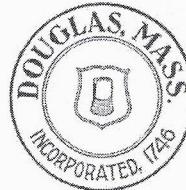


**SPECIAL TOWN MEETING WARRANT
TOWN OF DOUGLAS
COMMONWEALTH OF MASSACHUSETTS**
Monday, November 18, 2024
Douglas High School Auditorium
7:00 PM

Worcester, SS

To any Constable of the Town of Douglas, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the inhabitants of the Town of Douglas who are qualified to vote in Elections and Town affairs to meet in the Douglas High School Auditorium, 33 Davis Street, in said Douglas, on **Monday, the Eighteenth of November 2024, A.D.** for a Special Town Meeting commencing at **7:00 P.M.** for the following purposes:



Article 1.	Fiscal Year 2025 Budget Transfers / Amendments
Article 2.	Capital Improvement Supplemental Budget
Article 3.	Changes to Personnel Compensation Chart
Article 4.	W/S Department – Depot Street Project
Article 5.	Eminent Domain – Riedell Road
Article 6.	Land Purchase – Riedell Road
Article 7.	General Bylaw Amendment Article 5 Regulation of Property, Section 5 Scenic Roads
Article 8.	Zoning Bylaw Amendment Section 3.3 – Accessory Dwelling Units (ADU's)
Article 9.	Green Community Grant Funding – LED Lighting at Douglas Middle School
Article 10.	Old Webster Road – Abandon Rights & Ownership
Article 11.	Adopt G.L. c. 41, §111M
Article 12.	Adopt G.L. c. 41, §111N
Article 13.	Gleason Court – Transfer of Land
Article 14.	Fire Station Repairs & Improvements

Article 1: Fiscal Year 2025 Budget Transfers /Amendments

To see if the Town will vote to raise and appropriate, and or transfer from available funds such sums of money as are necessary to fund the following amendments to Article 2 of the Annual Town Meeting of Monday, May 6, 2024; or take any other action relative thereto.

Increase Town Clerk Expenses	\$1,500
Increase Selectmen Expenses	\$2,000
Increase Selectmen Wages	\$500
Increase Cemetery Expenses	\$2,900
Increase Weights & Measures	\$1,000
Increase Finance Director/Accountant Wages	\$9,000
Increase Town Hall Office Expenses	\$5,000
Increase IT Expenses	\$30,000
Increase Public Building Maintenance Wages	\$56,000
Increase COA Wages	\$9,750
Increase Assessors Expenses	\$10,000

Increase Treasurer/Collector Expense	\$7,500
Increase Police Wages	\$25,000
Increase Fire Wages	\$7,050
Increase Fire Expenses	\$24,000
Increase Ambulance Expenses	\$13,400
Increase Ambulance Wages	\$1,800
Increase Community Development Expenses	\$40,000
Increase Tree Warden Expenses	\$50,000
Increase Civil Defense Expenses	\$1,500
Increase Highway Maintenance Expenses	\$10,000
Increase Zoning Board of Appeals Expenses	\$2,000
Increase Insurance and Employee Benefits	\$60,000
Decrease Highway Wages	\$80,000
TOTAL	\$289,900

Article 2. Capital Improvement Supplemental Budget

To see if the Town will vote to approve the following as submitted by the Capital Improvement Committee and to raise and appropriate, and or transfer from available funds the sum of \$438,533 to fund the following Capital Projects; or take any other action relative thereto.

School Security	\$304,342
FD/EMS Lucas CPR Device	\$ 13,400
Town Hall & Police Department Interior LED Lighting Upgrade	\$ 97,544
Post Office Interior LED Lighting Upgrade	\$ 23,247
Total	\$438,533

The funds shall include a transfer in the amount of \$13,400 from Ambulance Reserved Receipts for Appropriation, and the following transfers from previously approved capital projects, with the remainder coming from free cash as noted:

Public Safety & Highway Departments Radio System and Associated Expenses	ATM Art. 10 5/6/19 & STM Art. 8 11/14/20	\$ 500.00
Police Department & Municipal Center Replace Security Cameras, Server & Associated Costs	ATM Art. 10 5/2/22	\$ 1,026.79
Fire Department Replace Engine 1, Major Equipment & Associated Costs	ATM Art. 10 5/2/22	\$ 586.34
COA Bus	STM Art. 6 11/16/22	\$15,000.00
Highway Department Sidewalk Tractor w/ Plow & Snow Blower	ATM Art. 10 5/1/23 & STM Art. 2 11/6/23	\$ 6,799.19
Transfer from Previously Approved Projects		\$23,912.32
Transfer from Ambulance RRA		\$13,400.00
Transfer from Free Cash		\$401,220.68
Total Transfer from all Sources		\$438,533.00

Article 3. Changes to Personnel Compensation Chart

To see if the Town will vote to change the Personnel Compensation Chart by adding the following position titles and grades/steps; or take any other action relative thereto.

- COA Cook/Chef (Miscellaneous Chart MS-3)

Article 4. W/S Department – Depot Street Project

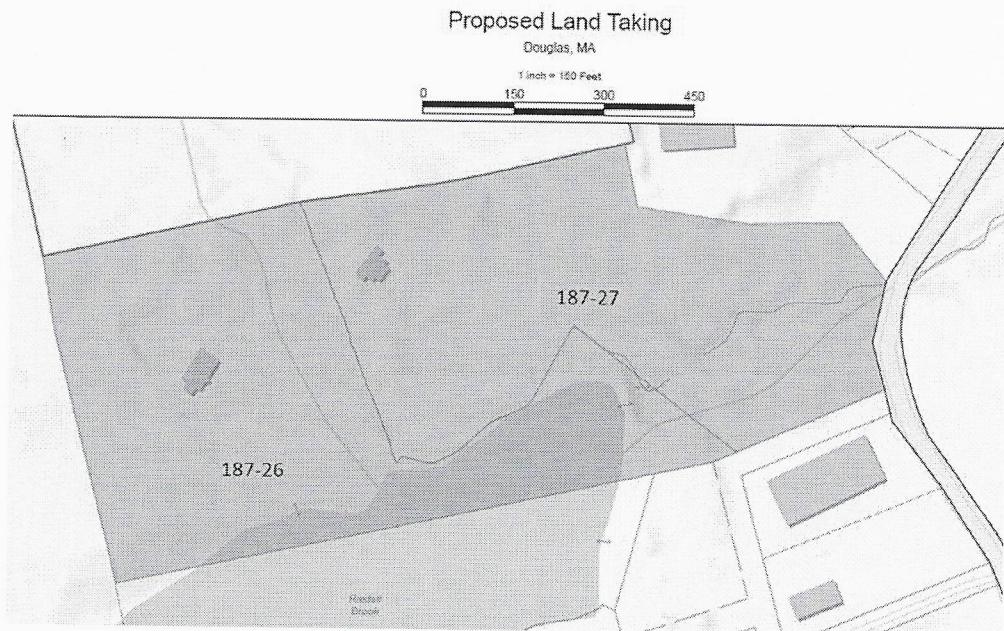
To see if the Town will vote to appropriate **\$1,800,000** (project cost net of ARPA and Ch. 90 funding) to pay costs of constructing water, sewer, stormwater and culvert infrastructure upgrades, and for the road resurfacing and sidewalk project on Depot Street, from Main Street to the end of Depot Street, including the payment of all other costs incidental and related thereto; and that to meet this appropriation (i) transfer from:

Free Cash	\$350,000.00
Water Sewer Retained Earnings	\$461,794.20
Water Booster Pump Station Account	\$ 14,438.53
Water Main Street/North Street Bridge Account	<u>\$ 13,767.27</u>
Total	\$840,000.00

and (ii) the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to and including the sum of **\$960,000** under and pursuant to G.L. c. 44, §§7 and 8 or any other enabling authority, and to issue bonds or notes of the Town therefore; or take any other action relative thereto.

Article 5. Eminent Domain – Riedell Road

To see if the Town will vote to acquire two parcels of land in Douglas shown on the Assessors Map as parcels 187-26 and 187-27, describe in a deed from Gerald G. Bliss to Catherine A. Olson on Registry of Deeds book 36932 page 51; or take any other action related thereto.



