

**TOWN OF ROCKPORT
WARRANT FOR
FALL TOWN MEETING**
Monday, September 14, 2015
The Commonwealth of Massachusetts

Essex, ss.

To: One of the Constables of the Town of Rockport,
Massachusetts in said County of Essex in the
Commonwealth of Massachusetts.

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 Town affairs to meet and assemble at the Rockport High School at 24 Jerden's Lane in said Rockport on Monday, the fourteenth day of September, 2015 A.D., at 7:00 o'clock in the evening, then and there to act on the following articles, to wit:

ARTICLE A. To see if the Town will raise and appropriate, or appropriate and transfer, a sum of money to pay unpaid bills of previous fiscal years; or act on anything relative thereto. *(9/10 vote)*

ARTICLE B. To see if the Town will vote to raise and appropriate, or appropriate and transfer, a sum or sums of money to add to the appropriations made under Articles 5, 5A, 5B, 6, 6A and/or 6B of the April 4, 2015 Annual Town Meeting or to reduce appropriations made thereunder; or act on anything relative thereto. *(majority vote)*

ARTICLE C. To see if the Town will hear and receive the annual report and recommendations of the Community Preservation Committee pursuant to Section 5 of Chapter 44B of the General Laws and Chapter 2, Section 5(d)(ii) of the Code of By-laws; or act on anything relative thereto. *(Community Preservation Committee) (majority vote)*

ARTICLE D. To see if the Town will vote, pursuant to Section 6 of Chapter 44B of the General Laws, to set aside in the Community Preservation Fund sums of money from Community Preservation Fund FY2016 estimated annual revenues for later spending for the respective purposes indicated:

First, a sum of money to be deposited in the Community Housing Reserve Account;

Second, a sum of money to be deposited in the Open Space/Recreation Reserve Account;

Third, a sum of money to be deposited in the Historic Preservation Reserve Account;

or act on anything relative thereto. (*Community Preservation Committee*) (*majority votes*)

ARTICLE E.

To see if the Town will vote to appropriate and transfer from the Community Preservation Fund the following amounts for the respective purposes indicated:

First, \$25,000 to be expended under the oversight of the Department of Public Works and the Granite Pier Committee, working with the Community Preservation Committee, for preparation of professional engineering or architectural plans incident to a study of the feasibility to build a staircase for access between the upper and lower levels of Granite Pier and;

Second, \$30,000 to be expended under the direction of the Director of Public Works working with the Community Preservation Committee, for the replacement, restoration, rehabilitation, and/or preservation of exterior painting of the Community House;

Third, \$50,000 to be expended under the direction of the Thacher and Straitsmouth Islands Committee working with the Community Preservation Committee, for the replacement, restoration, rehabilitation, and/or preservation of the Straitsmouth Island Keepers House;

Fourth, \$75,000 as a grant to Action Inc., a nonprofit corporation duly organized under the laws of Massachusetts, for its Rental/Mortgage Assistance Program for the creation of community housing for Rockport residents, under the supervision of the Board of Selectmen;

Fifth, \$132,046 as a grant to the Rockport Congregational Church, under the supervision of the Board of Selectmen working with the Community Preservation Committee, for the historic restoration, rehabilitation, and/or preservation of the Congregational Church building steeple;

Sixth, \$38,525 to be expended under the direction of the Superintendent of Schools working with the Community Preservation Committee, for restoration, rehabilitation, and/or preservation of the Elementary School Outdoor Basketball Courts;

Seventh, \$26,950 for administrative expenses of the Community Preservation Committee from July 1, 2015 through June 30, 2016,

including but not limited to appraisals, land surveys, copying, postage, legal notices and other costs;

or act on anything relative thereto. *(Community Preservation Committee) (majority votes)*

ARTICLE F. To see if the Town will vote to appropriate by transfer the sum of \$95,000 from the Watershed Protection account back to the Community Preservation Committee's Open Space Reserve account to return the unused balance to the CPC that was originally appropriated under Article D, *Third* of the September 8, 2008 Fall Town Meeting; or act on anything relative thereto. *(Community Preservation Committee) (majority vote)*

ARTICLE G. To see if the Town will vote to raise and appropriate or appropriate by transfer from the Parking Meter Fund to the Meter Maintenance account, the sum of \$10,655 to pay for the annual hosting and credit card processing fees; or act on anything relative thereto. *(Traffic and Parking) (majority vote)*

ARTICLE H. To see if the Town will vote to appropriate the unexpended funds initially borrowed to finance capital School Treads, Landings, and Ramps project that is now complete, and for which no further liability remains, the unexpended balance of \$33,657 from Article 6 of the April 6, 2013 Annual Town Meeting, to a School Carpeting Replacement Capital account to pay costs of replacing carpeting in the schools; or act on anything relative thereto. *(Educational Services Department) (majority vote)*

ARTICLE I. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to make emergency repairs to the Harbormaster and Public Restroom facility at 3 T-Wharf; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE J. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to make necessary repairs to the Library Building to stop leaks; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE K. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to purchase a

