

Town of Rowley, Commonwealth of Massachusetts  
**WARRANT FOR ANNUAL TOWN MEETING**  
 May 6, 2024

Essex, ss.

To the Constables in the Town of Rowley in the County of Essex, Greetings:  
 In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Rowley, qualified to vote in elections and Town Affairs, to meet in the Pine Grove School, 191 Main Street, Route 1A, Rowley, MA 01969 on Monday, the 6<sup>th</sup> day of May, 2024 at 6:30 p.m., then and there to act on the following articles:

ARTICLE 1. To hear and act on reports of Committees and Boards.  
 (Inserted by the Board of Selectmen)

ARTICLE 2. To see if the Town will vote to suspend in the Town Meeting the application of Section 19 and Section 20 of the Town Meeting Bylaw pertaining to the reconsideration of all money articles, such suspension intended for the specific purpose to balance the total level of funds raised and appropriated within the limitations of Massachusetts General Laws Chapter 59 Section 21C [Proposition 2-1/2, so-called] and to give blanket warning hereby that any money article may, at the end of the meeting and after all articles have been acted upon, be moved for reconsideration in order to balance the total level of funds raised and appropriated within the limitations of Massachusetts General Laws Chapter 59 Section 21C, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

*Explanatory Note: Passage of this article requires two-thirds vote under § 21 of the Town Meeting Bylaw.*

ARTICLE 3. To see if the Town will vote to fix the annual compensation of elective officers of the Town as required by Massachusetts General Laws Chapter 41 Section 108 for Fiscal Year 2025 as follows, or to take any other action relative thereto.

<u>Elective Officer</u>	<u>Requested</u>	<u>Finance Committee Recommends</u>
Moderator	\$100	\$100
Board of Selectmen (each member)	\$3,000	\$3,000
Board of Assessors (each member)	\$2,456	\$2,456
Town Clerk	\$68,678	\$68,678
Planning Board (each member)	\$0	\$0
Surveyor of Highways	\$92,063	\$92,063
Municipal Water Board (each member)	\$0	\$0
Trustees of Free Public Library	\$0	\$0
Rowley Housing Authority	\$0	\$0
Board of Shellfish Commissioners (each member)	\$500	\$500
Municipal Light Board (each member)	\$0	\$0
Board of Cemetery Commissioners (chairperson)	\$500	\$500

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

ARTICLE 4. General Omnibus Budget. To see what sums of money the Town will vote to raise and appropriate, or transfer and appropriate, from available funds, including Overlay, Free Cash, and Capital Stabilization, to defray the expenses of the Town for the forthcoming fiscal year, including Bonds, Notes, and Interest, or to take any other action relative thereto.

(Inserted by the Finance Committee)

**Finance Committee Recommends**

Line		Expended	Appropriated	Requested	FinCom Rec
Item	Description	FY 2023	FY 2024	FY 2025	FY 2025
	<b>General Government</b>				
	<b>Town Moderator</b>				
1	Moderator Stipend	100	100	100	100
	<b>Board of Selectmen</b>				
2	Selectmen Stipends	15,000	15,000	15,000	15,000
3	Town Administrator/Pers. Officer salary	144,552	149,852	156,480	156,480
4	Assistant Town Administrators Salaries	107,555	117,554	111,973	111,973
5	Administrative Assistant Wages	13,021	16,278	16,603	16,603
6	CPA Administrator Stipend	2,000	2,000	2,000	2,000
7	Stormwater Administrator Stipend	5,000	5,000	5,000	5,000
8	Records Access Officer Stipend	2,500	2,500	2,500	2,500
9	Expenses	25,464	31,237	31,237	31,237
10	Rev. 9-1-1 communication system	4,777	4,800	4,800	4,800
11	General Audit Expense	21,000	22,000	22,000	22,000
12	Sealer of Weights & Measurers Exp	2,000	5,022	5,022	5,022
13	Collective Bargaining Reserve	0			
14	Pine Grove School Expenses	0	1,000	1,000	1,000
15	Stormwater Compliancy Expenses	3,784	30,000	30,000	30,000
16	Landfill Testwell Monitoring	20,000	20,000	21,000	21,000
17	Prospect Hill Access Road	0	2,000	2,000	2,000
18	Alarm Monitoring	5,329	6,000	8,300	8,300
19	Pictometry	2,555	2,556	2,556	2,556
	<b>Finance Committee</b>				
20	Secretary Wages	1,691	2,039	2,121	2,121
21	Expenses	184	379	379	379
22	Reserve Fund	0	100,000	125,000	125,000
	<b>Town Accountant</b>				
23	Accountant Salary	119,617	90,377	82,531	82,531
24	Assistant Accountant Wages	37,056	38,697	37,391	37,391
25	Expenses	5,370	6,222	15,372	15,372
	<b>Board of Assessors</b>				
26	Assessors Stipends	7,368	7,368	7,368	7,368
27	Principal Assessor Salary	107,108	108,898	111,488	111,488
28	Administrative Assistant Wages	29,673	30,228	31,161	31,161

29	Professional Services	16,538	18,091	20,596	20,596
30	Expenses	3,595	4,746	4,746	4,746
	<b>Treasurer/Tax Collector</b>				
31	Treasurer/Collector Salary	100,601	104,240	106,802	106,802
32	Assistant Treasurer Salary	64,405	66,438	68,153	68,153
33	Assistant Collector Wages	3,208	19,108	19,830	19,830
34	Expenses	42,229	41,100	42,100	42,100
35	Tax Title	2,093	7,067	6,067	6,067
36	Debt Fees & Charges	5,000	5,000	10,000	10,000
	<b>Town Counsel</b>				
37	Professional Fee	51,776	62,600	62,600	62,600
38	Litigation	37,920	52,000	52,000	52,000
	<b>Personnel Advisory Committee</b>				
39	Expenses	45	399	399	399
	<b>Information Services</b>				
40	Expenses	21,784	22,422	22,422	22,422
41	IS Coordinator Stipends	3,000	3,000	3,000	3,000
	<b>Town Clerk</b>				
42	Town Clerk Salary	63,503	65,408	68,678	68,678
43	Wages	34,769	34,508	35,873	35,873
44	Expenses	4,098	4,355	5,178	5,178
	<b>Elections</b>				
45	Wages	4,231	9,478	7,382	7,382
46	Expenses	6,587	3,348	8,660	8,660
	<b>Registrar of Voters</b>				
47	Stipends	2,300	2,300	2,300	2,300
48	Expenses	3,961	5,457	7,577	7,577
	<b>Conservation Commission</b>				
49	Conservation Agent Salary	64,809	69,873	71,638	71,638
50	Secretary Wages	9,919	10,286	10,545	10,545
51	Expenses	2,050	2,050	2,050	2,050
	<b>Planning Board</b>				
52	Planner Salary	59,725	61,104	62,561	62,561
53	Planner Consultant	0	5,769	5,769	5,769
54	Merrimack Valley Planning Comm.	2,416	2,351	2,410	2,410
55	Expenses	861	2,500	2,500	2,500
	<b>Zoning Board of Appeals</b>				
56	Administrative Assistant Wages	11,118	11,342	11,637	11,637
57	Expenses	1,677	1,680	1,680	1,680
	<b>Agricultural Commission</b>				
58	Expenses	445	1,000	1,000	1,000
	<b>Town Hall</b>				
59	Town Hall/Annex Janitor Wages	15,884	17,811	18,495	18,495

60	Expenses	25,253	24,320	24,320	24,320
	<b>Town Hall Annex</b>				
61	Expenses	21,265	23,000	23,500	23,500
	<b>Subtotal</b>	<b>1,369,769</b>	<b>1,581,258</b>	<b>1,642,850</b>	<b>1,642,850</b>
	<b>Public Safety</b>				
	<b>Police Department</b>				
62	Police Chief Salary & Other Earnings	150,191	154,015	157,877	157,877
63	Wages	1,548,035	1,603,773	1,642,661	1,642,661
64	Expenses	184,281	182,379	182,379	182,379
65	Police Cruiser	43,969	48,500	60,156	60,156
	<b>Constables</b>				
66	Expenses	0	300	300	300
	<b>Fire Department</b>				
67	Fire Chief Salary	103,955	110,502	114,466	114,466
68	Firefighter Wages	586,246	733,051	839,387	839,387
69	Expenses	224,214	185,077	223,152	223,152
	<b>Inspection Department</b>				
70	Salaries	80,994	82,296	92,380	92,380
71	Wages	14,335	16,109	16,473	16,473
72	Expenses	7,611	8,340	11,340	11,340
	<b>Emergency Management</b>				
73	REMA Director Stipend	5,000	5,000	5,000	5,000
74	Expenses	2,484	2,530	2,530	2,530
	<b>Animal Inspector &amp; Control Services</b>				
75	Animal Inspector (AI) Salary	10,501			
76	Animal Inspector Expense	2,688			
77	Rabid Animal Expense	439			
78	Animal Control Officer (ACO) Salary				
79	Animal Control Officer Expense	556			
80	ACO & AI Services & Expenses		52,268	56,583	56,583
	<b>Tree Warden</b>				
81	Salary	9,390	9,728	9,960	9,960
82	Expenses	9,461	15,000	15,000	15,000
	<b>Harbormaster</b>				
83	Harbormaster Salary	10,200	10,404	10,612	10,612
84	Deputy Harbormaster Wages	2,111	2,159	2,202	2,202
85	Assistant Harbormasters Wages	4,134	4,225	4,309	4,309
86	Pumpout Boat Wages	6,656	9,072	9,072	9,072
87	Expenses	5,920	5,920	5,920	5,920
88	Town Landing	500	500	500	500
	<b>Shellfish Commission</b>				
89	Commissioner Stipends	1,500	1,500	1,500	1,500