PARCEL I (Assessors Map 187 Parcel 27)

The land situated on the westerly line of Riedell Road in the town of Douglas as shown on a plan entitled Plan of Lane in Douglas, Mass. Owned by Harold W. Buxton, 1 in. = 50 ft., 5 Oct. 1973, Kenneth Shaw Sutton, Mass." Recorded in the Worcester District Registry of Deeds, Plan Book 395, Plan 82, and more particularly bounded and described as follows:

BEGINNING at a point on the westerly line of Riedell Road and on the northerly line of a 40 foot right of way, as shown on the above said plan;
THENCE S. $80^{\circ} 22' 48''$ W. by said 40 foot right of way 269.84 feet to a point;
THENCE N. $38^{\circ} 34' 28''$ W. by other land of Harold W. Buxton 333.17 feet to a drill hole in a boulder;
THENCE S. $43^{\circ} 32' 15''$ W. continuing by said Buxton land 115.53 feet to an iron pin on the northerly bank of a pond;
THENCE Southwesterly by the high-water line of said pond 251 feet, more or less, to a point on the easterly bank of a brook;
THENCE Northerly by the easterly bank of said brook 457 feet, more or less, to a point at land of one Wallis;
THENCE S. $87^{\circ} 50' 30''$ E. following the remains of a rail fence and by said Wallis land 212 feet, more or less, to a drill hole in the end of a stone wall;
THENCE S. $88^{\circ} 47' 15''$ E. following a stone wall and continuing by said Wallis land 335.19 feet to a drill hole in a corner of stone walls;
THENCE S. $2^{\circ} 40' 15''$ W. following a stone wall and continuing by said Wallis land 107.71 feet to a drill hole in said stone wall;
THENCE S. $66^{\circ} 42' 45''$ E. following a stone wall for a part of the distance and continuing by said Wallis land 193.16 feet to a drill hole in said stone wall;
THENCE S. $76^{\circ} 50' 30''$ E. following a stone wall and continuing by said Wallis land 146.80 feet to a drill hole in a corner of stone walls;
THENCE S. $23^{\circ} 58' 15''$ E. following said stone wall for a part of the distance and continuing by said Wallis land 119.46 feet to a point on the westerly line of Riedell Road;
THENCE S. $28^{\circ} 09' 45''$ W. by the westerly line of Riedell Road 104.78 feet to an iron pin;
THENCE S. $1^{\circ} 19' 15''$ E. continuing by the westerly line of said Riedell Road 79.13 feet to the point of beginning.
CONTAINING 7.39 acres, more or less.

TOGETHER with an easement in a forty-foot right of way to pass and repass by foot or motor vehicle from Main Street (Route 16) to Riedell Road as shown on the above said plan.

BEING the same premises conveyed to grantor by deed of Percy C. Guiou and Joyce D. Guiou, dated August 22, 1979 and recorded in the Worcester District Registry of Deeds at Book 6808, Page 374.

Parcel II (Assessors Map 187 Parcel 26)

A certain tract or parcel of land situated westerly of Riedell Road in the Town of Douglas, County of Worcester, bounded and described as follows:

BEGINNING at an iron pin which pin is 269.84 feet westerly of Riedell Road, at other land of Harold W. Buxton;
THENCE S. $80^{\circ} 22' 48''$ W. by said 40 foot right of way 269.84 feet to a point;

THENCE N. $88^{\circ} 24' 44''$ W. containing by said other land of Buxton and passing through a pond a distance of 1,010.85 feet to an iron pin at land now or formerly of one Neslusan;

THENCE N. $1^{\circ} 40' 45''$ E. by said Neslusan land a distance of 76.94 feet to a stake;

THENCE N. $00^{\circ} 02' 15''$ E. continuing by said Neslusan land a distance of 354.72 feet to a stake;

THENCE N. $05^{\circ} 27' 30''$ E. continuing by said Neslusan land a distance of 121.91 feet to a stake at land now or formerly of one Wallis;

THENCE S. $87^{\circ} 53' 30''$ E. by said Wallis land a distance of 435.00 feet, more or less to an iron pin on the easterly bank of a brook at other land of Gerald Bliss; Southerly by the easterly bank of said Brook land and by said Bliss land a distance of 457.00 feet, more or less, to a point at the high water level of a pond;

THENCE Northeasterly by the high water level of said pond and continuing by said Bliss land a distance of 251.00 feet, more or less, to an iron pin;

THENCE N. $43^{\circ} 32' 15''$ E. continuing by said Bliss land a distance of 115.53 feet to a drill hole in a stone;

THENCE S. $38^{\circ} 34' 28''$ E. continuing by said Bliss land a distance of 333.17 feet to the point of beginning.

