



**TOWN OF CHELMSFORD
WARRANT FOR
ANNUAL TOWN ELECTION
April 6, 2021**

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford:

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ:

- Precinct 1. McCarthy Middle School, Large Gymnasium, 250 North Road
- Precinct 2. Senior Center, 75 Groton Road
- Precinct 3. Senior Center, 75 Groton Road
- Precinct 4. McCarthy Middle School, Large Gymnasium, 250 North Road
- Precinct 5. McCarthy Middle School, Large Gymnasium, 250 North Road
- Precinct 6. McCarthy Middle School, Large Gymnasium, 250 North Road
- Precinct 7. McCarthy Middle School, Small Gymnasium, 250 North Road
- Precinct 8. McCarthy Middle School, Small Gymnasium, 250 North Road
- Precinct 9. McCarthy Middle School, Large Gymnasium, 250 North Road

On Tuesday, the **6th day of April, 2021** being the first Tuesday in said month at 7:00 a.m. until 8:00 p.m. for the following purposes:

To cast their votes for the following officers:

Two Select Board Members for three years;

One School Committee Member for three years;

Three Planning Board Members for three years;

One Planning Board Associate Member for two years;

One Board of Health Member for three years;

Two Trustees of Public Library Members for three years;

One Cemetery Commission Member for three years;

One Housing Authority Member for five years;

and to cast their votes for the following:

Fifty-four Representative Town Meeting Members for three years in Precincts 1 through 9;

And various additional Representative Town Meeting Members:

One Representative Town Meeting Member for an unexpired one year term in Precinct 3;

Two Representative Town Meeting Members for an unexpired two year term in Precinct 5;

One Representative Town Meeting Member for an unexpired two year term in Precinct 6;

One Representative Town Meeting Member for an unexpired two year term in Precinct 8;

Two Representative Town Meeting Members for an unexpired one year term in Precinct 8;

Two Representative Town Meeting Members for an unexpired one year term in Precinct 9;

and to meet in the Senior Center, 75 Groton Road, North Chelmsford, on Monday, the twenty-sixth day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

ARTICLE 1. To see if the Town will vote to hear reports of the Town Officers and Committees; or act in relation thereto.

SUBMITTED BY: **Select Board**

ARTICLE 2. To see if the Town will vote to amend the Fiscal Year 2021 operating budget adopted under Articles 4, 5, and 6 of the Warrant for the Spring Annual Town Meeting held on June 22, 2020; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 3. To see if the Town will vote to raise and appropriate, and/or transfer from available funds a certain sum of money to be used to fund employee contract agreements between the Town and its collective bargaining units; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 4. To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to fund the Town's Fiscal Year 2022 assessment to the Nashoba Valley Technical School District; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 5. To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money as may be required to defray charges for the operations of the Chelmsford Public Schools for the fiscal period July 1, 2021 through June 30, 2022; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 6. To see if the Town will vote to raise and appropriate, or transfer from available funds such sums of money as may be required to defray charges of the Town’s General Government operations for the fiscal period July 1, 2021 through June 30, 2022; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 7. To see if the Town will vote to raise and appropriate, or transfer from available funds such sums of money to be used as a Reserve Fund at the discretion of the Finance Committee for Fiscal Year 2022, as provided in General Laws Chapter 40, Section 6; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 8. To see if the Town will vote to: a.) appropriate a certain sum of money for the following capital projects:

FY2022 PROPOSED CAPITAL BUDGET			
Function	Department /Location	Project	Expenditure
Administration/ Community Services	<u>Information Technology</u>	Security System	\$50,000
	<i>Municipal Administration Subtotal</i>		<i>\$50,000</i>
	<u>Senior Center</u>	Parking Lot Repaving	\$316,031
	<u>Adams Library</u>	Computer Replacement	\$37,920
		Carpet Replacement	\$25,000
		Generator	\$145,000
	<i>Community Services Subtotal</i>		<i>\$523,951</i>
Public Safety	<u>Police</u>	Electronic Traffic Signs	\$32,000
	<u>Fire</u>	Service 2 Plow Truck Replacement	\$76,078
		Staff Vehicle Replacement	\$61,000
		Mechanic's Hydraulic Lift	\$150,157
	<i>Public Safety Subtotal</i>		<i>\$319,235</i>
Public Works	<u>Highway</u>	Sidewalk Construction	\$350,000
		Roadway Improvements	\$400,000
		Sidewalk Snow Removal Equipment	\$170,000
	<u>Parks</u>	Truck Replacement	\$75,000
	<i>Public Works Subtotal</i>		<i>\$995,000</i>

Public Facilities	<u>Municipal Facilities</u>	Shop/Treatment Plant Upgrade	\$110,000
		Replace Vehicles with Hybrids (3)	\$165,000
		OSHA Roof Safety Ladders & Grates	\$45,000
		Center for the Arts Building Insulation	\$49,730
	<i>Municipal Facilities Subtotal</i>		\$369,730
	<u>Byam, Harrington, Westlands</u>	Door Hardware Upgrade	\$547,156
	<u>Harrington</u>	Flooring Replacement	\$29,184
	<u>Center</u>	Restroom Partitions	\$30,360
	<u>Westlands</u>	Kitchen Renovation	\$227,700
	<u>South Row</u>	Kitchen Ventilation	\$75,900
<u>Parker Middle School</u>	Lift/ Elevator	\$127,000	
<i>School Facilities Subtotal</i>		\$1,037,300	
Public Education	<u>School Technology</u>		
	<u>Byam, Center, Harrington & South Row</u>	Security & Surveillance Upgrades	\$598,758
	<i>School Technology Subtotal</i>		\$598,758
CAPITAL PROJECTS TOTAL			\$3,893,974

