

SELECTMEN'S MEETING AGENDA*

Donn B. Griffin Room, Town Hall

732 Main Street, Harwich, MA

Regular Meeting 5:00 P.M.

Tuesday, August 18, 2020

REMOTE PARTICIPATION ONLY

OPEN PUBLIC FORUM – NEW STEPS – PLEASE READ

1. First, send an email [to comment@town.harwich.ma.us](mailto:to_comment@town.harwich.ma.us) (send emails at any time after the meeting agenda has been officially posted)
 - a. In the subject line enter “request to speak, your name”
 - b. In the body of the email please indicate which specific agenda item you wish to speak on.
No further detail is necessary.
 2. The meeting will close to new attendees promptly at the scheduled start time for the meeting, generally 6:30pm. It will remain closed to new attendees until agenda items with scheduled speakers are reached. This is to minimize interruptions. You may join prior to (6:30) or when the meeting has been opened up. You may participate using your computer and the GoToMeeting interface or simply using your phone. Connection information can be found below.
 3. After the Chairman has opened the floor to those wishing to speak callers will be taken in the order the emails are received.
Use *6 to mute and unmute your phone
- When you join the meeting by phone you should turn off Channel 18 or your computer if streaming the meeting.

Please join my meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/851585837>

*You can also dial in using your phone - United States: **1 (646) 749-3122***

Access Code: 851-585-837

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. OLD BUSINESS

- A. Discussion and possible vote on the remaining Articles for the 2020 Annual Town Meeting Warrant under the following Headings:
 1. Administration
 2. Department of Public Works
 3. Cemetery Department
 4. Channel 18 Department
 5. Harbormaster Department
 6. MGL Board of Assessors
 7. Community Preservation
 8. Revolving / Stabilization / OPEB Funds
 9. Private Petitions
 10. Customary Articles

XIV. ADJOURNMENT

**Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation contact the Selectmen's Office at 508-430-7513.*

Authorized Posting Officer:

Patricia Macura, Admin. Secretary

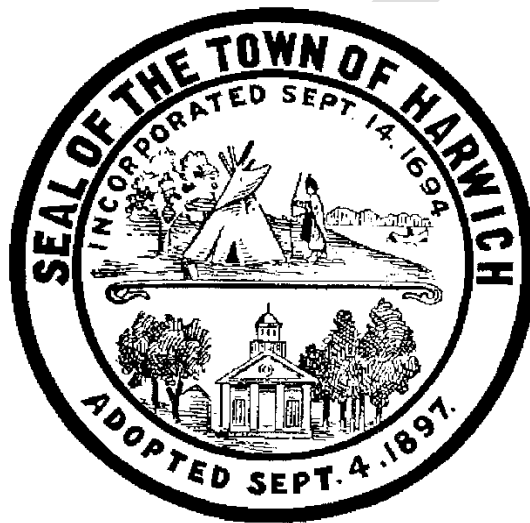
Posted by: _____

Town Clerk

Date: _____

August 14, 2020

**ANNUAL TOWN MEETING
WARRANT
With
RECOMMENDATIONS**



**Saturday, September 26, 2020
10:00AM**

**Monomoy Regional High School
Stadium Field
75 Oak Street**

- **Discuss possible articles for Consent Agenda**
- **Check layout/style used for table & explanation as shown in Article 11**
- **Update on glossaries still pending**

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September 26, 2020

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ARTICLES

Article Number **Page Number**

TOWN OFFICERS AND COMMITTEES

1. Town Officers & Committees.....
2. Reports of Town Officers & Committees.....
3. Elected Officials Salaries.....

4. Use of Stabilization Fund.....

BUDGETS

5. Town Operating Budget.....
6. Monomoy Regional School District Budget.....
7. Cape Cod Regional Technical School District Budget.....
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10. Adopt the Capital Plan.....
11. Capital Items Funded From Free Cash – Items Under \$50,000.....
12. Facility Maintenance and Repair Fund.....
13. Replace Fire Department Ambulance.....

ADMINISTRATION

14. Lease Purchase Agreements.....
15. PEG Fund Request.....

DRAFT

DEPARTMENT OF PUBLIC WORKS

- 16. Purchase and Equip Vehicles for the DPW
- 17. Road Maintenance Program.....

CEMETERY DEPARTMENT

- 18. Memorial Trees Replacement.....

CHANNEL 18 DEPARTMENT

- 19. Control Room Playback Server Upgrade.....
- 20. Donn B. Griffin Hearing Room Improvements

HARBORMASTER DEPARTMENT

- 21. Supplemental Funding For Reconstruction of Round Cove Boat Ramp.....

MGL BOARD OF ASSESSORS

- 22. Adopt M.G.L., Chapter 59, §5, Clause 18 – Hardship Under Age 60.....
- 23. Adopt M.G.L., Chapter 59, §5, Clause 41A – Tax Deferral.....
- 24. Adopt M.G.L., Chapter 59, §5, Clause 56 – Assessment of Local Taxes – Property; Exemptions

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- 25. Appropriate Sums of Money from the FY 2021 Estimated Annual Revenues of the Community Preservation Act Funds.....
- 26. Fund Land Bank Debt Services
- 27. Community Preservation Activities Under \$50,000.....
- 28. Pine Grove Cemetery Gravestone Conservation & Preservation
- 29. Harwich Affordable Housing Trust
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- 31. Whitehouse Field Lighting Project
- 32. Brook Park Fencing Project
- 33. Harwich Community Playground Project.....

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- 34. Amend the Code of Harwich General By-Laws – Chapter 8 Departmental Revolving Funds §8-1. Funds Established.....
- 35. Annual Departmental Revolving Fund Authorization
- 36. Fund Prior Year’s Unpaid Bills

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- 37. Defray Costs for the Chase Libraries and Harwich Port Libraries
- 38. Promote the Town of Harwich.....
- 39. Commercial Single-Use Plastic Water Bottle Ban
- 40. Rescind the action taken at the Annual Town Meeting, May 6, 2019 For Article 50
- 41. New Climate Policy By-Law

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- 42. Supplement the Annual Allocation of Mass Cultural Council For Local Cultural Council Grants
- 43. Herring Fisheries.....

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- 44. Placeholder - Multi-Family
- 45. Placeholder - West Harwich Special District
- 46. Placeholder – Essential Services

APPENDIX A – Budget

APPENDIX B – Capital Plan

VOTING PROCEDURES

- I A quorum, 150 registered voters, must be present in order to conduct business. The only motion in order when no quorum is present is a motion to adjourn.
- II A two-thirds majority of the Town Meeting shall be required for inclusion of any Capital Outlay, unless it was included in the Capital Outlay Plan adopted at the preceding Town Meeting.
- III All motions introduced at the Town Meeting shall be in writing when required by the Moderator.
- IV Voters are limited to two times speaking on any one question; the total time speaking not to exceed 10 minutes.
- V Only registered voters shall occupy the meeting “floor”.
- VI No voter will be allowed to speak until he or she is recognized by the Moderator.
- VII Motion requiring more than a simple majority to pass:
 - A. To reconsider a vote on a motion – $\frac{3}{4}$ majority (this motion must be made prior to the next adjournment of the meeting).
 - B. To consider articles in an order other than as appears on the warrant – $\frac{3}{4}$ majority.
 - C. To pay unpaid bills – $\frac{4}{5}$ majority at the Annual Town Meeting, $\frac{9}{10}$ majority at a Special Town Meeting.
 - D. To move the previous question (terminate debate) – $\frac{3}{4}$ majority.
- VIII Quorum cannot be questioned after a motion has been made and seconded.

MOTION CHART Section 1-211
(Application of Rules is indicated by an X)

Motions	Debatable	Non Debatable	Amendable	Non Amendable	Second Required	Second Not Required	Majority Vote	2/3 Vote	¾ Vote	May Reconsider	Cannot Reconsider
Adjourn		X		X	X		X				X
Adjourn (in a time certain)	X		X		X		X			X	
Amendment	X		X		X		X			X	
Adopt a Resolution	X		X		X		X				X
Accept & Adopt	X		X		X		X ¹			X	
Postpone Indefinitely	X			X	X		X			X	
Previous Question Terminate Debate		X		X	X				X		X
Reconsider ²	X			X	X				X		X
Consider Articles Out of Order	X		X		X				X		X
Point of Order		X					X				
1. Unless a greater than simple majority required by General Laws of Town of Harwich by-laws.											
2. See section 1.207											

TAX RATE CHART

THE CHART BELOW SHOWS THE AMOUNT OF MONEY REQUIRED TO CHANGE THE
FY 2020 TAX RATE.

TAX RATE CHANGE IN \$/1,000	DOLLARS REQUIRED
\$ 0.01	\$59,732
\$ 0.05	\$298,658
\$ 0.10	\$597,317
\$ 0.15	\$895,975
\$ 0.20	\$1,194,634
\$ 0.25	\$1,493,292
\$ 0.30	\$1,791,951
\$ 0.35	\$2,090,609
\$ 0.40	\$2,389,268
\$ 0.45	\$2,687,926
\$ 0.50	\$2,986,585
\$ 0.55	\$3,285,243
\$ 0.60	\$3,583,901
\$ 0.65	\$3,882,560
\$ 0.70	\$4,181,218
\$ 0.75	\$4,479,877
\$ 0.80	\$4,778,535
\$ 0.85	\$5,077,194
\$ 0.90	\$5,375,852
\$ 0.95	\$5,674,511
\$ 1.00	\$5,973,169

MUNICIPAL FINANCE TERMS

APPROPRIATION: An authorization granted by the Town Meeting to make expenditures and to incur obligations for specific purposes.

AVAILABLE FUNDS: Available funds refer to other funds available for appropriation by the Town Meeting, such as Wetland Protection funds, Cemetery Lot sales and Perpetual Care Interest and old article balances returned to revenue.

CHERRY SHEET: An annual statement received from the State Department of Revenue detailing estimated receipts for the next fiscal year from various State Aid accounts and estimated charges payable by the assessors in setting the tax rate. Named for the cherry colored paper, which the State traditionally has printed it on.

