending Section V, Use Regulations, Table 1, Use Regulations, by amending Principal Use #20 for "**Large-Scale Ground-Mounted Solar Photovoltaic Installations** with Rated Nameplate Capacity of 250 Kw DC or more" under the heading "Wholesale, Transportation & Industrial" by amending the columns for the various Zoning Districts that such use is allowed by right, by special permit or prohibited as follows:

	R-T	R-S	R-V	R-V-C	C-V	C-V-2	V-B	I-P	I-P-2
20. Large-Scale Ground-Mounted Solar Photovoltaic Installations with Rated Nameplate Capacity of 250 Kw DC or more.	SPB	SPB	N	N	N	N	N	P	P

And by amending Section XXI - Large-Scale Ground-Mounted Solar Photovoltaic Installations as follows:

**Section XXI - Large-Scale Ground-Mounted Solar Photovoltaic Installations**

**1. Purpose:**

The purpose of this Bylaw is to promote the creation of new Large-Scale Ground-Mounted Solar Photovoltaic Installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of Large-Scale Ground-Mounted Solar Photovoltaic Installations.

**2. Applicability:**

This section applies to Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

The provisions set forth in this Section shall apply to the construction, operation and/or repair of Large-Scale Ground-Mounted Solar Photovoltaic Installations with a Rated Nameplate Capacity of from 250 kW DC or more.

**3. Definitions:**

The following definitions shall apply:

**As-of-Right Siting:** As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-right development may be subject to site plan review to determine conformance with local zoning bylaws. Projects cannot be prohibited, but can be reasonably regulated by the Building Inspector and the Planning Board.

**Building Permit:** A construction permit issued by an authorized building inspector; the building permit evidences that the project is consistent with the state and federal building codes as well as local zoning bylaws, including those governing ground-mounted large-scale solar photovoltaic installations.

**Designated Location:** The location(s) designated herein where Large-Scale Ground-Mounted Solar Photovoltaic Installations with a Rated Nameplate Capacity of 250kW or more may be sited As-of-Right in the I-P and I-P-2 Districts as shown on the Town of Millis zoning maps.

**Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI):** A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a Rated Nameplate Capacity of 250 kW DC or more.

**Rated Nameplate Capacity:** The maximum rated output of electric power production of the photovoltaic system in Direct Current (DC).

**Site Plan Review:** Review by the Site Plan Review Authority Planning Board to determine conformance with local zoning bylaws.

**Special Permit:** A right or permit granted by the Planning Board pursuant to the authority of MGL c. 40A, § 9 for a purpose specified in this Chapter as one subject to a special permit, following upon review and conditions set by the Board.

**Solar Photovoltaic Array:** An arrangement of solar photovoltaic panels.

**Zoning Enforcement Authority:** The Building Inspector.

#### **4. General Requirements for all Large-Scale Ground-Mounted Solar Power Generation Installations:**

The following requirements are common to all LGSPI to be sited in designated locations or permitted by way of special permit in Millis.

Compliance with Laws, By-Laws and Regulations: The construction and operation of all LGSPI shall be consistent with all applicable local, state and federal requirements including, but not limited to, all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a LGSPI shall be constructed in accordance with the State Building Code.

Building Permit and Building Inspection: No LGSPI shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

Fees: The applications for a Site Plan Review, a Building Permit, and any other permits related to a LGSPI must be accompanied by the required fees.

## 5. Site Plan Review:

LGSPi shall undergo site plan review prior to construction, installation or modification as provided in this section.

General: All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.

### Required Documents:

An application for LSGPI site plan shall include the following documents:

- (a) A site plan showing:
  - i. Property lines and physical features, including roads, for the project site;
  - ii. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
  - iii. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures; and
  - iv. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
  - v. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
  - vi. Name, address, and contact information for proposed system installer;
  - vii. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any; and
  - viii. The name, contact information and signature of any agents representing the project proponent.
- (b) Documentation of actual or prospective access and control of the project site (see also Section entitled "Site Control");
- (c) An operation and maintenance plan (see also Section entitled "Operation and Maintenance Plan");

- (d) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
- (e) Proof of liability insurance;
- (f) A public outreach plan, including a project development timeline, which indicates how the project proponent will meet the required site plan review notification procedures and otherwise inform abutters and the community; and
- (g) Description of financial surety plan.