CONTAINING 7.4 acres, more or less.

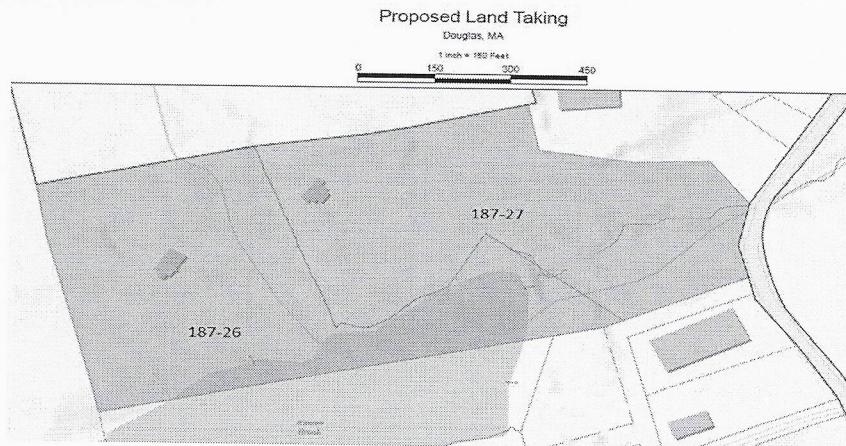
BEING the same premises as shown on a plan entitled "Property Owned by Harold W. Buxton to be conveyed to Gerald G. Bliss, Jr. in the Town of Douglas, Mass. 1 in = 60 ft., 9 January, 1980 Kenneth M. Shaw Land Surveying & Civil Eng. Inc. Sutton, Mass." Recorded in the Worcester District Registry of Deeds, Plan Book 475, Plan 35.

BEING the same premises conveyed to grantor by deed of Harold W. Buxton, dated April 25, 1980 and recorded in the Worcester District Registry of Deeds at Book 6972, Page 252.

TOGETHER with the right to raise and lower the level of the pond.

Article 6. Land Purchase – Riedell Road

To see if the Town will vote to transfer from free cash the sum of **\$875,000** to purchase two parcels of land in Douglas shown on the Assessors Map as parcels 187-26 and 187-27, describe in a deed from Gerald G. Bliss to Catherine A. Olson on Registry of Deeds book 36932 page 51; or take any other action related thereto.



Article 7. General Bylaw Amendment Article 5 Regulation of Property, Section 5: Scenic Roads

To see if Town Meeting will vote to amend Article 5 Section 5 subsection b. of the Douglas General Bylaws regarding Scenic Roads as follows; or take any other action related thereto.

b. Procedures

1. Filing

Any person, organization, state, or municipal agency seeking the written consent of the planning board regarding the cutting or removal of trees or tearing down or destruction of stone walls, or portions thereof on a scenic road shall file a request with the planning board together with the following:

- (a) The text of a legal notice identifying the location of the proposed action in terms enabling readers to locate it with reasonable specificity on the ground without need for additional plots or references, and describing in reasonable detail the proposed changes to trees and stone walls.
- (b) A statement of purpose, or purposes, for the changes proposed.
- (c) A list of owners as of latest tax map of properties located in whole or in part within one hundred feet (100') of the proposed action.
- (d) Except in the case of Town agencies, a deposit sufficient to cover the cost of advertising and notifications.
- (e) Any further explanatory material useful to adequately inform the Planning Board.

2. Tree Warden – Dangerous or unhealthy trees within the right of way in the opinion of the tree warden may be removed by the Town without filing an application hereunder. Notice shall be provided to the Planning Board.