FREE CASH: Certified each year by the Director of State Bureau of Accounts, this is the portion of the fund balance which is available for appropriation by a Vote of Town Meeting. It is not cash, but rather is the approximate total of cash and receivables less current liabilities and earmarked reserves.

OVERLAY, ALSO CALLED ALLOWANCE FOR ABATEMENTS AND EXEMPTIONS: The overlay is the amount raised by the Assessors in excess of appropriations and other charges for the purpose of creating a fund to cover tax abatements granted and avoiding fractions in the tax rate. It cannot exceed 5% of the levy.

RESERVE FUND: This fund is established by the voters at an Annual Town Meeting only and is composed of an appropriation (not exceeding 5% of the tax levy of the preceding year). Transfers from the Reserve Fund are within the exclusive control of the Finance Committee, and are for “extraordinary or unforeseen” situations, normally emergencies.

STABILIZATION FUND: This is a special reserve for future expenditures. The aggregate amount in the fund shall not exceed, at any time, 10% of the valuation in the preceding year. Money may be voted into the fund by a majority vote at Town Meeting. Money may be appropriated from the fund only by a two-thirds vote at Town Meeting for any municipal purpose.

TRANSFER: The authorization to use an appropriation for a different purpose; in most cases only the Town Meeting may authorize a transfer.

MUNICIPAL FINANCE TERMS RELATED TO CAPITAL IMPROVEMENTS

CAPITAL ASSETS: – All tangible property used in the operation of government, which is not easily converted into cash, and has an initial useful life extending beyond a single financial reporting period. Capital assets include land and land improvements; infrastructure such as roads, bridges, water and sewer lines; easements; buildings and building improvements; vehicles, machinery and equipment. Communities typically define capital assets in terms of a minimum useful life and a minimum initial cost. (See Fixed Asset)

CAPITAL BUDGETING: An appropriation or spending plan that uses borrowing or direct outlay for capital or fixed asset improvements. Among other information, a capital budget should identify the method of financing each recommended expenditure, i.e., tax levy or rates, and identify those items that were not recommended. (See Capital Asset, Fixed Asset)

CAPITAL IMPROVEMENTS PROGRAM: – A blueprint for planning a community’s capital expenditures that comprises an annual capital budget and a five-year capital program. It coordinates community planning, fiscal capacity and physical development. While all of the community’s needs should be identified in the program, there is a set of criteria that prioritizes the expenditures.

CAPITAL OUTLAY: The exchange of one asset (cash) for another (capital asset), with no ultimate effect on net assets. Also known as “pay as you go,” it is the appropriation and use of available cash to fund a capital improvement, as opposed to incurring debt to cover the cost.

CAPITAL PLANNING: (See Capital Improvements Program)

FIXED ASSETS: – Long-lived, tangible assets such as buildings, equipment and land obtained or controlled as a result of past transactions or circumstances.

MUNICIPAL FINANCE TERMS RELATED TO PROPOSITION 2 ½ TERMS

Chapter 59, Section 21C of the Massachusetts General Laws commonly referred to as Proposition 2 ½ (Prop. 2 ½) or the Tax Limiting Law for Cities and Towns in Massachusetts.

CAPITAL OUTLAY EXPENDITURE EXCLUSION: This override ballot question can be placed on a referendum by a two-thirds vote of the Board of Selectmen. If a majority of the voters approve the ballot question the additional amount for the payment of the capital project cost is added to the levy limit or levy ceiling only for the year in which the project is being undertaken.

CONTINGENT VOTES: Chapter 634 of the Acts of 1989 permits a Town Meeting to appropriate funds contingent upon passage of a referendum question (OVERRIDE). A contingent vote does not automatically result in an override referendum. An override referendum can only be called by the Board of Selectmen. If a referendum is called by the Selectmen it must take place within forty-five days of the Town Meeting vote.

DEBT EXCLUSION: This override ballot question can be placed on a referendum by a two-thirds vote of the Board of Selectmen. If a majority of the voters approve the ballot question the Town's levy limit is increased only for the amount voted at the referendum for the life of that debt only. The levy limit increase may exceed the Town's levy ceiling.

GENERAL OVERRIDE: A general override ballot question can be placed on a referendum if a majority of the Board of Selectmen vote to do so. If the ballot question is approved by a majority of the voters, the Town's levy limit is permanently increased by the amount voted at the referendum. The levy limit increase may not exceed the Town's levy ceiling. Override questions must be presented in dollar terms and specify the purpose.

LEVY: The property tax levy is the revenue a Town can raise through real and personal property taxes. The property tax levy is the largest source of revenue for the Town.

LEVY CEILING: This is the maximum the levy limit can be. The ceiling equals 2.5% of the Town's full and fair cash value.

LEVY LIMIT: The Maximum the levy can be in a given year. The limit is based on the previous year's levy limit plus certain allowable increases.

LEVY LIMIT INCREASE: The levy limit automatically increases each year by 2.5% of the previous year's levy limit.

NEW GROWTH: New construction and new parcel subdivision may also increase the Town's levy limit.

OVERRIDE: A community can permanently increase its levy limit by successfully voting at a referendum to exceed the limits. A community may take this action as long as it is below the levy ceiling.

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HARWICH
ANNUAL TOWN MEETING
September 26, 2020**

BARNSTABLE, ss:

To either of the Constables of the Town of Harwich in said county,

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 Town affairs to meet at the Monomoy Regional High School Stadium Field, 75 Oak Street in said Town on Saturday, September 26, 2020 at 10:00 A.M., then and there to act on the following articles:

**ARTICLES
TOWN OFFICERS AND COMMITTEES**

ARTICLE 1: To choose various Town Officers and Committees.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

REPORTS OF TOWN OFFICERS AND COMMITTEES

ARTICLE 2: To hear reports of all Town Officers and Committees for the year 2019.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

ELECTED OFFICIALS SALARIES

ARTICLE 3: To see if the Town will vote the salaries of the Elected Officials of the Town for fiscal year commencing July 1, 2020 and ending June 30, 2021 as follows and to act fully thereon. Estimated cost: \$126,503

Selectmen (5)	\$2,400 each
Moderator	\$1,000
Water & Wastewater Commissioners (3)	\$1,000 each
Library Trustees (7)	\$1,000 each
Town Clerk	\$103,503

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

USE OF THE STABILIZATION FUND TO FUND ITEMS REMOVED FROM THE FY 2021 OPERATING BUDGET

ARTICLE 4: To see if the Town will vote to transfer from available funds such sums of money needed to fund budget shortfalls caused by reduced estimated receipts caused by the COVID-19 enforced Government shutdown, reducing Town charges for Fiscal Year 2021, and to act fully thereon. By request of the Board of Selectmen. ESTMATED COST: \$

Explanation: The FY 2020 which began in July 1st, 2019, presented many challenges to citizens of Harwich the likes of which the Town has not seen since the Civil War. On July 18th, 2019, a tractor trailer truck overturned in Harwich Port spilling thousands of gallons of gasoline, alarming the local citizens, and shutting down the area businesses. Soon after a weather "microburst" storm tore up trees and downed powerlines through parts of the Town, and just as that storm was being cleaned up a tornado that touched down first in Yarmouth went on to rip up major sections of Harwich in its' 15 minute run through Town. Officials declared a Town emergency as the storm downed thousands of trees, powerlines and utility poles and causing the entire Town to go without power. Harwich Fire Chief Norman Clarke said crews had been stalled in clearing the massive mess, waiting on Eversource crews to secure power and deenergize the danger. "This is very bad, very bad," Clarke said. The DPW Director Lincoln Hooper said, "Due to storm damage the fee from brush delivered to the towns Disposal Area is waived until 8-6," and the employees and citizens of the Town went to work cleaning up. The cleanup continued right into the new year, and as the Town began to put the tornado behind us, a mild winter with little snow, the first signs of Spring brought new optimism to the Town.

On March 13th, 2020 the first case of the COVID-19 virus was reported in Barnstable County, to be followed on March 19th, 2020 with the first case in Harwich. Tuesday, March 24th, 2020 Governor Charlie Baker announced the shutdown of “non-essential” businesses throughout the Commonwealth. With one much needed exception, the rest of FY 2020 and into FY 2021 would be controlled by COVID-19. The exception came on June 6th, 2020 inspired by Monomoy High School students, citizens of Harwich showed the entire world how to peacefully protest the senseless killing of George Floyd, without the destruction and violence that much of the nation as well as cities around the world was experiencing.

This unprecedented series of events has changed the physical, emotional, and financial face of the Town like never before. As the pandemic worsened around the world the Board of Selectmen continued to work with the Health Director, a new Administrator, first responders, departments, businesses, and citizens to keep the Town functioning as safely as possible. The usual May Annual Town Meeting was moved to June, and soon after moved to September which invoked a little know Municipal Finance Law that has never used in Harwich, the “1/12th budget”. As everyone in Harwich grew apprehensive about the “new normal” the Board realized that having the FY 2021 budget passed three months into the financial year was going to be anything but normal.

Prior to the impacts of COVID-19 the Board of Selectmen started the FY 2021 budget cycle with a strong budget message that kept budgets at or below the 2 ½% annual thresholds. With lower then expected revenues due to COVID-19 they turn again to departments to lower as much as possible but fear even this will not be enough. Raising taxes and fees is also not the way to go in this pandemic year. As the Federal Government continues to deficit spend in the trillions of dollars, State and local governments are not given that option. As the State prepares its own budget the legislators are looking to spend their entire 2-billion-dollar reserve to meet their needs. As the Board of Selectmen prepare the Annual Town Meeting warrant to meet the FY 2021 needs of the Town of Harwich, they too are looking at the reserves the Town has built over the years. This article proposes to use some funds from the Stabilization account to support specific items removed from the Town Operation Budget.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

BUDGETS
TOWN OPERATING BUDGET

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray Town charges for Fiscal Year 2021, and to act fully thereon. By request of the Board of Selectmen. (BUDGET – APPENDIX A). Estimated Cost: **###,###,###.**

Operating Budget	
Betterments	
Cable Fund	
CPA	
FEMA	
Free Cash	
Golf Improvement	
Overlay Surplus	
State Aide	
Water Enterprise	
Waterways & Mooring	
Subtotal	
Local Receipts	
Taxes	
Operating Budget	

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

MONOMOY REGIONAL SCHOOL DISTRICT BUDGET

ARTICLE 6: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to pay for the Monomoy Regional School District Assessment for Fiscal Year 2021, and to act fully thereon. By request of the Monomoy Regional School Committee. Estimated cost: **###,###,###.**

The Finance Committee Recommends:
..... ROLL CALL VOTE:

The Board of Selectmen Recommends:
..... ROLL CALL VOTE:

CAPE COD REGIONAL TECHNICAL SCHOOL DISTRICT BUDGET

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money as may be required to pay for the Cape Cod Regional Technical High School District Assessment for Fiscal Year 2021, and to act fully thereon. By request of the Cape Cod Regional Technical High School District. Estimated cost: **\$1,768,279**.