The Planning Board may waive documentary requirements for good cause.

Upon receipt of an application for site plan approval of a LGSPI, the Planning Board may engage, at the applicant's cost, professional and technical consultants, including legal counsel, to assist the Board with its review of the application in accordance with the requirements of Section 53G of Chapter 44 of the Massachusetts General Laws. The Planning Board may direct the applicant to deposit funds with the Planning Board for such review at the time the application is accepted, and add additional funds as needed upon notice. Failure to comply with this section shall be good grounds for denying the application. Upon approval of the application, any excess amount in the account attributable to the project, including any interest accrued, shall be repaid to the applicant.

#### **6. Special Permit:**

An LGSPI may be erected in zones R-T and R-S, upon the issuance of a special permit and site plan approval from the Planning Board, on a lot containing a minimum of five (5) acres.

All LGSPI subject to special permit requirements shall conform to the following provisions:

- a) All yard, buffer, and visual screening requirements applicable in the zoning district in which the installation is located shall apply.
- b) All security fences surrounding the installations shall be set back from the property line a distance equal to the setback requirement applicable to buildings within the zoning district in which the installation is located.
- c) All arrays and appurtenant structures necessary for operation of the LGSPI shall be physically located a minimum distance of 150' away from the nearest habitable structure on an adjacent lot.

- d) The visual impact of the commercial solar photovoltaic installation, including all accessory structures and appurtenances, shall be mitigated. All accessory structures and appurtenances shall be architecturally compatible with each other. Whenever reasonable, structures shall be shielded from view by vegetation and/or joined and clustered to avoid adverse visual impacts. Methods such as the use of landscaping, natural features, and fencing may be utilized.
- e) Lighting shall not be permitted unless required by the Planning Board or by the State Building Code. Where used, lighting shall be directed downward and full cut-off fixtures shall be used.
- f) All utility connections from the LGSPI shall be underground unless otherwise specifically permitted otherwise by the Planning Board in the special permit. Electrical transformers and inverters to enable utility connections may be above ground if required by the utility provider.
- g) Clearing of vegetation shall be limited to the minimum necessary for the construction, operation, and maintenance of the LGSPI except as otherwise prescribed by applicable laws, regulations and bylaws or the special permit.
- h) The commercial solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, continued compliance with landscaping and screening requirements, and integrity of security measures. The owner or operator shall be responsible for the maintenance of any access roads serving the installation.

#### **6a. Special Permit Administration**

- a) A special permit is required from the Planning Board to erect or install an LGSPI on parcels 5 acres or larger in R-S and R-T zones. A record owner desiring to erect or install a commercial solar photovoltaic installation shall file with the Planning Board an application for a special permit, together with such plans, drawings, specifications, fees, and additional information as required by the Planning Board.
- b) The Planning Board shall have the authority to waive specific provisions of the Use Regulations of this Article upon a determination that a waiver would not be inconsistent with the purpose and intent of this Article.
- c) When acting on a special permit application pursuant to this Article, the Planning Board shall conduct its review, hold a public hearing, and file its decision with the Town Clerk as required by MGL c.40A § 9.
- d) Approval Criteria. In reviewing any application for a special permit pursuant to this Article, the Planning Board shall give due consideration to promoting the public health, safety, convenience and welfare; shall encourage the most appropriate use of land and shall permit no building or use that is injurious, noxious, offensive, or

detrimental to its neighborhood. Before the Planning Board may issue such a special permit, it shall determine each of the following:

1. The LGSPI conforms to the provisions of this Article.
  2. The LGSPI will not be detrimental to the neighborhood or the Town.
  3. Environmental features of the site and surrounding areas are protected, and specifically surrounding areas will be protected from the proposed use by provision of adequate surface water drainage.
  4. The proposed use is in harmony with the general purpose and intent of this Chapter.
- e) Any special permit issued pursuant to this Article shall be subject to such conditions and safeguards as the Planning Board may prescribe. Such conditions may include the requirement of a performance bond, secured by deposit of money or negotiable securities, posted with the Town to guarantee proper maintenance and/or removal of the LGSPI. The amount of the performance bond shall not exceed the estimated cost of the LGSPI's removal. Such conditions may also include additional screening of the facility.
- f) In reviewing any application for a special permit, the Planning Board shall give due consideration to promoting the public health, safety, convenience, and welfare; shall encourage the most appropriate use of land and shall permit no building or use that is injurious, noxious, offensive, or detrimental to its neighborhood.

