

SPECIAL TOWN MEETING WARRANT

WORCESTER, SS.

To either of the Constables of the TOWN OF WESTMINSTER in the County of Worcester,
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and in Town affairs, to meet at the

**WESTMINSTER ELEMENTARY SCHOOL
9 ACADEMY HILL ROAD
WESTMINSTER, MASSACHUSETTS
on
SATURDAY, MAY 4, 2019
AT 1:00 P.M.**

then and there to vote on the following articles:

ARTICLE 1. To see if the Town will vote to transfer a sum of money from available funds to supplement the amount voted under Article 6 of the May 5, 2018 Annual Town Meeting for the Snow & Ice Removal accounts (Department 423), or act in relation thereto.

(Amount to be determined)

ARTICLE 2. To see if the Town will vote to transfer a sum of money from available funds to supplement the amount voted under Article 7 of the May 6, 2017 Annual Town Meeting for Sewer Enterprise expenses, or act in relation thereto.

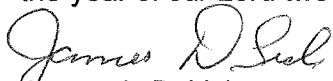
(Amount requested: \$80,000)


ARTICLE 3. To see if the Town will vote to transfer a sum of money from available funds to pay any unpaid bills (or portions thereof) from a prior fiscal year, or act in relation thereto. (9/10 vote required)

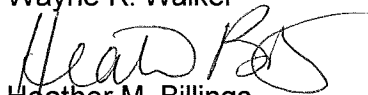
(Amount to be determined)

AND YOU ARE DIRECTED to serve this warrant, by posting attested copies thereof at the Town Hall and the U.S. Post Office in said Town, fourteen days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this 1st day of April in the year of our Lord two thousand and nineteen.


James A. DeLisle


Wayne R. Walker


Heather M. Billings

BOARD OF SELECTMEN

DATED 4/9/19

Worcester, s.s.

PURSUANT TO THE WITHIN WARRANT, I HAVE NOTIFIED AND WARNED THE INHABITANTS OF THE TOWN OF WESTMINSTER BY POSTING ATTESTED COPIES OF THE SAME AT:

TOWN HALL, 11 SOUTH STREET
U.S. POST OFFICE, NICHOLS STREET

14 DAYS BEFORE THE DATE OF THE TOWN MEETING, AS WITHIN DIRECTED.



CONSTABLE

ANNUAL TOWN MEETING WARRANT

WORCESTER, SS.

To either of the Constables of the TOWN OF WESTMINSTER in the County of Worcester, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and in Town affairs, to meet at the

**WESTMINSTER ELEMENTARY SCHOOL
9 ACADEMY HILL ROAD
WESTMINSTER, MASSACHUSETTS
on
SATURDAY, MAY 4, 2019
AT 1:00 P.M.**

then and there to vote on the following articles:

CUSTOMARY ARTICLES

ARTICLE 1. To see if the Town will vote to authorize the Board of Selectmen to enter into a contract with the Massachusetts Department of Transportation or other appropriate state agency for the construction and maintenance of public highways for the ensuing fiscal year, or act in relation thereto.

ARTICLE 2. To see if the Town will vote pursuant to Chapter 40, section 4 of the General Laws to authorize the Board of Selectmen to enter into any and all contracts on behalf of the Town for the ensuing fiscal year unless otherwise provided by law, on such terms and conditions as it deems to be in the best interests of the Town, or act in relation thereto.

ARTICLE 3. To hear reports of any committees appointed to act on Town affairs or in its behalf.

ARTICLE 4. To see if the Town will vote to set the following spending limits for each Revolving Fund authorized under Chapter 28-9 of the Town Bylaws for FY2020, or act in relation thereto:

- 1 Hazardous Materials Recovery - \$12,000
- 2 Agricultural Commission Programs - \$10,000
- 3 Public Health Clinic and Emergency Response - \$25,000
- 4 Private Road Maintenance - \$10,000

OPERATING BUDGETS

ARTICLE 5. To see if the Town will vote to fix the compensation of appointed and elected officers, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, for the ensuing fiscal year, or act in relation thereto.

(Amount requested: tbd)

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Sewer Enterprise for Fiscal Year 2020, or act in relation thereto.

(Amount requested: \$1,185,642)

DATED

9/9/19

Worcester, s.s.

PURSUANT TO THE WITHIN WARRANT, I HAVE NOTIFIED AND WARNED THE INHABITANTS OF THE TOWN OF WESTMINSTER BY POSTING ATTESTED COPIES OF THE SAME AT:

TOWN HALL, 11 SOUTH STREET
U.S. POST OFFICE, NICHOLS STREET

 14 DAYS BEFORE THE DATE OF THE TOWN MEETING, AS WITHIN DIRECTED.



CONSTABLE

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Water Enterprise for Fiscal Year 2020, or act in relation thereto.

(Amount requested: \$577,013)

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the Solid Waste Transfer Facility Enterprise for Fiscal Year 2020, or act in relation thereto.

(Amount requested: \$273,300)

CUSTOMARY MONEY ARTICLES

ARTICLE 9. To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money for the following purposes:

Westminster Cultural Council

Conservation Fund, as provided in Section 8C of Chapter 40 of the General Laws

(Amounts requested: \$4,000 for Cultural Council; \$1,000 for Conservation Fund)

ARTICLE 10. To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to fund a portion of the cost of retaining a professional consultant to perform the revaluation of real and personal property in the Town as required under Massachusetts General Laws, or act in relation thereto.

(Amount requested: \$50,000)

ARTICLE 11. To see if the Town will vote to transfer a sum of money from Free Cash to reduce the Fiscal Year 2020 tax rate, or act in relation thereto.

(Amount requested: \$230,000)

ARTICLE 12. To see if the Town will vote to raise and appropriate a sum of money for the OPEB Stabilization Account, or act in relation thereto.