90	Commissioner Expenses	0	1,200	1,200	1,200
	<b>Shellfish Constable</b>				
91	Constable Wages	800	816	38,015	38,015
92	Constable Expenses	100	1,500	3,200	3,200
	<b>Subtotal</b>	<b>3,016,271</b>	<b>3,246,164</b>	<b>3,506,174</b>	<b>3,506,174</b>
	<b>Schools</b>				
93	Whittier Vocational Assessment	404,528	393,966	367,360	367,360
94	Whittier Capital Assessment	23,310	25,382	20,898	20,898
95	Triton Regional Assessment	11,615,290	12,104,687	13,359,125	13,359,125
96	Triton Capital Assessment	54,764	57,647	56,907	56,907
97	Essex Agricultural Technical	127,621	178,696	151,700	151,700
	<b>Subtotal</b>	<b>12,225,513</b>	<b>12,760,378</b>	<b>13,955,990</b>	<b>13,955,990</b>
	<b>Public Works</b>				
	<b>Highway Department</b>				
98	Highway Surveyor Salary	86,776	90,258	92,063	92,063
99	Wages	229,937	320,043	307,287	307,287
100	Expenses	138,511	143,426	143,426	143,426
	<b>Snow &amp; Ice Removal</b>				
101	Expenses	193,656	185,000	185,000	185,000
	<b>Fire Hydrants</b>				
102	Expenses	14,400	14,400	14,400	14,400
	<b>Street Lighting</b>				
103	Expenses	0	22,921	25,000	25,000
	<b>Cemetery Commissioners</b>				
104	Commission Chair Stipend	500	500	500	500
105	Wages	56,491	58,171	59,632	59,632
106	Expenses	8,585	10,300	10,300	10,300
	<b>Subtotal</b>	<b>728,856</b>	<b>845,019</b>	<b>837,608</b>	<b>837,608</b>
	<b>Health &amp; Human Services</b>				
	<b>Board of Health</b>				
107	Health Director	92,472	94,101	96,339	96,339
108	Health Agent Wages	52,124	53,636	55,614	55,614
109	Secretary Wages	15,550	16,050	16,654	16,654
110	Public Health Nurse Salary	10,794	11,465	11,885	11,885
111	Expenses	6,866	6,900	6,900	6,900
	<b>Council on Aging</b>				
112	COA Director Salary	68,969	71,490	74,945	74,945
113	Wages	112,019	124,405	127,016	127,016
114	Elder Servs. Of Merrimack Valley	0	294	294	294
115	Expenses	19,904	20,704	21,184	21,184
	<b>Veterans Affairs</b>				
116	Veterans Benefits	31,269	52,000	52,000	52,000

117	Eastern Essex Veterans District	28,943	32,623	25,107	25,107
	<b>ADA Compliancy</b>				
118	Expenses	190	190	190	190
	<b>Subtotal</b>	<b>439,100</b>	<b>483,858</b>	<b>488,128</b>	<b>488,128</b>
	<b>Recreation/Historic</b>				
	<b>Rowley Public Library</b>				
119	Library Director Salary	89,011	90,488	92,643	92,643
120	Wages	219,686	224,717	238,213	238,213
121	Expenses	132,579	129,092	133,073	133,073
	<b>Recreation Committee</b>				
122	Field Maintenance & Expenses	42,273	50,838	50,838	50,838
	<b>Historical</b>				
123	Historical Commission Expenses	270	332	332	332
124	Historic District Comm. Expense	54	600	600	600
	<b>Other</b>				
125	Town of Rowley Veterans Committee	2,500	3,050	3,050	3,050
126	Bradstreet & Dodge Properties	0	8,000	8,000	8,000
	<b>Subtotal</b>	<b>486,373</b>	<b>507,117</b>	<b>526,749</b>	<b>526,749</b>
	<b>Debt</b>				
127	Bridge Repair Principal	30,000	35,000	35,000	35,000
128	Capital Equipment Principal VII	35,000			
129	PGS Feasibility Study Principal	15,000	15,000	15,000	15,000
130	PGS Renovation Principal	105,000	110,000	115,000	115,000
131	Fire & Police Stations Principal	180,000	185,000	195,000	195,000
132	PGS Renovation II Principal	367,990	388,266	408,817	408,817
133	Fire & Police Stations Principal II	137,010	141,735	151,184	151,184
134	PGS Renovation III Principal	95,000	100,000	105,000	105,000
135	PGS Repair BAN	79,000			
136	Fire Pumper Truck Principal	55,000	55,000	55,000	55,000
137	Radio Communications Principal	0	95,261	91,500	91,500
138	Highway Dump Truck Principal	0	25,035	23,500	23,500
139	Highway Dump Truck & Capital 25			145,000	145,000
140	Bridge Repair Interest	4,050	3,150	2,100	2,100
141	Capital Equipment VII Interest	499			
142	PGS Feasibility Study Interest	11,706	11,107	10,357	10,357
143	PGS Renovation Interest	94,254	89,930	84,304	84,304
144	Fire & Police Stations Interest	159,565	152,240	142,740	142,740
145	PGS Renovation II Interest	512,869	493,962	474,035	474,035
146	Fire & Police Stations II Interest	189,151	182,182	174,860	174,860
147	PGS Renovation III Interest	84,600	79,850	74,850	74,850
148	PGS Repair BAN Interest	368			
149	Fire Pumper Truck Interest	10,750	8,000	5,250	5,250
150	Radio Communications Interest	8,333	16,504	12,778	12,778

151	Highway Dump Truck Interest	2,150	4,251	3,282	3,282
152	Highway Dump Truck & Capital 25			21,250	21,250
	<b>Subtotal</b>	<b>2,177,295</b>	<b>2,191,473</b>	<b>2,345,807</b>	<b>2,345,807</b>
	<b>Insurance &amp; Benefits</b>				
153	Unemployment	2,335	10,000	10,000	10,000
154	Blanket Insurance	281,383	332,510	346,915	346,915
155	Essex Regional Retirement	1,320,409	1,529,449	1,618,862	1,618,862
156	Health, Life Ins, Medicare & Benefit Plan	489,838	625,543	656,743	656,743
	<b>Subtotal</b>	<b>2,093,965</b>	<b>2,497,502</b>	<b>2,632,520</b>	<b>2,632,520</b>
	<b>GRAND TOTAL</b>	<b>22,537,142</b>	<b>24,112,769</b>	<b>25,935,826</b>	<b>25,935,826</b>

ARTICLE 5. Water Department Budget. To see if the Town will vote to appropriate by transfer from the Water Department Enterprise Fund the sum of \$2,374,587, of which \$2,224,587 shall be transferred from enterprise revenues and \$150,000 shall be transferred from retained earnings, to fund the FY 2025 Water Department budget, as shown below, or take any action relative thereto.

(Inserted by Board of Water Commissioners)

**Board of Selectmen Recommends**

**Finance Committee Recommends**

Line	Water Department Budget	FY23	FY 24	FY 25
Item	Description	Actual	Budget	Request
	<b>Wages/Salaries</b>			
1	Water Superintendent	\$99,201	\$103,089	\$105,702
2	Water Department Wages	\$335,090	\$445,105	\$461,092
3	Overtime/Standby	\$61,331	\$80,572	\$81,365
4	Health Insurance/Medicare	\$21,779	\$82,980	\$75,000
5	Retirement Health Insurance (OPEB)	\$20,000	\$20,000	\$20,000
6	Unemployment	\$0	\$10,000	\$10,000
	<b>Subtotal Salaries &amp; Wages</b>	<b>\$537,401</b>	<b>\$741,746</b>	<b>\$753,159</b>
	<b>Expenses</b>			
7	Water Department Expenses/Maintenance	\$569,600	\$642,079	\$657,850
8	Engineering / Outside Services		\$20,000	\$20,000
9	Billing Contract Services	\$81,167	\$92,400	\$96,000
	<b>Subtotal Expenses</b>	<b>\$650,767</b>	<b>\$754,479</b>	<b>\$773,850</b>
	<b>Other</b>			
10	Capital Plan			
11	Extraordinary & Unforeseen Expenses	\$0	\$75,000	\$70,000
12	Engineer Return			
13	Budgeted Surplus	\$0	\$18,621	\$4,818
	<b>Subtotal Other</b>	<b>\$0</b>	<b>\$93,621</b>	<b>\$74,818</b>
	<b>TOTAL</b>	<b>\$1,188,168</b>	<b>\$1,589,846</b>	<b>\$1,601,827</b>
	<b>Debt</b>			
14	Water Treatment Design Principal	\$65,000	\$65,000	\$70,000
15	Water Treatment Design Interest	\$22,756	\$20,807	\$18,900
16	Water Treatment Plant Construction Principal	\$539,771	\$551,503	\$564,289
17	Water Treatment Plant Construction Interest	\$132,533	\$121,738	\$111,208

18	SRF borrowing administrative fee	\$9,940	\$9,131	\$8,363
	<b>Sub-total Debt</b>	<b>\$770,000</b>	<b>\$768,179</b>	<b>\$772,760</b>
	<b>Total Operating &amp; Debt (Direct)</b>	<b>\$1,958,168</b>	<b>\$2,358,025</b>	<b>\$2,374,587</b>
19	Estimate for change in AFSCME contract			
	<b>Total Operating &amp; Debt &amp; AFSCME</b>	<b>\$1,958,168</b>	<b>\$2,358,025</b>	<b>\$2,374,587</b>
	Article 6 Overhead (Indirect)	\$104,548	\$145,475	\$156,698
	<b>GRAND TOTAL EXPENSES</b>	<b>\$2,062,716</b>	<b>\$2,503,500</b>	<b>\$2,531,285</b>

ARTICLE 6. To see if the Town will vote to transfer from the Water Department Enterprise Fund to the General Fund the sum of \$156,698 for the following items and that any other monies spent by the General Government on behalf of the Water Department be reimbursed to the General Fund from the Water Department Enterprise Fund in Fiscal Year 2025, or take any other action relative thereto.

(Inserted by Board of Water Commissioners)

**Board of Selectmen Recommends**

**Finance Committee Recommends**

**Rowley Water Department FY 25 Overhead Article**

		FY2023 Actual	FY2024 Budget	FY2025 Request
20	County Retirement	\$89,043	\$129,695	\$138,815
21	Life Insurance	\$62	\$62	\$108
22	Accounting Services	\$4,340	\$ 4,451	\$4,938
23	Treasurer/Collector Services	\$6,020	\$6,132	\$6,554
24	Audit	\$2,475	\$2,660	\$2,475
25	Personnel and Administrative Services	\$2,608	\$2,475	\$3,808
	<b>Total</b>	<b>\$104,548</b>	<b>\$145,475</b>	<b>\$156,698</b>

**Rowley Water Department Estimated FY25 Revenues**

	<b>FY23</b> <b>Actual</b>	<b>FY24</b> <b>Budget</b>	<b>FY25</b> <b>Request</b>
<b>Revenues</b>			
Commitment Rate	2,415,628	2,500,000	2,400,000
Rate Discounts	-92,682	-100,000	-96,000
Rate Abatements	0	-5,000	-2,000
New Customer Services	106,839	80,000	40,000
Capital Improvement Fee			
Service Charges		1,000	
Service Charges Abatements			
Interest & Demand	8,398	4,000	5,000
Bank Interest	1,159	4,000	7,000
Registry fee record liens	5,498	4,500	6,000
Miscellaneous	1,148	600	600
Hydrant rentals	14,400	14,400	14,400
Sprinklers			6,285
All Services			
<b>Total Revenues</b>	<b>2,460,388</b>	<b>2,503,500</b>	<b>2,381,285</b>
<b>Retained Earnings</b>			<b>150,000</b>
<b>TOTAL REVENUES &amp; AVAILABLE FUNDS</b>	<b>2,460,388</b>	<b>2,503,500</b>	<b>\$2,531,285</b>



*ARTICLES 7 – 9 are standard annual articles. These articles will be voted under one consent motion.*

ARTICLE 7. To see if the Town will vote to appropriate by transfer the sum of \$4,500 from the Municipal Waterways Maintenance and Improvement Fund to an account for use by the Harbormaster in accordance with Massachusetts General Laws Chapter 40 Section 5G, or take any other action relative thereto.