#### **6b. Discontinuance**

- a) An LGSPI shall be deemed to have been discontinued if it has not been in service for a continuous 24-month period. Upon receipt of a Notice of Discontinuance from the Inspector of Buildings, the owner shall have the right to respond to the Notice within 30 days of receipt. The Inspector of Buildings shall withdraw the Notice of Discontinuance and notify the owner that the Notice has been withdrawn if the owner provides information that demonstrates to the satisfaction of the Inspector of Buildings that the LGSPI has not been discontinued. If the LGSPI is determined to be discontinued, the owner shall remove the installation, including all structures equipment, security barriers, and transmission lines, and stabilize or revegetate the site as necessary to minimize erosion and sedimentation, at the owner's sole expense within three months of receipt of the Notice of Discontinuance. Failure to remove the installation and stabilize the site within said time period may subject the owner to action pursuant to Section XII, Par J. and K., of this Zoning By-Law.

## **7. Site Control:**

The applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

## **8. Operation & Maintenance Plan:**

The applicant shall submit a plan for the operation and maintenance of the LGSPI, which shall include measures for maintaining safe access to the installation, storm-water controls, vegetation controls, as well as general procedures for operational maintenance of the installation.

## **9. Utility Notification:**

No LGSPI shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the LGSPI's owner or operator's intent to install an interconnected customer-owned generator; as well as documentation from said utility that they can and will connect the proposed customer-owned (owned by an entity other than the utility company) generator into their power grid.

## **10. Dimension and Density Requirements:**

The following dimensional and density requirements shall apply to all LGSPI.

### Setbacks:

For large-scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:

- (a) Front yard: The front yard depth shall be at least 40 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.
- (b) Side yard: Each side yard shall have a depth at least 20 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the side yard shall not be less than 50 feet.
- (c) Rear yard: The rear yard depth shall be at least 30 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the rear yard shall not be less than 50 feet.

Appurtenant Structures: All appurtenant structures to LGSPI shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures including, but not limited to, equipment shelters, storage facilities, transformers, and

substations, shall be architecturally compatible with each other. Whenever reasonable, appurtenant structures should be shielded from view and/or joined or clustered to avoid adverse visual impacts.

## **11. Design Standards:**

The following design standards shall apply to all LGSPI.

Lighting: Lighting of LGSPI shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

Signage: A sign consistent with the Town's Zoning By-Law Section VII shall be required to identify the owner and operator of the LGSPI and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the LGSPI.

Utility Connections: Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the LGSPI underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

Screening: LGSPI and appurtenant structures shall be adequately screened with vegetation or behind other existing structures from view from public ways and neighboring properties.

Where LGSPI abut residential uses, there must be increased consideration for mitigating visual impact to the residential use. For example, the Planning Board may require items such as increased setbacks, visual screening or sound buffering in the Site Plan Review.

Where installation panels could pose sun glare to abutting properties or roadways, additional screening or other public safety measures may be considered

When vegetation is used, where possible, a diversity of plant species shall be used, with a preference for species native to New England and this region. Use of plants listed in the most recent version of the "Massachusetts Prohibited Plant List" maintained by the Massachusetts Department of Agricultural Resources (or the then equivalent document) is prohibited.

Fencing: Where deemed necessary, fencing may be required as part of the Site Plan Review process.

## **12. Safety and Environmental Standards:**

The following safety and environmental standards shall apply to all LGSPI.

Emergency Services: The LGSPI owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Millis Fire Chief. Upon request the owner or operator shall cooperate with Millis emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall provide the Town with the contact information for a responsible person for public inquiries throughout the life of the installation.

Land Clearing, Soil Erosion and Habitat Impacts: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the LGSPI or otherwise prescribed by applicable laws, regulations, and bylaws.

## **13. Monitoring and Maintenance:**

Solar Photovoltaic Installation Conditions: The LGSPI's owner or operator shall maintain the facility and access road(s) in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Millis Fire Chief.

Modifications: All material modifications to an LGSPI made after issuance of the required building permit shall require approval by the Planning Board. In determining whether a modification is material, the Planning Board shall consider the scope of the proposed modification in relation to the approved LGSPI.