(Amount requested: \$300,000)

NON-CAPITAL MONEY ARTICLES

ARTICLE 13. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to hire a preservationist to assist the Historical Commission in documenting historically architecturally significant homes in Westminster, or act in relation thereto.

(Amount requested: \$2,000)

ARTICLE 14. To see if the Town will vote to transfer a sum of money from the "Giles Fund" for the purpose of funding the Emergency Home Heating Assistance Program, or act in relation thereto.

(Amount requested: \$8,000)

ARTICLE 15. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be spent under the direction of the Fire Chief for the purchase of a training mannequin for the Ambulance Department, or act in relation thereto.

(Amount requested: \$14,000)

ARTICLE 16. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for site exploration costs for a new cemetery on Ellis Road, or act in relation thereto.

(Amount requested: \$10,000)

ARTICLE 17. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money for a leaf vacuum truck loader for the Cemetery Department, or act in relation thereto.

(Amount requested: \$3,500)

ARTICLE 18. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to pave the road at Whitmanville Cemetery, or act in relation thereto.

(Amount requested: \$10,000)

ARTICLE 19. To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to be spent under the direction of the Town Planner for wayfaring signage at various locations throughout Town, or act in relation thereto.

(Amount requested: \$7,125)

CAPITAL ARTICLES

ARTICLE 20. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Public Works Director for the following capital equipment and/or projects, including related incidental costs, or act in relation thereto.

ITEM/PROJECT	AMOUNT REQUESTED	PROPOSED FUNDING SOURCE
Maintenance of Town roads (including oiling, sealing, re-surfacing, drainage, guardrails, removing trees/brush, and other such activities.	\$300,000	Raise and appropriate
Reconstruction and improvement of Town roads.	\$500,000	Raise and appropriate
Pick-up truck -- Water/Sewer Dept.	\$50,000	Water/Sewer enterprise fund retained earnings
MS4 Storm Water Permit Compliance	\$50,000	Free Cash

ARTICLE 21. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Police Chief for the following capital equipment, including related incidental costs, or act in relation thereto.

ITEM/PROJECT	AMOUNT REQUESTED	PROPOSED FUNDING SOURCE
Two Police vehicles and related equipment, including trade-ins	\$94,000	\$47,000 Capital Stabilization \$47,000 Raise and appropriate
Dispatch console	\$100,000	Technology Stabilization
Security/fire alarm notification system (service provided to businesses)	\$50,000	Building Stabilization

ARTICLE 22. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Fire Chief for the following capital equipment, including related incidental costs, or act in relation thereto.

ITEM/PROJECT	AMOUNT REQUESTED	PROPOSED FUNDING SOURCE
New ambulance, including trade-in	\$250,000	Ambulance receipts
Fire Department vehicle, including trade-in	\$50,000	Capital Stabilization

ARTICLE 23. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Town Administrator for the following capital equipment and/or projects, including related incidental costs, or act in relation thereto.

ITEM/PROJECT	AMOUNT REQUESTED	PROPOSED FUNDING SOURCE
Domain controller server, Library phone system, Security Card Access System-Public Safety Building and Town Hall	\$53,000	Technology Stabilization
Scheduled computer system updates and technology-related items for the various town departments	\$37,000	Raise and Appropriate
Communications tower	\$300,000	Technology Stabilization

ARTICLE 24. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Library Director for the installation of new carpet at the Forbush Memorial Library, or act in relation thereto.

(Amount requested: \$55,000)

ARTICLE 25. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Cemetery Commission to pave the area around the garage at Woodside Cemetery, or act in relation thereto.

(Amount requested: \$20,000)

ARTICLE 26. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Ashburnham-Westminster Regional School District for the following districtwide capital projects; further, that said appropriation is subject to the Town of Ashburnham also voting to fund its share of the cost of this article, or act in relation thereto:

\$18,624	Exterior board replacement (Oakmont)
\$19,584	Bathroom partition replacement (Overlook)
\$13,600	Hallway Floor replacement (Overlook)
\$44,639	Dump truck (District)
\$8,325	Track garage updates-roof (District)

(Amount requested: \$104,772)

ARTICLE 27. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be spent under the direction of the Ashburnham-Westminster Regional School District for the following capital projects, or act in relation thereto.

\$10,000	Building Management System (Westminster Elementary)
\$28,000	Resurface gym floor; repave sidewalks (Meetinghouse)

(Amount requested: \$38,000)

MISCELLANEOUS AND ZONING ARTICLES

ARTICLE 28. To see if the Town will vote to accept as a public way the roadway known as Partridge Hill Road, as heretofore laid out by the Public Works Commission and shown on a plan of land entitled: "As Built Layout Plan of Partridge Hill Road in Westminster, MA," dated October 15, 2018, prepared by Szoc Surveyors, 32 Pleasant St., Gardner, MA, and recorded with the Worcester Northern District Registry of Deeds in Plan Book 518, Plan 22, a copy of which is on file with the Town Clerk, and to authorize the Public Works Commission to acquire, on behalf of the Town, by purchase, gift, eminent domain or otherwise, rights sufficient to use said way for all purposes for which public ways are used in the town of Westminster, or act in relation thereto.

ARTICLE 29. To see if the Town will vote to amend the Westminster Zoning Bylaw (Chapter 205 of the Code of the Town of Westminster, Massachusetts) by replacing Article X, Signs, with a new Article X that will read as follows, or act in relation thereto.

Article X. Signs

205.44.1 Compliance Required.

No signs or advertising devices of any kind or nature shall be erected on any premises or affixed to the outside of any structure or be visible from the outside of any structure in Westminster, except as specifically permitted in this section.

205.44.2 Purpose.

The purposes of this bylaw are to:

- Encourage signs that provide information and advertising to the public in an orderly, effective and safe manner.
- Help simplify the permitting process for signs that require permits.
- Encourage signs that are harmonious and compatible with the architectural and environmental character of the property.
- Encourage signs that complement the rural character and natural beauty of the Town.

