



WARRANT

FOR

TOWN OF WESTPORT

ANNUAL TOWN MEETING

MAY 7, 2024

WITH

FINANCE COMMITTEE

RECOMMENDATIONS

Consideration of the matters contained herein shall begin at 7:00 p.m. on Tuesday, May 7, 2024 at the Westport Middle High School Auditorium.

FINANCE COMMITTEE MEMBERS

Karen Raus, Chair
Cynthia Brown, Vice-Chair
Gary J. Carreiro
Hugh M. Morton
Zachary Lebreux
Duncan Law
Albert Lees
Michelle Orlando
Christopher Thrasher

TOWN MODERATOR

Steven W. Fors

SELECT BOARD MEMBERS

Shana M. Shufelt, Chair
Steven J. Ouellette, Vice-Chair
Richard W. Brewer
Manuel Soares Jr.
Craig J. Dutra, Clerk

TOWN ADMINISTRATOR

James K. Hartnett

TOWN CLERK

Kristin M. Stinson

Annual Town Meeting, May 7, 2024

Message from the Finance Committee

Westport has been operating with a Chronic Structural Deficit for years.

Expenses outpacing revenues is a structural deficit, and Westport has been in this chronic situation for many years.

The Town has cut or limited its personnel while increased responsibilities, postponed maintenance, cut back on services, failed to adopt necessary technology. The Town has not maintained recommendation level of stabilization funding. Lacking available resources, the Town has not addressed many of its long-term capital needs: including Town properties and building needs, and equipment.

All major Revenue components are not keeping up with the demands for Town services.

- Property Taxes are constrained due to Proposition 2 ½ and previous overrides have not been successful.
- State Aid Receipts (Local Aid) growth has been limited.
- Local Receipts are tied to economic conditions and Westport has limited ability to grow them.
- There are few new sustainable revenue sources, and opportunities are limited.

Required Expenses and Assessments are increasing

Westport faces growing demands to increase expenditures in all its municipal services. The Town must comply with additional required unfunded state and federal mandates. Inflation increases costs of goods and services and raises compensation levels in order to compete.

Departments are lacking resources to continue vital services

There are not sufficient revenues to support these needed expenditures. Virtually every department in all of Westport's sectors of its General Government, Public Safety, Schools, Public Works and Facilities, Human Services, Culture and Recreation are lacking the resources to adequately provide needed services to our Town residents.

Chronic Deficit will continue in future years

As we look ahead to FY2026, the fiscal outlook does not improve. In fact, the structural deficit grows each year. Revenue growth continues to be limited and expense increases are dictated by growth, inflation and other mandates that outpace available funds.

Both the Town Departments and School have growing demands, and are further challenged with recent high inflation. This lack of funding means, in addition to the deficiencies in the operating budget, the Town must delay routine maintenance, and defer capital expenditures. The Town is not able to address its long-term needs, such as adequately addressing its long-term liabilities, and its long-term Town Property needs, nor is it able to fund the Stabilization Fund to recommended

levels. The Town continues to rely on using free cash (one-time funds) to support and balance the operating budget.

The Finance Committee is working with the Select Board and the School Committee to adopt a 5-year operating, a 5 year-capital plan, and free cash usage plan.

FINANCE COMMITTEE

Karen Raus, Chair

Cynthia Brown, Vice-Chair

Gary Carreiro

Duncan Law

Zachary Lebreux

Al Lees

Hugh Morton

Michelle Orlando

Christopher Thrasher

RULES OF WESTPORT TOWN MEETING

Rules of Town Meeting exist to guarantee an orderly, dignified, fair discussion of issues leading to informed votes and good decisions. We all deserve the respect and courtesy of our neighbors and owe them the same. All rules will be politely, but firmly enforced for the benefit of all.

Addressing the Meeting

- Wait to be recognized (given the floor) by the Moderator.
- Begin by stating your name.
- Speak only to the motion before the meeting at the moment.
- No personal speech; you may not speak about other persons or to other persons. You may reference the ideas of others and comment on them. You may not reference the person or comment on his or her character, motivation, etc.
- Rude or disrespectful speech will not be tolerated.
- While all may speak on a motion as many times as they like, no one may speak twice until everyone who wishes to, has spoken once.
- Speakers are limited to five minutes.
- Ten-minute presentations are allowed by prior arrangement with the Moderator. Such presentations must be supported by written or projected visual aids.

Questions

Speakers may ask a question of another person in the hall, but that question must be addressed through the Moderator. For example "I have a question through Moderator (or the chair) for Town Counsel". Dialogue between two persons is not allowed.

Calling the Question

A speaker may not participate in debate and finish their comments with a motion to call the question. Such a motion must be the only thing the speaker says on that trip to the microphone.

Amendments

VERY simple amendments to a motion that change only a word or two or a number can be moved verbally. All other amendments must be presented to the Moderator in writing.

Handouts

Printed information can be left on the table by the door for voters to read if the following rules are followed:

- Must be approved in advance by the Moderator.
- Must be left on the table for optional pick up. May not be distributed by hand.
- Must identify the author(s).
- Must be informational.
- Must conform to rules of Town Meeting speech.

No other literature may be distributed within the High School building.

Reconsideration

Announcement of intent to reconsider will be accepted as a "point of order". Proponents of reconsideration must convince the Moderator that reconsideration will offer some significant value to the meeting beyond re-stacking the hall or re-hashing work already done or the motion to reconsider will be disallowed.

Further rules of Town Meeting are found in Westport's By-Laws and in the book Town Meeting Time, published by the Massachusetts Moderator's Association.

**TOWN OF WESTPORT
COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING WARRANT
MAY 7, 2024**

BRISTOL, SS.

To either of the constables of the Town of Westport in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Westport qualified to vote in elections and Town affairs, to assemble at the Westport Middle High School, 400 Old County Road, on Tuesday, May 7, 2024 at 7:00 p.m., and then and there to act on the following articles, viz:

ARTICLE 1

Removed

ARTICLE 2

To see if the Town will vote to transfer certain sums of money, from various sources, to the fund listed below, and/or take any other action relative thereto.

SELECT BOARD

FROM:	TO:	AMOUNT
Employee Benefits	Police Personnel Services	\$ 15,560.78
Town Clerk Personnel Services	Town Clerk Expenses	\$ 2,700.00
Animal Control Personnel Services	Transfer Station Expenses	\$ 18,000.00
Beach Enterprise Retained Earnings	Beach Enterprise Personnel Services	\$ 25,000.00
Beach Enterprise Retained Earnings	Beach Enterprise Expenses	\$ 15,000.00
Highway Department Personnel Services	Highway Department Expenses	\$ 15,000.00
Free Cash	Opioid Settlement Account	\$124,310.29
Employee Benefits	Legal Expenses	\$ 25,000.00
	TOTAL	\$ 240,571.07

TOWN ACCOUNTANT/SELECT BOARD

MOTION: *I move the Town make the transfers between line items listed in the warrant under Article 2.*

FINCOM: Recommends Affirmative Action unanimously, 9-0.

ARTICLE 3

To see if the Town will vote to fix the salary and compensation of all elected Town Officers for the fiscal year beginning July 1, 2024, and/or take any other action relative thereto.

FINANCE COMMITTEE/SELECT BOARD

Moderator	\$ 945
Select Board – Chair	\$ 7,488
Board Members (4)	\$ 29,443
Assessors - Board Members (3)	\$ 20,516
Board of Health - Members (3)	\$ 10,676
Town Clerk	\$ 77,433
TOTAL	\$ 146,501

MOTION: *I move the Town fix the salaries of elected Town Officers for FY2025 as printed in the warrant under Article 3.*

FINCOM: Recommends Affirmative Action unanimously, 9-0.

ARTICLE 4

To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money considered necessary to defray the Town's expenses for a twelve month period beginning July 1, 2024 and appropriate the same to several departments and/or take any other action relative thereto.

FINANCE COMMITTEE/SELECT BOARD

MOTION: *I move that the amounts of money set forth in the printed report of the Finance Committee in the columns entitled “FY25” be appropriated for the several purposes therein itemized, each item being considered a separate appropriation and that the same be expended only for such purposes and that these appropriations be funded as follows:*

\$ 51,923,589	<i>Taxation – Raise & Appropriate</i>
\$ 15,888	<i>Waterways Fund</i>
\$ 63,092	<i>Septic Program – Monies Reserved for Debt Payments</i>
\$ 90,000	<i>Enterprise Indirect Cost Transfer</i>
\$ 25,000	<i>Wetlands Fund</i>
\$ 15,000	<i>Cemetery Sale of Lots Account</i>
\$ 40,000	<i>Cemetery Perpetual Care Interest Account</i>
\$ 15,000	<i>Transfer Station Receipts Reserved</i>
\$ 14,500	<i>Community TV Reserved</i>
\$ 634,418	<i>Free Cash</i>
\$52,836,487	TOTAL

FINCOM: Recommends Affirmative Action, 7-2.

ARTICLE 5

To see if the Town will vote to appropriate and/or transfer from available funds a sum of money for the cost of various capital expenditures including equipping vehicles, site clearing and demolition required for projects, and all other incidental and related costs, in accordance with the Town’s Capital Improvement

Planning Program, with each item to be considered a separate appropriation, as follows, to determine whether this appropriation shall be raised by borrowing or otherwise, and/or take any other action relative thereto.

<u>Item</u>	<u>Department</u>	<u>Project Description</u>	<u>Cost</u>	<u>Funding Source(s)</u>
A.	Information Technology	Replace Network Firewall	\$ 65,500	Free Cash
B.	Police	2 Cruisers	\$164,000	Free Cash
C.	Fire	Forestry/Brush Truck	\$275,000	Free Cash
D.	Highway	Pickup Truck	\$ 74,000	Free Cash
E.	Highway	Trailer	\$ 21,500	Free Cash
F.	School	Westport Elementary & Macomber		
		School Bathroom Upgrades	\$322,500	Free Cash
G.	School	Maintenance Truck	\$ 77,500	Free Cash
Total			\$1,000,000	Free Cash

CAPITAL IMPROVEMENT PLANNING COMMITTEE

MOTION: *I move that the Town transfer from Free Cash the amounts specified in Article 5 of the warrant for the capital expenditures listed, in accordance with the Town's Capital Improvement Planning Program, including equipping vehicles, site clearing and demolition required for projects, and all other incidental and related costs, with each item being considered a separate appropriation.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 6

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Select Board, to borrow from time to time in anticipation of revenue of the fiscal year beginning July 1, 2024 in accordance with the provisions of G.L. c. 44, § 4, and to issue a note or notes, payable within one year, and to renew any note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with G.L. c. 44, § 17, and/or take any other action relative thereto.

SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 6 as printed in the warrant.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 7

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$183,632 or any other sum to operate the Marine Services Enterprise for the fiscal year beginning July 1, 2024 as follows, and/or take any other action relative thereto.

Salaries	\$ 80,837
Expenses	\$ 45,795
Capital Outlay	\$ <u>2,000</u>
Total	\$128,632
Indirect Costs	\$ 55,000

and that \$183,632 be raised as follows:

User Charges	\$183,632
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SELECT BOARD/DIRECTOR OF MARINE SERVICES

MOTION: *I move that the Town adopt the provisions of Article 7 as printed in the warrant.*

FINCOM: **Recommends Affirmative Action unanimously, 7-0.**

ARTICLE 8

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$288,050 or any other sum to operate the Waterline Enterprise for the fiscal year beginning July 1, 2024 as follows, and/or take any other action relative thereto.

Salaries	\$ 2,500
Expenses	<u>\$270,550</u>
Total	\$273,050

Indirect Costs	\$ 15,000
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and that \$288,050 be raised as follows:

User Charges	\$288,050
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SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 8 as printed in the warrant.*

FINCOM: **Recommends Affirmative Action unanimously, 7-0.**

ARTICLE 9

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$143,750 or any other sum to operate the Town Beaches Enterprise for the fiscal year beginning July 1, 2024 as follows, and/or take any other action relative thereto.