Cape Cod Regional Technical HS	
Operating Budget	1,178,798
Debt	589,481
Total	1,768,279

The Finance Committee Recommends:
..... ROLL CALL VOTE:

The Board of Selectmen Recommends:
..... ROLL CALL VOTE:

WATER DEPARTMENT BUDGET

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray the Water Department Operating Budget for Fiscal Year 2021, and to act fully thereon. By request of the Water and Wastewater Commission. Estimated cost: **\$4,291,075**.

Water Operating Budget	
Salaries	1,321,050
Expenses	1,468,390
Debt	721,345
Indirect Costs	730,290
OPEB	50000
Total	4,291,075

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

WASTEWATER / SEWER DEPARTMENT BUDGET

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow such sums of money as may be required to defray the Wastewater/Sewer Department Operating Budget for Fiscal Year 2021, and to act fully thereon. By request of the Water and Wastewater Commission. Estimated cost: **\$272,933**.

Sewer Operating Budget	
Salaries	77,285
Expenses	298,815
Total	376,100

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

CAPITAL PLAN

ADOPT THE CAPITAL PLAN

ARTICLE 10: To see if the Town will vote to adopt the Capital Plan for the ensuing seven year period as adopted last year by the Town Meeting with new fiscal year 2027 as proposed by the Board of Selectmen and set forth below or as amended by vote of the Town Meeting, and to act fully thereon. By request of the Board of Selectmen.

CAPITAL PLAN (APPENDIX B)

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

CAPITAL ITEMS FUNDED FROM FREE CASH – ITEMS UNDER \$50,000

ARTICLE 11: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money to fund the items in the table below included in the FY 2021 Capital Plan, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: **\$42,298.82.**

Department	Description	Amount
Police	Taser Replacement Year 3 of 3	\$14,910
Fire	Air Pack – Capital Contribution	\$20,000
	Total – Less Grant Portion	\$34,910

Explanation:

[The air packs cost totals \$575,165.18. That amount is offset by a grant that the town earned in the amount of \$547,776.36. In order to meet the grant requirements, the town must demonstrate funding for training as well as amount funded by the town through our capital plan. The training amount, \$7,388.82, is covered in the Fire Department’s operating Budget and the article above covers the capital expenditure.]

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

FACILITY MAINTENANCE AND REPAIR FUND

ARTICLE 12: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money as may be required to defray costs related to Facility and Grounds Maintenance and Repair included in the FY 2021 Capital Plan, and to act fully thereon. By request of the Board of Selectmen. Estimated cost: **###,###.**

Description	Amount
Transfer Station Scale Deck	\$55,000
Cultural Center Subsidy	\$110,000
TOTAL	\$165,000

Explanation:

[Use Free Cash for scale deck and revolving fund for subsidy; deferring Brooks Library Roof repair and 5 Bells Neck Roof repair. Cultural Center subsidy covers utilities and standard repairs. It does not include personnel costs.]

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

FIRE DEPARTMENT

REPLACE FIRE DEPARTMENT AMBULANCE

ARTICLE 13: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sufficient sum of money as may be required to purchase or lease, and equip one ambulance for the Fire Department, and to act fully thereon. By request of the Fire Chief. Estimated cost: \$378,000

Explanation:

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

..... ROLL CALL VOTE:

ADMINISTRATION

LEASE PURCHASE AGREEMENTS

ARTICLE 14: To see if the Town will vote to enter into various lease purchase financing agreements for town equipment included in the operating budget for FY 2021, said leases may be for a term not to exceed the useful life of the equipment as determined by the Board of Selectmen; or to act fully thereon. By request of the Board of Selectmen.

(The Municipal Modernization Act of 2016 contains a new section requiring a recommendation by the Town Administrator and a two-thirds vote of the legislative body to authorize a tax-exempt lease purchase agreement. To qualify under this new section a qualifying lease must be in excess of three years, must not exceed the useful life of the equipment, must establish a nominal residual value of the equipment at the end of the lease, and must be approved by a two-thirds vote of Town Meeting.

Explanation:

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

PEG FUND REQUEST

ARTICLE 15: To see if the Town will vote to raise and appropriate or transfer from available fund or borrow such sums of money that may be required to fund the management and upgrade of the equipment at the TV Studio located at the Monomoy Regional High School, and to act fully thereon. Estimated Cost \$119,307.50

Explanation: To be funded by the Cable Related Fund established at ATM 2016 Article 36 and expendable by a vote of the legislative body. The cost is proposed to be split 50/50 between the Town of Chatham and the Town of Harwich. The total projected project cost is \$238,615. Equipment purchases include cameras & pedestals, a production switcher, a recording deck, an intercom system, a streaming system, Teleprompters, installation and management of the system.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

DEPARTMENT OF PUBLIC WORKS

PURCHASE AND EQUIP VEHICLES FOR THE DPW

ARTICLE 16: To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow a sufficient sum of money as may be required to purchase and equip the following vehicles and to further authorize the trade-in or sale of the following old vehicles toward the purchase price, where the Board of Selectmen find that the vehicles cannot be utilized elsewhere in Town and to act fully thereon. By request of the DPW Director. Estimated cost: \$215,000

(1) Catch Basin Cleaner (Highway) \$ 215,000

Explanation:

Catch Basin Cleaner out of free cash; deferring on the Dump Truck and the Ford E-250 Van. The 2000 International Catch Basin Cleaner is at the end of its useful life. The cab on this 20 year old vehicle is rotted through. Parts are becoming obsolete and are very difficult to find. Maintaining the Town's catch basins is a core function of DPW operations. Two year (FY18-FY19) maintenance costs for this vehicle averaged \$10,210 per year.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

ROAD MAINTENANCE PROGRAM

ARTICLE 17: To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow the sum of \$350,000 to fund the Road Maintenance Program as requested in the Capital Plan for FY2021. The appropriation authorized by this vote shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by M.G.L. c.59 § 21c (Proposition 2 ½) the amounts required to pay the principal of and the interest on any borrowing authorized under this article. And further, in accordance with Chapter 44 Section 20 of the General Laws, the premium received by the Town upon the sale of any bonds or notes thereunder, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to pay project costs and the amount authorized to be borrowed for each such project shall be reduced by the amount of any such premium so applied, and to act fully thereon. By request of the DPW Director. Estimated cost: \$350,000

Explanation:

[Free cash. The capital request for road maintenance is for \$350k for FY2021, which we anticipate being augmented by approximately \$700k in Chapter 90 funds. The capital project request form lists 5 years of our road maintenance plan with cash flows of approximately \$1.4M each year and has our 5 year Road Maintenance Plan The following is the 5 year summary.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

CEMETERY

MEMORIAL TREE REPLACEMENT

ARTICLE 18: To see if the Town will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000.00) for the Memorial Tree Replacement, a program to plant at any of the Town owned Cemeteries in Harwich and to act fully thereon. By request of the Cemetery Commission. Estimate Cost: \$20,000

Explanation: This Article will be funded from the expendable portion of Cemetery Perpetual Care Fund totaling approximately \$20,000 by Town Meeting. There was a loss of over 400 trees within the Town Cemeteries with the largest losses being 275 in Island Pond, 75 in Mount Pleasant and 24 in Evergreen from July 23, 2019 Tornado. The replanting of trees at these locations and in other Town Cemeteries is necessary to properly maintain our cemeteries.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

CHANNEL 18
CONTROL ROOM PLAYBACK SERVER UPGRADE

ARTICLE 19: To see if the Town will vote to raise and appropriate or transfer from available fund or borrow such sums of money that may be required to purchase and install a new playback server, video bulletin server and streaming service at the Channel 18 control room (100 Oak Street), and to act fully thereon. Estimated Cost \$58,985

Explanation: To be funded by the Cable Related Fund established at ATM 2016 Article 36 and expendable by a vote of the legislative body.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

DONN B. GRIFFIN HEARING ROOM IMPROVEMENTS

ARTICLE 20: To see if the Town will vote to raise and appropriate or transfer from available fund or borrow such sums of money that may be required to purchase and install an improved audio system, projection equipment, video production software and components, furniture and network peripherals for the Donn B. Griffin Room at the Harwich Town Hall (732 Main Street), and to act fully thereon. Estimated Cost: \$97,000

Explanation: To be funded by the Cable Related Fund. The audio components of the Donn B. Griffin Room are 17 years old and are in need of replacing to enhance the audio quality of recorded meetings. The Griffin room is the most used hearing room and where the majority of all meetings are filmed. The projection equipment is not viewer friendly for citizens attending the meeting in person or watching from home. Updating this equipment will allow viewers at home and in the Griffin room to view presentations more clearly.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

HARBORMASTER DEPARTMENT

SUPPLEMENTAL FUNDING FOR ROUND COVE BOAT RAMP

ARTICLE 21: To see if the Town will vote to transfer a sufficient sum of money from the Harbor Mooring Receipts Reserved for Appropriation Fund to complete the reconstruction of Round Cove Boat Ramp, and to act fully thereon. By request of the Harbormaster. Estimated cost: \$106,357.

Explanation: The existing public boat ramp at Round Cove landing is poorly constructed and in very poor condition. Every year several boat trailers get hung-up on the leading edge of the ramp because it is too short and not properly pitched, this caused significant damage to trailers. ATM 17 authorized the transfer of \$177,070.25 from prior articles however the total cost is estimated to be \$283,427.25.

