

**ARTICLES OF THE WARRANT
FOR THE
BOURNE SPECIAL
AND
ANNUAL TOWN MEETING
MONDAY, MAY 7, 2012
7:00 P.M.
BOURNE HIGH SCHOOL AUDITORIUM**

A VOTER'S HANDBOOK

***PLEASE BRING THIS HANDBOOK TO EACH SESSION OF
TOWN MEETING***

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2012
Annual Town Meeting

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Town of Bourne
Finance Committee Report
for the
Annual Town Meeting
May 7, 2012

7:00 P.M. at the Bourne High School

Finance Committee Members

Michele W. Ford, Chair

Elinor Ripley, Co-Vice Chair

Mary Jane Mastrangelo, Co-Vice
Chair

David Ahearn
Mark DeCicco
Hal DeWaltoff
Bill Grant
Glenn Galusha

Don Montour
C. Jeff Perry
John Redman
George Slade
Lisa Groezinger, Secretary

Introduction

It is the Finance Committee's primary responsibility to advise Town Meeting on warrant articles and to give a detailed report stating an opinion of agreement or concern regarding the proposed budgets, which include operating budgets and capital outlay. Secondly, Finance Committees often comment on issues surrounding the budget, and this year is no exception.

This was the third year in a row the Finance Committee met jointly with the Board of Selectmen to review and discuss the merits and impact of the proposed operating and capital budgets. The Town Administrator, Finance Director and department heads appeared before the joint meetings to discuss their budgets. The Finance Committee and Board of Selectmen decided to meet jointly so we could look at the budget and together understand the issues that arise from the fiscal choices we make. The Finance Committee independently determined its support or opposition to any or all parts of the budget. We have met with groups, individuals, and committees that are either sponsors of articles or whose activities have a financial impact on the Town.

This report is intended to give voters a summary of the overall financial condition of the Town with comments on what we see as the fiscal issues facing us today as well as in the future. It includes the following financial data: Sources and Uses, FY13 Capital Plan, and a Long Term Financial Plan.

Overview of FY13 Budget

This fiscal year follows one of the most difficult years since the economy bottomed out. The economy is slowly improving but State aid continues the downward trend of recent years and our new growth remains weak. This is the year we begin to address areas that need investment in human and programmatic assets.

Compared to FY12, our total revenues are up \$98,000 after a decline of almost \$1M from FY 2011. Our decreased State aid revenues are almost offset by an increase in local receipts.

This budget continues the trend of cautious spending and adherence to fiscal policies while providing some augmentation of staff.

We continue to benefit from a positive case history for our health insurance and our Health Care Trust Fund has an ample reserve, in line with our policy. This is

an area we continue to watch closely to ensure the Town is receiving an optimal combination of service and cost.

Our bond rating continues to be favorable, in part because of our strong reserve policy. This provides better rates on items and facilities purchased via bonds. Our Capital Outlay Committee has continued its fine work refining the comprehensive view of capital needs for the Town, and their FY13 recommended Capital Outlay projects are detailed in their report in the warrant. While recommending a large number of projects, we have town-wide capital needs of \$50 – 70 million for the major capital projects that have been identified as priorities for the Town: DPW Facility, Police Station, Pocasset Fire Station, Peebles School and the Buzzards Bay Fire Station. Each year that passes without addressing items prioritized as necessities by the Capital Outlay Committee, means that the future cost of addressing the needs will be greater than today's costs.

The Town is able to fund the same level of service as we provided in last year's budget with some targeted additions. The proposed budget does the following:

Facilities Manager – this long-proposed position will be added; it is expected the position will generate savings equal to or greater than the cost of the position

DPW – one laborer position is reinstated

Finance Department – an accountant position to give the Finance Director more time for planning and analysis.

Library – adds a full-time technology librarian and restores a part-time library assistant

Recreation Department – the budget provides for lifeguards at three town beaches

Fire Department – adds the operational Assistant Chief as recommended in the Jacob's Report

The budget proposes using \$1.375M in reserves to fund the operational budget.