Salaries	\$ 78,000
Expenses	<u>\$ 45,750</u>
Total	\$123,750

Indirect Costs	\$ 20,000
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and that \$143,750 be raised as follows:

User Charges	\$143,750
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BEACH COMMITTEE/SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 9 as printed in the warrant.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 10

To see if the Town will vote to raise and appropriate and/or transfer from the Cable Television Special Revenue Fund the sum of \$226,134 or any other sum to fund the Community Television budget for the fiscal year beginning July 1, 2024 as follows, and/or take any other action relative thereto.

Salaries	\$173,119
Expenses	\$ 38,515
Indirect Costs	<u>\$ 14,500</u>
Total	\$226,134

and that \$226,134 be raised as follows:

User Charges	\$226,134
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SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 10 as printed in the warrant.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 11

To see if the Town will vote, pursuant to the provisions of G.L. c. 44, § 53E½ and **ARTICLE LXVII, REVOLVING FUNDS, Section 6704** to establish new annual spending limits for the revolving funds set forth below, with such limits to apply from fiscal year to fiscal year unless revised by Town Meeting prior to July 1 in any fiscal year as follows:

<u>Revolving Fund</u>	<u>Maximum Expenditure</u>
Fire Department - Ambulance, Ambulance Equipment or Ambulance Expenses	\$190,000.00

and/or take any other action relative thereto.

FIRE DEPARTMENT

MOTION: *I move that the Town adopt the provisions of Article 11 as printed in the warrant.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 12

To see if the Town will vote pursuant to the provisions of G.L. c. 44, § 53E½, to establish FY2025 expenditure limits for the Revolving Funds set forth in Section 6706 of the Town By-Laws and, further, to authorize such expenditure limits to apply from fiscal year to fiscal year unless otherwise revised by Town Meeting prior to July 1 in any fiscal year, as follows, and/or take any other action relative thereto.

<u>Revolving Fund</u>	<u>Maximum Expenditure</u>
Council on Aging - Programs	\$ 55,000.00
Council on Aging- Social Day Care	\$155,000.00
Council on Aging - Outreach	\$ 10,000.00
Council on Aging - Transportation	\$ 55,000.00
Fire Department - Ambulance, Ambulance Equipment or Ambulance Expenses	\$190,000.00
Fire Department - Haz Mat Equipment or Related Expenses	\$ 40,000.00
Electrical, Plumbing and Gas Inspectors & Assistant Building Inspector - Fees for Inspections Performed, Mileage, Schooling, Clerical, Assistant Building Inspector Wages & Equipment	\$ 85,000.00
Planning Board/Zoning Board of Appeals - GIS Database Maintenance	\$ 20,000.00
Police Department - Cruisers, Associated Equipment or Cruiser Related Expenses	\$ 50,000.00
Westport Economic Development Task Force - Farmer's Market Expense & App	\$ 6,000.00
Board of Health - Vaccine Purchases, Supplies & Expenses	\$ 20,000.00
Library - Programs & Operations, Purchasing & Maintaining Books & Tech	\$ 5,000.00
Energy Conservation - Energy Conservation Projects & Services including Consultants	\$200,000.00

VARIOUS DEPARTMENTS

MOTION: *I move that the Town adopt the provisions of Article 12 as printed in the warrant.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 13

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Community Preservation budget for the fiscal year beginning July 1, 2024, and to appropriate from the Community Preservation Fund a sum or sums of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the fiscal year beginning July 1, 2024; and further to reserve for future appropriation a sum or sums of money for the acquisition, creation and preservation of open space including land for recreational use, and in connection with such recreational land, for the restoration and rehabilitation of the same; a sum or sums of money for acquisition, preservation, restoration and rehabilitation of historic resources; and a sum or sums of money for the acquisition, creation, and preservation of community housing; and further, to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes, all as recommended by the Community Preservation Committee, and, as appropriate, to authorize the Select Board to accept any restrictions or other interests in land for the within purposes, and/or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

CPA Funding Sources for FY'25 Annual Town Meeting

OPEN SPACE/RECREATION

Town Bicentennial Park Playground \$350,000
Source of Funding:

FY25 Estimated Fund Revenues \$350,000

COMMUNITY HOUSING

Affordable Housing Trust \$300,000
Source of Funding:
Community Housing Reserves \$ 34,000
FY25 Estimated Fund Revenues \$266,000

HISTORIC PRESERVATION

Bell Schoolhouse Rehabilitation \$110,000
Source of Funding:
Historic Preservation Reserves \$ 92,000
Undesignated Reserves \$ 18,000

Historic Cemetery Website \$ 30,000
Source of Funding:
Undesignated Reserves \$ 30,000

HISTORIC PRESERVATION RESERVES \$ 90,000

Source of Funding:
FY25 Estimated Fund Revenues \$ 90,000

ADMINISTRATIVE FUNDS \$ 40,000

Source of Funding:
FY25 Estimated Fund Revenues \$ 40,000

BUDGETED RESERVES \$110,000

Source of Funding:
FY25 Estimated Fund Revenues \$110,000

MOTION: *I move that the Town appropriate or reserve from the Community Preservation Fund's annual revenues and available funds the amounts recommended for the purposes defined in the written recommendations of the Community Preservation Committee, as set printed in Article 13 of the warrant, with each item to be considered a separate appropriation.*

FINCOM: Recommends Affirmative Action unanimously, 7-0, & 2 abstentions.

ARTICLE 14

To see if the Town will vote to appropriate a sum of \$35,000,000.00 to pay the costs of engineering, designing, and constructing a water system and a system of sewers and associated treatment facilities, pumps, and equipment in the greater Route 6 area, including the payment of all other costs incidental and related thereto; and to meet this appropriation authorize the Treasurer, with the approval of the Select Board, to borrow such amount pursuant to the provisions of G.L. c. 44, G.L. c. 29C, or any other enabling

legislation and to issue bonds or notes of the Town therefor, and that such bonds or notes shall be general obligations of the Town unless the Treasurer, with the approval of the Select Board, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in G.L. c. 29C, § 1; that the Select Board or Sewer Commission be authorized to apply for, accept, and expend any state and/or federal grants and loans or other public or private funds that may be available; that the Select Board or Sewer Commission be authorized to enter into all agreements and execute any and all instruments and take all related actions necessary or appropriate to effect the foregoing; that the Select Board or Sewer Commission be authorized to acquire, by gift, purchase, taking, or otherwise, any lands or interests necessary for the construction of the greater Route 6 area water and sewer system; provided, however, that any such borrowing shall be contingent upon passage of a Proposition 2½ debt exclusion ballot question pursuant to G.L. c. 59, § 21C(k); and/or take any other action relative thereto.

INFRASTRUCTURE OVERSIGHT COMMITTEE/SELECT BOARD

MOTION: *I move that the Town appropriate a sum of \$ [REDACTED] to pay the costs of engineering, designing, and constructing that portion of a water system and a system of sewers and associated treatment facilities, pumps, and equipment along Route 6 (State Road) from the Fall River line to the intersection with Route 88 (Main Hwy), including the payment of all other costs incidental and related thereto; and to meet this appropriation authorize the Treasurer, with the approval of the Select Board, to borrow such amount pursuant to the provisions of G.L. c. 44, G.L. c. 29C, or any other enabling legislation and to issue bonds or notes of the Town therefor, and that such bonds or notes shall be general obligations of the Town unless the Treasurer, with the approval of the Select Board, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in G.L. c. 29C, § 1; that the Select Board or Sewer Commission be authorized to apply for, accept, and expend any state and/or federal grants and loans or other public or private funds that may be available; that the Select Board or Sewer Commission be authorized to enter into all agreements and execute any and all instruments and take all related actions necessary or appropriate to effect the foregoing; that the Select Board or Sewer Commission be authorized to acquire, by gift, purchase, taking, or otherwise, any lands or interests necessary for the construction of that portion of the greater Route 6 area water and sewer system covered by Contract 1; provided, however, that any such borrowing shall be contingent upon passage of a Proposition 2½ debt exclusion ballot question pursuant to G.L. c. 59, § 21C(k).*

FINCOM: Does Not Recommend, 6-3.

ARTICLE 15

To see if the Town will vote to authorize the Select Board or Sewer Commission, pursuant to G.L. c. 83, §§ 14 and 15, to assess sewer betterments on those benefitting from the greater Route 6 area sewer project, using the uniform unit method, of 20% of total project costs, establish a rate of interest of 5% to be assessed on late payments, delegate to the Select Board or Sewer Commission the apportionment of assessments, and elect the deferred recording procedure pursuant to G.L. c. 80, § 12; adopt G.L. c. 80, § 13B, providing for the deferral of betterment assessments for seniors eligible for an exemption under G.L. c. 59, § 5, cl. 41A; and, further, adopt G.L. c. 83, § 15D, providing for apportionment of betterment assessments over a period not to exceed 30 years and for collection thereof on quarterly tax bills; and/or take any other action relative thereto.

INFRASTRUCTURE OVERSIGHT COMMITTEE/SELECT BOARD

MOTION: *I move that the Town authorize the Select Board or Sewer Commission, pursuant to G.L. c. 83, §§ 14 and 15, to assess sewer betterments on those benefitting from that portion of the greater*

Route 6 area sewer project, along Route 6 (State Road) from the Fall River Line to the intersection with Route 88 (Main Hwy), using the uniform unit method, of 20% of total project costs, establish a rate of interest of 5% to be assessed on late payments, delegate to the Select Board or Sewer Commission the apportionment of assessments, and elect the deferred recording procedure pursuant to G.L. c. 80, § 12; adopt G.L. c. 80, § 13B, providing for the deferral of betterment assessments for seniors eligible for an exemption under G.L. c. 59, § 5, cl. 41A; and, further, adopt G.L. c. 83, § 15D, providing for apportionment of betterment assessments over a period not to exceed 30 years and for collection thereof on quarterly tax bills.

FINCOM: Does Not Recommend, 6-3.

ARTICLE 16

To see if the Town will vote to accept the provisions of G.L. c. 44, § 53F½ to establish a Sewer Enterprise Fund effective Fiscal Year 2025, with the Select Board temporarily acting as a Sewer Commission pursuant to G.L. c. 83, § 1; and, further, to create a Sewer Commission pursuant to the provisions of G.L. c. 41, § 63, and approve appointment of such commission pursuant to G.L. c. 41, § 1B, provided, however, that creation of the Sewer Commission and fixing the manner of selection for its members will require action at the 2025 Annual Town Election; and/or take any other action relative thereto.

SELECT BOARD

MOTION: I move that the Town adopt the provisions of Article 16 as printed in the warrant.

FINCOM: Does Not Recommend, 6-3.

ARTICLE 17

To see if the Town will vote to accept the provisions of G.L. c. 59, § 57A, which makes property tax bills of \$100 or less payable in a single installment, beginning in Fiscal Year 2025, and/or take any other action relative thereto.

TREASURER

MOTION: I move that the Town adopt the provisions of Article 17 as printed in the warrant.

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 18

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

TREASURER

MOTION: I move that the Town adopt the provisions of Article 18 as printed in the warrant.

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 19

To see if the Town will vote to rescind the authorization to borrow the amount of \$211,000 approved under Article 38 of the June 5, 2021 Annual Town Meeting for the purpose of acquiring a conservation restriction, which borrowing authorization is no longer needed for the purposes for which it was initially approved, and/or take any other action relative thereto.

TREASURER

MOTION: I move that the Town adopt the provisions of Article 19 as printed in the warrant.