3. Notice

The Planning Board shall, as required by statute, give notice of its public hearing by advertising twice in a newspaper of general circulation in the area. This notice shall contain a statement as to the time, date, place, and purpose of the hearing with a reasonable description of the action proposed by the applicant. Copies of this notice shall also be sent to the Selectmen, the Conservation Commission, the Historical Commission, Town Engineer, Tree Warden, Department of Public Works and the owners of property within one hundred feet (100') of the proposed action.

4. Timing of Notice

The first publication of the notice shall be as soon as feasible after the Planning Board receives the request from the applicant, and shall in all cases be at least fourteen (14) days before the hearing. The last publication shall occur, as required by statute, at least seven (7) days prior to the hearing.

5. Timing of Hearing

The Planning Board shall hold a public hearing within sixty (60) days of the planning board meeting at which a properly filed request is received. The date and time of the public hearing shall be set outside of normal weekday work hours of 8:00 AM-5 PM., Monday through Friday so as to encourage maximum citizen participation.

6. Timing of Decision

The Planning Board shall make a decision on the request within twenty-one (21) days of the public hearing.

7. Public Shade Tree Act

Notice shall be given and Planning Board hearings shall be held in conjunction with those held by the Tree Warden acting under MGL Chapter 87. The consent of the Planning Board to a proposed action shall not be regarded as inferring consent by the Tree Warden, or vice versa. The Planning Board decision shall contain a condition that no work should be done until all applicable provisions of the Public Shade Tree Law, MGL Chapter 87, have been complied with.

Article 8. Zoning Bylaw Amendment Section 3.3 – Accessory Dwelling Units (ADU's)

To see if the Town will vote to amend its zoning bylaws with respect to Accessory Dwelling Units, as follows; or take any other action related thereto.

By deleting Section 3.3 in the entirety and replacing it with the following:

3.3 ACCESSORY DWELLING UNITS

3.3.1 Definition. An Accessory Dwelling Unit (“ADU”) is an attached or detached Dwelling Unit that is accessory to a principal single-family Dwelling Unit and is otherwise defined in accordance with the provisions of G.L. c. 40A, §1A, as may be amended.

3.3.2 Use Schedule.

1. ADUs are allowed as a matter of right in the RA, RC-1, RC-2 and VR Zoning Districts, subject to the requirements of this Section provided that the requirements are met within Section 8.0 of this Zoning Bylaw.
2. Only one ADU is allowed as a matter of right on any property. Additional ADUs may only be allowed with the issuance of a Special Permit by the Planning Board.
3. ADUs may not be used as Short-Term Rentals, as such term is defined in G.L. c. 64G, §1 or otherwise rented for a period shorter than thirty-one (31) days.
4. Any restrictions on the use of existing legal ADUs in town are, upon the effective date of this bylaw, null and void.

3.3.3 Dimensional Requirements.

1. An ADU may be no larger in gross floor area than one half of the gross floor area of the principal Dwelling Unit on the property or 900 square feet, whichever is less.
2. ADUs shall comply with any and all lot area, frontage, setback, height and lot coverage requirements, as may be applicable to single family homes, as contained in Appendix A of this Zoning Bylaw.
3. ADUs are limited to a maximum of two stories.

3.3.4 Parking.

1. At least one (1) off-street parking space must be provided for each ADU. Parking may be in a driveway or a garage.
2. The construction of a new garage to serve an ADU shall require a Special Permit from the Planning Board.

3.3.5 Site Plan Approval. All ADUs are required to obtain Site Plan Approval from the Planning Board pursuant to the procedures in Section 9.4 of this Zoning Bylaw, provided that the Site Plan Review criteria shall include the following:

1. The ADU should minimize tree, vegetation and soil removal and grade changes.
2. Architectural style should be compatible with the existing principal dwelling on the subject property.
3. The ADU shall be serviced with adequate water supply and sewer or septic service. Water/Sewer connections to the municipal service must follow policy and procedure of the Douglas Water/Sewer Department.
4. The Plan shall demonstrate adequate off-street parking only, as required hereunder and shall maximize convenience and safety for vehicular and pedestrian movement within the property and in relation to adjacent ways.