205.44.3 Definitions.

- Abandoned Sign: A sign that no longer identifies a bona fide business, lessor, service, owner, product or activity for which the time of event passed, and/or for which no legal owner can be found. This definition also includes any structure which no longer supports the sign for which it was designed.
- Accessory Sign: A sign that is subordinate to the principle sign and customarily incidental to, and on the same lot as the principal use.
- Awning: A non-illuminated sign painted on or attached to a fabric or vinyl cover on a rigid frame. Only business names and/or logos may be attached to, painted, stenciled or otherwise placed on an awning.
- Banner: A temporary or permanent sign made of flexible material that may be free hanging or attached to poles and/or structures.
- Cornice: The exterior trim of a structure at the meeting of a roof and a wall.
- Directional Sign: A sign erected and maintained by local officials within the public right-of-way used to indicate to the traveling public the route and distance to public accommodations, facilities, commercial services and points of interest. Such signs shall conform to all applicable State regulations regarding the placement of signs within the public right-of-way.
- Double-faced Sign: A sign with two faces or panels, which are not visible at the same time and which, unlike a V-shaped sign, are directly back to back.
- Facade: The exterior face of a building.
- Exempt Sign: A sign that does not require a permit.
- Free-standing Sign: A sign self-supported by a pole or post and not attached to any building, wall or fence, but in a fixed location. Types of free-standing signs include post and arm, monument, and pole signs.
- Home Occupation Sign: An on-premises sign indicating a business, trade, occupation or profession conducted at the proprietor's residence or within a structure accessory to a residence.
- Illuminated Sign: A sign lighted or exposed to artificial light either by lights on or in the sign and directed towards the sign including halo lighting, direct/external lighting, indirect lighting, or internal illumination.
- Internal Illumination: Illumination by means of a light source completely enclosed by the sign panel(s).
- Ladder Sign: A freestanding ground sign with two vertical supports and two or more crosspieces serving as individual signs.
- Marquee Sign: A sign painted on, attached to, or consisting of interchangeable letters on the face of a permanent overhanging shelter that projects from the face of a building.
- Monument Sign: An outside sign identifying a development, business, service, or homes made of brick, masonry or stone, the bottom is attached directly and permanently to the ground and physically separated from any other structure.
- Non-conforming Sign: Any sign or advertising device legally erected as of September 2018 (insert date the public hearing appears in paper), but not abiding by this bylaw.
- Off-premise Sign: Any sign that advertises or indicates a person/business that is not located on the same premises as the person/business.
- On-premise Sign: Any sign that advertises or indicates the person/business occupying the premise on which the sign is located, the merchandise for sale or the activity conducted thereon.
- Permanent Sign: A sign, including its support and structure, used for a period of time greater than sixty (60) days.
- Portable Sign: Any sign designed to be moved easily and not affixed to the ground or structure.
- Roof Sign: A sign attached to the roof of a building.
- Seasonal Sign: A sole sign for a business displayed at least sixty (60) days but no more than one hundred and twenty (120) days each year. Such signs shall be governed by the same regulations as all other permitted non-temporary signs.

- Sign Requiring a Permit: A permanent sign requiring a permit that conforms to a permitted use as described in Section 205-44.6 and requiring approval by the Sign Bylaw Officer (SBO).
- Prohibited Sign: A sign that is not allowed in the Town of Westminster as described in Section 205-44.8.
- Sign: Any permanent or temporary object, device, structure, billboard, placard, painting, drawing, poster, design, letter, work, banner, pennant, insignia, trade flag, picture or representation, or the painting of any of the foregoing on the surface of a building or structure used as, or which is in the nature of, an advertisement, announcement, or direction or for the calling of attention to the premises, which is on a public way or on private property within public view from a public or private way or public park, public or private parking lot, or property available for public use.
- Sign Surface Area: Includes all letters and accompanying designs and symbols, together with the background on which they are displayed, any frame around the sign, any cutouts or extensions, but shall not include any support structure or bracing. Only one side of a double-faced sign is used for computing sign square footage.
- Sign Bylaw Officer: The person appointed by the Board of Selectmen to enforce this bylaw, referenced within the bylaw as the SBO.
- Sign Master Plan: A plan for all signs referring to a single building or group of contiguous commercial, industrial and/or residential units.
- Temporary Sign: A sign, including its support structure, intended to be maintained for a continuous period of sixty (60) days or less in any calendar year.
- Trademarks: A registered graphic or logo for a specific commodity.
- Variance: A departure from the requirements of this bylaw as the Zoning Board of Appeals, upon appeal in specific cases, is empowered to authorize under the terms of this bylaw.
- V-Shaped Sign: A sandwich sign that is connected at a side edge, with two panels, neither of which is visible at the same time, and which unlike a double-faced sign, are not flush or parallel.
- Wall Sign: A sign mounted parallel to the exterior surface of a building.
- Window Sign: Any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is permanently affixed inside a window or upon the window panes or glass, and is visible from the exterior of a window.

205.44.4 General Design Guidelines for All Signs.

- A. Construction: All signs must be constructed according to these guidelines.
1. Letters shall be carefully formed and adequately spaced, so that the message is easily readable and the overall appearance is neat, orderly and uncluttered.
 2. No more than 60% of the total sign area shall be accompanied by lettering.
 3. Sign materials should be durable and easy to maintain. These may include wood, paper, metal, slate, marble, gold leaf, glass, canvas, stained glass, or other natural looking materials.
 4. All free-standing signs shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square inch of surface area.
 5. Signs shall be designed to be compatible with the surroundings and appropriate to the architectural character of the building on, or near, which they are placed.
 6. Trademarks that are registered for a specific commodity and do not reflect the name of the business may occupy no more than 10% of the sign area.