We have also kept the expense budgets for our departments lean, as we have in the last budgets. As the Town Administrator stated in his budget message "the squeal

factor has been reached.” We have a sustainable budget, with well-thought out additions.

This budget is the result of a thoughtful examination of our town’s priorities, as evidenced by where we spend our money. The budget is our town’s values translated into dollars and cents.

Fiscal 2013 Budget

Sources and Uses of Funds

Included in your Voter Handbook is a report titled Fiscal 2013 Sources and Uses of Funds. This report summarizes the monies that go into and out of our government and is developed by our Finance Director and Town Administrator. More detail regarding the individual departmental budgets can be found in the FY13 Operating Budget in your Voters Handbook.

Revenues

The contracted salary increases and modest expense increases make it necessary for the Town to raise the levy limit by 2 ½% as allowed by Massachusetts state law. The following table provides a history of our tax levy history:

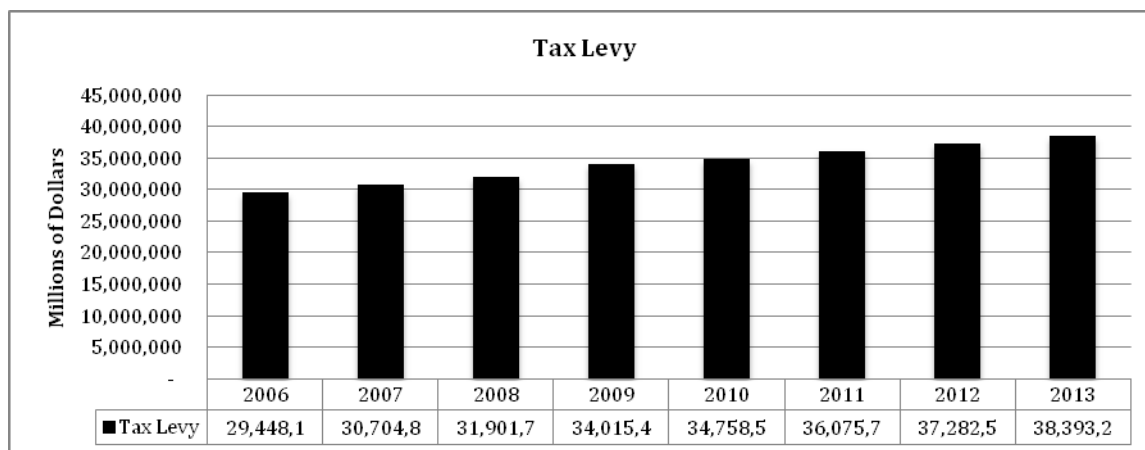


Figure 1 - History of Tax Levy in Bourne

State Aid

State aid has declined steadily since the high point in 2008. We are now receiving less state aid than in 2006, the year we passed a Proposition 2 ½ override.