The Planning Board may request reasonable plan modifications of the Site Plan for an ADU and may impose reasonable conditions that are not inconsistent with this bylaw or the provisions of G.L. c. 40A, §3.

3.3.6 Relationship to non-conformities. If an ADU is proposed for a pre-existing, non-conforming primary residence, the requirements of Section 3.4.5 of this Zoning Bylaw shall apply provided that no special permit may consider the ADU use or impose conditions on such use.

And to amend Appendix A of the Zoning Bylaws by adding a new row for Accessory Dwelling Unit under Accessory Uses, noting that that the use is allowed (Y) in the RA, RC-1, RC-2, and VR Zoning Districts and not allowed (N) in the VB, Comm, Ind, and SFOS Zoning Districts but also adding a footnote that states “See Section 3.3 for additional requirements for Accessory Dwelling Units”

APPENDIX A Town of Douglas Schedule of Use Regulations								
USE	DISTRICTS							
	R-A	RC-1	RC-2	VR	VB	Comm	Ind	SFOS
B. Residential Cont.								
6. Residential Compound	PB	PB	PB	PB	N	N	N	N
7. Group residence or home	BA	BA	BA	BA	BA	BA	BA	N
8. Assisted Living Facility	PB	PB	PB	PB	PB	PB	PB	N
9. Nursing home	PB	PB	PB	PB	PB	N	N	N
10. Accessory Dwelling Unit*	Y	Y	Y	Y	N	N	N	N

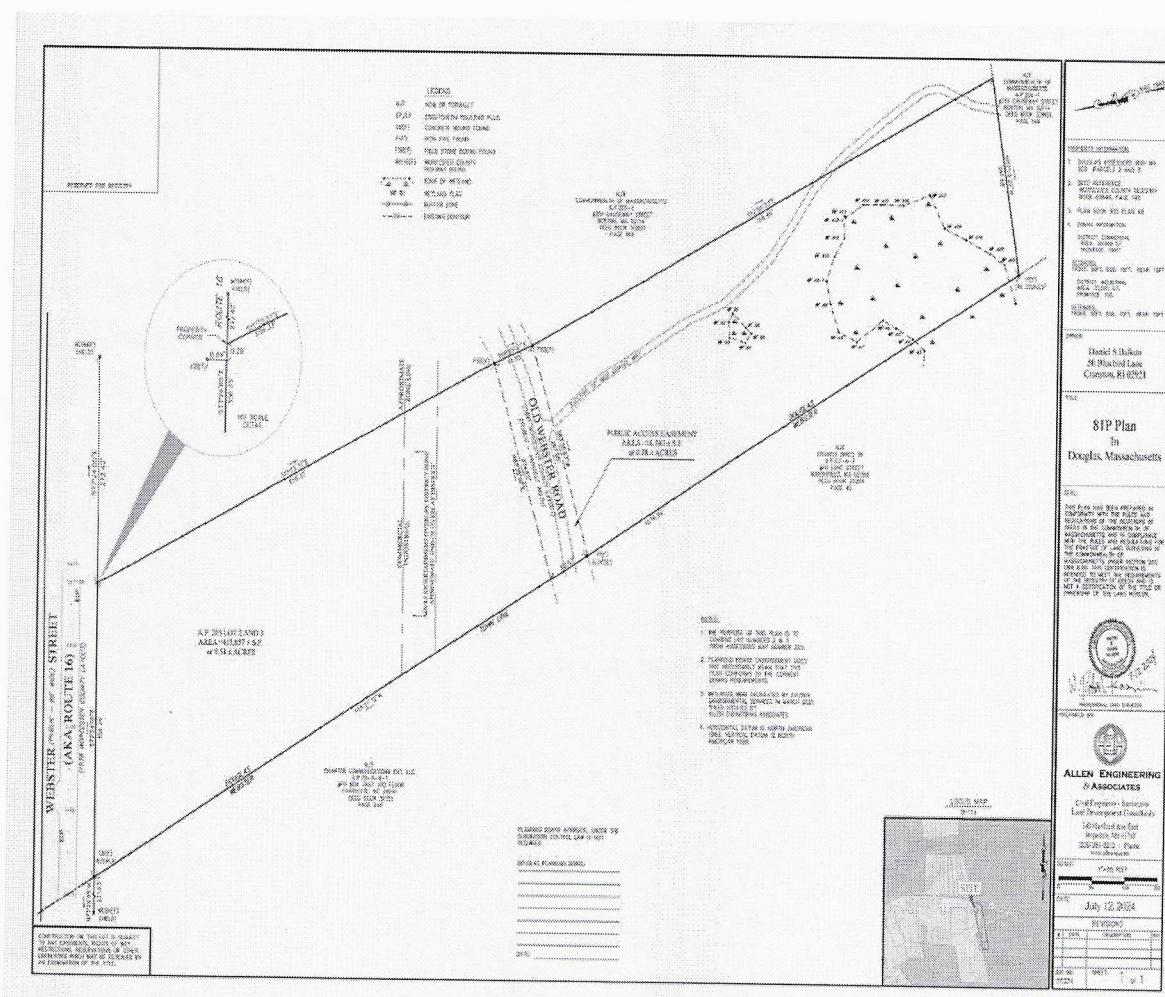
*See Section 3.3 for additional requirements for Accessory Dwelling Units