(Inserted by the Harbormaster)

**Finance Committee Recommends**

ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of \$5,000 to be added to Article 30 of the May 6, 1996 Annual Town Meeting (Recertification Fund) for the purpose of completing the State mandated recertification of all properties within the Town of Rowley, said funds to be expended by the Board of Assessors, or take any other action relative thereto.

(Inserted by the Board of Assessors)

**Finance Committee Recommends**

ARTICLE 9. To see if the Town will vote to appropriate by transfer the sum of \$59,540 from the Massachusetts Water Pollution Abatement Trust Septic Betterment Loan Program to pay the debt service on the Town’s loan from the Massachusetts Water Pollution Abatement Trust, or take any other action relative thereto.

(Inserted by the Board of Health)

**Finance Committee Recommends**

*Explanatory Note: The Town has received \$1,250,000 from the State of Massachusetts Water Pollution Abatement Trust Septic Loan funds for taxpayers’ repair and /or upgrade of failed septic systems. This appropriation pays the debt on the Town’s loan from the Massachusetts Water Pollution Abatement Trust Fund.*

ARTICLE 10. To see if the Town will vote, pursuant to the provisions of Massachusetts General Law Chapter 44 § 53-E1/2, to authorize the following expenditure caps for Fiscal Year 2025:

	<b>Name of Account</b>	<b>Balance Information</b>	<b>Expenditures Not to Exceed</b>
1	Council on Aging - Van	Beginning balance \$124; Income \$0; Expense \$0; Ending balance on 2/29/24 \$124	\$5,000
2	Board of Health	Beginning balance \$49,397; Income \$16,535 Expense \$19,275; Ending balance on 2/29/24 \$46,657	\$35,000
3	Parks & Recreation Committee and Board of Selectmen Facilities	Beginning balance \$45,766; Income \$12,110; Expense \$5,816; Ending balance on 2/29/24 \$52,060	\$30,000
4	Council on Aging – Programs	Beginning balance \$5,462; Income \$4,001; Expense \$3,644; Ending balance on 2/29/24 \$5,819	\$10,000
5	Shellfish Department	Beginning balance \$19,705; Income \$1,130; Expense \$2,828; Ending balance on 2/29/24 \$18,007	\$6,000
6	Zoning Board of Appeals and Board of Appeals	Beginning balance \$8,780; Income \$250; Expense \$987; Ending balance on 2/29/24 \$8,043	\$4,000
7	Board of Cemetery Commissioners	Beginning balance \$20,723; Income \$1,500; Expense \$8,225; Ending balance on 2/29/24 \$13,998	\$20,000
8	Library	Beginning balance \$995; Income \$1,324; Expense \$737; Ending balance on 2/29/24 \$1,582	\$5,000

9	Agricultural Commission	Beginning balance \$3,572; Income \$500; Expense \$685; Ending balance on 2/29/24 \$3,387	\$5,000
10	Harbormaster	Beginning balance \$0; Income \$0; Expense \$0; Ending balance on 2/29/24 \$0	\$30,000
11	Board of Selectmen & Parks and Recreation Community Events	Beginning balance \$5,255; Income \$0; Expense \$0; Ending balance on 2/29/24 \$5,255	\$20,000
12	Records Access	Beginning balance \$0; Income \$0; Expense \$0; Ending balance on 2/29/24 \$0	\$5,000

or take any other action relative thereto.

(Inserted by the Council on Aging, Board of Health, Parks & Recreation Committee, Board of Selectmen, Shellfish Department, Zoning Board of Appeals and Board of Appeals, Board of Cemetery Commissioners, Board of Library Trustees, Agricultural Commission, Harbormaster and Records Access Officer)

**Finance Committee Recommends**

*Explanatory Note: The State Revolving Fund Law, G.L. c.44 Section 53E ½, requires an annual expenditure authorization.*

ARTICLE 11. To see if the Town will vote to appropriate by transfer from the PEG (Public-Education-Government) Access and Cable Related Fund the sum of \$81,338 for wages and \$232,000 for technical services and expenses to support the cable television PEG access services and programming in Fiscal Year 2025, including any associated expert and legal services, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

*Explanatory Note: This appropriation is necessary under Massachusetts General Laws Chapter 44 §53F ¾ and funds the operation of Rowley Community Media (RCM), the Town’s local access cable channel. RCM records Town board and committee meetings, Town Meetings, and community events. RCM airs a variety of local programs, including Triton Regional School District and Whittier Vocational Technical High School sports games, concerts and other school events, community bulletins and notices, and operates Comcast Channel 9 and Verizon Channel 26. This article also funds a new fiber connection to the Fire Station and the Library.*

ARTICLE 12. To see if the Town will vote to appropriate or reserve from the Community Preservation Fund Fiscal Year 2025 annual revenues the amounts recommended by Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses, with each item to be considered a separate appropriation:

**Summary of recommendations by category:**

Reserve:

- Creation and Support of Affordable Housing \$41,943
- Creation and Support of Historical \$19,635

Appropriations:

- Debt Service for Bradstreet Farm land acquisition \$202,800
- Administration - 5 % - \$35,682

or take any other action relative thereto.

(Inserted by the Community Preservation Committee)

**Finance Committee Recommends**

*Explanatory Note: Rowley expects to realize approximately \$723,632 in Community Preservation Act (CPA) funds from real estate tax receipts (\$609,942) and 15% matching funds from the State (\$103,690) and interest income (\$10,000) in Fiscal Year 2025. The Community Preservation Act requires the Town to set aside 10% of funds collected after deducting appropriate debt service for each of the following areas: open*

space, historic preservation and community housing. Any unexpended administrative expenses will be returned to the general Undesignated Community Preservation fund. All funds realized above those reserved or appropriated will become general Undesignated CPA funds.

**ARTICLES 13 - 27 PERTAIN TO FISCAL YEAR 2024 APPROPRIATIONS**

ARTICLE 13. To see if the Town will vote to appropriate by transfer the sum of \$502,568 from Free Cash to be added to Line 96 (Triton Regional Assessment) of Article 4 of the May 1, 2023 Annual Town Meeting (FY 24 Operating Budget) or take any other action relative thereto.

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

*Explanatory Note: The May 1, 2023 Annual Town Meeting voted to reduce the FY 24 Triton Assessment to the Town by \$502,568. The other two towns in the Triton Regional School District, Newbury and Salisbury, voted to approve the full Triton assessment, making Rowley obligated to pay the full Triton assessment. This article fully funds the final assessment payment obligation for FY 24.*

ARTICLE 14. To see if the Town will vote to appropriate by transfer the sum of \$11,183 from Free Cash to be expended by the Town Accountant, for the purpose of paying for the licensing fees of the Accounting Department's General Ledger software program, or take any other action relative thereto.

(Inserted by the Town Accountant and Information Services Department)

**Finance Committee Recommends**

*Explanatory Note: The Town converted to a new general ledger accounting software program in Fiscal Year 2023. The Town needs to pay for the FY 25 licensing fees for this software package.*

ARTICLE 15. To see if the Town will vote to appropriate by transfer the sum of \$6,000 from Free Cash into Article 25 of the May 3, 2021 Special Town Meeting, to be used by the Board of Selectmen to hire actuarial consultants for the Town's compliance with the Government Accounting Standards Board Statement # 74 and #75 Post Retirement Benefits Other than Pensions, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

*Explanatory Note: The Town must have an actuarial valuation of future obligations for retiree health insurance costs every two years and an update every two years. This is a requirement under the Governmental Accounting Standards Board Statement #74 and #75. These funds will cover the FY 24 evaluation and the FY 25 update.*

ARTICLE 16. To see if the Town will vote to appropriate the sum of \$229,794, or any other amount, to pay the costs of the following capital equipment and improvements:

Town-Wide Computers (Treasurer, Assessor, Town Clerk Library, Police/Fire, Board of Health Planning, Building Departments)	\$23,800
Departmental Equipment (firefighter gear, voting booths, police radios, defibrillators Police/Fire)	\$ 67,274
Facilities Improvements (Bocce Court – COA)	\$ 10,000
Vehicles (Patrol Boat, Pickup Truck, COA Van)	\$128,720

and to determine whether this amount shall be raised by borrowing, transfer from available funds, or otherwise provided, or to take any other action relative thereto.

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

*Explanatory Note: Passage requires a two-thirds vote. This article funds capital purchases and improvements. The funds will come from a combination of re-purposing prior capital articles totaling \$8,794 and bonding for \$221,000.*

ARTICLE 17. To see if the Town will vote to appropriate by transfer the sum of \$8,000 from the Capital Stabilization fund to pay for the costs of a dump truck with plow and sander, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

*Explanatory Note: The original purchase of this truck was approved at the May 2, 2022 Annual Town Meeting. Due to supply chain issues, the truck has not been available until now and the cost has increased by \$8,000.*

ARTICLE 18. To see if the Town will vote to appropriate by transfer from Free Cash the sum of \$100,000 to the Other Post-Employment Benefits Liability Trust Fund (OPEB Fund) established under G.L. c. 32B, § 20, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

*Explanatory Note: Passage of this article allows the Board of Selectmen to continue with its plan of funding the OPEB Trust Fund, which will offset the future healthcare costs of retired Town employees. The Town's financial advisors and auditors recommend the Town pay into this Trust Fund each year. This appropriation excludes the Water Department and the Rowley Municipal Lighting Plant (RMLP) portions of their retiree health insurance contributions; these are funded through their own budgets.*

ARTICLE 19. To see if the Town will vote to appropriate by transfer from Free Cash the sum of \$100,000 to the Capital Stabilization Fund, or take any other action relative thereto.

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

*Explanatory Note: Setting aside funds in the Capital Stabilization Fund each year is recommended by the Town's auditors and financial advisors.*

ARTICLE 20. To see if the Town will vote to appropriate by transfer the sum of \$5,949.18 from Free Cash into the Opioid Settlement Receipts Special Revenue Account, such funds be expended in accordance with the Massachusetts State-Subdivision for Statewide opioid settlement to supplement and strengthen resources available to communities and families for substance use disorder prevention, harm reduction, treatment, recovery, and education, or take any other action relative thereto.