- B. Maintenance: All signs shall be maintained in good condition and repair at all times.
1. All signs, supports and electrical work shall be kept clean, neatly painted, and free from hazards, such as, but not limited to, faulty wiring and loose supports, braces, guys and anchors.
 2. Failure to maintain: any sign may be examined by the SBO and, if found in disrepair, the SBO shall give written notice of failure to maintain. If the sign is not repaired within thirty (30) days from the receipt of the notice, then the SBO may order the sign be removed.
- C. Location:
1. Signs must be placed at least five feet (5) from any property line.
 2. No sign shall obstruct the vision between a height of three (3) feet and ten (10) feet above the surface of the street on a corner of two (2) street right-of-ways.
 3. No private sign shall be placed on public property.
 4. No sign shall be placed on private property without written permission of the property owner.
 5. Signs mounted on a roof shall not extend above the ridge line.
 6. No sign together with any supporting device shall extend to a height above twenty (20) feet.
 7. Signs must not dominate building facades or obscure any architectural details (including but not limited to arches, sills, moldings or cornices).
 8. Signs shall be placed so as not to obstruct the view of traffic.
 9. If a building fronts on two or more streets, the sign area for each street frontage will be computed separately.
 10. Supports and brackets shall not extend needlessly above the cornice line of the building to which the sign is attached.
 11. Except as otherwise permitted, all information conveyed by any sign shall pertain to the premises on which the sign is located.
- D. Signs in the Commercial/Village Center/Industrial Zoning Districts:
1. The total number of signs requiring permits on a single business or industrial complex is two (2), of which one may be free standing.
 2. A wall sign for each business may be a maximum of thirty two (32) square feet.
 3. The total cumulative area of all signs permitted on any lot shall be two (2) square feet of sign area per lineal foot of building frontage, but in no case shall exceed eighty (80) square feet, whichever is less. Thirty two (32) square feet shall be permitted on any lot regardless of building frontage.

4. The top edge of any free standing sign may be no higher than twenty (20) feet vertical measure above ground.

5. Signs must be at least five (5) feet from any lot line.

6. In addition to the above provisions, signs in the Village Center zoning district shall also comply with the following standards:

a. Sign cabinets, moving signs, and other internally illuminated signs are prohibited.

b. Window and door signs shall not conceal more than 30% (thirty percent) of the total area of the windows and doors on a building façade that an individual business occupies.

E. Signs in Residential Zoning Districts:

1. One sign, except for mailbox identification, the letters of which shall not exceed four inches in height and shall identify only the box holder, displaying the street number, or name of the occupant of premises, or both, not exceeding two square feet in area. Such sign may be attached to a building or may be on a rod or post not more than six (6) feet high and not less than ten (10) feet from the street line. Such sign may include identification of an accessory studio or professional office in the dwelling or on the premises, or may identify other permitted accessory uses, including customary home occupations.

2. One bulletin or announcement board or identification sign for a permitted nonresidential building or use, with not more than six (6) square feet of signboard area. For churches and institutions, two bulletin or announcement boards or identification signs are permitted for each building. Each such church or institution sign shall have not more than ten (10) square feet of signboard area. No such signs shall be located nearer street than one-half (1/2) the required front yard depth.

3. On the premises with a lawfully nonconforming nonresidential use, one sign with not more than six (6) square feet of signboard area.

4. Two "for sale" or "for rent" or "for lease" signs with not more than six (6) square feet of signboard area each and advertising only the premises on which the sign is located.

5. Two building contractor's signs on a building while actually under construction not exceeding six (6) square feet of signboard area each.

6. In residential districts, all signs or advertising devices shall be stationary and shall not contain any visible moving or movable parts. No sign or advertising device in such districts shall be of neon or illuminated-tube type. Lighting of any sign or advertising device shall be continuous (not intermittent nor flashing nor changing) and shall be so placed or hooded as to prevent direct light from shining onto any street or adjacent property. No sign or advertising device shall be illuminated after 11:00 p.m.

F. Sign Master Plans: Owners of single businesses or groups of contiguous commercial, industrial or residential units located together in a development may adopt a Sign Master Plan to govern advertising. Application of these provisions should not detract from the rural character of the Town.

1. Total sign area permitted for the entire development shall be calculated at the rate of two (2) square feet per foot of lineal building frontage.
2. Each planned development may have one common free standing sign denoting the name of the facility not exceeding eighty (80) square feet per side and with the bottom panel not less than five (5) feet above road level and a maximum height of fifteen (15) feet.
3. All other signs shall be attached to buildings, a wall, projecting or soffit type, and coordinated in material, shape, lettering, color, and or decorative elements.
4. Information and directional signage shall be consistent with the general sign design of the development and is exempt from the sign area calculation provided that it does not contain advertising.
5. Groups of signs shall express uniformity, create a harmonious appearance, and provide a visual and aesthetic coordination of the information presented to the public.
6. Height and physical placement of signs shall be consistent throughout the master plan area.
7. The sign master plan shall be approved by the Planning Board through the Site Plan Review process specified in Section 205-43, at a public hearing, and give details regarding sign placement, design, color, coordination, visibility, information messages and compatibility with the general design of the development.

205.44.5 Exempt Signs.

Signs that require no permit may be erected and maintained without permits or fees, provided that such signs comply with the general requirements of this bylaw and other conditions specifically imposed by other regulations. If in question, the SBO shall determine whether or not a sign is exempt. The following types of signs, permanent and temporary, are exempt from needing a permit:

- A. Temporary or permanent signs, including banners, erected and maintained by the Town, County, State or Federal Government for traffic direction, direction to or identification of an historic site or structure, government facility or event as approved by the Board of Selectmen.
- B. Permanent: Signs used for a period of time greater than sixty (60) days.
 1. Historic markers, tablets, statues, memorial signs and plaques containing the names of buildings, and dates of erection when cut into any masonry surface or when installed on the building that do not exceed six (6) square feet in total size.
 2. Flags and insignia of any government, except when displayed in connection with commercial promotion.
 3. On-premise directional signs as long as they do not exceed six (6) square feet per face and six (6) feet in height when included as an integral part of an approved sign master plan for a

development or complex. Business names and personal names shall be allowed not to exceed one (1) square foot in area.