Article 9. Green Communities Grant Funding – LED Lighting / Douglas Middle School

To see if the Town will vote to transfer from Free Cash the sum of **\$28,000** for the purpose of funding a partial match for a Green Communities Grant application to install interior LED lighting at the Douglas Middle School and other associated costs, or take any other action related thereto.

Article 10. Old Webster Road – Abandon Rights & Ownership

To see if the Town would vote to abandon rights and its easement of from the layout of said Old Webster Road the parcel of land shown as "Old Webster Road" on a plan entitled "81P Plan in Douglas, Massachusetts" prepared by Allen Engineering & Associates, Inc., dated July 12, 2024, a copy of which plan and a legal description of the discontinued parcel is on file with the Town Clerk, and further, authorize the Select Board to convey and/or release the Town's rights in and to said parcel on such terms and conditions as the Select Board deem appropriate; or take any other action related thereto.



Article 11. Adopt G.L. c. 41, §111M

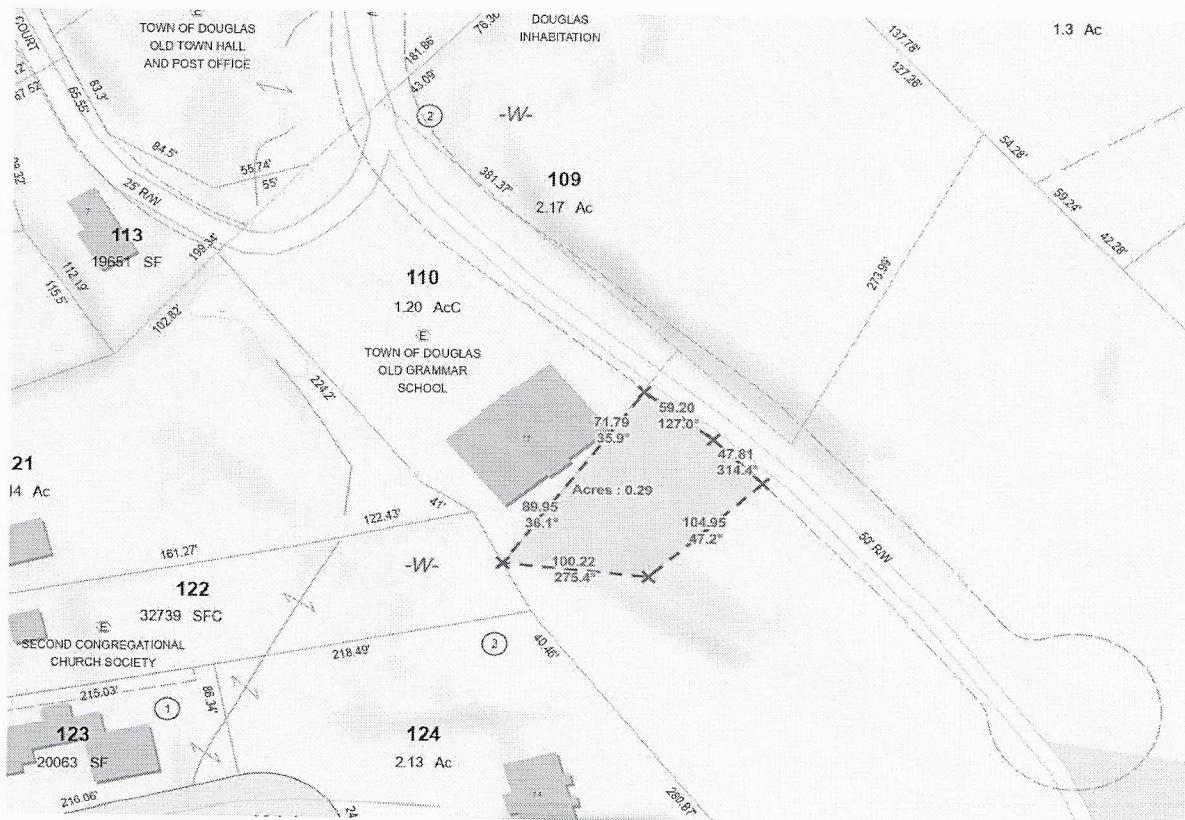
To see if the Town will vote to accept the provisions of G.L. c. 41, §111M which provides injury leave without loss of pay for EMTs and Paramedics employed by the Town resulting from an injury sustained while acting in the performance of their duty and without fault of their own, where no such leave shall be granted for any period after such emergency medical personnel has been retired or pensioned or for any period after a Town physician determines that such incapacity no longer exists, or take any other action related thereto.