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 20

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$20,000 to be used by the Board of Assessors to fund the fees and expenses necessary to update the Revaluation Program mandated by G.L. c. 40, § 56, as it may be amended from time to time, to place the Town on a 100% valuation basis, and/or take any other action relative thereto.

BOARD OF ASSESSORS

MOTION: I move that the Town adopt the provisions of Article 20 as printed in the warrant with the sum of \$20,000 from Free Cash.

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 21

Removed

ARTICLE 22

To see if the Town will vote to amend the vote taken under Article 28 of the June 5, 2021 Annual Town Meeting by deleting “with qualified nitrogen reducing systems”, and/or take any other action relative thereto.

BOARD OF HEALTH

MOTION: I move that the Town adopt the provisions of Article 22 as printed in the warrant.

FINCOM: Makes No Recommendation, 9-0.

ARTICLE 23

To see if the Town will vote to appropriate from Transfer Station Receipts Reserve the sum of \$29,000 for the purpose of purchasing and equipping two (2) replacement roll-off containers and light duty equipment for the Transfer Station, including all incidental and related expenses, and/or take any other action relative thereto.

BOARD OF HEALTH

MOTION: I move that the Town adopt the provisions of Article 23 as printed in the warrant.

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 24

To see if the Town will vote to rescind the transfer of the amount of \$93,497.85 to Capital Stabilization approved under Article 3 of the May 2, 2023 Annual Town Meeting, which amount represented the balance of the funds raised under Article 7 of the December 6, 2011 Special Town Meeting for Environmental Remediation of the Westport Middle School, and transfer of the amount of \$9,175 to Capital Stabilization approved under Article 3 of the May 2, 2023 Annual Town Meeting, which amount represented the balance of the funds raised under Article 4 of the May 7, 2013 Annual Town Meeting for Mold Remediation of the Westport Police Station, and/or take any other action relative thereto.

TOWN ACCOUNTANT/SELECT BOARD

MOTION: I move that the Town adopt the provisions of Article 24 as printed in the warrant.

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 25

To see if the Town will vote to transfer the amount of \$93,497.85, the balance of the funds raised under Article 7 of the December 6, 2011 Special Town Meeting for Environmental Remediation of the Westport Middle School, to the Westport Community Schools to be used for building repairs and/or take any other action relative thereto.

TOWN ACCOUNTANT/SELECT BOARD

MOTION: I move that the Town adopt the provisions of Article 25 as printed in the warrant.

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 26

To see if the Town will vote to transfer the amount of \$9,175, the balance of the funds raised under Article 4 of the May 7, 2013 Annual Town Meeting for Mold Remediation of the Westport Police Station, to be used for Town building repairs and/or take any other action relative thereto.

TOWN ACCOUNTANT/SELECT BOARD

MOTION: I move that the Town adopt the provisions of Article 26 as printed in the warrant.

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 27

To see if the Town will vote to transfer to the Westport Community Schools, for the purpose of paving of the Westport Elementary School (380 Old County Road, Westport, MA 02790) parking lot, the sum of \$41,605.10, raised under Article 5 of the May 2, 2017 Annual Town Meeting for Westport Elementary School Gym Floor, which amount is no longer needed for such purpose, and/or take any other action relative thereto.

SCHOOL DEPARTMENT

MOTION: *I move that the Town adopt the provisions of Article 27 as printed in the warrant.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 28

To see if the Town will vote to transfer from the Beach Enterprise Fund the sum of \$15,000 for the purpose of purchasing land or interests therein at Cherry & Webb Beach (Assessors Map 91, Lots 29 & 30), including acquisition costs and all incidental and related expenses, and to authorize the Select Board to purchase said land and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to carry out the purposes of this article, and/or take any other action relative thereto.

BEACH COMMITTEE

MOTION: *I move that the Town adopt the provisions of Article 28 as printed in the warrant.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 29

To see if the Town will vote to transfer from the Beach Enterprise Fund the sum of \$49,000 for the purpose of replacing the existing fence at Cherry & Webb Beach including all incidental and related costs, and purchasing and equipping a vehicle for beach use, and/or take any other action relative thereto.

BEACH COMMITTEE

MOTION: *I move that the Town adopt the provisions of Article 29 as printed in the warrant.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 30

To see if the Town will vote to raise and appropriate or transfer from the Municipal Waterways Fund the sum of \$30,000 for the purpose of purchasing and equipping outboard motors for the Marine Services Department, and/or take any other action relative thereto.

MARINE SERVICES

MOTION: *I move that the Town adopt the provisions of Article 30 as printed in the warrant, with the sum of \$30,000 to be transferred from the Municipal Waterways Fund.*

FINCOM: Recommends Affirmative Action unanimously, 7-0.

ARTICLE 31

To see if the Town will vote, under the provisions of G.L. c. 40, § 15A and all other applicable laws, to transfer the care, custody, management and control of those parcels of land known as Town of Westport Assessor Map 79, Lot 4 (Final Decree recorded at the Bristol County S.D. Registry of Deeds in Book 5070, Page 305) and Map 79, Lot 5 (Final Decree recorded at the Bristol County S.D. Registry of Deeds in Book 1900, Page 1162) from the Town of Westport Select Board, which presently holds said parcels of land as general municipal corporate property acquired by tax title, to the Town of Westport Conservation

Commission to be held by said Conservation Commission for conservation and passive recreation purposes under the provisions of G.L. c. 40, § 8C and to dedicate said parcels or portions thereof for conservation purposes in perpetuity subject to the protections of Article 97 of the Amendments to the Massachusetts Constitution, and/or take any other action relative thereto.

CONSERVATION COMMISSION/SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 31 as printed in the warrant.*

FINCOM: **Recommends Affirmative Action unanimously, 7-0.**

ARTICLE 32

To see if the Town will vote, pursuant to G.L. c. 164, § 55, to elect a municipal light board consisting of five registered voters of the Town, each for a term of three years, such positions appearing on the ballot at the Westport 2025 annual Town Election; provided that in accordance with G.L. c. 164, § 55, of the five-member board, initially one shall be chosen for one year, two for two years, and two for three years; and provided further that the municipal light board shall have the authority to construct, purchase or lease the municipal light plant in accordance with the vote of the Town and to maintain and operate the same, and/or take any other action relative thereto.

INTERNET ADVISORY COMMITTEE/SELECT BOARD

MOTION: *I move that the Town Pass Over Article 32.*

FINCOM: **Makes No Recommendation, 8-0 & 1 abstention.**

ARTICLE 33

To see if the Town will vote to amend the Town of Westport **ZONING BY-LAWS** by adding a new zoning article, Short-Term Rentals (STR), and making other related amendments as follows, and/or take any other action relative thereto:

Item 1.

Amend **SECTION 3 DEFINITIONS** by inserting the following definition in alphabetical order:

Short-Term Rental: A short-term rental is a dwelling that is not a hotel, motel, lodging house or bed and breakfast, where at least one room or unit is rented out through the use of advance reservations not to exceed 31 consecutive days. A short-term rental includes an apartment, house, cottage, and condominium. It does not include property that is rented out through tenancies at will or month-to-month leases. It also does not include time-share property or bed and breakfast (see definition of bed and breakfast).

Item 2.

Amend **SECTION 5.1 TABLE OF USE REGULATIONS** by inserting the following use under the **BUSINESS / COMMERCIAL** section in alphabetical order:

X = Prohibited unless allowed in Underlying District

Y = Allowed By-Right

SPBA = Special Permit Board of Appeals

SPPB = Special Permit Planning Board

USES	RESIDENTIAL/AGRICULTURAL	BUSINESS	UNRESTRICTED
Short-Term Rental (see Section 9.10)	Y	Y	Y

Item 3.

Add a new **SECTION 9.10 SHORT-TERM RENTAL** to read as follows:

“9.10 SHORT-TERM RENTAL

9.10.1 Purpose

The short-term rental zoning bylaw provides for administration and enforcement of Westport short-term rentals in order to protect the health, safety, and welfare of both the occupant(s) of those rental units and the general public, and to maintain the quality of life in residential neighborhoods. This bylaw provides for the orderly operation of short-term rentals, recognizing their historic role in Westport’s economy.

9.10.2. Registration

No owner(s) shall operate a short-term rental without first registering annually with the Building Department.

9.10.3 General Requirements

A short-term rental is permitted in accordance with Section 5.1 Table of Use Regulations and subject to the following requirements:

- A. Guestroom(s) must be provided within a legal dwelling unit.
- B. No tenant or lessee shall let or sub-let a short-term rental.
- C. The owner shall adhere to applicable bylaws, laws, rules, regulations, and codes of the Commonwealth of Massachusetts and Town of Westport.
- D. Contact information for a responsible local entity or individual with authority to act on behalf of the owner must be provided to the Building Inspector and be kept current at all times.
- E. Dwelling units designated as affordable or otherwise income-restricted that are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law may not be used as short-term rentals.
- F. Short-term rentals are for residential uses only. Commercial uses, including but not limited to event spaces or beverage promotion, are not permitted.
- G. Short-term rentals shall be for a period of at least seven (7) days in the Residential/Agriculture District.
- H. Sufficient parking shall be provided on the property or strictly along the property frontage if parking is allowed on the street.

I. The Zoning Board of Appeals may waive standards G and H by special permit provided the applicant demonstrates that the waiver will be not create adverse impacts upon the surrounding area.

J. The short-term rental must be registered with the Massachusetts Department of Revenue.

PLANNING BOARD

MOTION: *I move that the Town adopt the provisions of Article 33 as printed in the warrant.*

FINCOM: Makes No Recommendation, 8-1

ARTICLE 34

To see if the Town will vote to amend the Town of Westport **ZONING BY-LAWS, SECTION 6.6 SCIENCE AND TECHNOLOGY OVERLAY DISTRICT**, and make other related amendments as follows, and/or take any other action relative thereto:

Item 1.

Amend **SECTION 6 OVERLAY DISTRICTS** by deleting the words “F. Science and Technology Overlay District” and inserting the words “F. Mixed Use Science and Technology Overlay District” in its place.

Item 2.

Amend **TABLE OF CONTENTS, SECTION 6.6 and SECTION 2.7 PLANNING BOARD** by deleting the words “Science and Technology Overlay District” and inserting the words “Mixed Use Science and Technology Overlay District” in its place.

Item 3.

Amend **SECTION 6.6 SCIENCE AND TECHNOLOGY OVERLAY DISTRICT** by deleting, throughout the section, the words “Science and Technology Overlay District” and acronym “STOD” and inserting the words “Mixed Use Science and Technology Overlay District” and “MUSTOD”, respectively in their place.

Item 4.

Amend **SECTION 6.6.1 PURPOSE AND INTENT** by inserting the **highlighted text**, re-numerating as necessary, and deleting the ~~strike through text~~ as follows:

“The purpose of the Mixed Use Science and Technology Overlay District (MUSTOD) ~~special permit~~ is to: allow better utilization of land adjacent to the Route 6 and 88 interchange, assure attractive and efficient arrangement of office and research buildings and the harmonious integration of **residential and commercial** uses allowed in this district into the surrounding neighborhood and the community at large. The intent of the MUSTOD By-law is to:

A. Promote a live/work mixed use environment that offers employment and housing opportunities.

- D. Promote the creation of housing in proximity to services and employment opportunities.
- H. Protect adjacent residential property values through effective year-round screening and buffering of the commercial uses to residential uses.

Mixed Use for purposes of this Section shall mean: *a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, industrial or other uses.*

Item 5.