The Finance Committee Recommends:
..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:
..... **ROLL CALL VOTE:**

MASS GENERAL LAWS (M.G.L.)

ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 18 – HARDSHIP UNDER AGE 60

ARTICLE 22: To see if the Town will vote to support the Harwich Board of Selectmen’s request to State Legislature to pass a bill amending the Hardship Exemption (as provided in Chapter 59 §5, Clause 18) for the right to grant up to a \$1,000 property tax exemption for taxpayers under the age of 60, as a local option for all cities and towns and/or as a home rule petition for the Town of Harwich, and to act fully thereon. By the request of the Board of Assessors. Estimated Cost: \$30,000

Explanation: The Board of Assessors would like to advocate for most vulnerable citizens of the Commonwealth. We feel that all citizens of our community and all others in the Commonwealth are struggling. We would like for this article to be approved by the Legislation. This article is for our most vulnerable residents under 60 who by reason of infirmity or poverty are unable to contribute fully to their tax liability in the judgement of the Board of Assessors. We estimate that we would receive 30 applicants.

The Finance Committee Recommends:
..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:
..... **ROLL CALL VOTE:**

ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 41A – TAX DEFERRAL

ARTICLE 23: To see if the Town will vote to adopt a lower interest rate from 8% yearly interest to 5% yearly interest on the deferred taxes to for the purpose of real estate tax deferrals for qualifying persons age 65 and over, as provided in MGL Chapter 59, §5, Clause 41A. By request of the Board of Assessors. Estimated Cost: \$500

Explanation: The Commonwealth of Massachusetts, Department of Revenue allows cities and towns to establish the simple interest rate charged on deferrals of real estate taxes. The current environment on interest rates would dictate that the Town of Harwich lower the rate from 8% to 5%. The town has averaged 3 deferrals a year. Lowering the rate to 5% may encourage qualified seniors to apply for this program. Based on previous averages this change will result in a cost of approximately \$500 to the Town of Harwich.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

ADOPT M.G.L., CHAPTER 59, §5, CLAUSE 56 – ASSESSMENT OF LOCAL TAXES -
PROPERTY; EXEMPTIONS

ARTICLE 24: To see if the Town will vote to reaffirm and extend MGL Chapter 59, §5, Clause 56. Upon acceptance of this section by the Town, the Board of Assessors may grant, real and personal property tax abatement up to 100% of the total tax assessed to members of the Massachusetts National Guard and to Reservists on active duty in foreign countries for the fiscal year they performed such service subject to eligibility criteria to be established by the Board of Assessors. The authority to grant abatements under this section shall expire after 2 years of acceptance unless extended by a vote of the city or town. Said change to take effect FY 2021 and act fully thereon. By request of the Harwich Veteran’s Agent and Board of Assessors. Estimated Cost: \$10,000.

Explanation: This local option for the National Guard and Reservists must be renewed every two (2) years.

The Finance Committee Recommends:

..... ROLL CALL VOTE:

The Board of Selectmen Recommends:

..... ROLL CALL VOTE:

COMMUNITY PRESERVATION

APPROPRIATE SUMS OF MONEY FROM THE FY 2021 ESTIMATED ANNUAL
REVENUES OF THE COMMUNITY PRESERVATION ACT FUND

ARTICLE 25: To see if the Town will vote to appropriate the following sums of money from the FY 2021 estimated annual revenues of the Harwich Community Preservation Act Fund as required by the G.L. Chapter 44B and Chapter 149, §298 of the Acts of 2004 as follows:

- A sum of money for the acquisition, creation and preservation of the open space;
- A sum of money for the acquisition, preservation, restoration and rehabilitation of historic resources;
- A sum of money for the acquisition, creation, preservation and support of community housing; and
- A sum of money for the Community Preservation Act Fund FY2019 Undesignated Fund Balance (including Recreation)

and to act fully thereon. By request of the Board of Selectmen.

<u>Appropriation</u>	<u>FY 2021</u>
Community Housing Reserve	\$177,600
Open Space Reserve	\$177,600
Historic Preservation Reserve	\$177,600
Undesignated Fund Balance Operating Expenses	\$50,000

Explanation: To see if the town will reserve for future appropriations amounts from the FY 2021 Community Preservation Act Fund estimated annual revenues for the purpose of acquisition, creation and preservation of open space and community housing, for the purpose of acquisition, preservation, restoration and rehabilitation of historic resources, and the acquisition and development of recreation facilities and for the support of the operating expenses to include wage, supplies, legal service and other operating expenses necessary for the committee.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

FUND LAND BANK DEBT SERVICE

ARTICLE 26: To see if the Town will vote to appropriate from the Community Preservation Act Funds – Undesignated Reserve \$198,762.20 and from the FY 21 Estimated Revenue \$142,987.80 for a total of \$341,750 to fund the Debt Service on the outstanding Land Bank Debt. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds – Undesignated Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Finance Director. Estimated Cost: \$341,750.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

COMMUNITY PRESERVATION ACTIVITIES UNDER \$50,000

ARTICLE 27: To see if the Town will vote to appropriate from the Community Preservation Act Funds, a sufficient sum of money to fund the items in the table below consistent with their respective applications. Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund from which the appropriation is made as specified in the chart below, and further authorize the Community Preservation Committee to enter into grant agreements with the following: Community Development Partnership, Chase Library Association, Inc., the Pleasant Bay Community Boating, and to act fully thereon. By request of the Community Preservation Committee, Historic District and Historical Commission, Chase Library Association, Inc., Community Development Partnership, Real Estate and Open Space Committee and Conservation Commission, and the Pleasant Bay Community Boating. Estimated Cost: \$102,000

	Project	Purpose	Amount	Appropriation Source
1	Historic Areas and Property Inventory	Update of Town Historic Areas and Property Inventory	\$34,500	Community Preservation Act Funds - Historic Reserve
2	Chase Library Door	Preservation of original door and entrance	\$15,000	Community Preservation Act Funds - Historic Reserve
3	Community Development Partnership	Lower Cape Housing Institute	\$7,500	Community Preservation Act Funds - Community Housing Reserve
4	Town Owned Conservation Land	Restoration and rehabilitation of Town owned Conservation Lands	\$20,000	Community Preservation Act Funds - Open Space Reserve
5	Pleasant Bay Community Boating	Handicapped Accessible Dock project	\$25,000	FY 21 Estimated Revenue
		Total:	\$102,000	

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

PINE GROVE CEMETERY GRAVESTONE CONSERVATION & PRESERVATION

ARTICLE 28: To see if the Town will vote to appropriate from the Community Preservation Act Funds – Historic Preservation Reserve, \$75,000 to fund the repair and restoration of gravestones and monuments at Pine Grove Cemetery. Any funds left unspent from the Article are to be returned to the Community Preservation Act Fund – Historic Preservation Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Cemetery Administrator. Estimated Cost: \$75,000

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

HARWICH AFFORDABLE HOUSING TRUST

ARTICLE 30:

ARTICLE 29: To see if the Town will vote to appropriate from Community Preservation Act Funds –FY 21 Estimated Revenue, \$250,000 to fund the Harwich Affordable Housing Trust to create and preserve affordable housing in the Town of Harwich in the amount of \$200,000 and to fund a part-time Housing Coordinator in the amount of \$50,000. Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds – Community Housing Reserve, and further authorize the Community Preservation Committee to enter into a grant agreement with the Harwich Affordable Housing Trust, and to act fully thereon. By request of the Community Preservation Committee, the Harwich Affordable Housing Trust and the Board of Selectmen. Estimated Cost: \$250,000.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

RENTAL ASSISTANCE PROGRAM

ARTICLE 31:

ARTICLE 30: To see if the Town will vote to appropriate from Community Preservation Act Funds - Community Housing Reserve \$160,911 and from the FY 21 Estimated Revenue \$39,089 for a total of \$200,000 to fund the rental assistance program for families earning 80% or less than average median income (AMI). Any funds left unspent from this Article are to be returned to the Community Preservation Act Funds - Community Housing Reserve, and further authorize the Community Preservation Committee to enter into a grant agreement with the Harwich Housing Authority, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Housing Authority. Estimated Cost: \$200,000

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

WHITEHOUSE FIELD LIGHTING PROJECT

ARTICLE 31: To see if the Town will vote to appropriate from Community Preservation Act Funds- FY 21 Estimated Revenue in the amount of \$380,360 to replace the current Whitehouse Field Lighting System with a new comprehensive lighting system. Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund - Undesignated Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Recreation and Youth Commission. Estimated Cost: \$380,360

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

BROOKS PARK FENCING PROJECT

ARTICLE 32: To see if the Town will vote to appropriate from Community Preservation Act Funds - FY 21 Estimated Revenue, \$72,657 to replace the current fencing at Brooks Park Baseball Field. Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund - Undesignated Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Harwich Recreation and Youth Commission. Estimated Cost: \$72,657

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

HARWICH COMMUNITY PLAYGROUND PROJECT

ARTICLE 33: To see if the Town will vote to appropriate from Community Preservation Act Funds –FY 21 Estimated Revenue in the amount of \$500,000 to construct a playground at Harwich Elementary School. Any funds left unspent from this Article are to be returned to the Community Preservation Act Fund – Undesignated Reserve, and to act fully thereon. By request of the Community Preservation Committee and the Board of Selectmen. Estimated Cost: \$500,000

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:
 ROLL CALL VOTE:

REVOLVING FUNDS

AMEND THE CODE OF HARWICH GENERAL BY-LAWS – CHAPTER 8
 DEPARTMENTAL REVOLVING FUNDS § 8-1. FUNDS ESTABLISHED

ARTICLE 34: To see if the Town will vote to amend the Departmental Revolving Funds By-law, Section 8-1 of the Town Code, by expanding the scope of fees to be credited to the Wetlands Revolving Fund and the Community Center Revolving Fund as set forth below (the language to be added is shown in underlined text): Further to amend the uses of the Community Center Revolving Fund to include weight room supplies, care and support as well as exercise and educational instructors (the language to be added is shown in underlined text): Or to take any other action relative thereto. By request of the Finance Director, Conservation Administrator and Community Center Director.