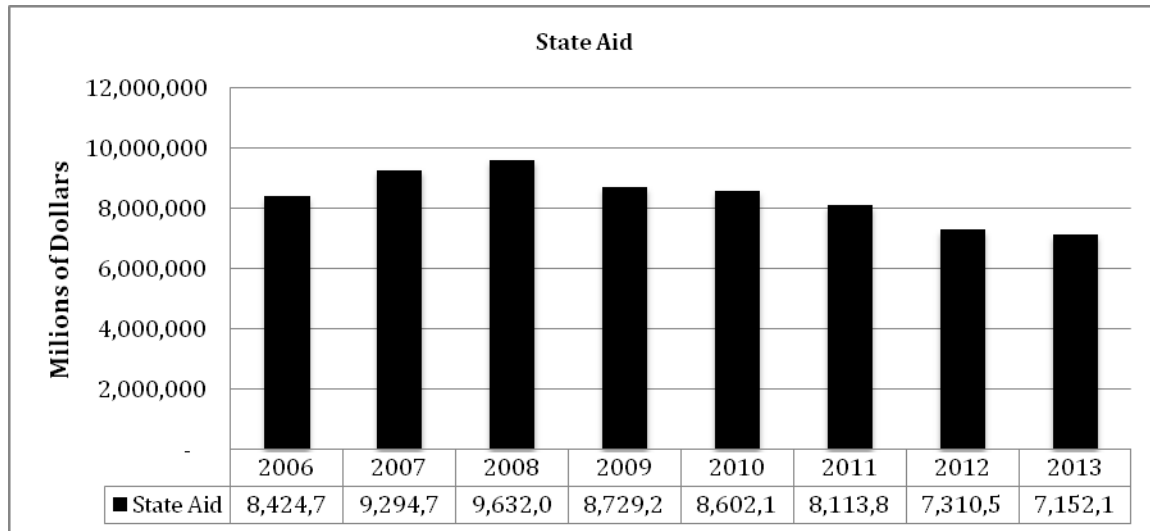


Figure 2 - History of State Aid to Bourne

Local Receipts

Local receipts are also down compared to prior years. The economy has a direct impact on our local receipts, as can be seen in the following chart:

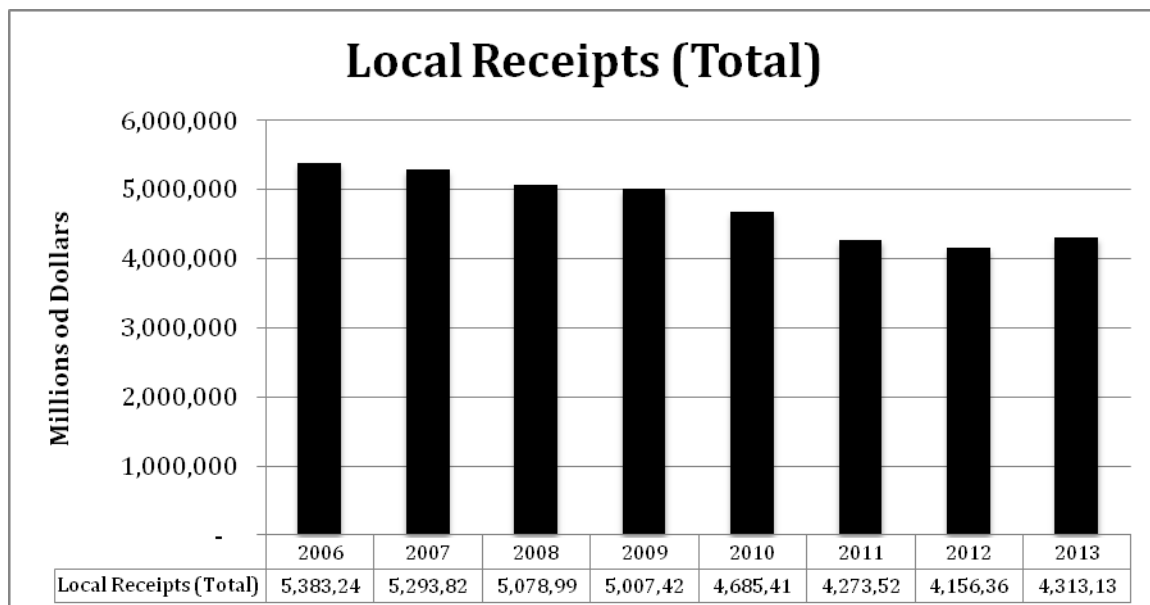


Figure 3 - History of Local Receipts in Bourne (2013 estimated)

The table below details each local receipt line.

	2006	2007	2008	2009	2010	2011	2012	2013
Motor Vehicle Excise	2,496,559	2,281,830	2,209,908	2,190,644	1,981,213	1,785,060	1,695,000	1,875,000
Other Excise	126,261	138,768	139,331	131,412	140,223	130,000	122,939	125,000
Penalties & Interest	194,346	247,936	202,649	244,991	273,870	260,000	272,280	300,000
Payments in Lieu	16,622	25,233	25,094	27,738	22,816	25,000	24,000	25,000
Dept - Recreation DNR	1,103,971	1,019,705	1,105,218	1,132,719	1,146,435	1,035,000	1,031,000	1,050,000
Other Dept Revenue	197,156	213,189	226,753	218,293	243,050	220,000	240,000	240,000
Licenses & Permits	622,344	577,720	496,266	486,235	467,769	425,000	441,000	445,000
Fines & Forfeits	106,206	134,199	132,492	151,792	139,539	135,000	108,000	110,000
Investment Income	491,131	555,411	466,039	203,253	81,813	80,000	53,000	50,000
Misc.	28,648	99,833	75,240	220,343	188,682	178,467	168,650	93,141