Amend **SECTION 6.6.3 ADMINISTRATION** by inserting the highlighted text as follows

The Planning Board shall be the ~~Special Permit Site Plan Granting review~~ authority for a **Mixed Use** Science and Technology Overlay District ~~special~~ **site plan permit application**. The SPGA shall follow the procedural requirements for special permits as set forth in Section 9 of MGL Chapter 40A. After notice and public hearing and consideration of application materials, consultant reviews, public comments, and the recommendations of other town boards and/or departments, the SPGA-Planning Board may grant such a ~~permit~~ **site plan approval**. The SPGA-Planning Board shall impose conditions reasonably appropriate to improve site design, traffic flow and safety, and protect water quality, air quality, and significant environmental resources, ~~and/or otherwise serve the purpose of this section~~ pursuant to the Mixed Use Science and Technology Overlay District and Site Plan (section 2.8) review procedures.

Item 6

Amend **SECTION 6.6.4 PROCEDURES** by inserting the **highlighted text** and deleting the ~~strike through~~ text follows:

An applicant for a **Mixed Use** Science and Technology Overlay District **site plan** ~~special permit~~ shall submit an application to the Planning Board. Where applicable, and to the extent permitted by law, the Planning Board shall coordinate the review procedures and public hearing required for any application for a **MUSTOD site plan** ~~special permit~~ with the review procedures and public hearing required for Site Plan approval (Section 2.8), Low Impact Development (Section 8.2) or if necessary, a definitive subdivision plan.

Item 7.

Amend **SECTION 6.6.4 PROCEDURES** by inserting the **highlighted text** and deleting the ~~strike through~~ text as follows:

An applicant for a Mixed Use Science and Technology Overlay District **project** ~~special permit~~ shall submit an application to the Planning Board **pursuant to Section 8.7**. Where applicable, and to the extent permitted by law, the Planning Board shall coordinate the review procedures and public hearing required for any application for a MUSTOD **site plan review** ~~special permit~~ with the review procedures, **application requirements**, and public hearing required for **Inclusionary Zoning (Section 9.2)**, **Site Plan approval** (Section 2.8), Low Impact Development (Section 8.2) or if necessary, a definitive subdivision plan.

Item 8.

Amend **SECTION 6.6.5, USES ALLOWED BY SPECIAL PERMIT** by inserting the **highlighted text**,

re-numerating as necessary, and deleting the ~~strike through~~ text as follows:

6.6.5 USES ALLOWED BY SPECIAL PERMIT SITE PLAN

No use shall be allowed which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

No building or premises shall be used, and no building shall be erected in the STOD, other than as is already allowed in the underlying district, except for the following additional uses, which shall be allowed by right and subject to site plan review: ~~by special permit~~

A. Professional or Corporate Office building for business and professional services and uses, which shall include, but not limited to, insurance, banking and other ~~financial uses~~ businesses with similar purposes in connection with such uses;

B. Scientific, Technical, and Management Service uses, ~~as defined hereunder~~;

C. ~~Software and Communication Service uses, as defined hereunder~~ Multi-Family Uses (3 or more dwelling units) and Inclusionary Housing (10 or more dwelling units (Section 9.2.2));

D. Clinics for outpatient care, as well as outpatient medical offices and services including, but not limited to, imaging, physical therapy, laboratory and diagnostics;

E. ~~Telemarketing and telephone-based services~~ Data Center in a building or dedicated space within a building(s) used to house computer systems and associated components such as telecommunications and storage systems;

F. ~~Electronic data processing areas, as defined hereunder~~ Warehouse Distribution and Fulfillment Centers;

G. Light industry, ~~as defined hereunder~~;

H. ~~Light manufacturing, as defined hereunder~~ Mixed-Use comprised of uses permitted in the MUSTOD;

I. ~~Assembly line operations, as defined hereunder, for any use allowed in the Table of Uses~~;

J. Publishing and printing uses;

K. Research and Development Laboratories and Facilities, ~~as defined hereunder~~

L. Private athletic and/or health club and day spa uses, provided that no overnight accommodations are provided;

M. Municipal buildings and uses, including, but not limited to town offices, police stations, fire stations, ambulance stations, public works buildings and storage areas and such garages and other outbuildings that are incidental thereto;

N. ~~Advanced Materials Operations, as defined hereunder~~ Where a use might be classified under more than one of the categories in Section 6.6.5, the more specific category shall determine permissibility. If equally specific, the more restrictive category shall govern. A use not classifiable under any listed category may be allowed only by Special Permit from the Planning Board, upon the Board's determination that the use is similar in its nature and its impacts on the neighborhood, the environment and the Town to a use which is permitted or allowed on Special Permit, and also that the test of Sections 2.6 and 6.6.11 Special Permit Criteria, is met.

O. Multiple uses that are otherwise allowed individually in the underlying district or by special permit hereunder may be allowed under an STOD special permit site plan review, provided that specific findings are made that the site contains sufficient area, setbacks, stormwater controls, parking and buffers to manage the combined uses;

P. Marijuana Establishments (pursuant to Section 9.9 of this By-Law)

Q. Accessory Uses shall be allowed by special permit, including the following uses that are accessory to a principal use on the premises, provided that the uses are not open to the general public and are available only to on site employees and their guests and there is no external evidence of the use (unless the use is itself separately allowed as a principal use under a special permit that has issued):

1. Day care center;
2. Health club;
3. Branch bank;
4. Newsstand; and
5. Food Service for on premise employees and their guests.

R. Any other uses not listed above in Section 6.6.5 or in the Table of Uses, determined to be permissible pursuant to Section 6.6.5.N, shall be expressly prohibited.

Item 9.

Amend SECTION 6.6.6, LOT REQUIREMENTS FOR ISSUANCE OF A SPECIAL PERMIT by deleting the strike through text and inserting the highlighted text as follows:

6.6.6 LOT REQUIREMENTS FOR ISSUANCE OF A MUSTOD APPROVAL SPECIAL PERMIT

Minimum Lot Size	40 5 acres, of which 50% must be comprised of upland; If a commercial subdivision is proposed, the lots may be of varying size, with a minimum of 5 acres per lot, providing that an average lot size of 10 acres is maintained for the subdivision as a whole. Lots so created that are larger than 10 acres shall not be further subdivided.
Minimum Lot Frontage	150 feet on a way in existence when this provision is adopted and 50-100 feet on a subdivision way approved and constructed as part of a new subdivision way that is created in the MUSTOD, provided that an MUSTOD special permit is granted at the same time that definitive subdivision approval is granted.
Minimum Lot Width (at front building line)	400 feet
Maximum Residential Density	15 Dwelling Units per acre
Minimum Front Setback	150 feet from a way in existence, as defined under G.L. c.41, §81L, when this provision is adopted and 40 25 feet from a new subdivision way that is created in the MUSTOD, provided that an MUSTOD approval special permit is granted at the same time that definitive subdivision approval is granted.
Minimum Side Setback	50 25 feet, except 150 100 feet if abutting a non-MUSTOD or

	Westport Gateway District (WGD) residential use Res/Ag district.
Minimum Rear Setback	50 30 feet, except 150 100 feet if abutting a non-MUSTOD or WGD residential use Res/Ag district.
Maximum % Lot Coverage	60 65% (includes buildings, parking lots, roadways and all impervious surfaces)
Maximum Height	3 stories or 45 feet, whichever is greater. Heights may be increased by 1 story or 15 feet for every additional 200 feet of setback provided, with a maximum height of 5 stories or 75 feet, whichever is greater.
Upland Requirement	50% of the minimum required lot area shall be comprised of upland.

Item 10.

Amend **SECTION 6.6.7, PERFORMANCE STANDARDS** by deleting the ~~strike through~~ text and inserting the **highlighted text**:

6.6.7 PERFORMANCE STANDARDS

In addition to the performance standards of Site Plan Approval (Section 2.8), development within the MUSTOD shall conform to the following additional performance standards:

B. Interior Infrastructure - All streets, ways and drainage facilities shall be designed and constructed in compliance with the Westport Rules and Regulations Governing the Subdivision of Land, except such as may be waived by the Planning Board upon request of an applicant, whether or not the proposed MUSTOD use involves a subdivision of land. The stormwater drainage infrastructure for the project shall be designed and constructed and maintained in accordance with the most recent Massachusetts Department of Environmental Protection Stormwater Standards so as to control all stormwater on site and so that it shall not result in any increase, post construction, in rate or volume of stormwater released, when compared to pre construction conditions, based upon drainage calculations that take existing conditions on the site and the relevant area watersheds into account. All infrastructure improvements shall be private, under the ownership and control of a single property owner or a property owner's association shall be established and recorded before any conveyance of land is made.

Any and all streets and ways shall be designed and located in such a manner to maintain and preserve natural topography, significant landmarks, and trees and to minimize cut and fill and to preserve and enhance views and vistas on or off the subject parcel. Any and all proposed grade changes shall be in keeping with the general appearance of the neighboring developed areas.

D. Lighting - The applicant shall provide a photometric plan with the proposed site plan. Exterior area lighting, including but not limited to

lighting for parking lots, recreational areas, walks, drives and outside building walls, shall be designed and installed in accordance with dark sky standards and maintained to direct light away from abutting property and abutting ways. Exterior, standalone lighting fixtures shall have a maximum height of 30 20 feet above the ground. Exterior lighting fixtures located on a building shall also not exceed a maximum height of 30 20 feet.

- E.** **Buffer Area** - There shall be a 100' Buffer Area adjacent to residence/agriculture uses within or abutting the MUSTOD district boundary. The purpose of this Buffer Area shall be to eliminate or mitigate negative impacts on existing abutters. The Buffer Area shall consist of existing natural vegetation and /or new plantings or combinations of vegetation and earthen berms and /or sound barriers, which shall form a year-round dense screen that reach at least six feet in height within three years of issuance of the first building permit. The Planning Board may reduce the required buffer area when it determines such reduction will not cause adverse impact to the abutting use(s)

There shall be a minimum natural buffer of 100 feet between wetlands and areas altered for development. There shall be no parking or buildings or impervious surfaces within the 100' buffer zone. The Planning Board may reduce the required buffer area when it determines such reduction will not cause adverse impact to the abutting uses.

- K.** **Off-Street Parking** - Within the MUSTOD, off-street parking shall be provided sufficient to serve the needs of the various uses, based upon the nature of the use and the number of persons occupying and using the facilities. The Planning Board may reduce the required number of parking spaces when it determines such reduction will not cause adverse impact to the abutting uses. To that end, the maximum number of off-street parking spaces shall be determined as follows:

1. Commercial/industrial uses: At the choice of the applicant, either

- 1a.** One and one half (1.5) spaces for each 1,000 gross square feet of building floor area devoted to manufacturing uses and two (2) spaces for each 1,000 gross square feet of building used for research and development uses shall be provided; or
- 2b.** One space for each two persons included in the offices, staff and employees within the MUSTOD of each organization conducting such use, plus visitor spaces of one additional space for each twenty-five (25) spaces so determined shall be provided. The number of staff and employees shall be calculated based on building use and type as well as occupancy limitations.

2. Residential uses: 1 space per dwelling unit

3. Mixed/multiple uses: The Planning Board shall establish the required number of parking spaces, not to exceed the combined total of required parking under 6.6.7.K.1-2. The applicant may provide shared parking for uses with offset peak hours, in addition to shared access between abutting uses as applicable and where feasible.

- P. **Hours of Operations** - The Planning Board may limit the allowed hours of operation based on type of use proposed within the special permit approval conditions.

Item 11.

Amend SECTION 6.6.9, TRAFFIC STUDY by deleting the ~~strike-through text~~ and inserting the highlighted text:

- E. The applicant of any proposed facility whose anticipated traffic impact subjects it to this subsection shall be required to submit a traffic mitigation plan to the Planning Board, who shall engage the services of a consultant, again paid for by the applicant, in reviewing it. The Planning Board shall also consult with the Highway Department and Massachusetts Department of Transportation in reviewing this plan. The mitigation plan shall be sufficient to create the following conditions:

1. Prevent a reduction in service of more than one level; and
2. Prevent a reduction in service to level D or lower.

Only if the above requirements and criteria are satisfied shall an approval special permit be issued.