## **14. Abandonment or Decommissioning:**

Removal Requirements: Any LGSPI, which has reached the end of its useful life or has been abandoned, shall be removed by the owner or operator no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all LGSPI structures, equipment, security barriers and transmission lines from the site;
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.; and
- (c) Stabilization and re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

Abandonment: Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the LGSPI shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the LGSPI fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may, to the extent it is otherwise duly authorized by law, enter the property and physically remove the installation.

Financial Surety: Proponents of LGSPI projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, in conformance with the removal requirements (a) (b) and (c) of this section, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

#### **15. Liability Insurance:**

The owner or operator of an LGSPI shall provide the Town Clerk with a certificate of insurance showing that the property has a minimum of one million dollars in liability coverage, and that the Town of Millis is an additional named insured thereon. Such a certificate shall be supplied on an annual basis upon the renewal of said insurance policy,

or act in any manner relating thereto. (Submitted by Planning Board)

#### **Finance Committee recommendation: - Affirmative Action**

**ARTICLE 13.** To see if the Town will vote to **accept** Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the “**Stretch Energy Code**”, including amendments or modifications thereto, regulating the design and construction of buildings for the effective use of energy, such code to be on file with the offices of the Town Clerk and Building Commissioner, and further that the Stretch Energy Code shall have a concurrency start date of January 1, 2016 and a sole effective date of July 1, 2016, or act in any manner relating thereto. (Board of Selectmen)

#### **Finance Committee recommendation: - Affirmative Action**

**ARTICLE 14.** To see if the Town will vote to adopt amendments to Schedule D-Policies and Procedures of the Town of Millis Personnel Plan by adding a new **CORI policy**, effective November 2, 2015, on file in the office of the Board of Selectmen, or act in any manner relating thereto. (Submitted by Board of Selectmen)

#### **Finance Committee recommendation: - Affirmative Action**

**ARTICLE 15.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, or by transfer from the Stabilization Fund, a sum of money for the development of a **Housing Production Plan** or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action – \$7,500**

**ARTICLE 16.** To see if the Town will vote to authorize the Board of Selectmen to enter into a **Payment In Lieu of Taxes agreement** pursuant to M.G.L. Chapter 59 Section 38H(b) and Chapter 164 Section 1 and/or any other enabling authority with Clean Energy Collective for personal property taxes associated with a ground mounted solar array project located at the rear of 1468/1480/1486 Main St. also shown on Assessors map # 32 Parcel 2, for a term of up to twenty (20) years on such terms and conditions as the Board of Selectmen deems to be in the best interest of the Town and to authorize the Board of Selectmen to take any and all actions as may be necessary or convenient to accomplish the purposes of this article, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 17.** To see if the Town will vote to appropriate and raise by taxation or by transfer from available funds a sum of money for the **Stabilization Fund**, or act in any manner relating thereto, (submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$139,145**

**ARTICLE 18.** To see if the Town will vote to appropriate and raise by taxation or by transfer from available funds a sum of money for the **OPEB Trust Fund**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 19.** To see if the Town will vote to appropriate and raise a sum of money from the Community Preservation Historic Resource Reserve Fund and/or the Community Preservation Fund Budgeted Reserve and/or the Undesignated Fund or by taxation or transfer from available funds, or from the Stabilization Fund for the **Veterans Memorial Project**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action – \$28,000**

**ARTICLE 20.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for a new **school van**, or act in any manner relating thereto. (Submitted by School Committee)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 21.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for **repairs to the High School/Middle School boys locker room or the in-wall drain system located therein**, or act in any manner relating thereto. (Submitted by School Committee)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 22.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, a sum of money for wages and expenses for a Fire Department **Advanced Life Support program**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$20,000**

**ARTICLE 23.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for **removing Infiltration and Inflow** from the Millis Sewer system, and any expenses incidental and related thereto, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 24.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for **repairs to the DPW garage roof**, and any expenses incidental or related thereto, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 25.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for **the repair of DPW vehicles or equipment, or for the purchase of new vehicles or equipment** and to authorize the Board of Selectmen to dispose of the old vehicles or equipment by outright sale, trade, auction, or otherwise and that the proceeds from such disposal be applied to the purchase price of the vehicle or equipment, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 26.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under

the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for **playing field design**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$10,000**