Figure 4 – Detailed History of Local Receipts in Bourne

Other Revenue Sources

We have increased the ISWM Host Community Fee by \$25,000 to \$475,000, reflecting an expectation that business will be more profitable. PL874 is the impact aid we receive from the Federal government to reimburse us for educating children whose families live on the Massachusetts Military Reservation and do not pay local property taxes. There is no way to accurately project the amount of these funds, as the program is subject to Congressional appropriation, but the Town is anticipating a reduction of \$5,000 compared to FY12.

Operating Expenses

Overall, our operating expenses are \$51.928 million not including State assessments, capital or our ISWM and Sewer Enterprise operations. The FY13 budget calls for slightly increased staffing, as detailed in the budget overview section. Departmental requests and expense accounts were kept at bare minimum levels. These budgets come on top of the previous years' expense reductions. The Finance Committee recognizes the need to be frugal, but we also understand the town will not be able to sustain ongoing operations without some investment.

Public Safety

The police budget has been increased. We have not been able to increase to a full complement of 32 officers due to a variety of reasons. While the override we passed for new officers should have gotten us there, we have been unable to keep up with filling positions vacated due to retirements while the police academies have been difficult to get into. Once we get a new officer hired and assigned a space in an academy, it takes one year before that officer is available for patrols in town. Therefore, regardless of the budget situation, it takes a very long time to add police officers.

Health Care

Group health insurance has had a fifth straight year of relative stability after a period of volatility. Our insurance trends continue to be favorable, more favorable than many of our surrounding communities. The Town Administrator and Treasurer monitor the monthly expenditures and trust fund balances. The health care trust funds reserve policy calls for three month's reserve or \$1.6 million.

Education

The Bourne School Department's budget is increased by \$408,000 from FY12. The schools are the single largest department in town. The Bourne School budget meets the minimum requirements for Foundation Budget and Net School Spending set by the State. The Finance Committee commends the Superintendent for his open budget process.

The Upper Cape Cod Regional Technical School's budget is \$98,000 higher than last year. The number of students Bourne sent to the school declined by 3 students for FY13.

Our educational system is by many standards underfunded, even though we are spending more than the state-mandated foundation level. If class sizes increase we may be in default of our moral responsibility to provide a standard of education which provides our students the opportunity to compete in an ever more complex world market. Our parents are making up the difference for sports and other extra-curricular activities, in order to provide enrichment activities we cannot fund. We need to continue to prepare our children for the technology-enabled society they will enter.

Reserves and Fiscal Policy

Our fiscal policy is well documented and has guided the Town for several years. We have been the beneficiaries of improvements in process, procedure and efficiency in the Town's departments, which results in turn-backs to Free Cash at the end of the fiscal year. We have added these savings to our reserves, but can no longer depend on large turn-backs to augment our reserves, as we have budgeted expenses closely. While we have reserves at the Town's policy level, and the numbers seem quite large, it bears reminding that we could spend down all our reserves in 2-3 years time if we used them to cover the cost of a full complement of services. The reserves help sustain us, as they have in this budget by a million dollars, but they cannot be an ongoing substitute revenue source.

A summary of the Town's reserve accounts and their associated policy guidelines follows:

Certified Free Cash policy is for 5% of the General Fund operating budget and is usually certified only at the end of each fiscal year by the Department of Revenue. The balance as of July 1, 2011 was \$5,099,679 and we will be using approximately \$1.375M to fund the FY13 operating budget.

Stabilization Fund – policy calls for 7% of the operating budget. This is a “rainy-day” fund with a balance as of March 1, 2012 of \$3,468,088. A vote of 2/3 of Town Meeting is required to spend money from this fund.