; and b.) raise and appropriate, transfer and appropriate from available funds, transfer and appropriate from the General Stabilization Fund, and/or borrow a certain sum of money (or any combination thereof) to fund said projects, and to further authorize the Town Manager to enter into lease and/or purchase agreements, on such terms and conditions as the Town Manager deems appropriate in the best interests of the Town, in excess of three years; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Capital Planning Committee
Two-Thirds Vote

ARTICLE 9. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the repairs and upgrades to the heat, ventilation, and air conditioning systems in the Chelmsford Public School facilities; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 10. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the investigation, reporting, remediation, and other related costs pertaining to the presence of elevated levels of per- and polyfluoroalkyl substances (PFAS) that have been detected in groundwater monitoring wells located at the Town-owned property at 54 Richardson Road; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2022 budget to operate the Sewer Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money for the purchase of a vacuum truck for the DPW Sewer Division; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 13. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money for the purchase of a utility truck for the DPW Sewer Division; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 14. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2022 budget to operate the Stormwater Management Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 15. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the replacement of the stormwater culverts on Dunshire Drive and related drainage and flood prevention improvements to Deep Brook; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 16. To see if the Town will vote raise and appropriate, transfer from available funds, and/or borrow a sum of money for the purchase of a vacuum truck for the DPW Stormwater Division; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 17. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2022 budget to operate the Forum Ice Rink Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 18. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2022 budget to operate the Cable Television Public, Educational, and Governmental (PEG) Access Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 19. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a certain sum of money for the Fiscal Year 2022 budget to operate the Golf Course Enterprise; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 20. To see if the Town will vote to: a) amend Chapter 35, Section 6. Departmental Revolving Funds of the Code of the Town of Chelmsford by adding thereto a new Onsite Sewage Facility Revolving Fund with an authorization for the Health Director to spend from the fund those receipts from the permitting, inspection, and monitoring of onsite sewage facilities to pay for personnel services and expenses related to plan review, field inspections, and monitoring of onsite sewage facilities for Fiscal Years 2022 and subsequent fiscal years; and b) authorize the total amount of expenditures in Fiscal Year 2022 from said revolving account to be \$75,000; or act in relation thereto.

SUBMITTED BY: **Board of Health & Town Manager**

ARTICLE 21. To see if the Town will vote to authorize the following total amount of expenditures for Departmental Revolving Funds for the Fiscal Year 2022 which have been established under the provisions of Chapter 35, Section 6 of the Code of the Town of Chelmsford:

- Dog Pound & Licensing: \$10,000;
- Senior Citizen Trip Program: \$75,000;
- Senior Citizen Respite Care Program: \$75,000;
- Police Cruiser Communications Equipment: \$20,000;
- Fire Life Safety Equipment: \$20,000;
- Sealer of Weights & Measures Inspections: \$40,000;
- Cemetery Wreath/Floral Decorations: \$10,000;

or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 22. To see if the Town will vote to transfer a certain sum of money from the Sale of Graves and Lots to the Cemetery Improvement and Development Fund; or act in relation thereto.

SUBMITTED BY: **Cemetery Commission**

ARTICLE 23. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the Community Action program established under Article 12 of the Warrant for the April 29, 1996 Spring Annual Town Meeting to provide matching funds to community improvement projects undertaken by individuals and/or organizations within the Town of Chelmsford; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 24. To see if the Town will vote to transfer a sum of money that has been received by the Town under the Town's inclusionary housing zoning bylaw to the Affordable Housing Stabilization Fund; or act in relation thereto.

SUBMITTED BY: **Town Manager**

ARTICLE 25. To see if the Town will vote to:

- A. hear and act on the report of the Community Preservation Committee on the Fiscal Year 2022 Community Preservation budget;
- B. appropriate a certain sum of money from Fiscal Year 2022 Community Preservation Fund revenues and/or from Community Preservation Fund reserves for the payment of Fiscal Year 2022 debt service;
- C. appropriate from Fiscal Year 2022 Community Preservation Fund revenues a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2022; and
- D. reserve for future appropriation amounts from Fiscal Year 2022 Community Preservation Fund revenues as recommended by the Community Preservation Committee:
 - (1) a sum of money for the acquisition, creation and preservation of open space,
 - (2) a sum of money for the acquisition and preservation of historic resources,
 - (3) a sum of money for the creation, preservation and support of community housing; and
 - (4) a sum of money for the Community Preservation Fund Fiscal Year 2022 Budgeted Reserve

; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee**

ARTICLE 26. To see if the Town will vote to appropriate and transfer a certain sum of money from the Community Preservation Fund General Reserve for the purchase and installation of new playground equipment at Varney Playground and Southwell Park; or act in relation thereto.

SUBMITTED BY: **Community Preservation Committee**

ARTICLE 31. To see if the Town will vote to amend the Town Code by adding a stormwater general bylaw, Chapter 141 Stormwater Management as follows:

Chapter 141 Stormwater Management

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ARTICLE I – GENERAL PROVISIONS

Section 141-1. Purpose and Objective

- A. The purpose of this bylaw is to protect public health, safety, general welfare, and the environment by regulating illicit connections and discharges to the storm drain system, as well as to control the adverse effects of construction site stormwater runoff and post-construction runoff. Stormwater runoff can be a major cause of:
- (1) Impairment of water quality and flow in lakes, ponds, streams, rivers, coastal waters, wetlands, groundwater and drinking water supplies;
 - (2) Contamination of drinking water supplies;
 - (3) Contamination of downstream coastal areas;
 - (4) Alteration or destruction of aquatic and wildlife habitat;
 - (5) Overloading or clogging of municipal stormwater management systems; and
 - (6) Flooding.
- B. The objectives of this bylaw are to:
- (1) Protect water resources;
 - (2) Comply with state and federal statutes and regulations relating to stormwater discharges including total maximum daily load requirements and with the General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems in Massachusetts, issued by the U.S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection (“MS4 Permit”);
 - (3) Prevent and reduce pollutants from entering the Chelmsford municipal separate storm sewer system (MS4);
 - (4) Establish minimum construction and post construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
 - (5) Establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater best management practices to ensure that they continue to function as designed, and pose no threat to public safety; and
 - (6) Recognize Chelmsford’s legal authority to ensure compliance with the provisions of this bylaw through inspection, monitoring, and enforcement.