(Inserted by the Board of Selectmen and the Board of Health)

**Finance Committee Recommends**

*Explanatory Note: The Board of Selectmen opted into the State's Opioid Settlement with several opioid manufacturers, distributors, and pharmacies resulting in settlement revenue for the Town. Passage of this article authorizes the Town to move the settlement funds received in 2022 into a special revenue account to be spent on mitigating opioid abuse in accordance with the purposes and programs outlined in the settlement agreement. The Board of Health and Board of Selectmen will be overseeing the use and expenditure of these funds.*

ARTICLE 21. To see if the Town will vote to appropriate the sum of \$161,125 from the Water Department Enterprise Free Cash to the Water Department Stabilization Fund, or take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

**Finance Committee Recommends**

*Explanatory Note: FY 2023 Free Cash was certified as \$411,125. \$100,000 will be retained to cover any potential deficit in FY 2024. \$150,000 is being used in the FY 2025 budget. Expenditures from the Water*

*Department Stabilization Fund can only be authorized by Town Meeting in accordance with Mass. General Laws Chapter 40§5B.*

ARTICLE 22. To see if the Town will vote to appropriate by transfer, the sum of \$30,200 from Article 31 (Above Ground Control Cabinet) of the May 5, 2023 Annual Town Meeting to be used for the upgrade of the water treatment chemical feed system for both the plant treatment process and the filter systems, or to take any other action relative thereto.

(Inserted by the Board of Water Commissioners)

**Finance Committee Recommends**

*Explanatory Note: This appropriation is necessary to facilitate the upgrade of both water treatment chemical process equipment and the Pall filter chemical feed equipment. The new chemical feed equipment will be compatible with all our treatment chemicals.*

ARTICLE 23. To see if the Town will vote to appropriate or reserve from the Community Preservation Fund Fiscal Year 2024 annual revenues the amounts recommended by Community Preservation Committee for committee administrative expenses, debt service, community preservation projects and other expenses, with each item to be considered a separate appropriation:

**Summary of recommendations by category:**

Reserve:

- Creation and Support of Affordable Housing \$15,665
- Creation and Support of Historical Preservation \$15,665

or take any other action relative thereto.

(Inserted by the Community Preservation Committee)

**Finance Committee Recommends**

*Explanatory Note: Rowley expectations for the fund were based on a 30% match from the State. This year the State match was 38%. The Rowley Tax Surcharge will collect \$602,459 in CPA funds in Fiscal Year 2024. The State match (38%) was in the amount of \$215,554 plus interest income of \$129,000. The Community Preservation Act requires the Town to set aside 10% of funds collected after deducting appropriate debt service for each of the following areas: open space, historic preservation and community housing. Any unexpended administrative expenses will be returned to the general Undesignated Community Preservation fund. All funds realized above those reserved or appropriated will become general Undesignated CPA funds.*

ARTICLE 24. To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate by transfer from the Community Preservation Fund Historic Resources Reserve the sum of \$10,000 to be used by the Cemetery Commission for costs associated with the repair and preservation of damaged gravestones, or take any other action relative thereto.

(Inserted by the Community Preservation Committee)

**Finance Committee Recommends**

*Explanatory Note: The older portion of the cemetery sustained damaged to 13 gravestones in a storm earlier this year. The gravestones date back to the 1600s. Since 1988, the Rowley Cemetery has been part of the Massachusetts Historical Register. These funds will be used to restore and preserve the damaged stones. The work should be completed by Summer of 2024. The Community Preservation Committee has approved this article and the Historical Commission has sent a letter of support for this project.*

ARTICLE 25. To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate by transfer the sum of \$80,000 from the Community Preservation Act Undesignated Fund to be used by the Board of Selectmen for the purchase and installation of windows for the Town Hall Annex, or take any other action relative thereto.

(Inserted by the Board of Selectmen and the Community Preservation Committee)

**Finance Committee Recommends**

*Explanatory Note: These funds will be used to complete the second phase of the Town Hall Annex Window Replacement Project. There are thirty windows on the first floor at the Town Hall Annex which are believed to be original to the building and are in need of being replaced. Fifteen of those windows were replaced using Community Preservation funds. There were not sufficient funds to replace all of the windows on the first floor. The replacement windows need to be custom made due to their non-standard and large sizes, and also to comply with Historic District Commission requirements for this historic building. Hazardous material testing has been done on the existing windows, and lead paint remediation work will need to be part of this project. In addition to the lead paint remediation costs, the cost of materials and construction has also significantly increased.*

ARTICLE 26. To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate by transfer from the Community Preservation Undesignated Fund the amount of \$6,000 to be used by the Board of Selectmen for Educational Nature Trails at the Town’s Bradstreet property, or take any other action relative thereto.

(Inserted by the Board of Selectmen and the Community Preservation Committee)

**Finance Committee Recommends**

*Explanatory Note: These funds will be used to complete the Bradstreet Educational Nature Trail Project that the Town’s Open Space Committee has been working on at the active recreation parcel of the Bradstreet property. This project will result in a unique park area that connects people to the environment, using StoryWalk mounts, which bridge the natural sciences with literary arts.*

ARTICLE 27. To see if the Town will vote, as recommended by the Community Preservation Committee, to appropriate by transfer from the Community Preservation Affordable Housing Fund and the Undesignated Fund the sum of \$800,000 to the Affordable Housing Trust, or take any other action relative thereto.

(Inserted by the Board of Selectmen and Community Preservation Committee)

**Finance Committee**

*Explanatory Note: The Town recently set up an Affordable Housing Trust. A portion of Community Preservation Funds must be used for community housing. Passage of this article provides “seed money” to build up the Trust and for affordable housing projects in the Town.*

ARTICLE 28. To see if the Town will vote to accept the provisions of G.L. c. 44, Sec. 54(b) to allow Town trust funds to be invested in accordance with G.L. c. 203C, the so-called “Prudent Investor Rule”, or to take any other action relative thereto.

(Inserted by the Board of Selectmen)

**Finance Committee Recommends**

*Explanatory Note: Passage of this article will allow investment under the Prudent Investment Rule, which allows for broader investment options. The State recently passed a law allowing municipalities a range of investment opportunities. This would apply to trust funds, but not stabilization funds. The Town’s Financial Advisors recommend passage of this article.*

ARTICLE 29. To see if the Town will vote to authorize the Board of Selectmen to file with the General Court a petition for special legislation to allow Call Firefighter Donald Dupray to work past the mandatory retirement age of 65, substantially as follows:

“Section 1. Notwithstanding any general or special law to the contrary, Donald Dupray, Call Firefighter of the Town of Rowley, may continue to serve in that position until reaching age 70, the date of his retirement or the date he is relieved of his duties by the Rowley Board of Selectmen at its discretion, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The Board of Selectmen may, at the Town’s expense, require that Donald Dupray be examined annually by a physician designated by the Board of Selectmen to determine such physical and mental capability to perform the duties of his office.

“Section 2. This act shall take effect upon its passage.”

provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, the Board of Selectmen being hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or to take any other action in relation thereto.

(Inserted by the Board of Selectmen)

### **Finance Committee Recommendation Not Required**

*Explanatory Note: The Fire Chief supports passage of this article. Throughout Massachusetts fully-capable and trained firefighters are forced into mandatory retirement at the age of 65. Passage of this article allows the Board of Selectmen to petition the Legislature to allow an exemplary and well-trained Rowley Call Firefighter to continue working after the age of 65.*

ARTICLE 30. To see if the Town will vote to amend the General Bylaws by deleting the existing Harbor Bylaws and replacing them with the following:

## **Harbor Bylaws**

### **Section 1: Purpose Statement**

The purpose of the Rowley Harbor Bylaws is to promote the safe and responsible operation of vessels within the waterways of the Town of Rowley, Massachusetts. These bylaws aim to protect the well-being of all individuals utilizing Rowley's water resources, provide for the safety of moored and docked vessels, preserve the natural environment, and ensure the orderly and efficient use of our waterways for recreational and commercial purposes.

### **Section 2: Authority and Enforcement**

1. The Harbormaster and Assistant Harbormasters are designated as the enforcing authorities responsible for upholding the bylaws set forth herein.
2. The Harbormaster shall order the movement and placement of all vessels for the orderly and safe management of the Rowley waterways.
3. The Harbormaster shall make regulations regarding size, kind, and placement of all moorings and mooring gear within the confines of the Town, and shall enforce these regulations as provided in the General Laws.
4. The Harbormaster shall have the authority to enforce regulations, board vessels, issue citations, and impose penalties as necessary to ensure compliance with the provisions outlined herein.

### **Section 3: Applicability**

These bylaws apply to all individuals operating vessels within the navigable waterways under the jurisdiction of the Town of Rowley. This includes, but is not limited to, motorboats, sailboats, paddle craft, PWCs, and commercial vessels. Additionally, these bylaws extend to vessels or other objects moored or anchored on the waters of the Town of Rowley as well as the operation of shellfish farms within Rowley's waterways. All residents, visitors, and businesses utilizing Rowley's water resources are subject to these regulations.

### **Section 4: Terms and Definitions**

1. Approved Mooring Inspectors shall refer to qualified mooring service providers who have been approved by the Harbormaster.
2. Anchorage Area means any area designated and/or used for the purpose of anchoring and mooring.