Capital Stabilization Fund – a relatively new fund established to reserve cash for future capital expenditures. Its primary funding source has been ISWM Host Community Fees and the balance as of March 1, 2012 was \$451,989, and no funds are being used for this year's capital projects.

Employer Health Insurance Trust Fund – policy is to have either four (4) months of average costs or no less than \$1.6 million.

Overlay Reserve – a reserve fund for tax abatements and exemptions which is established and controlled by the Assessors. It is based on an analysis of historic data and specific circumstances such as a recent property revaluation.

Reserve Fund – an annual Reserve Fund to be spent under the authority of the Finance Committee for unexpected and unforeseen budget needs. For FY13 this is \$250,000, which is the amount the Town has historically put in this fund.

Capital Expenditures

According to our Fiscal Policy, the Town is required to establish and maintain a five year capital improvements plan and to develop capital financing strategies consistent with our fiscal policies. The Capital Outlay Committee has continued its hard work over the last year, working to deliver on the Municipal Facilities Plan for the Town. The plan is the basis for the capital recommendations in the FY13 budget. Their plan is a model for this type of planning in the town, resulting in well-thought out recommendations. The current year's plan and the long-term capital plan can be found in your handbook.

This year's recommendations for capital spending come after exhaustive study by our Capital Outlay Committee. The recommendations include normal replacement items and total planned spending for FY13 is still under consideration at the time of this writing. A full report by the Capital Outlay Committee will be made at Town Meeting. The committee has worked to identify funding sources other than new borrowing in order to make the best use of all available dollars. It should be noted that while the Capital Outlay Committee had hoped to bring forth a proposal for a new DPW facility, which will allow for expansion of the ISWM business, they want to take more time to explore design and funding. They expect to be able to present a plan to the 2012 Fall Special Town Meeting.

ISWM

The Integrated Solid Waste Management (ISWM) operation is a regional landfill and transfer center. It benefits the Town by paying for the pickup and disposal of our household trash, curbside recycling collection, the cost of the recycling center at the landfill, and disposal of hazardous materials and waste generated by our DPW. Additionally, ISWM pays the Town a Host Community Fee based on the tonnage flowing through the gate.

The ISWM business continues to be challenging due to the economy. However there is expected to be a \$25,000 increase in the Host Community Fee, to \$475,000.

ISWM Reserve Funds

As of March 31, 2012:

Post Closure Fund – \$1,959,859
Phase III Closure Account – \$618,792
Future Solid Waste Reserve Account – \$500,000
C&D Transfer Station - \$106,090
Phase 2A/3A Closure - \$1,805,672
Phase 4 Closure Account - \$563,135

Community Preservation Act

The Town adopted the CPA at its April, 2005 election, replacing the Open Space Act and allowing the Town to receive matching state funds based on a 3% tax levy surcharge. The provisions of the CPA allow money to be allocated to open space, historic preservation, affordable housing and recreation. This year we anticipate revenue of \$1.3M from the tax levy surcharge and State matching funds.

Under the CPA a Community Preservation Committee has been formed and has made the recommendations found in the chart in the Voter's Handbook.

The Finance Committee met with the Community Preservation Committee and reviewed twelve projects for Community Housing, Historic Preservation and Open Space.

Long Term Plans

The Finance Director and Town Administrator have been working with the Finance Committee since FY05 to establish and refine a long term financial plan. The Long Term Financials in the Voter's Handbook is one piece of the long term planning puzzle. The Capital Outlay Committee's work to establish our needs, priorities, and funding sources is another piece of the puzzle. However, financial planning cannot be done in a vacuum and must include additional needs in the community, including personnel. A comprehensive plan will allow voters to see the effect of our debt service, structural deficits, changes in reserves, adjustments to the tax rate and state aid impacts.