Section 141-2. Definitions

Unless a different definition is indicated in other sections of this bylaw, the following definitions and provisions shall apply throughout this bylaw:

ADMINISTRATIVE LAND DISTURBANCE APPROVAL: Review and approval by the DPW Director of a land disturbance activity that does not require a Land Disturbance Permit because of its size and/or scope.

ALTERATION OF DRAINAGE CHARACTERISTICS: Any activity on an area of land that changes the water quality, force, direction, timing or location of runoff flowing from the area. Such changes include: change from distributed runoff to confined or discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

APPLICANT: Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government, to the extent

permitted by law, requesting a Land Disturbance Permit or Administrative Land Disturbance Approval.

AS-BUILT DRAWING: Drawings that completely record and document applicable aspects and features of conditions of a project following construction using Stormwater Management Plans derived from a Land Disturbance Permit.

BEST MANAGEMENT PRACTICE (BMP): schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to Waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC): A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

CLEAN WATER ACT: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

CLEARING: Any activity that removes the vegetative surface cover.

COMMON PLAN OF DEVELOPMENT: - A "larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan.

DISCHARGE OF POLLUTANTS: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the Waters of the United States or Commonwealth from any source.

EROSION: The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

EROSION AND SEDIMENTATION CONTROL PLAN: A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activities.

GRADING: Changing the level or shape of the ground surface.

GROUNDWATER: Water beneath the surface of the ground.

GRUBBING: The act of clearing land surface by digging up roots and stumps.

HAZARDOUS MATERIAL: Any material which, because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as "toxic" or "hazardous" under MGL c. 21C and c. 21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

ILLICIT CONNECTION: A surface or subsurface drain or conveyance which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water, and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this bylaw.

ILLICIT DISCHARGE: Direct or indirect discharge to the municipal storm drain system that is not composed

entirely of stormwater, except as exempted in Chapter 142-6B(6). The term does not include a discharge in compliance with an NPDES stormwater discharge permit or resulting from fire-fighting activities and other activities exempted pursuant to Chapter 142-6B(6).

IMPERVIOUS SURFACE: Any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include but is not limited to: roads, driveways, parking areas and other areas created using nonporous material; buildings, rooftops, structures, and compacted gravel or soil.

INFILTRATION: The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

LAND DISTURBANCE PERMIT: A permit issued by the DPW Director pursuant to this bylaw prior to commencement of Land Disturbing Activity.

LAND DISTURBING ACTIVITY: Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters; involves clearing, grading, or excavating, including grubbing; or results in an alteration of drainage characteristics.

LOW IMPACT DEVELOPMENT or LID: site planning and design strategies that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. LID practices include but are not limited to bioretention facilities, rain gardens, vegetated rooftops, rain barrels and permeable pavements.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Chelmsford.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT: A permit issued by the EPA that authorizes the discharge of pollutants to Waters of the United States.

NEW DEVELOPMENT: any construction activities or land alteration on an area that has not previously been developed to include impervious cover.

NONPOINT SOURCE POLLUTION: Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and man-made pollutants finally depositing them into a water resource area.

NON-STORMWATER DISCHARGE: Discharge to the municipal storm drain system not composed entirely of stormwater.

OPERATION AND MAINTENANCE PLAN: A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

OWNER: A person with a legal or equitable interest in property.

PERSON: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

POINT SOURCE: Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding

operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged.

PRE-CONSTRUCTION: All activity in preparation for construction.

POLLUTANT: dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, animal waste, oil and other automotive fluids, yard waste, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, construction wastes and residues including discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes and industrial, municipal and agricultural waste discharged into water.

RECHARGE: The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

REDEVELOPMENT: Development, rehabilitation, expansion, demolition, construction, land alteration, or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites.

RUNOFF: Rainfall, snowmelt, or irrigation water flowing over the ground surface.

SEDIMENT: Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

SEDIMENTATION: The process or act of deposition of sediment.

SITE: The areal extent of construction activities, including but not limited to the creation of new impervious cover and improvement of existing impervious cover.

SOIL: Any earth, sand, rock, gravel, or similar material.

STORMWATER AUTHORITY: The Town of Chelmsford Department of Public Works Director (DPW) or its authorized agent(s).

STORMWATER: Stormwater runoff, snow melt runoff, and surface runoff and drainage.

STORMWATER MANAGEMENT PLAN: A document containing narrative, drawings, details and reporting requirements developed by a qualified professional engineer (PE), which describes structural and non-structural best management practices designed to control the discharge of pollutants from impervious surfaces and onsite activities as well as the volume and peak rate of surface runoff from a site on an ongoing basis after construction has been completed.

TOTAL MAXIMUM DAILY LOAD or TMDL: Section 303(d) of the Clean Water Act authorizes the EPA to assist states, territories and authorized tribes in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL establishes the maximum amount of a pollutant that a waterbody can accept and still meet water quality standards for protecting public health and maintaining the designated beneficial uses of those waters for drinking, swimming, recreation, and fishing. A TMDL includes Waste Load Allocations for point source discharges, Load Allocations for nonpoint sources and/or natural background and must include a margin of safety and account for seasonal variations.