3. Designated Channel means a navigable route for the passage of vessels, established by customary use or under the authority of the Harbormaster.
4. Excessive/Disturbing Wake means the disturbing water or waves that a vessel leaves behind while underway which could cause injury or damage to another person or vessel due to excess rocking.
5. Harbormaster shall include the duly appointed Town of Rowley Harbormaster and all Assistant Harbormasters appointed by the Board of Selectmen and under the direction of the Harbormaster. Harbormaster shall mean the official responsible for administering the provisions of all waterways rules and regulations.
6. Headway Speed shall be the slowest speed at which a vessel may be operated and maintain steerage, but in no case shall exceed five (5) miles per hour.
7. Mooring shall mean a relatively permanent arrangement of an anchor, chain, and floating buoy to which a vessel may be tied for extended periods. It also includes any anchor or ground tackle used to secure a float or dock.
8. Mooring Pennant refers to the line (rope) that connects a vessel to the mooring buoy.
9. Paddle Craft are any vessels that are not equipped with any type of mechanical propulsion and are powered by a paddle or manual propulsion device. This includes, but is not limited to, kayaks, pedal kayaks, canoes, row boats, and stand-up paddle boards (SUP).
10. Permit Sticker/Decal means the 3”X 3” sticker issued on a yearly basis by the Harbormaster.
11. PFD means “personal flotation device”. PFD’s should be USCG approved, in good and serviceable condition, and properly sized for the wearer.
12. PWC means “personal watercraft”. This includes any small vessel that uses an inboard jet drive as its primary source of propulsion (for example, jet skis). PWCs are subject to all of the same laws and requirements of any other vessel in addition to laws specific to PWCs.
13. Public Landing includes, but is not limited to, the launch ramp, beach, town docks, and piers at the Town of Rowley landing.
14. Shellfish Harvesting shall include the taking of lobsters, crabs, clams, mussels, and oysters by means of a trap, net, farm, SCUBA equipment, or manually.
15. Towed Water Sports shall include the towing of any water sports device behind any vessel. This includes, but is not limited to, tubing, water skiing, wakeboarding, parasailing, hydrofoiling, kneeboarding, and wakesurfing.
16. Transient Mooring means the mooring used on a temporary basis by visiting boats.
17. Vessel shall include watercraft and boats of all descriptions; this includes but is not limited to: motorboats, sailboats, paddle craft, PWCs, and commercial vessels.

### **Section 5: General Regulations for the Rowley River and all other Rowley Waterways**

All vessel operators within the Town of Rowley waterways must adhere to the laws set forth in Chapter 90B of the Massachusetts General Laws (MGL) and Title 323 of the Code of Massachusetts Regulations (CMR). Users of the Rowley waterways are also subject to the following regulations:

1. Swimmers and persons fishing shall yield to boats using the Town launch ramp and Town launch docks.
2. No boats or moorings shall be allowed on the Town beach.



3. No vessel shall tie up to the town docks for more than ten (10) minutes without the express permission of the Harbormaster.
4. No vessel shall be chained or locked to any Town owned or operated docking facilities.
5. It shall be unlawful to deface, alter, or remove any sign or marker placed by, or under the direction of, the Harbormaster.
6. Shellfish harvesting (including, but not limited to, lobstering/crabbing) is not permitted in Rowley mooring areas. The setting of any lobster/crab traps within the designated channel is strictly forbidden. The Harbormaster reserves the right to remove any traps in a mooring area or designated channel.
7. Diving off or jumping from the MBTA Railroad Bridge is prohibited.
8. Except in the case of an emergency, vessels are prohibited from tying up to any marker, buoy, or aid to navigation.
9. No business may be operated on Rowley waterways without the prior written approval of the Harbormaster and the Board of Selectmen.
10. No person shall throw or deposit in the Rowley River or natural waterway within the limits of the Town of Rowley, any dead animal, dead fish, sewage, rubbish, filth, foul/offensive substance, any refuse matter whatsoever, fuel, lubricating oil or other greasy substance nor anything that may endanger the public health, safety of welfare.
11. Any child younger than 12 years old must wear a USCG approved personal floatation device on any floating dock, including the launch ramp dock, or when above deck on any vessel underway. An open boat is considered above deck.
12. The operator of any vessel shall provide a USCG approved floatation device for each person aboard the vessel.
13. Willful abandonment of any vessel in Rowley waterways or placing a vessel on an unauthorized mooring is prohibited, and any vessel so abandoned or placed may be removed by the Harbormaster at the vessel owner's expense.
14. Any vessel or floating dock may be removed by the Harbormaster if, in the reasonable judgment of the Harbormaster, it poses a hazard to navigation or is a hazard to other vessels.
15. No vessel shall be operated in Rowley waterways which produces a sound level of more than 78 decibels, as measured by an approved sound level meter.
16. Towed water sports are prohibited within one hundred fifty (150) feet of mooring areas, docks, or vessels at anchor.
17. PWCs are prohibited from operating between sunset and sunrise.
18. No vessel shall anchor in any designated mooring area, designated swim area, or channel.
19. The Harbormaster may order any anchored vessel to move, if in the reasonable opinion of the Harbormaster, said vessel creates a safety concern.
20. The Harbormaster may establish restrictions on the use of waterways as necessary for safety and management purposes, and all users must adhere to such restrictions.

It shall be unlawful to operate any motorboat in any of the following ways in any Town of Rowley waterways:

- a. Operating at an excessive speed considering weather conditions, boat traffic, and other hazards, in the reasonable discretion of the Harbormaster.
- b. Operating a motorboat without properly working lights between sunset and sunrise.
- c. Operating at a speed greater than headway speed (not to exceed five miles per hour) or causing a disturbing wake within one hundred fifty (150) feet of a swimmer, person engaging in towed water sports, mooring area, marina, docked boat, boat launch, or in posted no-wake zones. An operator's vision may not be obscured in any way. Operators shall be responsible for any damage caused by their wake.
- d. Operating in an overloaded condition (carrying total weight that exceeds capacity plate recommendations or is excessive considering water conditions) or with passengers on the bow, gunwales, or any other place where there may be a chance of falling overboard.
- e. Operating in a reckless or negligent manner so as to endanger the life, safety, or property of another person. This can include, but is not limited to, high speed or erratic operation in a congested area, excessive speed in foggy or stormy conditions, operating under the influence of alcohol or drugs, operating near or through areas being used by swimmers or divers, engaging in towed water sports in the nighttime or without an observer, operating at cruising speeds with passengers sitting on the bow or gunwales, and operating between sunset and sunrise without displaying navigation lights.

#### **Section 6: Paddle Craft**

1. All paddle craft must have a Vessel Identification Sticker affixed to their paddle craft with the name and phone number of the owner written in permanent marker. Stickers can be obtained from the Harbormaster.
2. All paddle craft, whenever it is safe and possible to do so, shall remain out of the navigation channel.
3. PFDs are required to be worn when operating paddle craft from September 15th to May 15th. PFDs are required to be carried on board (or worn) from May 16th to September 14th. Youth younger than 12 years of age must wear PFDs at all times when operating paddle craft.
4. Paddle craft operating between sunset and sunrise must have an electric torch or lighted lantern showing a white light from all directions.

#### **Section 7: Rowley Launch Ramp & Parking**

1. Use of the Town Ramp is limited to Rowley residents displaying a valid Town of Rowley Launch Ramp permit affixed in clear sight to the outside of the rear window or bumper of the vehicle. Rowley Launch Ramp permits shall be purchased annually from the Town. Launch Ramp permits for Rowley residents over the age of sixty-five (65) years are available at a lower cost. Rowley residents who use more than one vehicle to transfer their boat during the season may purchase one additional permit sticker (not to exceed two stickers per household, except with written permission from the Harbormaster). Permit fees are non-refundable if the permit is revoked by the Harbormaster for any reason. Proof of vessel ownership may be required. Additionally, prior to the issuance of a permit, individuals must provide evidence of payment for all local taxes, fees, Rowley waterways violation tickets, or any other municipal charges. Applicants must also furnish proof of Rowley residency or

land ownership within Rowley, along with documentation of vehicle ownership and vehicle registration numbers. These registration numbers will be inscribed on the permit sticker and must correspond accurately with the vehicle to which the sticker is affixed.

2. All Launch Ramp permits expire on December 31st of the issuing year.
3. There shall be no parking except in the designated areas. Parking shall not be allowed on or adjacent to the launch ramp. Town Landing users must follow the directions on the posted signs and parking maps. It shall be unlawful to deface, alter, or remove any sign, notice, or marker placed by or under the direction of the Harbormaster.

### **Section 8: Mooring Permits**

1. No person shall establish or use any mooring within the Rowley waterways without first obtaining written permission from the Harbormaster and completing the required applications. A mooring permit must be obtained each year and the sticker must be displayed in a visible location on the moored vessel's transom before it enters the water for the season. The vessel owner is responsible for filing a complete mooring application, paying all applicable mooring permit fees, and complying with all mooring permit requirements. Proof of ownership of vessel and mooring tackle may be required.
2. No mooring permit shall be transferable, except with written authorization by the Harbormaster. The rental of any mooring is prohibited. Only the Harbormaster may provide written authorization for the temporary use of a mooring by another vessel upon application of the permit holder.
3. The sale of a vessel does not include the sale of a mooring location. Upon the sale of any vessel, the Harbormaster must be notified in writing if the owner wishes to hold the mooring location. Said locations shall be held for one (1) year upon payment of the minimum application fee and shall not be subject to renewal without the permitting of a new boat or vessel to said mooring.
4. Moorings in Rowley waters without a valid permit will be removed and the owner fined. Such action may be taken without notification to the owner if, in the reasonable discretion of the Harbormaster, the owner cannot be contacted within a forty-eight (48) hour period, or if emergency conditions require immediate action. Any expense incurred in the removal and relocation of said vessel and/or mooring, or any resulting damage thereto, shall be the responsibility of the owner.
5. The permit fee is not refundable if the mooring permit has been revoked by the Harbormaster or if the mooring has been removed by the owner for any reason during the year. A permit may be suspended or revoked by the Harbormaster whenever in their opinion the vessel and/or mooring unduly threatens the health or safety of the public within the mooring area or the reasonable use of that area by other vessels. Mooring at a place other than that specified on the permit will be grounds for revocation.
6. Anyone requesting a new mooring in Rowley waters must first join the waiting list by contacting the Harbormaster. A ten dollar (\$10) fee is required each year to remain on the list. This fee will be subtracted from the first year's mooring permit fee.
7. Residents on the mooring waitlist will be given priority over non-residents. Permits shall be issued only to natural persons.
8. No mooring shall be moved to a different location without first obtaining permission from the Harbormaster.

9. A mooring permit shall be revoked for pollution in an anchorage area by any vessel, including the discharge of oil, sewage, garbage, waste, rubbish, debris and/or holding tanks.
10. A permit shall be denied or revoked to any vessel equipped with a Marine Sanitation Device, Type III that does not also have a pump out deck fitting.
11. A mooring permit shall be denied or revoked to any vessel not capable of reasonably maneuvering reliably and safely under its own power. Maneuverability shall be determined in the reasonable discretion of the Harbormaster as a power and/or sail configuration suitable for the size/design of the vessel, which will allow it to reliably and safely navigate under the local conditions of tide, wind and weather.