**ARTICLE 27.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for **Library parking lot contamination remediation** and cleanup including any design or construction costs and any expenses relating thereto, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$30,000**

**ARTICLE 28.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund, or by borrowing under the provisions of M.G.L. Chapter 44 or any other enabling authority, a sum of money for **developing Neighborhood Valuation Maps** as directed by the Massachusetts Department of Revenue, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$1,200**

**ARTICLE 29.** To see if the Town will vote to appropriate and raise by taxation, by transfer from available funds, by transfer from the Stabilization Fund or by borrowing under the provisions of M.G.L. Chapter 44, or any other enabling authority, a sum of money for **a new Police Cruiser** and to authorize the Board of Selectmen to dispose of the old vehicle by outright sale, trade, auction, or otherwise and that the proceeds from such disposal be applied to the purchase price of the vehicle, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation: - Affirmative Action - \$5,300**

**ARTICLE 30.** To see if the Town will vote to appropriate and raise by taxation or by transfer from available funds or by transfer from the Stabilization Fund a sum of money for **unpaid bills**, or act in any manner relating thereto. (Submitted by Board of Selectmen)

**Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 31.** To see if the Town will vote to appropriate and raise by taxation, or by transfer from available funds, or by transfer from the Stabilization Fund a sum of money for a town **Human Resources Management Study** including, but not limited to, a review of recruitment and hiring practices, or act in any manner relating thereto. (Submitted by Board of Selectmen)

## **Finance Committee recommendation to be made at Town Meeting**

**ARTICLE 32.** Require the Selectmen to fund:

The **installation of an automatic irrigation system** at Oak Grove Farm for the front multiuse fields located along Exchange Street to improve the playability and player safety at said fields no later than the end of December 2016.

The installation of an automatic irrigation system at Oak Grove Farm for the rear multi-use field and softball field located off Island Road and the lower "bowl field" in front of the Millis High/Middle School parking area to improve the playability and player safety at said fields no later than the end of December 2017. (Submitted by Petition)

### **Finance Committee recommendation: - Affirmative Action**

**ARTICLE 33.** Require the Selectmen to develop a plan and appropriate funding to implement **a consolidated maintenance plan** for all Town of Millis's athletic fields located at the Town Memorial Park, behind Clyde Brown Field, the High/Middle School property and Oak Grove Park in the FY2017 operational budget.

This plan would include:

- Identifying one individual as the lead person for the control and implementation of this plan. This individual would be responsible for budget; procurement; scheduling and coordinating of this plan with all vested parties (Town departments, School officials & Oak Grove Farm Commission).
- The establishment of an Integrated Pest Management Program (IPM) for each area and field that incorporates both cultural and non-cultural maintenance practices to provide for the safest playing surfaces throughout the year in the most cost effective way.
- Each field would be treated a minimum of three times a year with the appropriate fertilizer application(s) and/or weed and/or insect control as dictated by soil testing and the IPM program, monthly monitoring, field use and weather.
- Each field would be aerated at least once a year.

(Submitted by Petition)

### **Finance Committee recommendation: - Affirmative Action**

**ARTICLE 34.** Require the Selectmen request CPA funds to **replace all historical household maker signs** that were installed during the Town of Millis Centennial in 1985. (Submitted by petition);

### **Finance Committee recommendation: - Dismissal**



and, you are hereby directed to serve this Warrant by posting attested copies hereof fourteen days before time of said meeting as directed by the vote of the Town. Hereof fail not and make due return of this Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 5th day of October in the Year of Our Lord two thousand and fifteen.

**TOWN OF MILLIS  
BOARD OF SELECTMEN**



Christopher J. Smith, Chairman

James G. Neville, Vice-Chairman



James J. McCaffrey, Clerk

**A True Copy, Attest**



Helen R. Kubacki, Constable  
Town of Millis

  
Lisa J. Hardin, Town Clerk

Oct. 7, 2015

ANNUAL FALL TOWN MEETING  
Middle/High School Auditorium  
Monday, November 2, 2015 – 7:30 PM

PRE-TOWN MEETING  
Veterans Memorial Building – Room 229  
Wednesday, October 28, 2015 – 7:30 PM

MILLIS BOARD OF SELECTMEN  
Christopher J. Smith, Chairman  
James G. Neville, Vice Chairman  
James J. McCaffrey, Clerk

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