WATERCOURSE: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

WATERS OF THE COMMONWEALTH: All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwater, and Waters of the United States as defined under the Federal Clean Water Act as hereafter amended.

Section 141-3. Authority

This bylaw is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Massachusetts home rule statute.

Section 141-4. Responsibility for Administration

- A. The DPW Director or its authorized agent, shall administer, implement and enforce this bylaw. Any powers granted to or duties imposed upon the DPW Director may be delegated by the DPW Director to its employees or agents.

Section 141-5. Waivers

- A. The DPW Director, or its authorized agent, may waive strict compliance with any requirement of this bylaw or the rules and regulations promulgated hereunder, where such action is:
 - (1) allowed by federal, state and local statutes and/or regulations and the MS4 Permit; and
 - (2) in the public interest; and
 - (3) not inconsistent with the purpose and intent of this bylaw.
- B. Any person seeking a waiver must submit a written waiver request. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the bylaw does not further the purposes or objectives of this bylaw.
- C. If in the opinion of the DPW Director or its authorized agent, additional time or information is required for review of a waiver request, the DPW Director may request additional time for review. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.

Section 141-6. Regulations

- A. The DPW Director shall adopt, and may periodically amend, regulations, rules and/or written guidance relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater Management bylaw.

Stormwater Management regulations, rules or guidance shall identify requirements for Administrative Land Disturbance Approval and Land Disturbance Permits required by this bylaw and consistent with or more stringent than the relevant requirements of the most recent MS4 Permit.
- B. Stormwater Management regulations may identify one or more categories of projects requiring an Administrative Land Disturbance Approval that, because of their size, scope and common features or characteristics, may be approved the DPW Director. For such projects, the DPW Director will identify minimum stormwater management standards pursuant to this bylaw, compliance with which is required before the project is approved.

Section 141-7. Enforcement

The DPW Director or its authorized agent shall enforce this bylaw, and any associated regulations, orders, violation notices, and enforcement orders and may pursue all civil and criminal remedies for such violations.

- A. Criminal and Civil Relief.
 - (1) Any person who violates the provisions of this bylaw, or any associated regulations, permit, or order issued thereunder, may be subject to criminal penalties and prosecution

in a court of competent jurisdiction and/or a fine of not more than \$300 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

- (2) The DPW Director may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

B. Orders.

- (1) The DPW Director or its authorized agent may issue a written order to enforce the provisions of Article II of this bylaw or any associated regulations or permit. Violations include, without limitation, failure to obtain a Land Disturbance Permit or Administrative Review for an activity subject to this bylaw, or failure to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, or Operations and Maintenance Plan or any other authorization issued pursuant to this bylaw or regulations issued hereunder. The written order may require the violator to remediate the non-compliance and/or any adverse impact caused by it, including without limitation:
 - (a) A requirement to cease and desist from the land-disturbing activity until there is compliance with the bylaw and provisions of the Land Disturbance Permit or other authorization;
 - (b) Maintenance, installation or performance of additional erosion and sediment control measures;
 - (c) Monitoring, analyses, and reporting;
 - (d) Remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity;
 - (e) Construction, reconstruction, repair or maintenance of stormwater BMPs or any other aspect of the post-construction stormwater management system;
 - (f) Remediation of adverse impacts resulting from improper construction or operation of the post-construction stormwater management system; and/or
 - (g) A requirement to eliminate discharges, directly or indirectly, into the MS4, a watercourse or into the Waters of the Commonwealth.
- (2) If the DPW Director or its authorized agent determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further provide that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town of Chelmsford may, at its option, undertake such work, and expenses thereof shall be charged to the violator.
- (3) Within 30 days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the Town including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the DPW Director within 30 days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within 30 days following a decision of the DPW Director affirming or reducing the costs, or from a final decision of a court of competent jurisdiction affirming or reducing the costs, the costs shall constitute a municipal charge for purposes of G.L. c.40, §58, and a lien may be imposed on the property for the amount of the unpaid charge, pursuant to G.L. c.40, §58.

Interest shall begin to accrue on any unpaid costs at the statutory rate provided in M.G.L. c. 59 § 57 on the 31st day after the costs first become due.

- C. Noncriminal disposition. As an alternative to criminal prosecution or civil action, the Town of Chelmsford may elect to utilize the noncriminal disposition procedure set forth in M.G.L. c. 40, § 21D, in which case the designated agents of the DPW Director shall be the enforcing persons. The penalty for the first violation shall be a warning. The penalty for the second violation shall be \$100. The penalty for the third and subsequent violations shall be \$300. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- D. Entry to perform duties under this bylaw. To the extent permitted by local, state or federal law, or if authorized by the owner or other party in control of the property, the DPW Director, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the DPW Director deems reasonably necessary.
- E. Appeals. The decisions or orders of the DPW Director shall be final. Further relief shall be appealed to a court of competent jurisdiction pursuant to G. L. c. 249, s. 4.
- F. Remedies not exclusive. The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law.

Section 141-8. Severability

The provisions of this bylaw are hereby declared to be 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 or application of this bylaw.