4. Non-illuminated warning and private drive signs shall be no larger than two (2) square feet.
5. Posted or no trespassing signs shall be no larger than two (2) square feet. One sign per fifty (50) feet of frontage is allowed.
6. Name plates identifying residents and numbers identifying houses, mounted on a house, apartments or mailboxes, not exceeding two (2) square feet in area.
7. Lamppost signs identifying residents, with no more than two faces and not exceeding one square foot per face. Such signs are to be non-illuminated, except by a light which is an integral part of the lamppost.

C. Temporary Signs: Signs intended to be maintained for a continuous period of less than sixty (60) days in any calendar year. A maximum of two temporary signs per lot are allowed in each of the following cases, unless specified otherwise in this bylaw.

1. Within residential zones, the sign must be less than four (4) square feet in area.
2. Temporary identification signs for approved subdivisions shall not exceed thirty-two (32) square feet and shall be removed upon the sale of the last remaining lot within the subdivision.
3. Within commercial and industrial zones, the sign must not to exceed thirty-two (32) square feet, set back at least five (5) feet from all property lines and highway rights-of-way.
4. Temporary non-illuminated window signs and posters must not exceed sixteen (16) square feet in area or thirty (30%) of the window surface area.
5. The sign must be removed within one week after the event to which it relates.
6. Flag business signs made of fabric provided that:
 - a. Only one such flag is permitted per business.
 - b. Flag size shall be no greater than three (3) feet by five (5) feet.
 - c. The flag is displayed only during business hours of operation.
 - d. Pole or support for the flag shall not exceed ten (10) feet in height.
 - e. Such flags shall not project or hang over a public right-of-way, including the sidewalk.
7. New business signs or new business location.

- a. While awaiting installation of a permanent sign, a business may utilize a temporary sign for a period of not more than thirty (30) days or until the installation of a permanent sign, whichever occurs first.
 - b. Grand opening signs: pennants, banners, and flags may be displayed for a period not to exceed thirty (30) days after the business first opens, as long as these temporary signs do not create a safety hazard.
8. Flags or decorations which are considered to be home flags that are placed to show spirit, pride or some type of seasonal activity.

205.44.6 Signs Requiring Permits.

The following signs shall require the issuance of a Sign Permit from the SBO:

A. Projecting sign: Any affixed perpendicularly to a wall surface, building or structure.

1. All parts of such signs and the brackets which attach it to the wall shall be higher in height than then (10) feet and lower in height than fifteen (15) feet above the pedestrian traffic area. However, such signs must be located below the bottom of the second floor window sills. On a one story building, the top of the sign must be lower than the lowest point of the roof.

2. Such signs and the brackets that attach it to a wall must project no more than four (4) feet from the building face and shall not extend over the sidewalk or public way.

3. Such signs must hang at least six (6) inches away from the wall.

4. Such signs must not extend into vehicle traffic areas, such as parking lots or driveways, excluding drive-thru facilities.

5. The total surface area of such signs must not exceed twelve (12) square feet each side.

B. Wall-hung sign: Any sign incorporated into, or attached to, the wall of a building or structure with the face of the sign parallel to the wall. This may include three dimensional letters applied directly to the surface.

1. Such signs shall be mounted no more than six (6) inches from the wall surface and extend no more than fifteen (15) inches from the wall.

2. Such signs can be no larger than one square foot for each linear foot of building face parallel to the street on the front of the building to a maximum of eighty (80) square feet.

3. Such signs cannot obscure architectural details of the buildings, such as cornices, windows, arches, lintels, and transoms.

4. Such signs must be attached to the building, not the parapet, cornice or trim.

5. Such signs cannot extend over the top of the walls or beyond the ends of the walls to which they are attached. On a two story building, all parts of such signs must be located below the sill of the second floor windows.

C. Free-standing signs: Any self-supporting sign in a fixed location and not attached to any building or structure.

1. Such signs shall have no more than two faces.
2. The area of each face shall not exceed thirty (30) square feet.
3. The top of such signs must be less than fifteen (15) feet in height, as long as the sign does not obstruct the visibility for vehicles and pedestrians.
4. A lot with frontage of three hundred (300) feet or more may have two (2) such signs, which be located at least one hundred (100) feet from the other.
5. Such signs shall be erected so that free egress to and from any building public right-of-way is not obstructed.
6. Such signs shall not extend over or into the public right-of-way, pedestrian walkway or driveway (excluding drive-thru facilities), nor shall they hang over any property line.
7. Such signs shall be located no less than five (5) feet from any property line.

D. Multiple sign: More than one sign clustered into a single group, and usually sharing a common heading. It can be wall-mounted, projecting, or free-standing.

1. The display boards shall be an integrated and uniform design.
2. The allowable sign area for each side shall be computed at 10% of the building front face square footage (the length times the height of the building façade), to achieve the base square footage, or thirty-two (32) square feet, whichever is smaller.

F. Painted wall sign: A permanent message painted directly on the outside surface of a building or structure.

G. Portable sign: Any sign designed to be transported.

1. These signs include but are not limited to the following:
 - a. Sandwich board signs in an A-shape with a message on both sides.
 - b. Signs converted to an A or T-frame signs.
 - c. Signs with wheels removed.
 - d. Signs with chassis or support constructed without wheels.
 - e. Signs designed to be transported by trailer or wheels.
 - f. Signs attached temporarily to the ground, structure, or other sign.

g. Signs mounted on a vehicle for advertising purposes, parked, and visible from the public right-of-way, except signs identifying the related business when the vehicle is being used in the normal day-to-day operations of said business.