### **Section 9: Slips, Docks, and Dry Launch Storage Permits**

1. No person shall store their vessel on a dock/slip within Rowley Waterways (or utilize dry launch/rack storage on waterfront property with launching capacity) without first having purchased a Rowley Waterways Permit from the Harbormaster. A Rowley Waterways Permit must be obtained each year and the sticker must be displayed in a visible location on the vessel's transom before it enters the water (or dry launch storage area) for the season.
2. Tender tie-ups on the backside of the Town launch docks must be authorized by the Harbormaster and must obtain a Rowley Waterways Permit. Tender Tie-up Permits are for Rowley Residents who hold a current mooring permit for a private Rowley River or Plum Island Sound (Rowley) mooring. A Tender Tie-up Permit must be obtained each year and the sticker must be displayed in a visible location on the tender's transom before it enters the water for the season.
3. Other objects, either anchored to or extending from private property or attached to ground tackle, including, but not limited to, floating docks/rafts, shall obtain written permission from the Harbormaster.

### **Section 10: Renewal of an Existing Permit**

1. All permits will expire on December 31st of the issuing year and shall be renewed annually.
2. Renewal of a permit may be denied if the permit holder is delinquent in the payment of any local taxes, fees, Rowley waterways violation tickets, or any other municipal charges.
3. A permit may be denied or revoked by the Harbormaster at any time for failure to comply with any waterways rules and regulations of the Town of Rowley and the Commonwealth of Massachusetts.
4. Rowley Mooring / Perley's Slip/ Perley's Dry Launch/ private dock permits must be renewed and paid each year by April 1st. Any authorized renewals after April 1st will be assessed a late fee in addition to the regular fees. Failure to renew the mooring permit by May 1st will result in forfeiture of the mooring permit, and the associated mooring location will be offered to the next person on the waitlist. Mooring permit holders will be notified each winter when the permitting process has started for the following season.
5. It shall be the responsibility of the permit holder to notify the Harbormaster when a permit is no longer desired or when any information on the permit has changed.
6. Moorings that will not be renewed must be removed before July 1st. After July 1st, any abandoned mooring tackle will be removed at the owner's expense. It shall be delivered to the possession of the

Harbormaster or the Mooring Service Provider until claimed by the property owner or disposed of at the owner's expense according to M.G.L. Chapter 91.

### **Section 11: Permit Fees**

All permit fees are set by the Harbormaster and approved by the Board of Selectmen. Fees are posted to the Town's website.

### **Section 12: Mooring Gear and Equipment Regulations**

1. Only approved mooring gear and equipment shall be placed in Rowley waters.
2. Mooring companies may service and/or do mooring work in Rowley waters only after obtaining written permission from the Harbormaster.
3. It is the mooring permit holder's responsibility to ensure that the permit holder's last name is permanently affixed to the mooring buoy or winter spar and is legible at all times. Any mooring buoy or winter spar that does not legibly display the last name of the permit holder may be removed by the Harbormaster. Unless claimed by the owner, this mooring equipment will be held in the custody of the Harbormaster for one (1) year and then disposed of according to Massachusetts General Laws.
4. Winter spars, if used, shall be rigged in a way that they maintain an upright position and are visible during all tide levels. The top portion shall be painted white and have the owner's name affixed to at least two (2) sides. Winter spars must be removed by June 1 and shall not be set before October 1 of each year.
5. All moorings shall be equipped with a primary and secondary pennant.
6. All mooring floats/buoys shall be kept clean to ensure they remain at least six (6) inches above the surface of the water at all tide levels. Only white or orange PVC or Polyethylene buoys with a minimum diameter of twelve (12) inches are allowed. Wood and/or metal spars and buoys are not permitted.
7. The Harbormaster may order that moorings be serviced if found to be overgrown with marine growth and considered a hazard to navigation. Moorings not serviced within fourteen (14) days of notification will be removed.

### **Section 13: Minimum Standards for Mooring Equipment**

1. The following are the minimum acceptable standards for mooring equipment and gear used in Rowley waters. All vessels shall maintain these minimum standards while moored in Rowley waters.
2. The tackle specifications outlined below are minimum standards and are not designed to meet severe conditions. If severe weather is predicted, the prudent mariner should take additional measures, including the removal of the vessel from the water.
3. Mushroom moorings are prohibited in the Rowley River. They are allowed in Plum Island Sound.

### **Mooring Block Weight:**

<b>Length of Vessel</b>	<b>Block Weight in Pounds</b>
0-9	100
10-17	400
18-26	800
27-35	1200
36-45	2000
46-55	4000

**Chain Size:**

<b>Length of Vessel</b>	<b>Bottom Chain Size</b>	<b>Top Chain Size</b>
0-9	3/8"	1/4"
10-17	3/8"	5/16"
18-26	1/2"	3/8"
27-35	5/8"	3/8"
36-45	3/4"	1/2"

**Scope of Chain – Minimum Length:**

- A. Bottom Chain: Length = Depth at charted mean low water plus five (5) feet
- B. Top Chain: Length = Depth at mean high water plus ten (10) feet

**Pennants – Minimum Length and Size Requirements:**

1. A primary pennant and a secondary pennant are required on all boats.
2. All pennants shall have chafing gear where the pennant passes through chock.
3. All chocks should be compatible in size with line and have smooth rounded edges.
4. All pennants must have a thimble spliced where the line and chain connect.

<b>Length of Vessel</b>	<b>Primary and Secondary Pennant Size (Nylon)</b>	<b>Minimum Finished Pennant Length</b>
0-9	1/2"	6'
10-17	1/2"	6'

18-26	5/8"	10'
27-35	3/4"	10'
36-45	1"	12'
46-55	1"	12'

**Section 14: Mooring Responsibility & Inspection Policy**

1. The Town of Rowley requires that mooring owners obtain an official inspection of their mooring tackle by one of the Approved Mooring Inspectors at least every three years. Failure to provide proof to the Harbormaster of a passed mooring inspection by September 1st every three years will result in immediate revocation of the mooring owner’s mooring privileges in the Town of Rowley for the following year, and that mooring location will be offered to the next person on the waitlist.
2. It shall be the ultimate responsibility of the permit holder to ensure the safe and usable condition of all mooring equipment. All mooring gear should be inspected and/or serviced by the owner, a diver, or a mooring service provider at least once annually to determine the condition of gear and to ensure compliance with minimum standards set by the Harbormaster.

**Section 15: Penalties**

The Harbormaster, or any appointed assistant harbormaster, shall have the authority to enforce Town and State regulations, board vessels, issue citations, and impose penalties as necessary to ensure compliance with the provisions outlined herein. Any person violating any section of this bylaw shall be punished by a fine of \$50 for a first offense, \$100 for a second offense, and \$300 for a third or subsequent offense.

**Section 16: Severability**

Nothing contained herein shall be held or construed to supersede or conflict with or limit the jurisdiction of the United States Government with respect to the enforcement of the navigation, shipping, anchorage or other laws of the United States, or any lawful regulations of the Division of Marine and Recreational Vehicles, or any laws of the Commonwealth of Massachusetts.

In the event that any provision of these regulations is hereafter found invalid by a court, such decision shall not affect the validity of the remaining provisions of these Bylaws.

The Harbormaster may adopt additional regulations for the orderly management of mooring, anchorage or waterways in the Town.

or to take any other action relative thereto.

(Inserted by the Harbormaster)

**Finance Committee Recommendation Not Required**

*Explanatory Note: This is a general update of our harbor bylaws that eliminates definitions and reference to specific regulations as the new language refers to all local, state and federal laws and updates that are relevant to the Harbormaster for purposes of enforcement Added for clarity are new section 6: Paddlecraft, section 7: Launch ramp & parking, section 10: permit renewals, section 11: Permit fees, section 14 Mooring*

*inspection requirement, section 15: local penalty structure for local citations that would be returned to the towns general fund.*

ARTICLE 31. To see if the Town will vote to amend the Rowley Protective Zoning Bylaw (the “Zoning Bylaw”) as follows:

I. Add the following definitions to Section 2.0 (Definitions):

ACCESSORY DWELLING UNIT A self-contained dwelling unit providing complete living facilities for the use of one or more individuals constituting a single family, with permanent provisions for living, sleeping, eating, cooking, and sanitation, located in or attached to a one family/single-family dwelling or in a separate building on the same lot.

ACCESSORY DWELLING UNIT (ATTACHED) An accessory dwelling unit located within the principal building or attached by new construction to a principal building containing a one-family/single-family dwelling. The exterior of the one-family/single-family dwelling may be modified to accommodate the unit.

ACCESSORY DWELLING UNIT (DETACHED) An accessory dwelling unit located in a building on a lot that is separate from a principal building containing a one-family/single-family dwelling and, if new construction, is smaller than the principal one-family/single-family building.

II. Amend Bylaw Section 7.8.2.2 by removing the underlined, bolded, strike-through text (example) as follows:

7.8.2.2 The provisions of section 7.8.2.1 shall not apply to special permits issued under sections 4.11.4.3, 6.1.1.2(b), ~~6.6~~, 8.6.5, and 8.8.3

III. to remove current Bylaw Section 6.6 (Accessory In-Law Apartments) to be replaced with a new Section 6.6 (Accessory Dwelling Units (ADU)) as follows:

Section 6.6 - Accessory Dwelling Units

1. Purpose

- a) The purpose of this accessory dwelling unit (ADU) section of the Zoning Bylaw is to increase the housing options available in Rowley while maintaining the rural character of the community.
- b) This section of the Zoning Bylaw is also designed to permit single-family homeowners to obtain rental income while continuing to occupy their primary residence or on-site ADU.
- c) All ADUs permitted by this section shall be smaller in size and clearly subordinate to the primary dwelling unit.
- d) For the purposes of this section, words used in the present tense include the future; the singular number includes the plural, and the plural includes the singular. The



word "lot" shall include "plot" or "parcel." The word "structure" shall include the word "building," where the context requires. The word "used" shall include the words "arranged," "designed," "rented," "leased," "intended to be used" and "occupied." The word "shall" is mandatory; and the word "may" is permissive.

## 2. General Requirements

- a) The principal dwelling must be located in the Central District, the Residential District, the Outlying District, or the Coastal Conservation District.
- b) Only one ADU is allowed per single-family principal dwelling. The principal dwelling and the ADU shall be served by the same driveway.
- c) At least one parking space shall be available on the premises for the ADU.
- d) The primary dwelling unit or ADU shall be occupied by one or more record owner of the lot. If title is held in trust, the primary dwelling or ADU shall be occupied by one or more of the natural persons who are beneficiaries of the trust. If title is held in any other form of ownership, the primary dwelling or ADU must be occupied by a natural person owning fifty percent (50%) or more of the ownership entity.
- e) An application to establish an ADU must include evidence that the parcel's existing sanitary and/or septic systems are of an adequate size to accommodate the ADU or that a new system shall be designed to accommodate the addition of the ADU.
- f) Consistent with Zoning Bylaw Section 5.4, the establishment of any ADU shall not increase or cause a dimensional nonconformity on the parcel with respect to required setbacks, maximum lot coverage, or building height. In the case of a lot lacking adequate frontage, any proposed alteration or extension shall not increase the floor area of the primary dwelling by more than 50%. The addition of an ADU to a lot that is legally nonconforming as to lot size shall not be viewed as increasing such nonconformity.
- g) Short-term rental of ADUs (less than 4 weeks) shall be prohibited.
- h) The ADU shall be designed so that the appearance of the structure remains that of a one-family dwelling, subject further to the following conditions and requirements: (i) All stairways to second or third stories shall be enclosed within the exterior walls of the dwelling. (ii) Any new entrance shall be located on the side or in the rear of the dwelling. (iii) Where there are two or more existing entrances on the front facade of a dwelling, if modifications are made to any entrance, the result shall be that one appears to be the principal entrance and the other entrances appear to be secondary.
- i) The record owner of the premises shall annually certify in writing to the Board of Appeals and the Building Inspector, without fee, that the primary dwelling unit or ADU are occupied by one or more record owner of the lot.