Item 12.

Amend SECTION 6.6.10, CONSULTANT REVIEW by deleting the ~~strike-through text~~ and inserting the highlighted text:

6.6.10 **CONSULTANT REVIEW**

The Board may engage a professional engineer and/or other technical consultant to advise the Planning Board, and to review application plans and documents in application phase and the construction phase. The applicant shall pay for the cost of the consultant review pursuant to the procedures specified in G.L. c.44, §53G or §53A. Further, the Building Inspector may engage to inspect to confirm compliance with special permit requirements. Refusal to pay the necessary fees shall be a basis to deny the a site plan and special permit request relief.

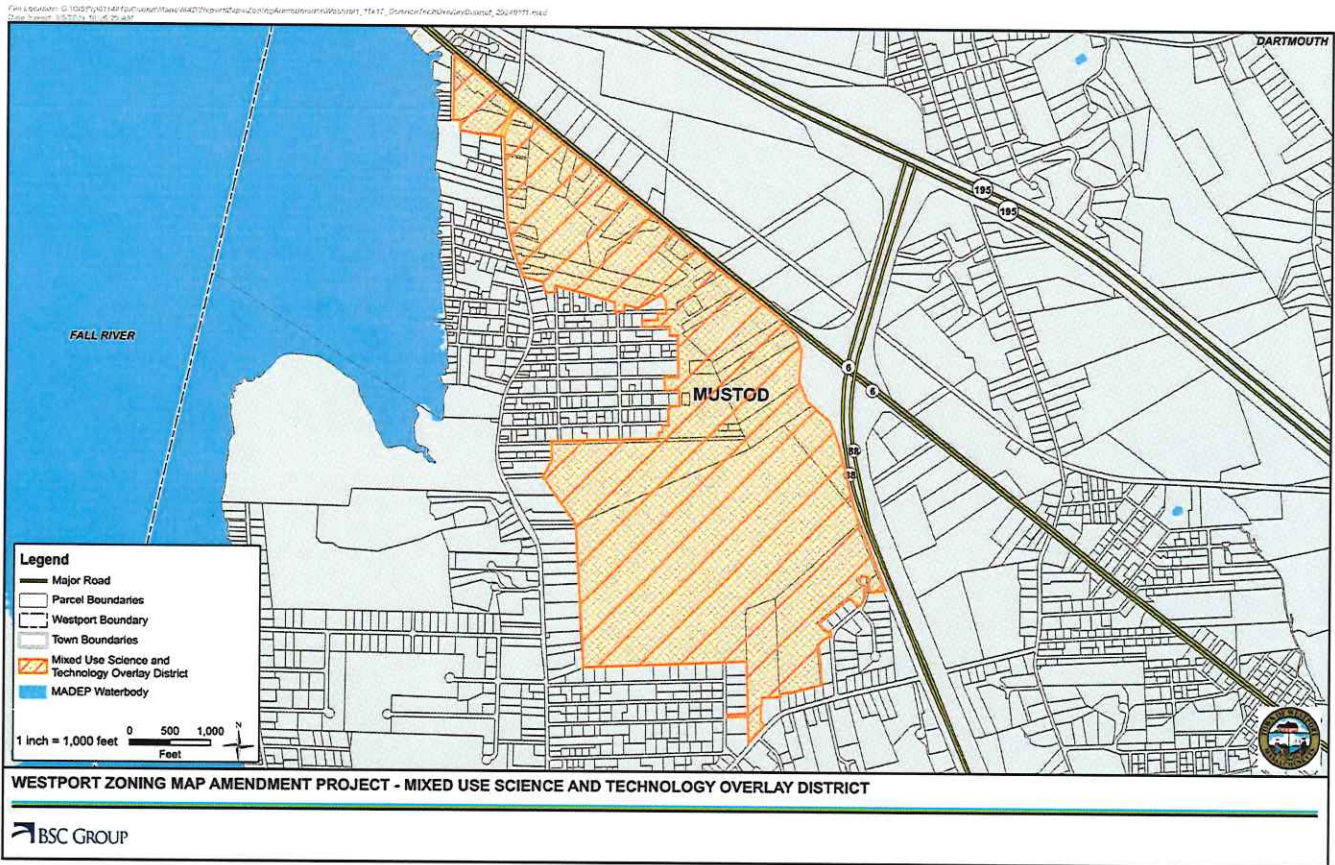
Item 13

Amend SECTION 6.6.11, REVIEW CRITERIA by deleting the strike-through text and inserting the highlighted text:

A MUSTOD special permit site plan approval may be granted by the SPGA Planning Board only if it makes a written determination that the benefits of the proposed development will outweigh the detrimental impacts on the neighborhood and the town, after using the review criteria set forth below and the MUSTOD site plan review performance standards. The SPGA Planning Board shall review and make all required determinations for each special permit application and, to approve a special permit, the SPGA shall first make a positive finding on each of the following criteria:

Item 14.

Amend Section 4.2 and the ZONING MAP of Westport by deleting from the legend “Science and Technology District” and adding in its place “Mixed Use Science and Technology Overlay District”, the properties currently designated as the Science and Technology Overlay District to the Mixed Use Science and Technology Overlay District located south of State Highway Route 6 and west of State Highway Route 88, adding parcels (map-lot #) 3-44-0, 3-44C-0, 3-44-G-0, 3_44AA,E,F-0, and 3-44D-0 to the district, as shown on the plan exhibit below. Delete from Section 4.2 “February 1, 2020” and add in its place May 7, 2024. Amend Section 6.6.2 and the supplemental zoning map to delete “Science and Technology Overlay District” and replace that with “Mixed Use Science and Technology Overlay District” and to delete February 1, 2012 and replace that with May 7, 2024.



PLANNING BOARD

MOTION: *I move to refer Article 34 to the Planning Board.*

FINCOM: **Does Not Recommend unanimously, 9-0.**

ARTICLE 35

To see if the Town will vote to amend the **ZONING BY-LAWS, SECTION 3** entitled “**DEFINITIONS**” by inserting the following new definition in appropriate alphabetical order and/or take any other action relative thereto:

Congregate Living: A shared living environment that combines housing and supportive services where residents share one or more common facilities including, but not limited to, kitchens, dining areas, bathrooms, recreational, cultural, personal care, or social service facilities. Examples of supportive services include, but are not limited to, transportation, healthcare provision, and laundry and meal services. Residents must have their own bedroom.

PLANNING BOARD

MOTION: *I move that the Town adopt the provisions of Article 35 as printed in the warrant.*

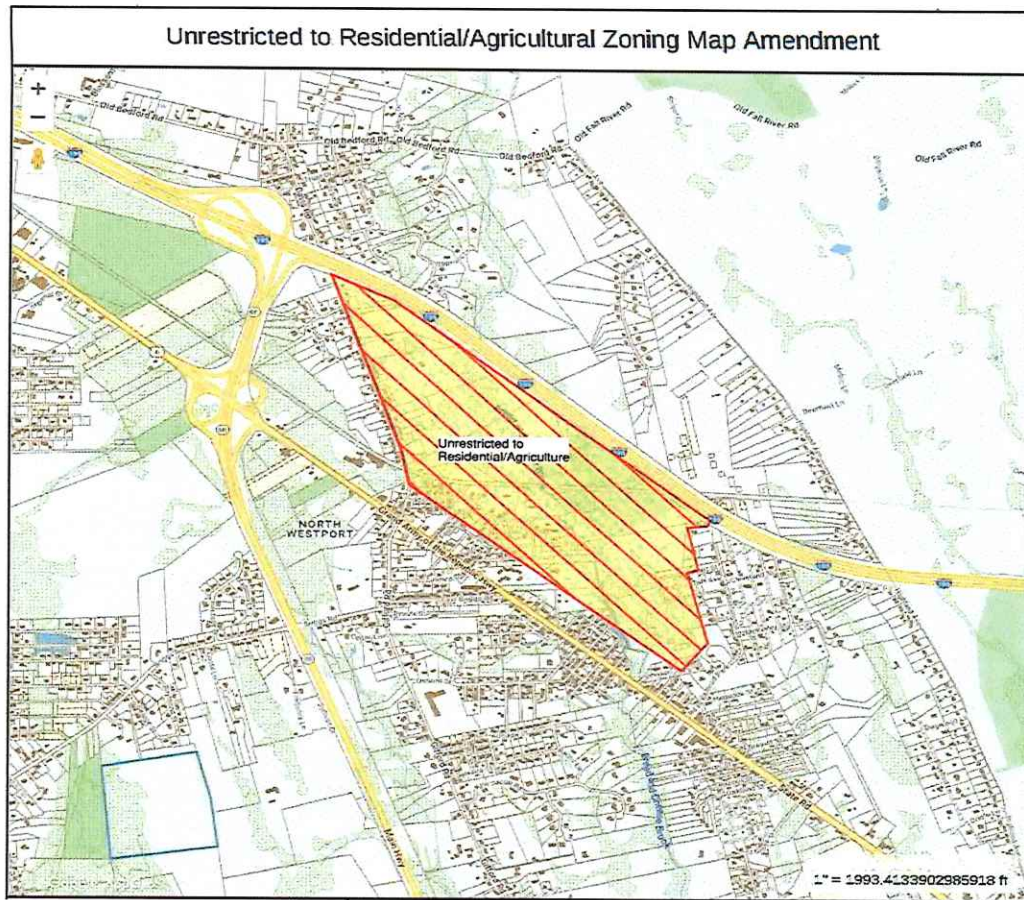
FINCOM: **Makes No Recommendation, 9-0.**

ARTICLE 36

To see if the Town will vote to amend the **ZONING BY-LAWS AND ZONING MAP** of Westport to eliminate the Unrestricted Zoning district as follows and/or take any other action relative thereto:

Item 1.

Amend Section 4.2, Appendix A, deleting at Section C. “**As Unrestricted:** All remaining portions of the Town”; adding under “A. As Residence/Agriculture” following the last paragraph “further described on the zoning map detail as approved May 7, 2024 on file with the Town Clerk”; the Zoning Map of Westport to rezone all Land currently zoned in the Unrestricted (U) district into the to Residential/Agricultural District (RA) as shown on the plan below,, deleting the Unrestricted District from the legend of the Zoning Map of Westport; and by deleting from Section 4.2 February 1, 2020 and replacing that date with May 7, 2024.



Item 2.

Amend **SECTION 4.1 ZONING DISTRICTS** by deleting the words “C. Unrestricted”.

Item 3.

Amend **SECTION 5.1 TABLE OF USE REGULATIONS** by deleting the column titled “UNRESTRICTED” and all associated entries in said column; and

Item 4.

Amend the **ZONING BY-LAWS** of the Town of Westport by deleting the words “Unrestricted District” wherever they appear in the text of the Zoning By-Law.

PLANNING BOARD

MOTION: *I move that the Town adopt the provisions of Article 36 as printed in the warrant.*

FINCOM: **Makes No Recommendation, 9-0.**

ARTICLE 37

To see if the Town will vote to amend the Town of Westport **ZONING BY-LAWS** by adding a new zoning article, Westport Gateway District (WGD), and making other appurtenant amendments as follows, and or take any other action relative thereto:

Item 1.

Amend the **TABLE OF CONTENTS** to add a new Section 5.4 Westport Gateway District and to renumber the Zoning Bylaw accordingly and amend **SECTION 4.1 DISTRICTS** by inserting after the words “B. Residence/Agriculture” the words “C. Westport Gateway District” and assign subsequent entries in alphabetical order.

Item 2.

Amend **SECTION 2.7 PLANNING BOARD** by inserting after the words “Inclusionary Housing (Section 9.2)” the following words “Westport Gateway District (Section 5.4)”.

Item 4.