2. Only one of this type of sign is allowed per business.
3. Such signs shall not be located within a street or public right-of-way.
4. The sign shall not obstruct visibility of vehicles or pedestrians.
5. Such signs shall not obstruct pedestrian traffic. If located on a sidewalk, it shall be placed adjacent to the building so as to allow for a thirty-six (36) inch minimum walkway.
6. The total height of such signs will be less than six (6) feet.
7. The total area of each side is not to exceed twelve (12) square feet.
8. Such signs must be an on-premises sign.

205.44.7 Illumination for Signs.

- A. All electrically illuminated signs shall conform to the MA Electrical Code and be inspected by the Town's Wiring Inspector.
- B. All illumination must be a continuous external white light (spot, track, over-hang, or wall lamps are acceptable).
- C. No signs shall be illuminated between the hours of 11 PM and 7 AM unless the commercial or industrial establishment on which it is located is open for business at that time.
- D. No form of illumination that is flashing, moving, animated or intermittent is allowed.
- E. Neon signs are not allowed.
- F. Internally illuminated signs are not allowed.
- G. No connecting wires shall be exposed.
- H. Illumination must not produce direct glare beyond the limits of the property line.

205.44.8 Prohibited Signs.

- A. Awning signs: Any sign painted on or attached to fabric over a frame.
- B. Billboards: An off-premises sign used for the display of printed or painted advertising matter.
- C. Internally illuminated signs: Signs with flashing, intermittent, rotating, moving or animated lights, except to show time and temperature.
- D. Signs with moving parts.

E. Any sign or sign structure that is structurally unsafe, or constitutes a hazard to safety or health because of inadequate maintenance, dilapidation, or abandonment.

F. Any sign advertising or identifying a business, service, or organization that is either defunct or no longer located on the premises.

205.44.9 Non-Conforming Signs.

Any sign located within the political boundaries of Westminster as of October 5, 2019 that does not conform to this bylaw is a "legal non-conforming" sign, if the sign was in compliance with the applicable bylaw at the time the sign was erected.

A. A legal non-conforming sign shall lose its non-conforming status if:

1. The sign is altered in any way that makes the sign substantially different from its structure prior to alterations.

2. The sign is relocated.

3. The sign is abandoned based on circumstances indicative of an intention to abandon the use and vested rights.

4. All legal, non-conforming signs may be expanded upon a Finding from the Zoning Board of Appeals that the expansion is not more detrimental to the neighborhood than the existing sign.

205.44.10 Sign Permit Application Procedure.

A. A Sign Permit is to be obtained from the SBO.

B. Applications may be filed by the property owner, business owner or any person who has the authority to erect a sign on the premises.

C. The SBO will review the permit application and accompanying materials to ensure that the proposed sign complies with all applicable sections of this bylaw, other Town bylaws, and the State Building Code.

D. The SBO shall act within thirty (30) days of receipt of a completed application. The SBO's failure to act may be appealed to the Zoning Board of Appeals.

E. Fees: A schedule of fees for sign permits may be established and amended from time to time by the Board of Selectmen.

F. If the erection of a sign authorized under a sign permit has not been completed within two (2) years from the date of permit issuance, the permit shall become null and void, but may be renewed upon filing a subsequent sign permit application.

205.44.11 Penalties and Enforcement.

A. Violation of any provision of this bylaw or any lawful order of the SBO shall be subject to a fine of not more than fifty (\$50) per day for each offense for the first five days. Each day thereafter that such violation continues shall incur a fine of one hundred dollars (\$100) per day for each offense.

B. A sign shall be designed, erected, altered, reconstructed, moved and maintained in accordance with the provisions of this section unless specifically modified by another section of the Zoning Bylaw.

1. The SBO may require design changes for any sign or decline to issue a Building Permit if he/she determines the sign would be inappropriate as measured by the purposes of this bylaw. His decision shall be subject to appeal as is provided in Chapter 40A, Section 8 of the Massachusetts General Laws.

2. Permits Required: A Building Permit shall be required for the construction, erection, relocation or alteration of any sign except as specifically exempted by this section. A sign shall comply with all applicable zoning, building, electrical and fire codes.

3. Maintenance of Signs: Every sign, whether requiring a permit or not, shall be maintained in a safe, presentable and structurally sound condition at all times, including the replacement of defective parts and painting and cleaning of said sign.

4. Removal of Dangerous or Defective Signs: The SBO may immediately remove or cause to be removed any sign deemed to be defective and/or to be a danger to public health and/or safety. The cost of said removal shall be charged to the owner of the property where said sign is located.

5. Removal of unlawful signs in the Public Right of Way: The SBO may remove or cause to be removed any unlawful sign located in the public right of way. Fines per sign may be levied against the owner of said sign(s) under the provisions of Chapter 40, Section 21D of the Massachusetts General Laws.

205.44.12 Appeal Process.

Any person aggrieved by a decision by the SBO relative to the provisions of this bylaw may appeal such decision, in writing, to the Zoning Board of Appeals as provided by the Zoning Bylaw (Section 205-49) and shall comply with all procedural requirements prescribed by the Board.

ARTICLE 30. To see if the Town will vote to approve three amendments to the Westminster Zoning Bylaw (Chapter 205 of the Code of the Town of Westminster, Massachusetts) to regulate the location and operation of Recreational Marijuana Establishments, or act in relation thereto.

Zoning Amendment #1: Add the following definitions to Section 205-4 of the Zoning Bylaw (Definitions):

HEMP

This term shall mean the plant of the genus cannabis and any part of the plant, whether growing or not, with a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3 per cent on a dry weight basis or per volume or weight of marijuana product or the combined per cent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus cannabis regardless of moisture content.

INDUSTRIAL HEMP

The term refers to hemp that is used exclusively for industrial purposes including, but not limited to, the fiber and seed. The Department (MA Department of Agriculture) will consider all permitted activities under this Policy as falling under the definition of "Industrial Hemp" in M.G.L. c. 128, Section 116. All references to "Hemp" or "Industrial Hemp" in this Policy shall mean Industrial Hemp.