The table below demonstrates what will happen to the Town's finances if we attempt to maintain the status quo. It assumes we maintain the same level of revenue increases as we have historically shown, assumes no overrides, and assumes our contracted personnel costs maintain their increases. It does not allow for expansion of any services, nor does it provide for capital spending. This is but one projection of the future – the Finance Committee, in conjunction with the Finance Director, Town Administrator, and Board of Selectmen, have reviewed other long range projections with differing assumptions.

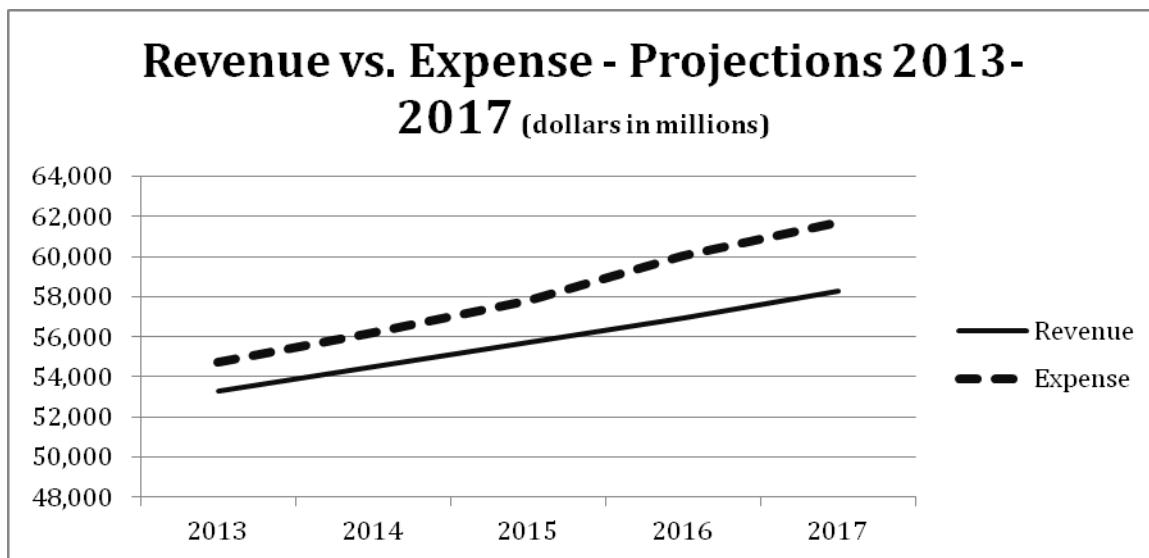


Figure 5 – Budget Projections Based on FY2013 Budget

As can be seen, we cannot maintain our current level of spending (the dotted line) with the current revenue levels (solid line). We look forward to continuing the work with the Board of Selectmen and Town Administrator in the development of a long term plan and addressing the future funding needs of the Town.

Summary

The Town of Bourne has benefitted from the prior years of fiscal prudence. This budget allows us to make strategic additions, while remaining sustainable. Despite this good news, we face the retirement in coming years of long-term personnel, and must plan for an orderly transition before they leave, taking their institutional knowledge with them.

As was discussed previously, we face a structural deficit for the next five years. Our Town is staffed to provide minimal services. We have begun to address our serious needs in particularly in human resources and facilities maintenance and management, but other needs remain.

The Town has benefitted from professional financial management. This has allowed us to weather the declines in state aid and a poor economy, while starting to address long-standing needs in the Town.

Respectfully submitted,
The Finance Committee, Town of Bourne

SOME ABC'S ABOUT TOWN MEETING

THE PLAYERS

As you face the front of the auditorium, you see before you various officials and resource people in the following approximate positions: In the middle is the Moderator, an elected town official who conducts the meeting. Beside and behind him is the Town Clerk and staff who record the proceedings. Seated from left to right: Finance Committee; School Committee; Planning Board; Town Counsel; Town Administrator and Board of Selectmen.

WHO MAY VOTE

All registered voters of the Town of Bourne who have been checked in at the registration desks, and display their identification tag.

THE QUORUM

One hundred twenty five (125) voters present constitute a quorum required for commencing the business of Town Meeting.

THE WARRANT

The official listing of articles compiled, publicly posted and distributed to voters at Town Meeting.