Amend **SECTION 5 USE REGULATIONS** by inserting the following highlighted text:

Except as provided in Section 5.1. hereof, no building or structure shall be constructed, and no building, structure or land, or part thereof shall be used for any purpose or in any manner other than for one or more of the uses hereinafter set forth as permitted in the district in which such building, structure or land is located, or set forth as permissible by special permit in said district and so authorized. A proposal within the Westport Gateway District (WGD) shall be subject to the permitted use regulations established in Section 5.4 WESTPORT GATEWAY DISTRICT.

Item 3.

Add a new **SECTION 5.4 WESTPORT GATEWAY DISTRICT** to read as follows:

“5.4 WESTPORT GATEWAY DISTRICT (WGD)

The Westport Gateway District is intended to provide a regulatory pathway reflective of the Town’s vision for the Route 6 corridor between the Fall River municipal line and Route 88. The Westport Gateway District considers existing and planned infrastructure and is mindful of compatibility with surrounding uses. Many of the properties preceded the adoption of zoning, and therefore the area features regulatory anomalies. The Westport Gateway District is intended to address these regulatory challenges, incorporate the contemporary uses envisioned for the area, and offer a permitting pathway to enhance quality of life and economic development while protecting the public health, safety, convenience, and welfare consistent with Section 1.1 Purpose of this By-law.

5.4.1 Purpose.

- To create a district that promotes flexible and creative development and redevelopment of the Route 6 corridor while balancing the character of the nearby residential and commercial neighborhoods.
- To offer a regulatory pathway that promotes creative use/reuse of properties.
- Whenever possible, to promote a sense of place and pedestrian experience.
- To promote diversified economic development opportunities and cultural, recreational, open space, and other uses appropriate for the area and compatible with its surroundings.

4. Assisted Living and Independent Living Facilities (see Section 9.1)	SPPB
5. Convalescent/Nursing Home Facilities	SPPB
B. Commercial Uses	
1. Bakery Retail	Y
2. Child and Adult Day Care Facilities	Y
3. Commercial and Non-Commercial Kennels	Y
4. Financial Institutions	Y
5. Funeral Home	Y
6. Personal Service Establishment	Y
7. Professional Medical, and Corporate Office	Y
8. Retail (less than 5,000 gross square feet floor area)	Y
9. Auto Sales and Services	SPA-PB
10. Food Service Establishment	SPA-PB
11. For-Profit Education Uses	SPA-PB
12. Indoor Amusement	SPA-PB
13. Lodging and Hospitality	SPA-PB
14. Hospital, Medical Outpatient Clinic	SPA-PB
15. Retail (greater than 5,000 gross square feet floor area)	SPA-PB
16. Theater/Entertainment Venue	SPA-PB
17. Drive-Through Facilities	SPPB
C. Manufacturing Uses	
1. Artisanal Manufacturing	SPA-PB
2. Butcher	SPA-PB
3. Light Manufacturing	SPA-PB
4. Research and Development	SPA-PB
5. Research and Development Laboratories and Facilities	SPA-PB
6. Wholesale Bakery	SPA-PB
7. Bio Manufacturing Facilities	SPPB
D. Exempt and Public Uses	
1. Agriculture	Y
2. Non-Profit Education	Y
3. Religious Uses	Y
E. Accessory Uses	
1. Electric Vehicle Charging Stations	Y
2. Raised Solar Panels and Accessory Battery Storage in Parking Areas	Y
E. Mixed Uses	
1. Any combination of permissible uses provided the aggregation of the mixed uses complies with the provisions of this Section	SPA-PB

5.4.5. Standards.

In order to be eligible for consideration for a site plan or special permit pursuant to this Section, the proposed development shall meet all the following standards:

A. Roadways. The principal roadway(s) within the site shall be adequate for the intended use and vehicular traffic and shall be maintained by an association of tenant(s), unit owners or by the Applicant.

B. Parking. The applicant shall provide adequate parking to serve all anticipated uses on the property, with information detailing the method of computation of parking spaces. The minimum number of parking spaces shall be computed using the requirements set forth herein or other applicable provisions acceptable to the Planning Board. For uses that are not specified or mixed uses the Planning Board shall establish the required parking. No parking shall be placed within the minimum front yard setback, and parking must be sited to the side or rear of the principal structure. The applicant may provide shared parking for uses with offset peak hours, in addition to shared access as applicable and where feasible. The Planning Board may waive parking to a number reasonably necessary to accommodate the proposed use(s) if the Board determines there will be no adverse impact to abutting uses.

Land Use Type

1. Residential

Assisted/independent living facilities	1 per dwelling unit
Multi-family/inclusionary housing	1 per dwelling unit
Single-family or two-family dwellings with more than 1 bedroom	1.5 per dwelling unit

2. Commercial

Adult and child day-care center and preschools	1 per 8 client capacity
Hotels, motels and lodger accommodations without or with function rooms and/or eating establishments	1 per each sleeping room accommodation; plus 1 per every 5 seats in the function hall; plus 1 per every 3 seats in an eating establishment
Restaurant, sit-down	5 plus 1 for every 3 seats
Restaurant, take-out	5 per 1,000 GFA
Retail (freestanding, supermarket, shopping center, bank, personal service, office, health care office)	3.5 per 1,000 GFA

3. Manufacturing/Industrial

Uses pursuant to 5.4.4.C	1 per 1,000 GFA
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4. Public/Institutional

Hospitals, residential rehabilitation facilities, nursing homes and elder care facilities	1 for every 2 beds, plus 4 per 1,000 GFA of in-patient treatment area, and 5 for every 1,000 GFA of out-patient treatment area
Libraries and museums	1 per 1,000 GFA
Out-patient clinics	3.5 per treatment area

Places of public assembly	1 per 5 seats
Public and private schools	1.5 per classroom, plus 1 per 5 seats in an auditorium

C. Loading. Loading areas may be required by the Planning Board where deemed necessary for the efficient operation of the proposed Use. Loading shall be located to the side or rear of building unless otherwise determined by the Planning Board

D. Utilities. All electric, gas, telephone, and water distribution lines shall be placed underground, except upon a demonstration of exceptional circumstances. The facility shall be served by the municipal water and sewer system or must demonstrate adequate provision of on-site water/sewer where municipal services are not available

E. New Buildings. Within the Westport Gateway District, new buildings may be constructed in accordance with the following requirements:

- a. The type and architectural style of new buildings shall be subject to Planning Board approval.
- b. The Building(s) shall comply with the Architectural Standards in Section 5.4.6.

F. Buffer Area - There shall be a Buffer Area of sufficient distance to be determined by the Planning Board adjacent to residential/agriculture uses abutting the property. The purpose of this Buffer Area shall be to eliminate or mitigate negative impacts on existing abutters. The Buffer Area shall consist of existing natural vegetation and /or new plantings or combinations of vegetation and earthen berms and /or sound barriers, which shall form a year-round dense screen that reach at least six feet in height within three years of issuance of the first building permit.

H. Noise - Noise levels emanating from air conditioning equipment, fans, vents, loading areas, machinery, or normal operations and other noise causing operations on the premises (including persons) shall not exceed the thresholds described in Article XL (Noise Pollution Control) in the Town of Westport Town Bylaws and the Massachusetts Department of Environmental Protection noise regulation (310 CMR 7.10).

I. Lighting Exterior – The applicant shall provide a photometric plan with the proposed site plan. Area lighting, including but not limited to lighting for parking lots, recreational areas, walks, drives and outside building walls, shall be designed and installed in accordance with Dark Sky Requirements and maintained to direct light away from abutting property and abutting ways. Exterior, standalone lighting fixtures shall have a maximum height of 20 feet above the ground unless a waiver is granted by the Planning Board. Exterior lighting fixtures located on a building shall also not exceed a maximum height of 20 feet.

J. Intensity Requirements

Minimum Lot Size	40,000 square feet with a contiguous upland area of 25,000 square feet of greater
Minimum Frontage	100 feet
Minimum Lot Width	75 feet to the front line of the structure
Front Yard Setback	20 Feet (Maximum)

Side yard Setback	10 feet
Rear yard Setback	6 feet however the setback is increased to 10 feet if it abuts a Residential /Agricultural District
Maximum Floor Area Ratio (FAR)	.4
Maximum Lot Coverage	65%
Maximum Building Height	3 stories not to exceed 45 feet

K. Landscaping – All landscaping shall be consistent with Section 8.7 Site Plan Review. The landscape shall be preserved in its natural state, as far as practicable, by minimizing tree and soil removal. Any grade changes shall be in keeping with the general appearance of the neighboring developed areas. Individual building sites shall be designed to maintain existing topography and cover. Topography, tree cover, and natural drainage ways shall be treated as fixed determinants of road and lot configuration rather than as malleable elements that can be changed to follow a preferred development scheme. Buffer Areas shall contain:

1. A continuous screen of planting of vertical habitat in the center of the strip not less than six feet in height at the time of occupancy so as to maintain a dense screen year-round. At least 50% of the plantings shall consist of evergreens and shall be evenly spaced along the length of the buffer strip. In lieu of continuous planting, a solid brick, stone, or wood fence not less than six feet nor more than eight feet may be established and maintained with plantings in an amount no more than 20% of the amount required above
2. A landscaped area containing a mixture of shade trees, a deciduous shrubs and evergreens with a minimum of one shade tree at least 2" caliper at a point 6" above the finished grade within each 35 linear feet and well-maintained grass, bark mulch or other ground cover to the depth of the developed portions of the lot. Where the Planning Board determines that the planting of trees is impractical, the permit applicant may substitute shrubbery for trees.
3. Shrubs and hedges shall be at least 2.5 feet in height at the time of planting and have a spread of at least 18 inches.
4. Grass is preferable to mulch where practical.
5. Existing trees with a caliper of six inches or more shall be preserved wherever feasible.
6. Deciduous trees shall be at least two inches in caliper as measured six inches above the root ball at time of planting. Deciduous trees shall be expected to reach a height of 20 feet within 10 years after planting.
7. Evergreens shall be a minimum of eight feet in height at the time of planting and shall be spaced five feet on center when planted in a single row. When planted in a

double row, each row of evergreens shall be spaced 10 feet on center. These minimum standards may be reduced by the Planning Board, subject to the recommendation of an arborist, landscape architect, or other competent individual.

5.4.6 Architectural Standards

The building design and construction drawings and documents shall be prepared by a registered architect. It is strongly encouraged that the building design and construction be LEED certified or be LEED certifiable for the purpose of energy efficiency, material durability, and healthy interior and exterior building environment.

Buildings – It is strongly encouraged that the exterior walls of structures and buildings shall be constructed of brick, stone, concrete, or other similar durable materials to have an attractive appearance and maintain architectural integrity. The architectural style of residential and mixed-use residential buildings shall be in harmony with the historical design elements that are contextually consistent with regional New England architectures.

A. Buildings with a footprint larger than 2,000 square feet constructed in the WGD shall meet the following requirements:

B. In order to avoid long blank outside walls, walls shall not be longer than thirty (30) feet without an articulation such as, but not limited to: a window, a footprint offset, a siding change, a pilaster. Whatever articulation is chosen, the same articulation shall not be repeated for more than 1/3 the length of the wall.

C. No outside wall longer than one hundred (100) feet shall meet the roof without a change in height, which is significant enough to visually break the long straight line.

D. All roof units, such as, but not limited to HVAC units, elevator overruns, vent pipes, or other such paraphernalia shall not be visible when standing at ground level at the same elevation as the building. Roofs shall be designed to accommodate solar panels.