Article 12. Adopt G.L. c. 41, §111N

To see if the Town will vote to accept the provisions of G.L. c. 41, §111N which provides indemnification coverage for EMTs and Paramedics employed by the Town for their reasonable hospital, medical and related expenses and charges incurred as the result of an injury sustained while acting in the performance of and within the scope of their duty without fault of their own, or take any other action related thereto.

Article 13. Gleason Court – Transfer of Land

To see if the Town will vote to transfer property located at Gleason Court Map 164 Lot 3 totaling 0.29 acres from the control of Town of Douglas School Department to be combined with Map 163 Lot 110 owned by the Town of Douglas known as the “Old Grammar School parcel”, and to authorize the Select Board to dispose of the resulting parcel, or take any other action related thereto. This vote will supersede all prior town meeting votes with regards to the resulting parcel.



Article 14. Fire Station Repairs and Improvements

To see if the Town will vote to transfer from free cash the sum of **\$236,100** (project cost estimated at \$540,000 less ARPA funding) for electrical, heating, ventilation and air conditioning (HVAC) and all associated costs; or take any other action related thereto.

YOU ARE HEREBY DIRECTED to serve this Special Town Meeting Warrant by posting an attested copy thereof in the Municipal Center and at least two (2) other places in the Town of Douglas to which the public has general access, at least fourteen (14) days before the time of holding said meeting.

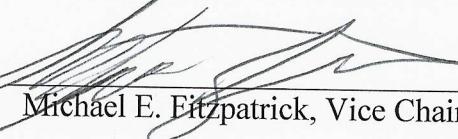
HEREOF FAIL NOT and make due return of this Warrant with your doings thereon to the Town Clerk, the Time and Place of said meeting.

GIVEN UNDER OUR HANDS THIS FIFTEENTH DAY OF OCTOBER 2024, A.D.

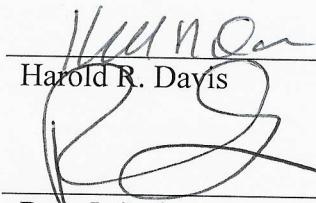
THE HONORABLE BOARD OF SELECTMEN



Timothy P. Bonin, Chairman



Michael E. Fitzpatrick, Vice Chairman



Harold R. Davis



Ross I. Smith



Leslie M. Stevens

I have this day posted an attested copy of the Warrant for the Special Town Meeting in the Municipal Center and at least two other places in the Town to which the public has general access as directed.



Carol E. Field, Constable or

Benjamin Tusino, Constable

10/29/2024
Date