Sidewalk Tractor and Attachments for snow removal; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE L. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to purchase a DPW Sanding and Plow Truck for snow removal; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE M. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to pay for the cost of improvements to the Highway Garage ventilation system; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE N. To see if the Town will vote to appropriate by transfer a sum of money from the Infiltration & Inflow Reserve Fees to the Sewer Lining & Repairs capital account for additional funding for the Sewer Lining & Repairs Project. *(Department of Public Works) (majority vote)*

ARTICLE O. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, or borrow a sum of money to make necessary repairs to the Back Beach Revetment; and if such funds are borrowed, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said funds under G.L. Chapter 44, Section 7 or any other enabling authority; or act on anything relative thereto. *(Department of Public Works) (majority vote, 2/3, if borrowed)*

ARTICLE P. To see if the Town will vote to authorize the Board of Selectmen to grant, on behalf of the Town, on such terms and conditions and for such duration as the Selectmen deem appropriate, permanent access and electric easements and temporary construction easements in, on, and under portions of the Town-owned parcels of land shown on Assessors Map 11 as Parcels 21B and 22 and described in deeds recorded with the Essex South District Registry of Deeds in Book 4955, Page 42 and Book 2997, Page 268, which portions are shown more particularly on a plan entitled "Rockport Layover Facility Power Upgrade Contract No. J62CN01" prepared by Nitsch Engineering, dated June 30, 2015, and a

plan entitled “Rockport Layover Facility Power Upgrade Contract No. W9CNXX” prepared by Nitsch Engineering, dated June 19, 2015, which plans are on file with the Town Clerk, said easements to be granted to the Massachusetts Bay Transportation Authority for the aforesaid purposes, including, without limitation, the construction and maintenance of a power distribution duct bank, conduits and appurtenances, and reconstruction of a parking lot; or act on anything relative thereto. *(Department of Public Works) (majority vote)*

ARTICLE Q.

To see if the Town will vote to amend the Zoning By-Laws by adding the following new section under the existing Section IV, Area and Dimensions Regulations, to be designated as Section IV. A. 11:

“11. RESIDENTIAL DWELLINGS

- a. Objective: To control the effect of increasing scale and density of residential dwellings in Rockport’s neighborhoods.
- b. Applicability: SR-AA (Single Residential AA), SR (Single Residential), RA (Residential A), and R (Residential) Zoning Districts.
- c. Floor Area and Side Setbacks:
 - 1) On a lot of 2 acres or less, the total gross floor area of all residential dwellings and accessory buildings on the lot shall not exceed 7,000 sq. ft. total gross floor area (GFA).
 - 2) The total GFA of residential dwellings (including accessory buildings) on a lot of two acres or less shall not exceed 175% of the mean GFA of the residential dwellings and accessory buildings on the abutting properties. “Abutting properties” shall mean, for the purposes of this section, only those properties whose owners would be entitled to notice as “parties in interest” under M.G.L. Chapter 40A, Section 11 and are within 50 feet of the subject property boundary.
 - 3) Residential single, two family and multiples dwellings, accessory buildings, and townhouses shall have the following side setbacks:
 - i. 20 ft. – for buildings with 4000 – 5999 sq. ft. GFA
 - ii. 25 ft. – for buildings with greater than 6000 sq. ft. GFA

Notes:

- a) For purposes of Section IV.A.11, basement space shall be excluded from the computation of GFA.

- b) Garages and out-buildings (non-living space) added by special permit if total or gross area of all structures exceeds 7000 sq. ft. "Non-living space" shall be defined as space in garages and out-buildings used or intended for storage of vehicles, lawnmowers, boats, motors, snowmobiles, and accessory equipment. Space in attics having a height of 7 feet or greater is defined as "living space" whether or not it is currently being used as living space and is considered a part of GFA.
- c) Parcels with adequate area for a secondary dwelling as defined under Section III.B,1., E will be exempt from the 175% limitation on GFA when applying for the construction of a secondary dwelling." *(Planning Board)*
(2/3 vote)

And you are directed to serve this Warrant by posting attested copies of the same at each of the Post Offices, the Town Bulletin Board and in other public places in each village of the Town, fourteen days at least before the day of the holding of said FALL TOWN MEETING.

Hereof fail not and make due return of this Warrant, with your doings thereon to the Town Clerk, three days at least before Monday, September 14, 2015.

Given under our hands and seal of the Town this 11th day of August 2015, A.D.

BOARD OF SELECTMEN
TOWN OF ROCKPORT



Erin M. Battistelli, Chairperson

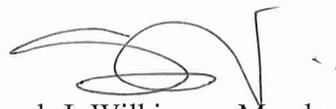


Paul F. Murphy, ~~Vice~~ Chair



Eliza N. Lucas, Member

Wilhelmina Sheedy Moores, Member



Sarah J. Wilkinson, Member