E. Covered entryways/porches shall be provided for public entrances into the building before entry doors.

5.4.7. Traffic Study

A. The Planning Board may require the applicant to do a traffic impact study, at the applicant's expense. The traffic study shall evaluate and provide projected traffic generation from the development onto state highways and local roads; traffic service for the development; capacity of the road network, including roads and intersections, and, safety issues using egress and ingress of the development. An initial traffic impact assessment report should include the projected a.m. and p.m. peak traffic, the average daily traffic, and the hourly distribution of vehicles, including with respect to gross vehicle weight, and future no-build conditions on adjacent state or local roads for the proposed project. This report shall also include a review of any existing master plans relating to traffic in the vicinity of the proposed project, an assessment of the impact of that project upon the implementation of the master plan, and an analysis of that project's impact on proposed takings for roadway improvements. Finally, this report shall include a designation and review of the possible locations of curb cuts on nearby

parcels, demonstrating consistency with the master plan. Mitigation may be required of the applicant/developer.

- B. The Planning Board may engage the services of a consultant, paid for by the applicant under G.L. c.44, §53G, to conduct an independent analysis of the factual assertions and conclusions of the traffic impact assessment report.
- C. If the Traffic Impact Study indicates a reduction in the Level of Service (LOS) of two or more levels (e.g., from Level A to Level C) or a Level D or lower, the applicant shall submit a mitigation plan to the Planning Board demonstrating the mitigation is sufficient to prevent a reduction in LOS below Level C. The Planning Board may not issue an approval unless the mitigation achieves a LOS of C or greater unless there are extraordinary circumstances as determined and described by the by the Planning Board.

5.4.8 Action by the Planning Board.

The Planning Board may grant a site plan or special permit under this section when the requirements of Section 2.6 are met and where it makes the following findings:

- A. The proposed use complies with the requirements of this section;
- B. The proposed use does not cause substantial detriment to the neighborhood after considering the following factors:
 - 1. noise, during the construction and operational phases.
 - 2. pedestrian and vehicular traffic.
 - 3. environmental degradation or harm.
 - 4. visual impact caused by the character and scale of the proposed structure(s);
 - 5. other consequences as may be set forth in this Section.
- C. The Planning Board may impose conditions, including, but not limited to, the following:
 - 1. that all construction or infrastructure and improvements shall be completed within a specific time period.
 - 2. that all aspects of the proposed use, including authorized uses, building occupancy, and intensity of use, shall remain in substantial conformance with the plans and other documents submitted to the Planning Board as part of the special permit proceeding unless modification of the special permit is authorized, after public hearing, by the Planning Board.
 - 3. that a performance guarantee suitable to the Planning Board may be required

5.4.9. Consultant Review

The Board may engage a professional engineer and/or other technical consultant to advise the Planning Board, and to review application plans and documents in application phase and the construction phase. The applicant shall pay for the cost of the consultant review pursuant to the procedures specified in G.L. c.44, §53G.. Further, the Building Inspector may engage consultants to inspect to confirm compliance with approval requirements. Refusal to pay the necessary fees shall be a basis to deny the site plan and/or special permit.”

Item 4.

Amend **SECTION 8.7 SITE PLAN REVIEW** by inserting a new subsection (e) under Section 8.7.3

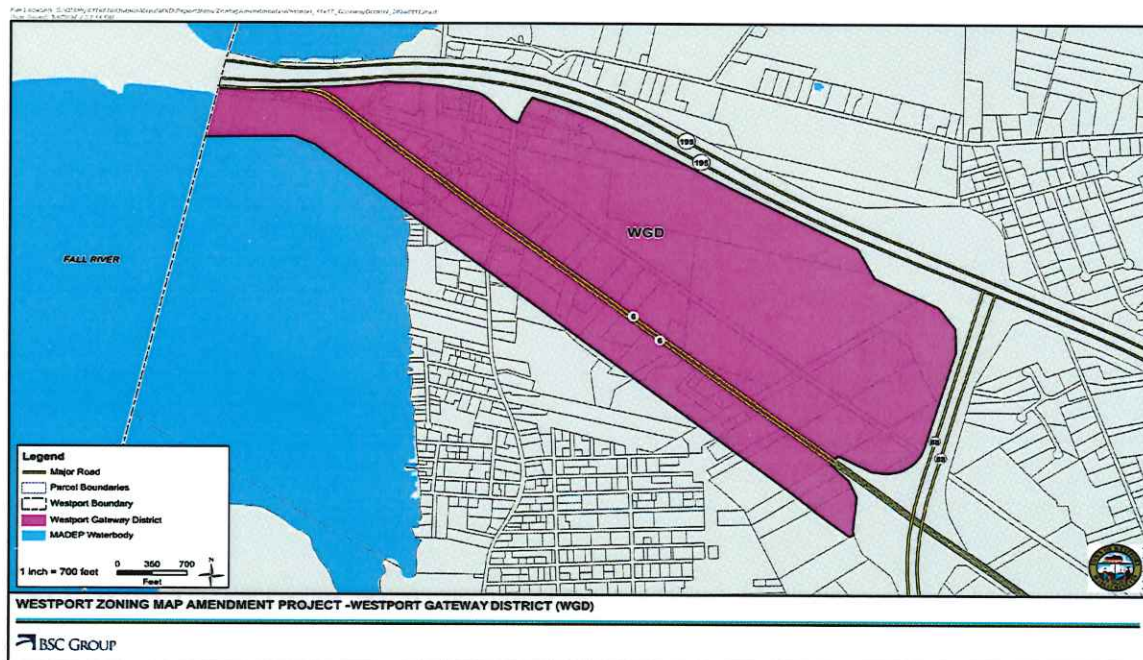
“6. Applicable activities pursuant to Section 5.4 Westport Gateway District”

Item 5.

Amend **Section 4.2, Appendix A and the ZONING MAP** of Westport by establishing the Westport Gateway District (WGD):

Amend Appendix A by inserting at Section C. “Westport Gateway District: as further described on the zoning map detail as approved May 7, 2024 on file with the Town Clerk,” by deleting the following from Section B. As Business: “The portion of the Town bounded: Northerly by Interstate Route 195; Easterly by Old Bedford Road; Southerly by Route 6; Westerly by the Westport-Fall River boundary line. The portion of the Town bounded as follows: Bounded on the east by Route 88; on the south by the State Highway (Route 6); on the north by Interstate Route 195, and on the west by Old Bedford Road,” and amending the text in Section B. to read “thence northwesterly along a line, which line is five hundred (500) feet southerly from, and parallel to the south line of the State Highway, to the ~~Westport-Fall River~~ **Route 88** boundary line”.

Amend Section 4.2 and the zoning map of the Town of Westport to rezone from the Business district to the Westport Gateway district, the land located north of State Highway Route 6 and five hundred (500) feet south of State Highway Route 6, west of State Highway 88 and south of Interstate Highway I-195 as shown on the attached plan below. Delete from Section 4.2 “February 1, 2020” and add in its place May 7, 2024.



PLANNING BOARD

MOTION: *I move to refer Article 37 to the Planning Board.*

FINCOM: Does Not Recommend unanimously, 9-0.

ARTICLE 38

To see if the Town will vote to amend the **ZONING BY-LAWS, SECTION 7.7.1.1.2 MINIMUM WIDTH** by deleting the ~~strike through text~~ and inserting the **highlighted text** as follows and/or take any other action relative thereto:

The minimum front yard width, as measured between the side lot lines, shall be ~~five~~ **one hundred** (~~50~~**100**) feet. The minimum front yard width shall be maintained from the ~~street line (street layout line/sideline) frontage to a depth of 200'~~ **the street setback line (front building line)**. Lot Width shall be determined by measuring the diameter of the largest circle that can be located along a continuous, but not necessarily straight line from the lot frontage to the ~~principal structure~~ **required lot depth** ~~on the lot~~ without the circumference intersecting the side lot lines.

PLANNING BOARD

MOTION: *I move that the Town adopt the provisions of Article 38 as printed in the warrant.*

FINCOM: **Makes No Recommendation, 9-0.**

ARTICLE 39

To see if the Town will vote to amend the Personnel By-Laws, as follows:

Item 1.

By adding under Schedule A – Town Beach, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Beach Manager	8	40	Hourly	S

BEACH COMMITTEE/PERSONNEL BOARD

Item 2.

By adding under Schedule A – Town Beach, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Assistant Head Lifeguard	8	40	Hourly	S

BEACH COMMITTEE/PERSONNEL BOARD

Item 3.

By deleting under Schedule A – Recreation, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Director	8	-20	Salary	PT

and by adding under Schedule A – Recreation, the following:

Position	Group	Hours	Pay Basis	Type
Director	8	32	Salary	FT

SELECT BOARD

Item 4.

By adding under Schedule A – Information Technology, the following:

Position	Group	Hours	Pay Basis	Type
IT Technician	2	-20	Hourly	PT

SELECT BOARD

Item 5.

By adding under Schedule A – Highway Department, the following:

Position	Group	Hours	Pay Basis	Type
Town Engineer	1	R	Salary	FT

SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 39 as printed in the warrant.*

FINCOM: **Makes No Recommendation, 9-0.**

ARTICLE 40

To see if the Town will vote to authorize the Select Board to petition the General Court for the passage of special legislation as set forth below, authorizing the local licensing authority to issue an All Alcohol Beverages License Not To Be Drunk On Premises (Package Store) to Gulf Resources, Inc., 634 American Legion Highway, Westport, notwithstanding any limitations on the number of licenses issued under the provisions of G.L. c. 138 as amended; provided that the license is non-transferable to another location, but the licensing authority may grant the license to a new applicant as the same location; provided further that the General Court shall be authorized to make ministerial, clerical, and editorial changes of form only to said bill, unless the Select Board approves amendments to the bill before enactment by the General Court; and/or take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF WESPORT TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK OFF THE PREMISES

SECTION 1. Notwithstanding Section 17 of Chapter 138 of the General Laws, or any other general or special law to the contrary, the licensing authority of the Town of Westport may grant an additional license for the sale of alcoholic beverages to be drunk off the premises under Section 15 of said Chapter 138 to a business located at 634 American Legion Highway, Westport. The license shall comply with such requirements and conditions as the licensing authority shall deem appropriate. The license shall be subject to all requirements of said Chapter 138, except said Section 17 relative to the number of licenses that may be granted.

SECTION 2. If a license granted pursuant to this Act is cancelled, revoked, or no longer in use at the location of original issuance, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location under the same conditions as specified in this Act.

SECTION 3. This Act shall take effect upon its passage.

SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 40 as printed in the warrant.*

FINCOM: **Makes No Recommendation, 7-0.**

ARTICLE 41

To see if the Town will vote to authorize the Select Board to acquire by gift and accept the donation from F. L. Tripp and Sons, Inc. of the following parcels of land identified as follows: Westport Assessor Map 54, Parcel 33 (36,000 sq. ft.) and Westport Assessors Map 54, Parcel 33A (204,732 sq. ft.), and, further, to authorize the Select Board to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to carry out the purposes of this article, and/or take any other action relative thereto.

SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 41 as printed in the warrant.*

FINCOM: **Recommends Affirmative Action unanimously, 7-0.**

ARTICLE 42

To see if the Town will vote to accept the layout, as a public way, of Rita Lane Extension, a copy of which is on file in the office of the Town Clerk, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain land or rights in land within said way as so laid out, for all purposes for which public ways are used in the Town of Westport, and/or take any other action relative thereto.

BY PETITION

MOTION: *I move that the Town accept as a public way, the roadway known as Rita Lane Extension as heretofore laid out by the Select Board and shown on a plan of land entitled "Definitive Plan – Roadway Layout Plan of Rita Lane (Extension)," dated December 12, 2023, prepared by Boucher & Associates, and on file with the Town Clerk, and authorize the Select Board to acquire, by gift, purchase and/or eminent domain, the fee to and/or easement in Rita Lane Extension for all purposes for which public ways are used in the Town of Westport and any drainage, utility and/or easements related thereto.*

FINCOM: **Makes No Recommendation, 9-0.**

ARTICLE 43

To see if the Town will vote to accept the provisions of G.L. c. 40, § 13E for the purpose of establishing a Special Education Reserve Fund for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation, the expenditure of which would require an affirmative vote of the School Committee and an affirmative vote of the Select Board, all as provided for by law; provided further that the balance in the reserve fund shall not exceed 2 per cent of the annual net school spending amount established for the School District; and/or take any other action relative thereto.

SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 43 as printed in the warrant.*

FINCOM: **Recommends Affirmative Action, 6-3.**

ARTICLE 44

To see if the Town will vote to transfer to the Special Education Stabilization Fund the sum of \$55,496.42, raised under Article 7 of the May 2, 2023 Annual Town Meeting for the Westport Elementary Master Clock Paging System, which amount is no longer needed for such purpose, , and/or take any other action relative thereto.

SELECT BOARD

MOTION: *I move that the Town adopt the provisions of Article 44 as printed in the warrant.*

FINCOM: **Recommends Affirmative Action, 6-3.**

ARTICLE 45

To see if the Town will vote to raise and appropriate and/or transfer a sum of money from available funds to the Capital Stabilization Fund and/or take any other action relative thereto.

FINANCE COMMITTEE/SELECT BOARD

MOTION: *I move that the Town transfer \$250,000 from Free Cash to the Capital Stabilization Fund.*

FINCOM: **Recommends Affirmative Action unanimously, 9-0.**

ARTICLE 46

To see if the Town will vote to raise and appropriate and/or transfer a sum of money from available funds to the Stabilization Fund and/or take any other action relative thereto.

FINANCE COMMITTEE/SELECT BOARD

MOTION: *I move that the Town transfer \$100,000 from Free Cash to the Stabilization Fund.*

FINCOM: **Recommends Affirmative Action unanimously, 9-0.**

Fiscal Year 2025
Article 4 Annual Town Meeting
Proposed Budget

		FY24	FY24	FY24	FY25	FY25	FY25	
		Salary	Expense	Total	Salary	Expense	Total	% of Total
		Appropriation	Appropriation	Appropriation	Appropriation	Appropriation	Appropriation	Budget
GENERAL GOVERNMENT								
114	Moderator	\$ 917	\$ -	\$ 917	\$ 944	\$ -	\$ 944	0.00%
122	Selectmen	\$ 330,814	\$ 50,100	\$ 380,914	\$ 339,123	\$ 52,100	\$ 391,223	0.74%
131	Finance Committee	\$ 4,500	\$ 750	\$ 5,250	\$ 3,500	\$ 750	\$ 4,250	0.01%
132	Reserve Fund	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ 100,000	\$ 100,000	0.19%
135	Town Accountant	\$ 143,965	\$ 73,073	\$ 217,038	\$ 149,941	\$ 82,080	\$ 232,021	0.44%
141	Assessors	\$ 241,844	\$ 42,325	\$ 284,169	\$ 250,541	\$ 44,243	\$ 294,784	0.56%
147	Treasurer/Collector	\$ 319,162	\$ 134,900	\$ 454,062	\$ 330,348	\$ 151,900	\$ 482,248	0.91%
151	Legal	\$ -	\$ 130,000	\$ 130,000	\$ -	\$ 135,000	\$ 135,000	0.26%
152	Personnel Board	\$ 1,000	\$ 300	\$ 1,300	\$ 1,000	\$ 300	\$ 1,300	0.00%
155	Information Technology	\$ 74,310	\$ 343,600	\$ 417,910	\$ 86,800	\$ 355,110	\$ 441,910	0.84%
161	Town Clerk	\$ 127,394	\$ 4,880	\$ 132,274	\$ 128,401	\$ 8,820	\$ 137,221	0.26%
163	Registrar of Voters	\$ 96,425	\$ 16,520	\$ 112,945	\$ 100,394	\$ 21,115	\$ 121,509	0.23%
171	Conservation	\$ 128,714	\$ 6,470	\$ 135,184	\$ 132,218	\$ 6,470	\$ 138,688	0.26%
175	Planning Board	\$ 213,790	\$ 37,390	\$ 251,180	\$ 220,226	\$ 37,390	\$ 257,616	0.49%
176	Appeals Board	\$ 9,000	\$ 3,300	\$ 12,300	\$ 10,765	\$ 3,700	\$ 14,465	0.03%
191	High School Upkeep	\$ -	\$ 125,000	\$ 125,000	\$ -	\$ 150,000	\$ 150,000	.28%
192	Town Hall/Annex	\$ 48,000	\$ 161,250	\$ 209,250	\$ 48,000	\$ 166,050	\$ 214,050	0.41%
193	Property Insurance	\$ -	\$ 525,000	\$ 525,000	\$ -	\$ 600,000	\$ 600,000	1.14%
198	Town Farm	\$ -	\$ 2,400	\$ 2,400	\$ -	\$ 2,400	\$ 2,400	0.00%
		\$ 1,739,835	\$ 1,757,258	\$ 3,497,093	\$ 1,802,201	\$ 1,917,428	\$ 3,719,629	7.04%
PUBLIC SAFETY								
210	Police Department	\$ 3,784,742	\$ 366,400	\$ 4,151,142	\$ 3,950,384	\$ 387,150	\$ 4,337,534	8.21%
220	Fire Department	\$ 2,301,382	\$ 268,050	\$ 2,569,432	\$ 2,360,128	\$ 284,550	\$ 2,644,678	5.01%
241	Building Department	\$ 135,671	\$ 9,950	\$ 145,621	\$ 204,926	\$ 11,100	\$ 216,026	0.41%
244	Sealer of Weights & Measures	\$ 4,284	\$ 700	\$ 4,984	\$ 4,413	\$ 800	\$ 5,213	0.01%
292	Animal Control	\$ 73,203	\$ 16,033	\$ 89,236	\$ 85,443	\$ 22,790	\$ 108,233	0.20%
297	Shellfish	\$ 78,152	\$ 8,025	\$ 86,177	\$ 80,378	\$ 8,525	\$ 88,903	0.17%
298	Parking Tickets	\$ -	\$ 16,890	\$ 16,890	\$ -	\$ 17,890	\$ 17,890	0.03%
		\$ 6,377,434	\$ 686,048	\$ 7,063,482	\$ 6,685,672	\$ 732,805	\$ 7,418,477	14.04%
SCHOOLS								
300	Westport Community Schools	\$ -	\$ 21,435,162	\$ 21,435,162	\$ -	\$ 22,499,082	\$ 22,499,082	42.58%
360	Regional School Assessments	\$ -	\$ 2,021,122	\$ 2,021,122	\$ -	\$ 2,145,000	\$ 2,145,000	4.06%
		\$ -	\$ 23,456,284	\$ 23,456,284	\$ -	\$ 24,644,082	\$ 24,644,082	46.64%
PUBLIC WORKS & FACILITIES								
421	Highway Dept	\$ 610,803	\$ 302,165	\$ 912,968	\$ 801,958	\$ 303,665	\$ 1,105,623	2.09%
423	Snow & Ice (Storm Account)	\$ 30,000	\$ 120,000	\$ 150,000	\$ 30,000	\$ 120,000	\$ 150,000	0.28%
424	Street Lights	\$ -	\$ 11,000	\$ 11,000	\$ -	\$ 13,000	\$ 13,000	0.02%
433	Transfer Station	\$ 147,558	\$ 191,600	\$ 339,158	\$ 146,281	\$ 196,225	\$ 342,506	0.65%
491	Cemetery Department	\$ 179,765	\$ 38,075	\$ 217,840	\$ 195,000	\$ 39,750	\$ 234,750	0.44%
492	Veteran's Graves	\$ -	\$ 1,750	\$ 1,750	\$ -	\$ 2,000	\$ 2,000	0.00%
		\$ 968,126	\$ 664,590	\$ 1,632,716	\$ 1,173,239	\$ 674,640	\$ 1,847,879	3.50%

Fiscal Year 2025
Article 4 Annual Town Meeting
Proposed Budget

		FY24	FY24	FY24	FY25	FY25	FY25	
		Salary	Expense	Total	Salary	Expense	Total	% of Total
		Appropriation	Appropriation	Appropriation	Appropriation	Appropriation	Appropriation	Budget
HUMAN SERVICES								
511	Board of Health	\$ 409,279	\$ 25,540	\$ 434,819	\$ 425,522	\$ 25,690	\$ 451,212	0.85%
541	Council on Aging	\$ 183,668	\$ 50,385	\$ 234,053	\$ 192,585	\$ 50,385	\$ 242,970	0.46%
543	Veterans Services	\$ 57,222	\$ 380,475	\$ 437,697	\$ 58,940	\$ 364,075	\$ 423,015	0.80%
549	Commission on Disabilities	\$ 200	\$ 800	\$ 1,000	\$ 200	\$ 800	\$ 1,000	0.00%
		\$ 650,369	\$ 457,200	\$ 1,107,569	\$ 677,247	\$ 440,950	\$ 1,118,197	2.12%
CULTURE & RECREATION								
610	Library	\$ 297,118	\$ 31,725	\$ 328,843	\$ 307,754	\$ 31,725	\$ 339,479	0.64%
630	Recreation	\$ 63,600	\$ 2,000	\$ 65,600	\$ 70,509	\$ 2,000	\$ 72,509	0.14%
691	Historical Commission	\$ -	\$ 1,475	\$ 1,475	\$ -	\$ 1,750	\$ 1,750	0.00%
		\$ 360,718	\$ 35,200	\$ 395,918	\$ 378,263	\$ 35,475	\$ 413,738	0.78%
DEBT SERVICE								
710	Principal Payments	\$ -	\$ 2,921,960	\$ 2,921,960	\$ -	\$ 3,220,548	\$ 3,220,548	6.10%
751	Interest Payments	\$ -	\$ 2,099,954	\$ 2,099,954	\$ -	\$ 2,007,792	\$ 2,007,792	3.80%
		\$ -	\$ 5,021,914	\$ 5,021,914	\$ -	\$ 5,228,340	\$ 5,228,340	9.90%
Assessments								
820	SRPEDD	\$ -	\$ 3,500	\$ 3,500	\$ -	\$ 3,750	\$ 3,750	0.01%
		\$ -	\$ 3,500	\$ 3,500	\$ -	\$ 3,750	\$ 3,750	0.01%
PENSION & INSURANCE								
911	Pension Assessment	\$ -	\$ 3,364,839	\$ 3,364,839	\$ -	\$ 3,560,395	\$ 3,560,395	6.74%
914	Health & Life Insurance	\$ 100,000	\$ 4,447,000	\$ 4,547,000	\$ 100,000	\$ 4,782,000	\$ 4,882,000	9.24%
		\$ 100,000	\$ 7,811,839	\$ 7,911,839	\$ 100,000	\$ 8,342,395	\$ 8,442,395	15.98%
		\$ 10,196,482	\$ 39,893,833	\$ 50,090,315	\$ 10,816,622	\$ 42,019,865	\$ 52,836,487	100.00%
Total FY24 budget		\$ 50,090,315						
					Increase over FY 24			
TOTAL FY25 GENERAL FUND OPERATING BUDGET					\$ 52,836,487		\$ 2,746,172	5.48%
Recommended Funding Sources					\$ 51,923,589	Taxation -- Raise & Appropriate		
					\$ 63,092	Septic Program -- Monies Reserved for Debt P		
					\$ 25,000	Wetlands Fund		
					\$ 15,000	Cemetery Sale of Lots Account		
					\$ 40,000	Cemetery Perpetual Care Interest Account		
					\$ 15,000	Transfer Station Receipts Reserved		
					\$ 15,888	Waterways Fund		
					\$ 90,000	Enterprise Indirect Cost Transfer		
					\$ 14,500	Community TV Reserved		
					\$ 634,418	Free Cash		
					\$ 52,836,487	Total		