## 3. ADU Requiring a Special Permit. The Board of Appeals may issue a special permit for the following ADUs only if the proposed ADU meets the General Requirements of this section and the Special Permit standards specified in Section 7.8 of this Zoning Bylaw.

- a) Attached ADU. An Attached ADU of 1,000 or less square feet.

- b) Conversion of 1,000 square feet or less of an existing building to an ADU. A barn, garage, or other accessory building that is existing for at least two years prior to application to the Board of Appeals for ADU review may be converted to an ADU.
- c) New construction of a Detached ADU of 1,000 or less square feet.

, or to take any other action relative thereto.

(Inserted by the Planning Board)

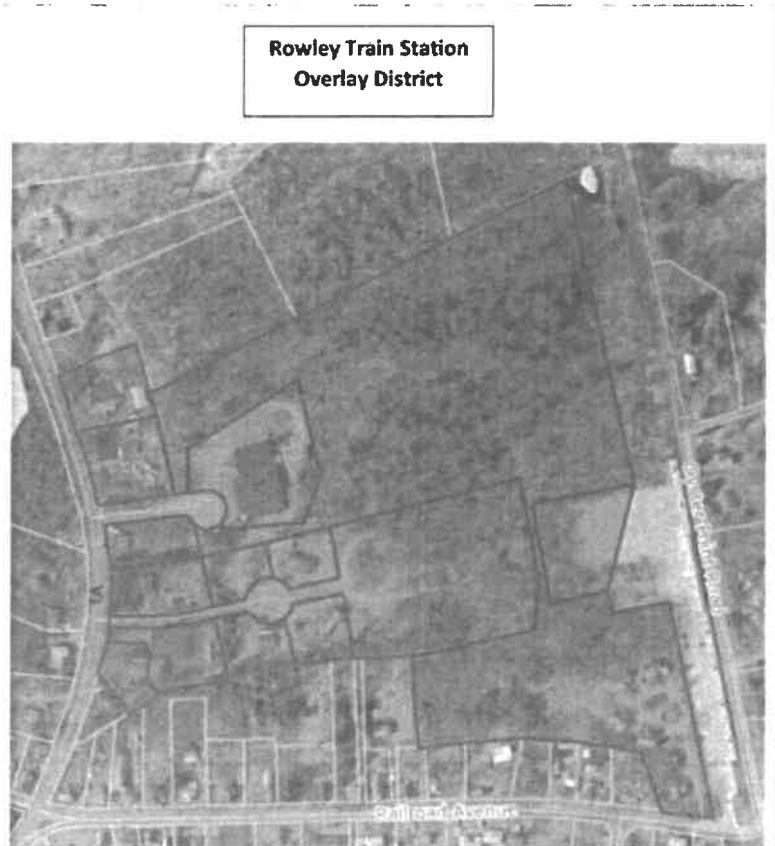
**Finance Committee Recommendation Not Required**

*Explanatory Note: Passage requires a two-thirds vote. The primary portion of the article proposes to replace the existing Accessory In-Law Apartment bylaw that allows, with a special permit approval by the Zoning Board of Appeals (ZBA), the addition of an attached apartment unit to a primary residential dwelling with a new ADU bylaw that would allow, with a special permit approval by the ZBA, (1.) an attached ADU unit 1,000 square feet or less; (2.) to convert an existing detached accessory building existing at least two years prior to an application, to an ADU; or (3.) a new construction of a detached ADU of 1,000 square feet or less. The primary difference between the existing In-Law Apartment bylaw and the ADU bylaw is the absence of a requirement of a familial relationship to validate the use and the option for offering rental options to the general public. There will remain a requirement that one of the units must be owner-occupied except now the property owner must annually certify in writing with the Rowley Building Inspector that either the primary or the ADU unit is owner occupied.*

*The article also contains definitions, pertinent to ADUs, inserted into the definitions section of the zoning bylaw and also modifies language under the bylaw section pertaining to special permits language that was only applicable to the In-law apartments bylaw being replaced by this new bylaw.*

ARTICLE 32. To see if the Town will:

- I. Vote to amend the Rowley Zoning Map to create the MBTA Communities Multifamily Overlay District (MCMOD) that will be comprised of the following two zoning overlay sub-districts (the Station District and the Western District):



(1) **The Station District** consisting of approximately 35 acres located in the Outlying (OD) Zoning District shall consist of the following tax parcels: 401 Main Street (Map 27, Lot 51); 397 Main Street (Map 27, Lot 52); 393 Main Street (Map 27, Lot 53-1); 395 Main Street (Map 27, Lots 53 2-A and 2-B); 387 Main Street (Map 27, Lot 54); 381 Main Street (Map 27, Lot 58); 383 Main Street (Map 27, Lot 57); 22 Deerfield Lane (Map 27, Lot 54-1); 23 Deerfield Lane (Map 27, Lot 54-5); 30 Deerfield Lane (Map 27, Lot 54-2); 29 Deerfield Lane (Map 27, Lot 54-4); 34 Deerfield Lane (Map 27, Lot 54-3); 1-12 Depot Way (Map 27, Lot 78); and Railroad Avenue (Map 27, Lot 78-1)

**Western Overlay  
District**



(2) **The Western District** shall consist of approximately 47 acres located in the Outlying (OD) Zoning District shall consist of the following tax parcels: 909 Haverhill Street (Map 4, Lot 34-2); 915 Haverhill Street (Map 4, Lot 31-1); and 935 Haverhill Street (Map 4, Lot 31);

- II. Vote to amend the Rowley Protective Zoning Bylaw (the “Zoning Bylaw”) to add new Section 4.15 as follows:

**Section 4.15: MBTA Communities Multifamily Overlay District (MCMOD)**

**A. Purpose**

The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A).

## **B. Establishment and Applicability**

This MCMOD is an overlay district having a land area of approximately 81.7 acres in size that is superimposed over the underlying zoning district (s) and is shown on the Zoning Map.

1. **Applicability of MCMOD.** An applicant may develop multi-family housing located within a MCMOD in accordance with the provisions of this Section 4.15
2. **Underlying Zoning.** The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right or by special permit in the MCMOD. Uses that are not identified in Section 4.15 are governed by the requirements of the underlying zoning district(s).
3. **Sub-districts.** The MCMOD contains the following sub-districts, all of which are shown on the MCMOD Boundary Map:
  - a. Station District, which is generally comprised of certain parcels west of the Rowley MBTA Commuter Rail Station, north of Railroad Avenue, and East of Route 1A.
  - b. West District, which is generally comprised of certain parcels north of Haverhill Street and east of Red Pine Way.

## **C. Definitions.**

For purposes of this Section 4.15 the following definitions shall apply.

1. **Affordable Housing Restriction.** A use or deed restriction acceptable in form and substance to HLC and the Town that imposes restrictions on Affordable Housing Units to make such units affordable to Income Eligible Households which meet the requirements of HLC's LIP or any successor program established by HLC for purposes of SHI eligibility; and causes the Affordable Housing Units to be eligible for inclusion on the SHI. An Affordable Housing Restriction shall run with the land in perpetuity or for the maximum period of time allowed by law, and be enforceable under the provisions of Chapter 184, §§ 26, 31, and 32 of the Massachusetts General Laws.
2. **Affordable Housing Unit.** A housing unit in a development subject to this bylaw that is required to be sold or rented to, as applicable, and occupied by an Income Eligible Household.
3. **Applicant.** A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.
4. **Area Median Income (AMI).** The area median household income as determined by the U.S. Department of Housing and Urban Development, adjusted for household size, for the metropolitan area that includes the Town.
5. **As of right.** Development that may proceed under the zoning in place at the time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.
6. **Building Coverage.** The maximum area of the lot that can be attributed to the footprint of the buildings (principal and accessory) on that lot. Building Coverage does not include surface parking.
7. **HLC.** The Massachusetts Executive Office of Housing and Livable Communities, or any successor agency.
8. **Income Eligible Household.** A household of one or more persons whose annual income does not exceed 80% of AMI and meets the applicable requirements established by HLC's LIP.
9. **Lot.** An area of land with definite boundaries that is used or available for use as the site of a building or buildings.

10. **Local Initiative Program (LIP).** A program administered by HLC pursuant to 760 CMR 56.00 to develop and implement local housing initiatives that produce low- and moderate-income housing, with or without a comprehensive permit issued pursuant to Chapter 40B, §§ 20 through 23 of the Massachusetts General Laws.
11. **MBTA.** Massachusetts Bay Transportation Authority.
12. **Dwelling, Multi-Family.** A building designed for, or containing, two (2) or more dwelling units.
13. **Open space.** Contiguous undeveloped land within a parcel boundary.
14. **Parking, surface.** One or more parking spaces without a built structure above the space. A solar panel designed to be installed above a surface parking space does not count as a built structure for the purposes of this definition.
15. **Site Plan Review authority.** The Planning Board shall be the designated Site Plan Review authority for applications in the MCMOD,
16. **Residential dwelling unit.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
17. **Section 3A.** Section 3A of the Zoning Act.
18. **Site Plan Review Authority.** The Planning Board shall have authority over site plan review.
19. **Subsidized Housing Inventory (SHI).** The list compiled by HLC containing the count of eligible low- or moderate-income housing by a city or town pursuant to 760 CMR 56.00, Chapter 40B of the Massachusetts General Laws, and applicable HLC guidelines
20. **Sub-district.** An area within the MCMOD that is geographically smaller than the MCMOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

**D. Permitted Uses**

1. **Uses Permitted As-of-Right.** The following uses are permitted as of right within the MCMOD:
  - a. Multi-family housing.