ARTICLE II – STORMWATER MANAGEMENT AND LAND DISTURBANCE

Section 141-9. Applicability

- A. These regulations shall apply to all construction activity or land disturbance that individually or as part of a Common Plan of Development resulting in disturbance of land in excess of the thresholds below.
 - (1) Administrative Land Disturbance Approval is required for projects disturbing between 20,000 square feet and one-acre (43,560 square feet) of land.
 - (2) A Land Disturbance Permit is required for disturbance of one acre (43,560 square feet) or more of land, or for the disturbance of more than 5,000 square feet of land where the proposed use is a land use of higher potential pollutant loads pursuant to the Massachusetts Stormwater Management Standards or the DPW Director determines that an Administrative Land Disturbance Approval is not sufficient.
- B. The following activities are exempt from the provisions of Section 5(A):
 - (1) Maintenance of existing landscaping, gardens or lawn areas associated with a single family dwelling conducted in such a way as not to cause a nuisance;
 - (2) Construction of fencing that will not substantially alter existing terrain or drainage patterns;
 - (3) Construction of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain or drainage patterns or result in discharge of sediment or other pollutants to the MS4 or, directly or indirectly, to a Watercourse or Waters of the Commonwealth;

- (4) Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetlands Protection Act regulation 310 CMR 10.04.
- (5) Municipal roadway maintenance including crack sealing, milling, paving and sidewalk construction and repair.
- (6) Maintenance of a stormwater treatment structure conducted in such a way that does not cause discharge of sediment or other pollutants to the MS4, or, directly or indirectly, to a Watercourse or Waters of the Commonwealth;

Any person that fails to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, and Operations and Maintenance Plan, shall be in violation of this bylaw.

Section 141-10. Review or Permit

- A. An Administrative Land Disturbance Approval or Land Disturbance Permit must be obtained prior to the commencement of any construction activity or land disturbance for which such a review or permit is required. An applicant seeking a review or permit shall file an appropriate application with the DPW Director in a form and containing information as specified in this bylaw and in regulations adopted by the DPW Director.
- B. Each application must be accompanied by the appropriate application fee as established by the DPW Director. Applicants shall pay the application fee before the review process commences. The DPW Director is authorized to retain a Registered Professional Engineer (PE) or other professional consultant to advise the DPW Director on any or all aspects of the application and/or the project's compliance with conditions of a Review or Permit. The DPW Director may require the applicant to pay reasonable costs to be incurred by the DPW Director for the employment of outside consultants pursuant to DPW Director regulations as authorized by G.L. c. 44, § 53G.
- C. Required submittals to obtain a Land Disturbance Permit shall include (without limitation) an Erosion and Sedimentation Control Plan, a Stormwater Management Plan, and an Operation and Maintenance Plan. To obtain a Land Disturbance Permit, the applicant must show that site design, construction site stormwater runoff control and post-construction stormwater management will meet the standards set by the DPW Director in its regulations, rules and/or guidance, which shall be at least as stringent as the relevant requirements of the MS4 Permit and may also address relevant environmental considerations including (without limitation) protection of aquifers and sensitive water bodies, climate resilience, and prevention of flooding.
- D. The Land Disturbance Permit shall include measures to ensure adequate long-term operation and maintenance of stormwater management design features and BMPs. The DPW Director may impose requirements including (without limitation) the following:
 - (1) A requirement that funds for future operation and maintenance be set aside in a dedicated fund or escrow account;
 - (2) A permanent permit condition requiring compliance with an Operation and Maintenance Plan;
 - (3) A permanent permit condition requiring that the property owner submit an annual report or certification regarding operation and maintenance;
 - (4) A requirement to record the Operation and Maintenance Plan (or notice thereof);
 - (5) A requirement that a legal instrument be put in place establishing responsibility for

operation and maintenance of a stormwater BMP serving more than one lot; and

- (6) A requirement that an easement be recorded allowing the Town to access a stormwater BMP to remedy any operational failure or maintenance problem.

Section 141-11. Consent to Entry onto Property

By signing the permit application, an applicant consents to the entry of members of the DPW Director or its authorized agents in or on the site while the application is under review to verify the information in the application, and at any time after a Review or Permit is issued to inspect for compliance with Review or Permit conditions.

Section 141-12. Inspection and Site Supervision

The DPW Director or its designated agent shall make inspections to verify and document compliance with the Administrative Land Disturbance Approval or Land Disturbance Permit.

Section 141-13. Surety

The DPW Director may require the applicant to post before the start of land disturbance or construction activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond shall be approved by the DPW Director and be in an amount deemed sufficient by the DPW Director to ensure that the work will be completed in accordance with the permit. If the project is phased, the DPW Director may release part of the bond as each phase is completed in compliance with the permit. If the permittee defaults on any obligations imposed by the Land Disturbance Permit, the DPW Director may (after notification of the permittee) inform the holder of the security (and the municipal treasurer if the treasurer is not holding the funds) of the default, in which event the Town shall be entitled to the security funds.

Section 141-14. Final Reports

Upon completion of the work and no later than one (1) year after completion of construction, the holder of a Land Disturbance Permit shall submit a report (including certified as-built construction plans) from a Professional Engineer (PE), surveyor, or Certified Professional in Erosion and Sedimentation Control (CPESC), certifying that the project has been completed in accordance with the conditions of the Land Disturbance Permit. The as-built drawings must depict all on site controls, both structural and non-structural, designed to manage the stormwater associated with the completed site (post construction stormwater management). Any discrepancies with the approved permit plans shall be noted in the cover letter submitting the report and as-built plans.

;or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 32. To see if the Town will vote to amend Chapter 132 “Sewage Disposal” Section 3 “Grinder Pumps” of the Code of the Town of Chelmsford by adding a new subsection F. as follows:

Section 132-3

F. Allegations of misuse or abuse of any grinder pump or grinder pump system pursuant to Chelmsford Bylaw Chapter 132, Section 132-3, Subsection E shall comply with the following procedure.