MARIJUANA PRODUCTS

Products that contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for non-medical use or consumption, including but not limited to edible products, beverages, topical products, ointments, oils and tinctures.

RECREATIONAL MARIJUANA ESTABLISHMENTS (RME)

The term shall apply to marijuana cultivators, independent testing laboratories, marijuana product manufacturers or any other type of licensed adult use/non-medical marijuana-related business pursuant to MGL Chapter 94G.

MARIJUANA CULTIVATOR

An entity licensed by the State to cultivate, process and package non-medical marijuana, to deliver non-medical marijuana to RMEs and the transfer marijuana to other RMEs, but not directly to consumers. A Craft Marijuana Cultivator Cooperative performing a similar function shall be included within this definition.

MARIJUANA PRODUCT MANUFACTURER

An entity licensed by the State to obtain, manufacture, process and package non-medical marijuana and marijuana products, to deliver non-medical marijuana and marijuana products to RMEs and to transfer non-medical marijuana and marijuana products to other RMEs, but not directly to consumers. A Craft Marijuana Cultivator Cooperative performing a similar function shall be included within this definition.

MARIJUANA RETAILER

An entity licensed to purchase and deliver non-medical marijuana and marijuana from RMEs and to deliver, sell or otherwise transfer non-medical marijuana and marijuana products to RMEs and to consumers.

Zoning Amendment #2: Add a new section (205-41.1) within the Zoning Bylaw to regulate Recreational Marijuana Establishments. This new section shall read as follows:

205-41.1 Recreational Marijuana Establishments (RME)

A. Purpose:

The purpose of this bylaw is to allow State-licensed RMEs to exist in the Town of Westminster in accordance with all applicable State laws and State and local regulations, and allow the Town to impose reasonable safeguards to govern the time, place and manner of RMEs in such a way as to ensure public health, safety, well-being, and reduce undue impacts on the neighborhoods where RMEs are allowed to operate. Therefore, this bylaw may permit RMEs in suitable locations where there is access to regional roadways, where they may be readily monitored by law enforcement for health and public safety purposes, and to minimize adverse impacts on surrounding neighborhoods and the Town as a whole by regulating the siting, design, placement, operation and security of RMEs.

This bylaw only applies to RMEs and not industrial hemp. All aspects of industrial hemp are regulated by the MA Department of Agriculture and are not subject to this bylaw.

B. Locational Standards:

RMEs that involve retail sales on the property shall not be sited within a radius of 500 feet of a school, daycare center, or any facility in which children commonly congregate. The 500 foot distance under this section is measured in a straight line from the nearest point of the property line of the facility in question to the nearest point of the property line of the proposed RMD.

C. Operational Standards:

- 1) All RMEs shall operate in full compliance with the regulations promulgated by the Massachusetts Cannabis Control Commission as provided in 935 CMR 500.
- 2) Hours of operation shall be specified within the Special Permit.
- 3) RMEs shall be operated within an enclosed structure. For the purpose of this bylaw, a greenhouse shall qualify as an enclosed structure. The SPGA may allow outdoor cultivation upon the following conditions:
 - a) The Applicant shall only plant low-odor seed varieties.
 - b) The Applicant shall utilize state-of-the-art odor control technology that has a demonstrated track record of successfully controlling odors.
 - c) Utilization of other odor control techniques as required by the SPGA.

D. Prohibitions and Limitations:

- 1) RMEs shall be prohibited as an Accessory Use or Home Occupation in all zoning districts.
- 2) It shall be unlawful for any person or entity to operate an RME without obtaining a Special Permit and undergoing Site Plan Approval pursuant to the requirements of this bylaw.
- 3) A separate Special Permit is required for each individual RME, as well as separate Site Plan Approval.
- 4) No RME shall be operated in a mobile facility, excepting deliveries to off-site RMEs and home deliveries to consumers licensed by the Massachusetts Cannabis Control Commission.
- 5) No RME may be operated in such a manner as to cause or create a public nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to fire, explosion, smoke, gas, fumes, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of abutting properties.
- 6) The issuance of a Special Permit and Site Plan Approval pursuant to this bylaw shall not create an exception, defense or immunity to any person or entity in regard to any potential criminal liability the person or entity may have for the production, distribution or possession of marijuana.

E. Necessary Permits and Approvals:

1. RMEs shall require both a Special Permit and Site Plan Approval. The Planning Board is the Special Permit Granting Authority (SPGA) for such uses. The application and public hearing process for the Special Permit and Site Plan Approval shall be conducted concurrently by the SPGA. In evaluating a Special Permit application for a RME, the SPGA shall not issue a Special Permit unless the SPGA makes a finding that the RME use is appropriate for the proposed site and that the use will not be unduly detrimental to the health, safety, morals or welfare of the community or neighborhood by reasons of noise, traffic, pollution, noxious

gases or wastes, or demand on community services. In its final decision, the SPGA shall stipulate any conditions it deems necessary to ensure that the use will not become unduly detrimental to the Town.

2) Existing Medical Marijuana establishments (those having obtained a license to operate from the State of Massachusetts) that wish to convert to an RME or add an RME to its existing operation are required to obtain a new Special Permit and Site Plan Approval from the SPGA, as well as renegotiate its Host Community Agreement with the Town.

F. Additional Site Plan Requirements:

1) All site plans for RMEs shall include a 10-foot non-vegetative buffer around all parking areas and buildings.

2) Interior building plans for RMEs shall be submitted to and reviewed by the Building, Police and Fire Departments.

G. Special Permit Terms:

A Special Permit granted under this section shall expire within two (2) years of the date of permit issuance. Prior to the expiration of the Special Permit, the Applicant may request a renewal of the Special Permit for an additional two (2) year period which shall be granted after the SPGA determines that the RME is operating in accordance with the conditions of the original Special Permit or any approved modification thereof. Said renewal shall not require the Applicant to go through the Site Plan Approval process, provided that conditions of the site and RME have not changed materially from the original application.