<u>Revolving Fund</u>	<u>Authorize to Spend Fund</u>	<u>Revenue Source</u>	<u>Use of Fund</u>
Community Center	Director & Facilities Committee	Community center exercise and educational classes and 75 % of the fees from use of the weight room	Weight Room equipment maintenance, supplies, care and support. <u>Exercise and educational instructors.</u>
Wetlands	Conservation Commission	Notice of Intent Filing Fees as well as in-lieu fees generated as a result of an approval of a Notice of Intent	<u>Consultants, wetland, buffer zone management and restoration projects</u>
Cemetery	Cemetery Administrator and Cemetery Commission	90% of Lot Sales, 100% of all Cemetery Services and Fees	Maintenance, care and support of town cemetery properties, <u>including part time salary and wages.</u>

Explanation: 1) To expand the use of the Community Center Revolving Fund to include exercise and educational programs previously charged to the Recreation Revolving Fund. 2) To expand the source of revenue for the Wetlands Revolving Fund to include in-lieu fees. 3) to allow for part time wages to be expended from the Cemetery Revolving Fund.

The Finance Committee Recommends:
 ROLL CALL VOTE:

	Invoice/Debt	Description	Amount	Source
1	Monomoy Regional High School	After Prom Planning Committee Contribution	\$2,500.00	Free Cash
2	Eastward Companies	Saquatucket Harbor Redevelopment Project Extra	\$ 942.87	Free Cash
3	Tighe & Bond	Water Rate Study	\$1,500.00	Retained Earnings for Water
4	Tighe & Bond	Water Rate Study	\$2,250.00	Retained Earnings for Water
5	WB Mason	Selectmen's Office Ordinary Office Supplies	\$ 35.79	Free Cash
6	Motorola Solutions	Police Department Repairs - Portable	\$ 367.17	Free Cash
		Total:	\$7,595.83	

Explanation:

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

PRIVATE PETITIONS

DEFRAY THE EXPENSES OF THE CHASE LIBRARY AND HARWICH PORT LIBRARY

ARTICLE 37: To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$20,000 to help defray the expenses of the Chase Library and the Harwich Port Library; said funds to be expended under the direction of the Chase Library and Harwich Port Library Trustees, and to act fully thereon. By Petition. Estimated cost: \$20,000

Explanation: Chase Library and Harwich Port Library are free, publicly supported libraries. Town funds have been appropriated either through the general budget or by articles since 1911 (Chase) and 1926 (Harwich Port). These funds are essential for continued operation and for the customary State reimbursements.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

PROMOTE THE TOWN OF HARWICH

ARTICLE 38: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money for the Harwich Chamber of Commerce to promote the Town and its businesses and cultural endeavors to advance economic development initiatives

for and with the Town of Harwich. Said monies to be used to manage and fulfill year-round visitor/resident/business information services, to promote and market the Town, to generate and initiate materials and activities that encourage the establishment, growth and sustainability of businesses in Harwich, and to implement economic development objectives and activities in partnership with the Town, and to act fully thereon. By Petition. Estimated cost: \$30,000

Explanation: For more than 60 years, Harwich Chamber of Commerce (HCC) has worked in the best interest of Harwich and for the people living in, working in and visiting the Town of Harwich. Since 1995, the citizens of Harwich, through the annual Town Meeting, have voted to fund warrant articles submitted by the Harwich Chamber of Commerce in support of its work promoting the community, providing needed informational services, and developing and advancing economic sustainability and development strategies. We are again requesting the Town's support for the Chamber's efforts in:

(a) providing year-round informational services to residents, visitors, second homeowners, and businesses (over 78,000 visits to our Information Center in 2018)

(b) Support of the Chamber's efforts, in partnership with the Town of Harwich, to develop and implement economic development initiatives to benefit the Town as defined by objectives in the Town's Local Comprehensive Plan, and marketing Harwich's Cultural Districts; the simultaneous designation of both Harwich Port and Harwich Center in 2019.

(c) Promoting the Town of Harwich and its brand: The Warm Side of the Cape, thereby continuing to grow the vitality and economy in the community.

*(a) **Year-Round Information Services:** Harwich's Information Center is open 52 weeks a year. Combining this valuable resource with the Chamber's internet/website portals, New explore boards located at Logan Airport, North and South Stations as well in many locations throughout Massachusetts, New England and Nationally and continued telephone and mail inquiries, Harwich Chamber annually provides more than 320,000 instances of contact with visitors, seasonal and year-round homeowners and residents, organizations and businesses. These connections offer the opportunity to market and promote the Town utilizing our new brand "The Warm Side of the Cape." By being available to meet the needs of our "customers" we are able to encourage patronage of our local amenities and businesses and to connect individuals and businesses with the appropriate Town offices and officials 12 months a year in a friendly, warm and upbeat fashion.*

*(b) **Promoting the Town of Harwich:** The Harwich Chamber continues to be the lead force in promoting the Town of Harwich. By utilizing a multi-faceted approach, HCC strives to position Harwich as a premier destination for local, regional, national and international individuals and families. The marketing strategies are aimed at encouraging residents, second homeowners (current and potential), and visitors to avail themselves of Harwich's recreational amenities, as well as for shopping, dining, vacations, day trips, events and festivals. The plan, which positions Harwich as a desired vacation destination and an outstanding place in which to live and work, includes:*

1. The 2019 Harwich Magazine will celebrate our history and our future as well as continue to share our Arts and Culture, the Town's primary comprehensive printed and online publication for attracting visitors to Harwich, and a year round resource for our residents, second homeowners and businesses.

2. The HCC website's robust content complements the Magazine and links to a wide range of Town resources.

3. Ancillary printed and on-line pieces, including specialized maps (cranberry bogs, lodging locator, dining locator, beaches, bike trail) that target market segments and interests. As well as the new Cultural District maps for Harwich Port and Harwich Center.
4. Media placements in local, regional and national publications.

Special events and festivals are about more than attracting people to town to enjoyable experiences. They are about defining key elements of Harwich's brand and about parlaying those assets into support for our businesses, non-profit organizations, and the community. In 2017 the Harwich Chamber of Commerce in partnership with sponsorships from Harwich Chamber of Commerce members we brought back after a 10 year absence the much loved Fireworks as part of the Harwich Cranberry Festival and continues to grow today. In addition, Fall for Harwich provided the umbrella under which thousands of people were invited to participate in a wide array of more than 30 events, including the half-marathon road race, music festival, bog walks, concerts, teas, arts & crafts, our second sidewalk sale and more. Fall for Harwich and Christmas in Harwich also provide opportunities for our local non-profits to raise much needed funds and increase their visibility. In addition, the Chamber continues to actively engage in creating and implementing new events as well as expanding existing events. In 2018, the Chamber coordinated ten Port Summer Night Musical Strolls in Harwich Port, (traditionally every Wednesday in July & August in 2018 we added the last Wednesday in August and the first Wednesday in September as a thank you to our residents) several musical concerts that combined opportunities with restaurants and other businesses to increase meals, shopping and a night out with a show. We look forward to continuing to expand these offerings in 2019.

Economic Development: *HCC will continue to collaborate with the Town on economic development strategies and initiatives. Over this past year, HCC has worked tirelessly on behalf of the Town and its businesses and continues to do so with sponsoring gatherings with key partners at the state level bringing them into our town. The Chamber has also provided training, counsel and support to dozens of small businesses challenged to survive in the current economic climate, and has met with several individuals considering locating their business in Harwich. HCC continues to strengthen its collaboration with other local chambers of commerce through the Local Cape Chambers Collaborative (LC3) and the Lower Cape Chambers group. Among the many activities currently underway are:*

With LC3 meeting with the Economic Development Council on regional economic development priorities, identified by local chambers in consultation with town officials

With LC3 continued advocacy on transportation issues, including real time information, bridge issues, issues relating to drug use, attracting more traffic to the Regional Airport and more.

With Lower Cape Chambers hosting the Annual Lower Cape Home & Garden Show this year again to be held at the Cape Cod Tech, trainings, inter-chamber networking (giving greater business-to-business opportunities)

Parking and Connectivity continue to explore opportunities for remote parking lots and transit service for harbors, beaches and other sites with high seasonal demand
The Chamber is honored to partner with the Town on building a better community, but the Chamber relies on the Town's support to help achieve its goals. Without this support, the Chamber's marketing activities will be significantly reduced. We appreciate the past support of the Town of Harwich and request funding for these important, revenue-generating initiatives. Thank you for your consideration.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

COMMERCIAL SINGLE-USE PLASTIC WATER BOTTLE BAN

ARTICLE 39: To see if the Town will vote to adopt the following as a general by-law and to authorize the Town Clerk to insert it into the appropriate place in the Town Code of Harwich, Massachusetts.

Section 1. Sale of Single-use Plastic Water Bottles

Effective on September 1, 2021, it shall be unlawful to sell non-carbonated, unflavored drinking water in single-use plastic bottles of less than one gallon in the Town of Harwich.

Section 2. Definitions

A single-use plastic bottle is a beverage container made from any type of plastic resin.

Section 3. Exemptions

Sales or distribution of non-carbonated, unflavored drinking water in single-use plastic bottles occurring subsequent to a declaration of emergency (by the Emergency Management Director or other duly authorized Town, County, Commonwealth or Federal official) affecting the availability and/or quality of drinking water to residents of the Town shall be exempt from this bylaw until seven days after the declaration has ended.

Section 4. Enforcement

Enforcement of this article shall be the responsibility of the Town Administrator or his/her designee.

This bylaw may be enforced through the non-criminal disposition procedures as specified in G. L. Chapter 40 § 21D. The following penalties apply:

First violation: Written warning

Second violation: \$150 fine

Third and subsequent violations: \$300 fine

Each day a violation continues constitutes a separate violation, incurring additional fines. Any such fines collected shall be payable to the Town of Harwich. Estimated cost: \$0

Explanation: Single-use plastic bottles impact environmental health, and the health and longevity of other species, who may ingest plastic as food. Ultimately, plastic re-enters the human food chain where the adverse consequences are both known and emerging. Plastics pollute and impact our environment across their life cycle from production, use and disposal.