- (1) The Town of Chelmsford shall send prior written notice of its intent to charge a property owner for the repair or replacement of any grinder pump or grinder pump system pursuant to Chelmsford Bylaw Chapter 132, Section 132-3, Subsection E. Such notice shall be sent by certified mail, return receipt requested. Copies of Chelmsford Bylaw Chapter 132, Section 132-3 and any repair reports completed by grinder pump repair technicians shall be provided with said notice. Property owners have the right to contest any charges to be assessed by the Town of Chelmsford for the repair or replacement of a grinder pump or grinder pump system. The three-level review process for contesting such charges is as follows:
 - (i.) First, within thirty (30) days of the Town’s written notice of intent to assess a grinder pump charge, a property owner may file a written request for relief with the Superintendent of the Department of Public Works Sewer Division, together with copies of any documentation or information the property owner wishes to submit in support thereof. The Superintendent shall review the request and supporting materials and respond in writing within thirty (30) days.
 - (ii.) Secondly, if a property owner remains aggrieved by the Superintendent’s response to a request for relief, he or she may appeal that response in writing to the Director of the Department of Public Works within fourteen (14) days. Upon receipt of that appeal, the Director shall schedule a grinder pump hearing to be held within twenty-one (21) days. The Director shall direct the grinder pump technician who repaired or replaced the property owner’s grinder pump or grinder pump system to attend the grinder pump hearing. The property owner may attend the grinder pump hearing (with or without counsel), call witnesses, question any Town witnesses or technicians, and offer any evidence regarding the request for relief. The Director shall issue a decision in writing on the appeal within thirty (30) days after the close of the grinder pump hearing. The attendance of the technician shall be at no cost to the property owner, and if the technician cannot attend due to sickness, vacation, or other comparable reason, the hearing shall be rescheduled at a mutually convenient date for both the Director, the technician, and the property owner. If the technician cannot attend due to death, serious injury, or because he/she is no longer employed by the entity responsible for the grinder pump repair, or other comparable reason, the Director shall direct another technician to attend, who has comparable experience in servicing grinder pumps and can review the prior technician’s report and be capable of testifying in the prior technician’s stead.
 - (iii.) Thirdly, if a property owner remains aggrieved by the Director’s decision on appeal, he or she may submit a further appeal in writing to the Town Manager within fourteen (14) days. The Town Manager shall review the proceedings and decision below and, within (30) days issue a decision in writing. The Town shall not assess any charges for the repair or replacement of a grinder pump or grinder pump system until the conclusion of this three-level process.
- (2) Regardless of whether a property owner pursues the three-level review process described above, he or she also has the right to contest a sewer assessment by filing an application for an abatement on an approved form with the Chelmsford Board of Assessors, pursuant to G. L. c. 59, Section 59. For deadlines for filing such applications, contact the Chief Assessor.

(3) Finally, if the Board of Assessors denies an application for an abatement of a sewer assessment, either in whole or in part, an applicant may appeal to the Appellate Tax Board upon the same terms and conditions as a person aggrieved by a refusal of the Assessors to abate a tax. G.L. c. 83, Section 16E.

SUBMITTED BY: **Citizen Petition – David Foley**

ARTICLE 33. To see if the Town will vote to transfer the care, custody, management and control of the following parcels of land around Freeman Lake:

<u>Parcel</u>	<u>Address</u>	<u>Lot-Size</u>
18-41-3	Willis Drive	.14 acres
18-41-21	Willis Drive	.04 acres
18-41-23	Willis Drive	.52 acres
18-41-25	Willis Drive	2.52 acres
18-41-28	Willis Drive	.24 acres
18-94-2	Shore Drive	.08 acres
19-84-31	Taunton Street	2.0 acres
19-86-1	Shore Drive	.92 acres
19-87-1	Shore Drive	2.0 acres
24-48-32	Shore Drive	.11 acres
24-48-39	Shore Drive	.11 acres
24-48-41	Shore Drive	.12 acres
24-94-1	Shore Drive	.08 acres
24-84-2	Shore Drive	.20 acres
24-94-3	Shore Drive	.10 acres
24-94-5	Shore Drive	.10 acres
24-94-7	Shore Drive	.04 acres

from the Select Board held for general municipal purposes to the Conservation Commission for conservation purposes; or act in relation thereto.

SUBMITTED BY: **Conservation Commission**
Two-Thirds Vote

ARTICLE 34. To see if the Town will vote to accept an easement of land located at 11 Cushing Place/1A Central Square, identified by the Chelmsford Board of Assessors as Map 84, Block 336, Lot 5 as depicted on an easement exhibit plan entitled “Grist Mill Apartments at Beaver Brook”, prepared by Howard Stein Hudson, dated 09-15-2020; a copy of said easement exhibit plan and the associated Easement Agreement is attached to this warrant; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 35. To see if the Town will vote to acquire the following parcels, and/or rights in land parcels, for the purpose of constructing sidewalks on Turnpike Road, as depicted on a set of plans entitled “The Town of Chelmsford, Massachusetts Turnpike Road Sidewalk Middlesex County” prepared by Howard Stein Hudson as HSN Project Number 2020186; a copy of said easement exhibit plan is attached to this warrant and is available for viewing in the Town Clerk’s Office:

- 6 Turnpike Road, Assessor’s ID: 74-328-1
- Assessor’s ID 74-328-2
- 34 Turnpike Road, Assessor’s ID: 74-328-5
- 36 Turnpike Road, Assessor’s ID: 74-328-6
- 10 Industrial Drive, Assessor’s ID: 86-328-7
- 80 Turnpike Road, Assessor’s ID: 86-328-5
- 84 Turnpike Road, Assessor’s ID 86-328-6
- 88 Turnpike Road, Assessor’s ID: 86-328-19
- 104 Turnpike Road, Assessor’s ID: 86-328-21

and further to authorize the Select Board to acquire these parcels and/or easements through any and all legal means available under the General Laws of the Commonwealth, including, without limitation, by donation, purchase, and/or eminent domain; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 36. To see if the Town will vote to acquire an easement of land consisting of approximately 7,375 square feet of land on property located at 248 Dunstable Road, Chelmsford, Massachusetts, Assessors ID 3-4-11, for the purpose of constructing improvements to the intersection of Ledge Road and Dunstable Road, as depicted on a plan entitled “Roadway Easement Dunstable Road and Ledge Road Scale 1” = 40’ dated 2/17/21”; a copy of said easement exhibit plan is attached to this warrant; and further to authorize the Select Board to acquire this easement through any and all legal means available under the General Laws of the Commonwealth, including, without limitation, by donation, purchase, and/or eminent domain; or act in relation thereto.

SUBMITTED BY: **Town Manager**
Two-Thirds Vote

ARTICLE 37. To see if the Town will vote to amend the Town’s Zoning Bylaw, Chapter 195 of the Town Code, regarding revisions to the parking regulations for the Village Center Overlay District, by deleting the language shown in ~~strikethrough~~ and adding the language shown in underline, with the text not being changed shown in regular type for informational purposes only, as follows:

Section 195-98.3 Parking.

- A. In the CV (Center Village) District the required parking shall be reduced by ~~50%~~ 20% for the requirements of Section 195-17, Minimum parking requirements, except for multifamily use. A special permit may be granted by the Planning Board for a total reduction not to exceed 50%. Parking within front yards shall be prohibited.

Section 195-126 Parking and loading standards.

- C. Minimum off-street parking. Within the underlying Center Village Zoning District, required parking shall be reduced by ~~50%~~ 20% per Section 195-98.3A. A special permit may be granted by the Planning board for a total reduction not to exceed 50%. All other parking within the VCOD shall comply with the standards and requirements of this bylaw and Article V except for the following exceptions:

as described in the Planning Board report, or act in relation thereto.

SUBMITTED BY: **Planning Board**
Two-Thirds Vote

ARTICLE 38. To see if the Town will vote to amend the Town’s Zoning Bylaw, Chapter 195 of the Town Code, regarding E-commerce zoning as follows:

Add new definitions to Article XX “Terminology” Section 195-108 Word usage and definitions.

Paragraph B. {insert alphabetically}

E-commerce (electronic commerce) is the activity of electronically buying or selling of products over the [Internet](#). Includes Business to Business and Business to Consumer.

Fulfillment Center – an e-commerce facility, operated from and within a building, for bulk product warehousing and direct fulfillment of customer orders (business to business and business to customer). The facility may be outsourced to a third-party logistics management company or operated by a particular retailer. A fulfillment center may be either a principal use or may be co-located as an accessory use to a primary retail use if under 30% of the total gross square footage of the total use. Direct customer pick up represents no more than 1% of fulfillment center sales.

Dark Stores – retail use, not open to the public, including by club membership, used for e-commerce that is either shipped or picked up on site by the customer. Not to exceed more than 10,000 gross sq. ft. per use. May offer customer pick up.

Ghost Kitchen - A ghost kitchen [aka Cloud Kitchen, Shadow Kitchen, Commissary Kitchen or Dark Kitchen] are commercial-grade kitchens that contain the kitchen equipment and facilities needed for the made to order preparation of restaurant or catered meals, not for bulk package sales, but have no dining area. May offer customer pickup but are primary delivery only operations. Maybe operated by a single restaurant brand or for several restaurant brands.

And revise the existing definition for “RETAIL” under Article XX “Terminology” Section 195-108 Word usage and definitions. Paragraph B. by adding the language shown in underline as follows:

RETAIL: A business that provides goods and/or services directly to the consumer where such goods are available for immediate purchase from the premises by the customer. This term includes electronic sales of all kinds, provided that the articles for sale are stocked together with those for on-site customer sales.

Add new Lines D.37 and D.38 to Chapter 195 Attachment 1 - Use Regulation Schedule

D. Commercial

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS
37. Dark Stores	N	N	N	N	PB	PB	Y	N	N	Y	N	N	N	N	N
38. Ghost Kitchens	N	N	N	N	N	PB	Y	PB	PB	Y	N	N	N	N	N

And add new Line E.19 to Chapter 195 Attachment 1 - Use Regulation Schedule

E. Industrial

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS
19. Fulfillment Center															
a. Principal Use	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N
b. Accessory Use	N	N	N	N	N	PB	PB	PB	N	Y	N	N	N	N	N

as described and presented in the Planning Board report, or act in relation thereto.

SUBMITTED BY: **Planning Board**
Two-Thirds Vote

ARTICLE 39. To see if the Town will vote to amend the Town’s Zoning Bylaw, Chapter 195 of the Town Code, regarding recreational marijuana accessories as follows:

Deleting the existing definition of “Marijuana Establishment” under Article XX “Terminology” Section 195-108 Word usage and definitions. Paragraph B. in its entirety;

Adding new definitions to Article XX “Terminology” Section 195-108 Word usage and definitions. Paragraph B. {insert alphabetically as a group}

Marijuana Establishment (Regulation of the Use and Distribution of Marijuana Not Medically Prescribed and 935 CMR 500.00 (Adult-Use of Marijuana) means a Marijuana Cultivator (Indoor or Outdoor), Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Microbusiness, Independent Testing Laboratory, Marijuana Transporter, Delivery Licensee, Marijuana Research Facility Licensee (as defined in 935 CMR 500.002: Marijuana Research Facility Licensee), or any other type of licensed Marijuana-related business, except a Medical Marijuana Treatment Center (MTC) and Marijuana Retailer.