ARTICLES

Articles are the individual subjects to be acted on by Town Meeting. They have been submitted by Town Boards and Departments, by the Selectmen, and by private petition endorsed by ten or more registered voters (for an annual town meeting).

ORDER OF BUSINESS

The Moderator determines when a quorum is present and calls the meeting to order. Following the pledge of allegiance and invocation, the Moderator reviews the basic rules under which the meeting will be conducted. Special Resolutions are presented and acted upon. The Moderator then proceeds with the reading of the first article drawn at random by the Town Clerk, invites motions, discussion and vote. This procedure is followed for each article until the warrant has been completed. If necessary, due to time constraints, additional meetings will be scheduled.

MOTIONS

Following the reading of each article by the Moderator, he will usually ask if the Finance Committee has a recommendation and a motion to offer. This is because Town Bylaw requires the Finance Committee to review and make recommendations on all articles in the warrant. On articles presented by the Planning Board, the Moderator will ask them to present a report, recommendation and motion. Motions not related to subjects in the warrant or to the conduct of the meeting are not permitted.

INDEFINITE POSTPONEMENT

A motion to indefinitely postpone action on an article is a motion not to take positive action at this town meeting.

NEGATIVE RECOMMENDATIONS

If the action recommended by the Finance Committee on an article other than zoning bylaw articles is negative, the Moderator will ask if any voter present wishes to make a positive motion. If so, the person making the motion must also be prepared to submit the motion in writing to the Moderator.

AMENDMENTS

Any voter present may request to be recognized by the Moderator for purposes of offering an amendment to any motion under discussion. The motion must be in writing and include the specific words to be deleted in the original motion as well as those to be substituted.

PARTICIPATION

If you have a question of clarification concerning an article or motion under discussion, or wish to participate in such discussion, please do so. To be recognized by the Moderator, raise your hand or if necessary, stand in place. When recognized, step to the nearest microphone as quickly as possible and state your name. Speak slowly and clearly into the microphone. Be as concise and brief as possible, and by all means stick to the point at hand.

VOTING

Generally, after appropriate motion and discussion, if any, the Moderator will call for a voice vote. If he is not clear as to which response constitutes a majority, he

will call for a show of hands, which will be counted by designated checkers. On votes requiring other than a majority, if the result is not unanimous, a show of hands is required. On certain occasions, a secret ballot may be taken if requested by at least 15 voters.

DEFINITIONS

For the benefit of those who may not be familiar with some of the financial terms appearing in or used in the course of considering various articles, the following much simplified definitions may be helpful:

GENERAL FUND

The account in which general and/or undesignated revenues are deposited for use in paying the general expenses of the Town.

STABILIZATION FUND

Monies appropriated by the Town to fund capital expenditures for equipment, land, or large-scale projects or for any other lawful purposes. An appropriation both into and from the Stabilization Fund requires a 2/3 vote.

RESERVE FUND

Monies appropriated by the Town to cover extraordinary or unforeseen expenses during the fiscal year as approved by the Finance Committee.

FREE CASH

The amount of the Town's surplus revenue over and above uncollected taxes of prior years.

RAISE AND APPROPRIATE

The authority voted by the Town to raise by taxation and spend Town Funds for purposes stated in various articles in the warrant. The dollar amount, which can be raised by taxation, is limited by Proposition 2-1/2. After the setting of the tax rate, no funds may be raised and appropriated by taxation at a special town meeting.

TAX LEVY

The maximum amount of money that by State law may be raised through property taxes in any given year. The Tax Levy is by far the largest of a number of revenue sources for the Town, accounting for over half of the total. The maximum tax levy is limited by Proposition 2 1/2.

TAX RATE

The dollar amount per \$1000 of property valuation required to collect the Tax Levy through property tax bills.

THE BOURNE RULE

The "Bourne Rule" controls unlimited spending by town meeting in violation of Proposition 2-1/2. The rule, adopted at the beginning of town meeting by resolution, requires any amendment seeking funding in excess of the amount recommended by the Finance Committee to state an equal dollar reduction in another appropriation or appropriations in order to maintain all spending in balance so that the tax levy will not exceed the maximum levy limit imposed by Proposition 2-1/2.