Over 1,500 single-use plastic water bottles are used and discarded in the U.S. per second. Elimination of the use of single-use plastic water bottles will have a significant impact on future plastic-based pollution including the nation's greenhouse gas footprint and is consistent with protection of the natural environment in Harwich, Barnstable County, our nation and our earth, which we have a common responsibility to protect and steward.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

RESCIND THE ACTION TAKEN AT THE ANNUAL TOWN MEETING May 6, 2019 FOR
ARTICLE 50

ARTICLE 40: To see if the town will vote to rescind the action taken at the Annual Town Meeting May 6, 2019, Article 50.

Explanation: Last year's Article 50 is discriminatory and is financially inhibitive to various non-profit organizations that utilize Town properties, including Monomoy Little League, Monomoy Booster Club, Cape Cod Baseball League, et al. Further, it puts an unfair financial burden on small businesses that participate in lo a craft fairs, farmers markets, and beach vendors, et al. The article also did not include a means of enforcement. The action should be rescinded and the group who wrote the article should reconsider the verbiage as well as the intent.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

NEW CLIMATE POLICY BY-LAW

ARTICLE 41: To see if the Town Will vote to adopt the following as a general by-law and to insert it into the Code of the town of Harwich, Massachusetts:

Chapter () Climate Policy

§ ()-1 Climate Policy

The Town of Harwich recognizes that the climate emergency, driven by human activity including energy consumption and land use practices and leading to global warming, rising seas, deadly storms, dangerous heat waves, acidifying oceans, and melting ice sheets, poses an imminent threat to the health, safety and economic security of the residents of the Town. The Town of Harwich therefore adopts as its policy the objective of reducing net greenhouse gas emissions from human activity within and by the Town to zero at the earliest technically and

economically feasible time, and directs that all officers and departments of the Town take such measures within the scope of their respective responsibilities and authority as may be necessary and prudent to facilitate such policy and objective.

Explanation: This Article would establish a town policy on climate change which recognizes that we are living in a climate emergency that threatens our communities and our childrens' futures. In line with the official policies of the Commonwealth of Massachusetts and supported by the recommendations of scientists worldwide, as reflected in the reports of the Intergovernmental Panel on Climate Change established by the United Nations, this by-law would accept the central goal of reducing net greenhouse gas emissions to zero at the earliest economically and technically feasible time. The science tells us that we must make a significant cut in the current rate of carbon emissions within the next ten years or it will be too late to head off the most catastrophic consequences of rising seas, monster storms, runaway fires, deadly heat waves, and the loss of countless species. This by-law does not set an arbitrary deadline or define the specific steps to attain the goal: that will require a long and challenging process of identifying a multitude of strategies to improve energy efficiency in homes and businesses, to produce renewable power, to increase the use of electric vehicles for private and public transportation, to preserve and expand forested land to offset carbon emissions, and to adopt new technologies as they emerge to support these goals. The policy does not mandate any new public expenditures: every action is measured by technical and economic feasibility, and most improvements in energy efficiency and renewable power generation now offer financial savings or new revenue streams that should reduce net public spending. The bottom line, however, is that there is no time to lose to begin the hard work of finding ways to reduce carbon emissions.

The Finance Committee Recommends:
..... ROLL CALL VOTE:

The Board of Selectmen Recommends:
..... ROLL CALL VOTE:

CUSTOMARY ARTICLES

SUPPLEMENT THE ANNUAL ALLOCATION OF MASS CULTURAL COUNCIL FOR LOCAL CULTURAL COUNCIL GRANTS

ARTICLE 42: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sufficient sum of money to supplement the Massachusetts Cultural Council annual allocation for community grant awards to artists, performers, and interpretive scientists who bring events and programs to local venues which enhance the cultural experience of Harwich citizens of all ages, and to act fully thereon. By request of the Harwich Cultural Council. Customary Article. Estimated Cost: \$3,900.

Explanation:

The Finance Committee Recommends:

District	Use	Lot Area (square feet)	Lot Frontage (continuous feet)	Front (feet)	Side (feet)	Rear (feet)
<u>All Districts Where Permitted by Use Special Permit</u>	<u>Multifamily</u>	<u>40,000⁴</u>	<u>150</u>	<u>Footnote ⁵</u>	<u>25</u>	<u>25</u>

⁴40,000 square feet is required for vacant lots. For lawfully pre-existing structures/use converting to multifamily residence the existing lot size shall be allowable.

⁵Front setback to be determined at the time of Site Plan Review §325-55 for existing buildings. For new construction the front setback shall be 25 feet.

Further, within §325-16 – **Table 3, Height and Bulk Regulations** amend within the table by deleting the MRL and MRL-1 rows and adding the following:

District	Maximum Permitted Height (feet)	Maximum Permitted Height (stories)	Maximum Building Coverage of Lot (covered area as % of total lot area)	Maximum Site Coverage as % of Total Site Area	Minimum Residential Net Floor Area (square feet)
<u>MRL</u>	<u>30</u>	<u>2 ½</u>	<u>15</u>	<u>25</u>	<u>None</u>
<u>MRL – 1</u>	<u>30</u>	<u>2 ½</u>	<u>15</u>	<u>25</u>	<u>None</u>
<u>In all Districts where Multifamily is Permitted by Use Special Permit</u>	<u>40</u>	<u>3 ½</u>	<u>=</u>	<u>80</u>	<u>Studio or efficiency unit: 250; bedroom unit: 550; 2- bedroom unit: 940</u>

Further, within §325-18 **Additional Regulations**, make the following amendments:

Within **Paragraph E**, delete the term “multifamily,”

Delete in their entirety **Paragraphs H, I, J, L and M.**

Re-letter Paragraph “K” to “H” and delete in its entirety and add the following language:
“No outside staircase shall be used to furnish primary access to any of the units in a hotel or motel.”

Additionally, reletter Paragraph “N” to “I”; Paragraph “O” to “J”; Paragraph “P” to “K”; Paragraph “Q” to “L”; and, Paragraph “R” to “M”

Further, within §325-20 Stories for human use or occupation, in the first sentence delete the words “multifamily dwelling,”

Further, within §325-39 Off-street parking schedule, Paragraph A, within the Residential Uses Parking Table, delete “multifamily” after “apartment,” and add a new “Multifamily” and parking spaces as follows:

<u>Multifamily</u>	<u>1.5 per studio, efficiency or 1-bedroom unit</u> <u>2 per 2-bedroom unit or greater</u>
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Further, within §325-51 Special Permits, Paragraph D and subparagraph D(1) delete the words “multifamily dwelling,” and subparagraph D(2) in its entirety and add a new Paragraph Q as follows:

Q. Multifamily Special Permit

- 1. The Planning Board shall serve as the special permit granting authority for multifamily developments, including conversion of existing structures/uses to multifamily and/or new construction.**
- 2. A Site Plan Review special permit pursuant to §325-55 is also required.**
- 3. All multifamily dwellings must be connected to a municipal water system.**
- 4. A habitable room in a multifamily dwelling unit shall have a minimum floor area of not less than 120 square feet and shall have no major width or length dimension less than 10 feet. Closets, storage spaces, bathrooms and kitchens are not habitable rooms for the purpose of these minimum area and dimension requirements.**
- 5. The number of multifamily dwelling units shall be determined by the ability to place an adequately size septic system for the number of bedrooms; and required parking per number of units and landscaping on the site pursuant to Article IX Off-Street Parking and Loading Requirements.**
- 6. All outside entrances to multifamily dwellings shall provide protection to the immediate area in front of said entrance from the weather.**
- 7. Whenever the land upon which a multifamily dwelling is to be erected is located partially within a Drinking Water Resource Protection District, maximum possible use of the area outside the Drinking Water Resource Protection District will be made for the disposal of stormwater runoff and sewage.**
- 8. Recreation areas. Where appropriate to the topography and natural features of the site, the Planning Board may require that at least 10% of the open space or two acres (whichever is less) shall be of a shape, slope, location and condition to provide**

an informal field for group recreation or community gardens for the residents of the multifamily development.

The Finance Committee Recommends:

..... **ROLL CALL VOTE:**

The Board of Selectmen Recommends:

..... **ROLL CALL VOTE:**

Explanation: The Board of Selectmen met with the Planning Board met back in 2019 to discuss the need for the creation of workforce housing and the need for rental properties. This bylaw is a culmination of the effort to modernize a practical zoning bylaw and promotes for the health, safety and welfare of residents. The existing bylaw presented numerous language conflicts; this version will steam line the zoning bylaw and allow for the development in additional zoning districts. At the same time the use would still require a special permit from the Planning Board. This bylaw would help to assist with the creation of multifamily dwellings, with specific requirements and criteria to provide for safe housing for residents.

ZONING BYLAW AMENDMENT - WEST HARWICH SPECIAL DISTRICT

Article ##: To see if the Town will vote to amend the Town’s Zoning Bylaw, by establishing a new Article XXIV – West Harwich Special District, to include the following subsections:

- §325-144 Statutory Authority and Purpose
- §325-145 Intent
- §325-146 Applicability
- §325-147 Definitions
- §325-148 Permitted Uses
- §325-149 Special Permit Uses
- §325-150 Prohibited Uses
- §325-151 Continuation of Pre-Existing Non-Conforming Uses
- §325-152 Change, Alteration, Expansion of Pre-Existing Non-Conforming Uses and/or Structures
- §325-153 New Construction
- §325-154 Review Standards

and further

Amend §325-2 Word Usage and Definition, “Overlay District”, add a new item G, as follows:
“G - West Harwich Special District, see Article XXIV”

and further,

Amend §325-3 Division of Town into Districts, by adding “West Harwich Special District”

and further,

Amend §325-4 Maps, by adding Subparagraph F as follows:

- F. The West Harwich Special District established hereunder as shown on a map titled, “West Harwich Special District” dated July 27, 2020, prepared by the Cape Cod Commission, a copy of which can be found as an attachment to this chapter in the town’s online Code and a copy of which is on file in the office of the Town Clerk.