Marijuana Cultivator means an entity licensed to cultivate, Process and package Marijuana, and to Transfer Marijuana to other Marijuana Establishments, but not to Consumers. A Craft Marijuana Cooperative is a type of Marijuana Cultivator.

Craft Marijuana Cooperative means a Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate,

obtain, Manufacture, Process, package, brand and Transfer Marijuana or Marijuana Products to Marijuana Establishments, but not to Consumers.

Marijuana Product Manufacturer means an entity licensed to obtain, Manufacture, Process and package Marijuana or Marijuana Products and to Transfer these products to other Marijuana Establishments, but not to Consumers.

Micro-Business: A co-located Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, in compliance with the operating procedures for each license. A Microbusiness that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments.

Marijuana Testing Facility: An entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

Marijuana Transporter means an entity, not otherwise licensed by the Commission, that is licensed to possess Marijuana Products solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments or MTCs, but not to Consumers. Marijuana Transporters may be an Existing Licensee Transporter or Third-party Transporter.

Marijuana Research Facility: A facility that may cultivate, purchase or otherwise acquire marijuana for the purpose of conducting research regarding marijuana and marijuana products. This may be an academic institution, non-profit corporation or domestic corporation or entity authorized to do business in the Commonwealth of Massachusetts.

Adding New Line E.20 of the Use Regulation Schedule

E. Industrial

20 Marijuana Establishment	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RM H	CX	P	OS
a. Cultivator	N	N	N	N	N	PB	N	N	N	PB	N	N	N	N	N
b.Cooperative	N	N	N	N	N	PB	N	N	N	PB	N	N	N	N	N
c.Manufacturer	N	N	N	N	N	PB	N	N	N	PB	N	N	N	N	N
d.Microbusiness	N	N	N	N	N	PB	N	N	N	PB	N	N	N	N	N
e.Laboratory	N	N	N	N	N	PB	N	N	N	PB	N	N	N	N	N
f.Transporter	N	N	N	N	N	PB	N	N	N	PB	N	N	N	N	N
g.Research	N	N	N	N	N	PB	N	N	N	PB	N	N	N	N	N

as described and presented in the Planning Board report, or act in relation thereto.

SUBMITTED BY: **Planning Board**
Two-Thirds Vote

ARTICLE 40. To see if the Town will vote to amend the Town’s Zoning Bylaw, Chapter 195 of the Town Code, regarding recreational marijuana establishments as follows:

Adding a new definition to Article XX “Terminology” Section 195-108 Word usage and definitions. Paragraph B.

Adult Use Marijuana Retailer: An entity licensed to purchase and transport marijuana and marijuana products for adult use from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers as defined in 935 CMR 500.02

Revise Line C.36 of the Use Regulation Schedule

Use Table – modify line #36 as follows:

D. Commercial

	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS
36. Adult Use Marijuana Retailer	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

as described and presented in the Planning Board report, or act in relation thereto.

SUBMITTED BY: Planning Board
Two-Thirds Vote

ARTICLE 41. To see if the Town will vote to delete Chapter 89, Marijuana Establishments of the Town Code, which would eliminate the prohibition of non-medical marijuana establishments from the Town’s General Bylaws; as described and presented in the Planning Board report, or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 42. To see if the Town will vote to: a.) accept as town ways the following mentioned streets, as laid out by the Board of Selectmen and shown by reports and plans duly filed in the office of the Town Clerk:

- | | |
|------------------|-------------|
| Chamberlain Road | Hazen Road |
| Maple Road | Oak Street |
| Tadmuck Road | Tuttle Road |
| Twiss Road | |

providing all the construction of the same meets with the requirements of the Select Board, and subject to the withholding of any remaining bonds until such requirements have been met; b.) authorize the Select Board to acquire any and all temporary and/or permanent easements, and any property in fee simple, with the trees thereon, by purchase, eminent domain, gift or otherwise, for the purpose of securing traffic safety and road improvements; c.) raise and appropriate, transfer and appropriate from the Stabilization Fund, and/or borrow a certain sum of money to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and d.) authorize the Select Board to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

SUBMITTED BY: Select Board
DPW Director
Two-Thirds Vote

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

Given under our hands this 22nd day of February, 2021

SELECT BOARD OF THE TOWN OF CHELMSFORD:

Kenneth M. Lefebvre, Chair

Virginia E. Crocker Timmins, Vice Chair

George R. Dixon, Jr., Clerk

Patricia Wojtas

vacant

**NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
SPRING ANNUAL TOWN MEETING**

The Select Board shall propose the following dates and times for continued sessions of the Town Meeting of April 26, 2021:

Thursday, April 29, 2021 at 7:30 p.m.

Monday, May 3, 2021 at 7:30 p.m.

Thursday, May 6, 2021 at 7:30 p.m.

If additional continued sessions are necessary, they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to Town of Chelmsford Code Chapter 154-9, these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

_____, 2021

Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Offices Building, 50 Billerica Road; North Chelmsford Fire Station, 35 Princeton Street; Senior Center, 75 Groton Road; East Chelmsford Fire Station, 115 Riverneck Road; Byam Elementary School, 25 Maple Road; Westlands School, 171 Dalton Road; West Chelmsford Fire Station, 260 Old Westford Road; McCarthy Middle School, 250 North Road; and South Row Elementary School, 250 Boston Road.

Signed:

Edwin Paul Eriksen, Constable

A True Copy Attest:

Edwin Paul Eriksen, Constable