**E. Dimensional Standards**

1. **Table of Dimensional Standards.** Notwithstanding anything to the contrary in this Zoning Bylaw, the dimensional requirements applicable in the MCMOD are as follows:

Standard	Station District	Western District
Lot Size (square feet)		
Minimum	10,000	10,000
Height (*)		
Stories (Maximum)	2	3
Feet (Maximum)	35	50
Minimum Open Space		
Minimum Open Space	50%	50%
Max Building Coverage	25%	25%
Max Lot Coverage	50%	50%
Setbacks (feet)		
Front yard setback	50	50
Rear yard setback	15	15
Side yard setback 1	15	15
Side yard setback 2	15	15

(\*) – In the MCMOD, building height shall be measured as the vertical distance from the average elevations of the proposed lot grade at the front of the building to the highest point of the top story in the case of a flat roof, and to the mean height between the plate and the ridge in the case of the pitched roof.

4. **Multi-Building Lots.** In the MCMOD, lots may have more than one principal building.
5. **Exceptions.** Limitations of height shall not apply to flagpoles, chimneys, radio and television antennae, windmills, silos, water tanks, public utility structures, and similar non-inhabitable structures.
6. **Exceptions: Renewable Energy Installations.** The Planning Board may waive the height and setbacks of this subsection to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

#### **F. Off-Street Parking**

These parking requirements are applicable to development in the MCMOD.

1. **Number of parking spaces.** The following minimum numbers of off-street parking spaces shall be required, either in surface parking or within garages or other structures:
  - a. Station District – 1 space per dwelling unit;
  - b. Western District - 1 space per studio or 1 bedroom dwelling unit, 2 spaces per two bedroom or greater.

#### **G. Affordability Requirement**

##### **1. Applicability**

- a. Any proposed residential developments containing ten (10) or more rental or ownership housing units on any parcel or contiguous parcel(s) comprising a proposed site shall be subject to the requirements of this section.

##### **2. Mandatory Provision of Affordable Units**

- a. As a condition of approval for a development subject to this section, a project shall contribute at least 10% of its total housing units as Affordable Housing Units with the exception that, if the Planning Board determines it is in the public interest, the applicant may make a cash contribution to the Rowley Affordable Housing Trust in an amount determined by the Affordable Housing Trust Board of Trustees.
- b. For purposes of this article, any calculation of required Affordable Housing Units that results in the fractional or decimal equivalent of one-half (0.50) or above shall be increased to the next highest whole number. Nothing in this bylaw shall preclude a developer from providing additional affordable units, or greater affordability, or both, than the minimum requirements.
- c. As a condition for the issuance of a certificate of occupancy, all Affordable Housing Units shall be subject to an Affordable Housing Restriction. The certificate of occupancy shall not be issued until the Affordable Housing Restriction is approved by Town Counsel and HLC, and is recorded at the South Essex Registry of Deeds, and proof of recordation has been provided to the Inspector of Buildings.
- d. Affordable Housing Units shall be sold or rented, as applicable, to Income Eligible Households at sales prices or rents that are affordable to Income Eligible Households pursuant to an Affordable Housing Restriction.

## H. Site Plan Review

1. **Applicability.** Site plan review is required for a project of four (4) dwelling units or more.
2. **Requirements.** As part of any application for Site Plan Review for a project within the MCMOD, the Applicant must adhere to Section 7.6 of this Zoning Bylaw provided that notwithstanding any other provisions to the contrary in the said Section 7.6, the Site Plan Review Authority may not reject any plan, but may approve it subject to reasonable conditions.
  - a. In addition to requirements outlined in Section 7.6 of this Zoning Bylaw, applicants shall submit an application detailing their adherence with Design Guidelines outlined in subsection I of this Section 4.15.

## I. General Design Guidelines

1. Intent
  - a. The following design standards are adopted to ensure that new development shall be of high quality and is compatible with the character and scale of Rowley's building types, without limiting creativity through architectural design. These guidelines provide goals and standards that are intended to be flexible, and applied by the Site Plan Review Authority as appropriate. While these Guidelines apply to all site improvements and buildings and structures, it is not the intent of this section to prescribe or proscribe use of materials or methods of construction regulated by the State Building Code, but rather to enhance the appearance of the built environment within the MCMOD.
2. Applicability
  - a. These design guidelines shall apply to any proposed development with more than 4 units.
3. Building and Structure Placement
  - a. Consideration shall be taken in the placement of buildings and structures in the overlay district to:
    - i. Provide for a landscaped buffer of buildings and structures to residential districts adjacent to the MCMOD. Such buffering may include, but is not limited to: landscaping, screening materials, natural barriers, fencing, and related measures;
    - ii. Orient buildings to any adjacent usable open space, with access to the building onto or accessible to the usable open space;
    - iii. Orient structures to provide pedestrian entrances to any adjoining sidewalks;
    - iv. Locate trash collection and dumpster sites in appropriate places, screened to avoid adverse impacts on neighboring properties to the overlay district; and
    - v. Locate structures above thirty-five feet (35') behind structures below thirty-five feet, relative to the street, to decrease the visual impact of building height adjacent to the street or parcel boundary.
4. Building Massing, Articulation, and Architecture
  - a. Architecture should demonstrate the cohesive planning of the development and present a clearly identifiable design feature throughout. It is not intended that buildings be totally uniform in appearance or that designers and developers be restricted in their creativity. Consideration shall be made in the design and massing of buildings in order to do the following:
    - i. A variety of building heights and varied roofline articulation shall be provided for buildings and structures within the overlay district.



- ii. Buildings shall have pitched rooflines with gables and dormers in lieu of flat rooflines.
- iii. Multiple-paned windows that divide large areas of glass into smaller parts shall be used.
- iv. Building entry treatments shall be used that are arched or framed and protect people from the elements.
- v. To reduce a building's perceived mass, buildings are encouraged to be divided into smaller scale horizontal and vertical components. Building façades over forty feet (40') in length should have a change in plane every thirty (30') horizontal feet, articulated by projecting or recessed bays, balconies, or setbacks and should be broken into a series of smaller varied elements by incorporating projections or recesses, canopies, trellises or awnings, doorways or windows to vary the facade and emphasize architectural features. Projecting bays, recesses, and cornices are encouraged at all floor levels. A change in plane shall be accompanied by a change in color, material, texture and/or expressed joints and details. Recesses and projections of the building facades shall be a minimum of one (1) foot deep.

5. Open Space and Landscaping

- a. Landscape design shall strive to provide greenery so that streets and access drives are lined with shade trees, large paved areas are visually divided and screened, and buffers are provided within and around the project.
  - i. Landscaping shall consist of a combination of grass, flowers, vines, groundcovers, trees and/or shrubs and use a combination of climate-tolerant plant material and protective ground cover with a mixture of deciduous and evergreens for visual effect 12 months of the year. During plant selection, particular attention shall be paid to tolerance to potential road salt and other deicing treatments.

, or to take any other action relative thereto.

(Inserted by the Planning Board)

**Finance Committee Recommendation Not Required**

*Explanatory Note: Passage requires a simple majority vote. This article will create two MBTA Communities sub-districts that will place Rowley in compliance with the MBTA Communities Act (MGL Chapter 40A Section 3A). The MBTA obligation for Rowley is based on its 2,405 existing residential units and requires:*

- *The potential capacity to create a minimum of 601 units as-of-right (meaning by Planning Board Site Plan Review approval versus a discretionary, Special Permit approval).*
- *A minimum, district-wide, gross density of 15 units per acre.*
- *Suitable for families with children and without age-restriction.*
- *With at least 20% of the developable station area located within 1.5 miles of the Rowley train station (the 35 acres of the Station sub-district) with the remainder of the MBTA multifamily district obligation being met with the Western sub-district located at the western extent of Route 133/Haverhill Street abutting Georgetown, and in proximity to the I-95/Route 133 interchange.*

*Accounting for the requirements for contiguity, roadways, setbacks, wetlands and other considerations reducing buildable area, the Planning Board believes the proposed MCMOD Sub-districts provide a practical and effective way to meet Rowley's MBTA Community requirements.*

*Failure to comply with the law would place the Town at risk of violating Federal and State fair housing laws and potentially to civil enforcement action by the Massachusetts Attorney General. Non-compliance would also result in a loss of eligibility for State funding programs. The resulting loss of Town revenue and costs associated with non-compliance could affect existing services and revenue.*

ANNUAL TOWN ELECTION INFORMATION

Saint Mary's Church (rear), Route 1A, in said Rowley on Tuesday, May 14, 2024 at 12:00 NOON to 8:00 p.m. to act on the following:

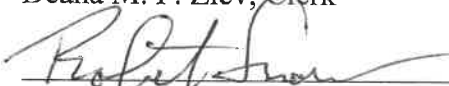
- Board of Selectmen (1 seat, 3-year term)
- Town Moderator (1 seat, 3-year term)
- Town Clerk (1 seat, 3-year term)
- Board of Assessors (1 seat, 3-year term)
- Cemetery Commissioners (1 seat, 3-year term)
- Constable (1 seat, 3-year term)
- Highway Surveyor (1 seat, 3-year term)
- Housing Authority (1 seat, 3-year term)
- Library Trustee (3 seats, 3-year term)
- Municipal Light Board (1 seat, 3-year term)
- Municipal Water Board (1 seat, 3-year term)
- Planning Board (2 seats, 5-year term)
- Regional School Committee (Triton, 1 seat, 3-year term)
- Shellfish Commissioners (1 seat, 3-year term)

And you are hereby instructed to serve this warrant by posting copies thereof at Town Hall, Town Hall Annex and the Rowley Public Library and on the Town's website not less than fourteen days before the day fixed for such meeting, as directed by the laws of the Town and to make due return of the Warrant to the Town Clerk at least two days before said meeting. Given under our hands this 3<sup>rd</sup> day of April in the year two thousand twenty-four.

  
Clifford Pierce, Chairman

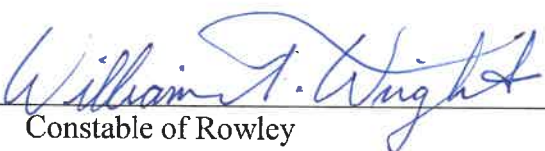
  
Christine Kneeland, Vice Chairman

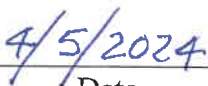
  
Deana M. P. Ziev, Clerk

  
Robert Snow

  
Sheri David

I have served this Warrant by posting at Town Hall, Town Hall Annex, the Rowley Public Library and caused an electronic copy of it to be posted on the Town website not less than fourteen days before the day fixed for such meeting and have made the return of the Warrant to the Town Clerk at least two days before the time of said meeting.

  
Constable of Rowley

  
Date