Explanation: The Board of Selectmen nominated the West Harwich corridor of Route 28 from the Dennisport Town Line east to the Herring River as a District of Critical Planning Concern (“DCPC”). The Barnstable County Commissioners approved the nomination and it became a County Ordinance (19-18) on December 4, 2019. The Town has one (1) year from this date to establish implementing regulations. The following is the full text of the proposed zoning amendments:

XXIV - West Harwich Special District

§325-144 Statutory Authority and Purpose

A. Statutory Authority

On December 4, 2019, the Barnstable County Assembly of Delegates adopted Barnstable Ordinance 19-18 and designated the district shown on a map labeled “West Harwich DCPC District Boundaries” prepared by the Cape Cod Commission (“DCPC Map”) as a District of Critical Planning Concern (“DCPC”), pursuant to Cape Cod Commission Act Section 11(d). The Town created the following implementing regulations to regulate the DCPC which shall be known as the West Harwich Special District.

B. Purpose

The purpose of the West Harwich Special District (“WHSD”), as designated in Barnstable Ordinance 19-18, is to preserve the significant historic and architectural resources in the area, to guide development to be consistent with the area’s unique character, to address safety and transportation impacts within the commercial zone on Route 28, and to promote small-scale businesses consistent with the area’s character.

§325-145 Intent

It is the intent of this bylaw to encourage and incentivize the retention, preservation, creative reuse, change of use, or expansion of use of existing historic structures to the extent possible.

§325-146 Applicability

A. District Boundaries

The boundaries of the West Harwich Special District (“WHSD”) are shown on a map entitled “West Harwich Special District” Map dated July 27, 2020, prepared by the Cape Cod Commission which is hereby made a part of this bylaw.

B. Relationship to Other Regulations

The provision in this Section (XXIV - West Harwich Special District) apply to all development within the WHSD. Other sections of the Town of Harwich Zoning Bylaw also apply within this special district, except that where this Section conflicts with or differs from other sections of the Harwich Zoning Bylaw, this Section shall control.

C. Relationship to General Bylaws

All Chapters contained within the General Bylaws of the Town of Harwich, including but not limited to Article II Historically Significant Buildings, shall also apply to all development within the WHSD, as applicable.

§325-147 Definitions

Historic Structures: Those structures located within the boundaries of the WHSD and which are identified in the Town of Harwich Historic Properties Inventory List. Additionally, the following properties, identified by the street address and the Assessors Map and Parcel, are also determined to be Historic Structures for the purposes of this bylaw:

- 5 Route 28 – Map 10 Parcel N1-A
- 21 Route 28 – Map 10 Parcel N5
- 45 Route 28 – Map 10 Parcel S4
- 55 Route 28 – Map 10 Parcel U1-A
- 126 Route 28 – Map 11 Parcel B5
- 76 Route 28 Map 10 Parcel F7-2
- 66 Route 28 – Map 10 Parcel F5
- 22 Route 28 – Map 10 Parcel C6

Principle Building Façade: The front plane of the building wall closest to the road frontage, not including stoops, porches, or other appurtenances, and measuring at least 25 feet in length.

§325-148 Permitted Uses

The following uses are permitted within the WHSD; however, for some uses either a Staff Plan Review, pursuant to §325-152.A or a Site Plan Review Special Permit may also be required, pursuant to §325-55:

- A. Single-Family Dwelling
- B. Two-Family Dwelling
- C. Uses Accessory to a Single- or Two-Family Dwelling
- D. Bed and Breakfast
- E. Home Occupation
- F. Single family dwelling and accessory apartment
- G. Church or other religious use
- H. Non-profit Library, Museum or Historical Use
 - I. Hotel
 - J. Motel
- K. Hotel, Motel – Incidental Use
- L. Professional Offices, including Dental Offices and Blue Economy
- M. Municipal Uses

Additionally, the following uses are permitted in historic structures:

- N. Multifamily
- O. Retail sales
- P. Restaurant
- Q. Mixed-Use commercial/residential developments

§325-149 Special Permit Uses

For new construction or reuse or change of use of structure or building not identified as an historic structure, the following uses are conditionally allowed within the WHSD through the Planning Board as the special permit granting authority, provided the use does not conflict with the purpose of the district, and for some uses a Site Plan Approval pursuant to §325-55 and the provisions of §325-153 shall be required:

- A. Multifamily
- B. Retail sales, greater than 1,000 square feet of gross floor area and/or exterior space.
- C. Restaurant
- D. Mixed-Use commercial/residential developments

§325-150 Prohibited Uses

Any use not specifically allowed as of right or by Special Permit within this district are prohibited. Within this district, use variances shall be prohibited.

§325-151 Continuation of Pre-Existing Non-Conforming Uses

Any lawfully existing use of a structure or land that does not conform to the provisions of this bylaw may continue.

§325-152 Change, Alteration, Expansion of Pre-Existing Non-Conforming Uses and/or Structures

Notwithstanding the provisions of M.G.L Chapter 40A, and §325-54 of the Harwich Zoning Bylaw, lawfully established structures and uses in existence as of December 4, 2019 that do not conform to the WHSD District Wide Development Standards may be changed, altered or expanded in conformance with §325-154 Review Standards and Procedures.

- A. A pre-existing, non-conforming structure or use may change or expand up to 250 square feet of gross building footprint or exterior of building or site area through Staff Plan Review in accordance with the provisions of §325-154 provided it does not involve demolition of significant parts of an historic structure. Said application shall be made to the Planning Department and a written decision shall be rendered within 30-days of receipt. Said decision shall be consistent with the provisions of §325-154 and may be appealed to the Planning Board with written notice within 10-days. Said decision shall be lapse two (2) years from the date of issuance unless construction or operation under the approval has commenced.
- B. A pre-existing, non-conforming structure or use may change or expand up to 1000 square feet of building footprint or exterior of building or site area or undergo a change of use in accordance with §325-55.F Waivers, provided the following criteria are determined to be met:

1. There shall be no more than one curb cut on to Route 28 and where practical, a driveway connection (shared driveway) shall be provided to an adjacent property;
2. A landscaped area of at least 10 feet in depth shall be provided and maintained on the subject property along its road frontage. Any property with existing parking in front of the building will reduce the size of said parking area by at least 20% and will provide screening of said parking through landscape plantings and/or a low fence or wall. No expansion of parking in the front yard area is permitted;
3. The specific change or expansion shall comply with all dimensional standards in the WHSD enumerated in Section 325-154.A; and,
4. There shall be no demolition of an historic structure.

Said decision shall lapse two (2) years from the date of issuance unless construction or operation under the approval has commenced.

- C. A pre-existing non-conforming structure or use that proposes to change or expand more than 1,000 square feet of building footprint or exterior of building or site area requires Site Plan Approval pursuant to §325-55. The specific change or expansion shall comply with all dimensional standards in the WHSD pursuant to §325-154.A and B.

§325-153 New Construction

For new construction Site Plan Approval pursuant to §325-55 and all dimensional requirements of §325-154.A and B shall be required.

§325-154 Review Standards

A. Dimensional requirements.

1. Lots shall have frontage along Route 28. Adjacent parcels may be included provided that they are under the same ownership and are also located within the WHSD.
 2. Setback requirements.
 - a. Front setback requirements for the principle building façade shall be a minimum of 20 feet and maximum of 40 feet.
 - b. Side lot line setback shall be a minimum of 20 feet.
 - c. Rear lot line setback shall be a minimum of 20 feet.
 - d. Parking shall be permitted at the side, measured a minimum of 10 feet back from the principle building facade on the property, or rear of the property.
 - e. Maximum site coverage shall not exceed 80%.
 3. The maximum permitted height for new constructions shall not exceed 30 feet or 2 1/2 stories.
 4. Minimum lot size shall be 20,000 square feet.
5. For properties containing and maintaining/reusing historic structures, the Planning Board or its designee may waive or modify these dimensional requirements if it is found that such waiver or modification will not substantially derogate from the purpose and intent of this bylaw and that such waiver or modification may be granted without substantial detriment to the neighborhood or overall public good.
6. The maximum length allowable for the principle building façade is 50 feet and adjacent street-facing building facades shall be stepped back a minimum of 10 feet from the principal building facade.

7. A maximum building footprint of 2,000 square feet for front street-facing buildings is allowable; and a maximum footprint of 3,000 square feet for buildings sited behind a front street-facing building is allowable.
 - B. Parking, Driveway, Vehicular and Pedestrian Access Standards
 1. Parking
 - a. Parking areas shall be visually buffered from all streets and adjoining residential uses by placing them behind frontage buildings and/or through the use of berms or natural features and/or plantings, using materials that shall be maintained for visual buffering a minimum of 50% and 75% of their effectiveness year-round, for streets and residential uses respectively. Parking shall also comply with the requirements of Article IX – Off Street Parking and Loading Requirements.
 - b. Shared Parking – The number of parking spaces required may be reduced for shared parking at the discretion of the Planning Board through Site Plan Review §325-55, provided such reduction does not shift a demand for parking onto public streets or any areas not equipped to handle such activity.
 - c. All other parking standards shall comply with Article IX Off-Street Parking and Loading Requirements; however, in no case shall a driveway width be greater than 24 feet.
 2. A driveway shall be limited to one per street frontage; however shared driveways are encouraged to limit the number of curb cuts onto Route 28. Driveways must be situated to provide for the optimal sight distance along Route 28. All driveway access shall provide for adequate service and emergency access. All driveway shall comply with §325-154.B.1.b. and c. above.
 3. Commercial and residential pedestrian access shall include a combination of walkways and landscaping. Such pedestrian access shall be provided from the streets providing frontage and/or access for the project as well as the drives and parking areas within the project. Pedestrian access routes shall be laid out to minimize conflict with vehicular routes, and where they intersect, the pedestrian route shall be clearly marked on the vehicular surface and when appropriate, with signage. Pedestrian access routes shall be lighted to provide adequate visibility for use in the dark, and in conformance with Article XXI Outdoor Lighting.
and further

Amend §325-2 Word Usage and Definition, “Overlay District”, add a new item G, as follows:
 “G - West Harwich Special District, see Article XXIV”