H. Transfer of Special Permit:

The Special Permit shall have a term limited to the duration of the Applicant's ownership of or other legal interest in the premises as a RME. A Special Permit may be transferred only with the approval of the SPGA in the form of a modification of the original Special Permit and with all information required in this section and the Planning Board's Site Plan Rules and Regulations. No transfer of ownership, except transfer to an affiliated entity, shall be permitted for two years after the date of approval for the Special Permit unless such transfer is required due to the death or disability of the owner(s). If the Special Permit holder requests approval of a transfer of ownership, then the holder must submit the following proof to the SPGA:

1) That the new owner will operate the RME in accordance with the terms of the Special Permit and the Site Plan Approval conditions; and

2) That all amounts due under the Host Community Agreement have been paid in a timely manner and that all taxes, fines, penalties, fees or other charges due to the Town have also been paid in a timely manner.

I. Termination:

The SPGA may terminate a Special Permit and/or Site Plan Approval due to violation of any of its conditions of approval. In addition, a Special Permit and/or Site Plan Approval shall terminate upon:

1) Failure of the permit holder to commence operation within two (2) years of the date of permit issuance; or

2) Transfer of ownership of the RME without approval of the SPGA. For these purposes, transfer of ownership shall include any reallocation of ownership or change in business structure which results in a change of its designated representatives or responsible individuals; or

3) Termination of the Host Community Agreement or failure to pay a host fee or impact fee under the Agreement with the Town.

J. Modification:

A Special Permit or Site Plan Approval for an RME may be modified by the SPGA after a public hearing. No modification is permitted for a change of location. Any change of location shall require a new Special Permit and Site Plan Approval from the SPGA.

K. Severability:

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

Zoning Amendment #3:

Add "Recreational Marijuana Establishments" as a new Item 13 and under Section H (Other Principal Uses) within the Table of Use Regulations.

	R-1	R-2	R-III	C-I	C-II	VC	I-I	I-II
(13) Recreational Marijuana Establishments (See Section 205.41.1)	N	N	N	N	N	N	SP	SP

ARTICLE 31. To see if the Town will vote to amend the Westminster Zoning Bylaw (Chapter 205 of the Code of the Town of Westminster, Massachusetts) by adding a new Section 205-41.2, **Marijuana Retailer Prohibited**, that would provide as follows, and further to amend the Table of Contents to add Section 205-41.2, "**Marijuana Retailer Prohibited**":

205-41.2 Marijuana Retailer Prohibited.

Consistent with G.L. c.94G, §3(a)(2), a non-medical "marijuana retailer" as defined in 935 CMR 500.002, shall be prohibited within the Town of Westminster.

And further to amend the Table of Uses by adding "Recreational Marijuana Retail Establishments" as a new Item 11 under Section H (Other Principal Uses) within the Table of Use Regulations.

	R-1	R-2	R-III	C-I	C-II	VC	I-I	I-II
11) Recreational Marijuana Retail Establishments	N	N	N	N	N	N	N	N

or act in relation thereto.

ARTICLE 32. To see if the Town will vote to amend the Westminster Zoning Bylaw (Chapter 205 of the Code of the Town of Westminster, Massachusetts) by adding a new Section 205-41.2, **Retail Sales of Recreational Marijuana**, that would provide as follows, and further to amend the Table of Contents to add Section 205-41.2, "**Retail Sales of Recreational Marijuana**":

205-41.2 Retail Sales of Recreational Marijuana

Retail sales of recreational marijuana shall be allowed in the Town of Westminster under the same conditions, standards and requirements for Recreational Marijuana Establishments (RMEs) as set forth above in Section 205-41.1, with the following limitation:

As Defined in MGL Chapter 94G, the number of retail establishments selling recreational marijuana shall be limited to no more than 20% of the number of licenses issued within the Town for the retail sale of alcoholic beverages not to be drunk on the premises where sold under MGL Chapter 138, Section 15. No Special Permit may be granted for a retail establishment which will result in violation of this limit.

And further to amend the Table of Uses by adding "Retail Sales of Recreational Marijuana" as a new Item 11 under Section H (Other Principal Uses) within the Table of Use Regulations.

	R-1	R-2	R-III	C-I	C-II	VC	I-I	I-II
11) Retail Sales of Recreational Marijuana	N	N	N	N	N	N	SP	SP

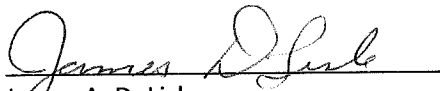
or act in relation thereto.


ARTICLE 33. To see if the Town will vote to accept Chapter 64N, Section 3 of the General Laws, as amended by Chapter 55, Section 13 of the Acts of 2017, and impose a local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment at a rate of three percent (3%) of the total sales price received by the marijuana retailer as a consideration for the sale of the marijuana or marijuana products, said tax to take effect on the first day of the calendar quarter commencing at least thirty days after this vote of Town Meeting, or act in relation thereto.

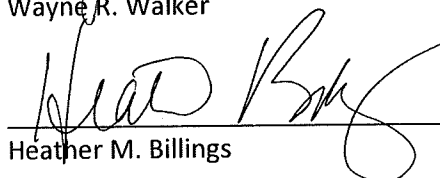
ARTICLE 34. To see if the Town will vote to "install a streetlight on Pole #55, at the intersection of Worcester Road and Patricia Road." (Submitted by Citizens' Petition)

AND YOU ARE DIRECTED to serve this warrant by posting attested copies thereof at the Town Hall and the U.S. Post Office in said Town, seven days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid. Given under our hands this 8th day of April in the year of our Lord two thousand and nineteen.


James A. DeLisle


Wayne R. Walker


Heather M. Billings

BOARD OF SELECTMEN