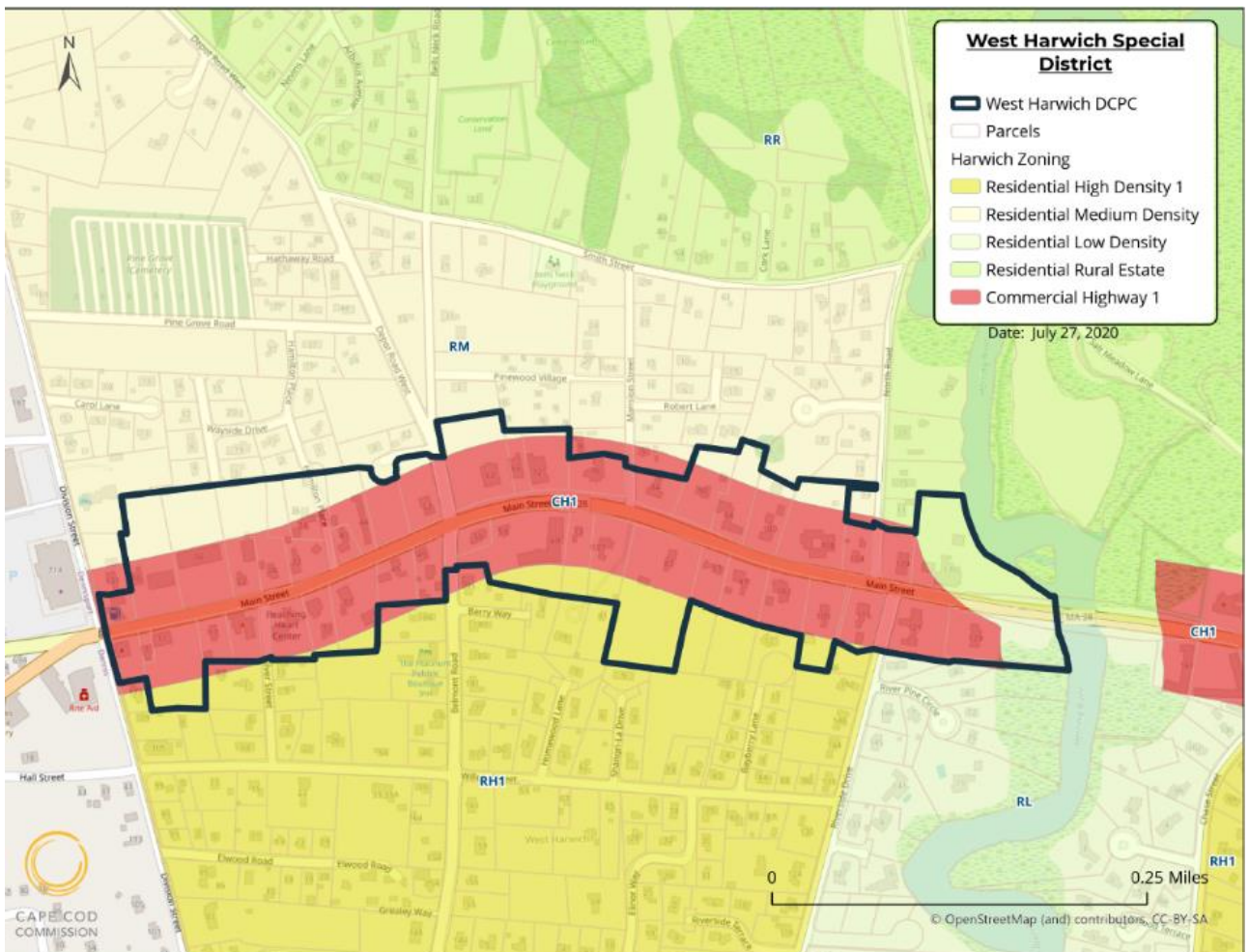
And further,

Amend §325-3 Division of Town into Districts, by adding “West Harwich Special District”

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Amend §325-4 Maps, by adding Subparagraph F as follows:

G. The West Harwich Special District established hereunder as shown on a map titled, “West Harwich Special District” dated July 27, 2020, prepared by the Cape Cod Commission, a copy of which can be found as an attachment to this chapter in the town’s online Code and a copy of which is on file in the office of the Town Clerk.



ZONING BYLAW – ESSENTIAL SERVICES

Article ##: To see if the Town will vote to amend the Code of the Town of Harwich – Zoning by deleting the definition of “Essential Services” within §325-2 – Definitions and by deleting within §325-13 – Table 1, Paragraph II – Public and Quasi Public Uses, Item 3 – Essential services; facility, utilities.

Explanation: The existing definition of ESSENTIAL SERVICES: “Services and appurtenant structures, facilities, uses or equipment provided by governmental agencies, including the Town of Harwich, or provided by public utility or public service companies, including but not limited to water distribution systems, Town-owned marinas, docking areas, fish piers, off-loading facilities, retaining walls, jetties and similar structures, gas and electric distribution, systems for telecommunications and sewerage systems.” And the definitions of MUNICIPAL USE: “A use, whether in a structure and/or on a parcel of land, owned and/or operated by the Town of Harwich.” Are in conflict with one another. All Municipal Uses are allowable by right, as are public utility uses (i.e. gas, electric, cable, cell). By deleting the definition of Essential Services it would eliminate this unnecessary conflict.

APPENDIX A – Budget

APPENDIX B – Capital Plan

Notes

#	ATM September 2020 FY 2021	Vote FC	Vote BOS	Spon	Request	Free Cash	Available	Taxes	Note:
1	Choose Town Officers & Committees	A&A 7-0		Cust	N/C				N/C
2	Reports of Town Officers & Comms.	A&A 7-0		Cust	N/C				N/C
3	Elected Officials Salaries In Budget	A&A 7-0		Cust	126,503				
4	Article to Use Stabilization Fund	NRPFI 6-0		BOS	0				Available
5	Town Operating Budget			BOS	39,140,073	233,943	13,986,574	24,919,556	TX+LR+Othr
6	Monomoy Regional School Budget			MRSC	26,960,046	263,943		26,696,103	R & A
7	CC Tech School Budget	A&A 7-0		CCRTHS	1,737,789			1,737,789	R & A
8	Water Department Budget	A&A 7-0		H2O	4,291,075		4,291,075		Water EF
9	Waste Water/Sewer Budget			W/WC	200,000				
10	Adopt Capital Plan	A&A 8-0		BOS	N/C				N/C
11	Items From Free Cash less than 50 K			BOS	42,299				
12	Fund Facility Maintenance and Repairs			BOS	165,000				FC/RF?
13	Fund New Ambulance			Fire	378,000				
14	Fund Quint Fire Truck			Fire	1,100,000	-	-	-	Debt
14	Lease Purchase Agreements	A&A 6-1		BOS	N/C				N/C
15	MRSD Peg Funds ReQuest	A&A 6-0		MRSC	119,308		119,308		Cable Fund
16	Fund New DPW Vehicles/Equipment	A&A 6-0		Hwy	215,000	215,000			Free Cash
17	Fund the Road Maintenance Program	A&A 6-0		Hwy	350,000	350,000			Free Cash
18	Fund Memorial Tree Replacement	A&A 6-0		Ceme	20,000	20,000			Free Cash
19	Fund Control Room Server Upgrade	A&A 7-0		Ch 18	58,985		58,985		Cable Fund
20	Fund Griffin Room Improvements	A&A 7-0		Ch 18	97,000		97,000		Cable Fund
21	Supplement Funds for Round Cove Boat Ramp	A&A 6-0		Hrb	106,357				
22	Adopt MGL C59 S5 Clause 18 - Hardship under 60	A&A 7-0		BOA	N/C				N/C
23	Adopt MGL C59 S5 Clause 41A - Tax Deferral	A&A 7-0		BOA	N/C				N/C
24	Adopt MGL C59 S5 Clause 56 - Local Tax Eemptions	A&A 7-0		BOA	N/C				N/C
25	Appropriate Sums of Money FY 2021 CPC Funds	A&A 6-0	A&A 4-0	CPC	582,800		582,800		CPC
26	Fund Land Bank Debt Service	A&A 6-0	A&A 4-0	CPC	341,750		341,750		CPC
27	CPC Articles Under \$50,000	A&A 5-0	A&A 4-0	CPC	102,000		102,000		CPC
28	Pine Grove Cemetery Gravestone Preservation	A&A 5-0	A&A 4-0	CPC	75,000		75,000		CPC
29	Fund Affordable Housing Trust		A&A 4-0	CPC	250,000				CPC
30	Fund Rental Assistance Program	A&A 6-0	A&A 4-0	CPC	200,000		200,000		CPC
31	Fund Whitehouse Field Lighting	A&A 5-3	A&A 4-0	CPC	380,360		380,360		CPC
32	Fund Brooks Park Fencing Project	A&A 8-0	A&A 4-0	CPC	72,657		72,657		CPC
33	Fund Community Playground	A&A 7-1	A&A 4-0	CPC	500,000		500,000		CPC
34	Amend Gen By-Laws-Department Revolving Funds			Fdir	N/C				N/C
35	Authorize Departmental Revolving Funds			BOS	N/C				N/C
36	Fund Prior Year's Unpaid Bills	A&A 7-0		BOS	7,193	7,193			Free Cash
37	Defray Expenses Chase & HP Lib	A&A 6-0		Pet	20,000	20,000			Free Cash

38	Promote the Town of Harwich	A&A 7-0		Pet	30,000	30,000			Free Cash
39	Plastic Water Bottle Ban	IPP 7-0		Pet	N/C				N/C
40	Rescind Article 50 from May 6th, 2019 ATM	IPP 4-3		Pet	N/C				N/C
41	New Climate Policy By-Law	A&A 8-0		Pet	N/C				N/C
42	Fund Mass Cultural Council	A&A 7-0		Pet	3,900	3,900			Free Cash
43	Herring Fisheries	A&A 7-0		Cust	N/C				N/C
44	ZBL - Multi-Family			BOS	N/C				N/C
45	ZBL - West Harwich Special District		A&A 4-0	BOS					N/C
46	ZBL - Essential Services			BOS					N/C
TOT	Total			Spon	77,546,592	1,143,979	20,807,509	53,353,448	75,304,936

Free Cash Avail	0	53,353,448	2,241,656
Free Cash Bal	-	53,353,448	