STATEMENT OF THE MODERATOR TOWN MEETING PROCEDURES

1. At the beginning of the meeting the Moderator designates rows of seats in the left rear section of the auditorium for seating of *non-voters*. With the permission of a doorkeeper, voter(s) attending town meeting with a child(ren) may be allowed to sit with their child(ren) in voter seating. We respectfully request that you do not bring children under age 6 to town meeting.
2. Moderator rulings and procedure at the Town meeting are governed by Federal and Massachusetts laws, the Town Charter, Town Bylaws, and “Roberts Rules of Order” as interpreted in the book entitled *Town Meeting Time*.
3. The Moderator will not entertain shouted motions from the floor to Move the Question, or to challenge a quorum, or for any other purpose. Any person wishing to speak must rise and be first recognized by the Moderator. If a person is physically challenged, please so advise the Moderator, and the tellers will provide a portable microphone so that person can speak from his/her seat.
4. Large print town meeting handbooks are available for individuals with limited eyesight. Individuals with hearing difficulty need to contact the selectmen’s office at town hall at least three business days prior to the town meeting so that language signers can be made available for the meeting.
5. Before speaking, state your name clearly for the record. Speak concisely and speak to the motion on the floor. Speak only long enough to make your point. Do not repeat what prior speakers have already said.
6. The Moderator will not tolerate personal attacks, cat-calling, applause, booing, heckling, or any other form of disruption during the meeting. Pursuant to Massachusetts law, any person disrupting the town meeting may be caused by the Moderator to be removed from the meeting by the Sergeant-at-Arms or a Constable and held until the conclusion of the meeting.
7. The meeting is video taped by the local cable television company for later re-broadcast on the local cable access channel.
8. There is a stenographer keeping an official written transcript of the meeting.

9. If there is a counted, standing vote, or a secret ballot, voters must have their voter tag visible and be in a seat in the voter's section in order to be counted. The tellers will not count anyone not seated in a seat in the voter's section or anyone without a voter tag.

10. Fifteen or more registered voters may request a secret ballot. In the event of a secret ballot, the doorkeepers will call everyone into the auditorium who wishes to vote, and then close the doors. You may leave the auditorium at any time, but you will not be allowed to return to the auditorium until the Moderator declares that vote casting is concluded.

11. If a voter wishes to change a motion in some fashion, the procedure is to amend the motion. All motions to amend must be in writing and must state exactly how the voter wishes to change the motion on the floor. That way, the Moderator can know exactly what it is the voter wants to do before ruling on the motion or putting it to a vote. A voter who wishes to amend a main motion must have the amendment in writing and available to hand to the Moderator before rising to offer the amendment. The Moderator may refuse to put to the Meeting an amendment which is not immediately available in writing - The Moderator also will rule out of order any motion to amend which changes the original motion so drastically that, in the Moderator's opinion, the motion is no longer within the "four corners" (the scope) of the article. An amendment may consist of adding, deleting, or substituting words in the motion. It may take the form of a "motion to substitute" a different motion. Sometimes a speaker tries to amend "the article", but this is improper language. It is the motion on the floor, not the article on the Warrant, that is to be amended. A motion to amend requires only a majority vote, even though the main motion to be amended may require two-thirds or more for final passage. If you need assistance drafting an motion to amend, please ask for it, and the deputy moderator will help you.

12. Articles in the warrant seeking to amend the Bourne Zoning Bylaw or Zoning Map require special treatment. Some Moderators refuse to allow any amendment to a main motion on a zoning article. I generally will allow a motion to amend to correct a clerical matter, misspelling, or similar non-substantive change. For example, if the main motion is to increase minimum lot size from 40,000 to 50,000 square feet, a motion to amend to increase only to 45,000 square feet, will not be allowed, as it is a substantive change to the published article. On

the other hand, a motion to change the word “feat” (a misspelling) to “feet” will generally be allowed.

12. Pursuant to Bourne Town Bylaw, notice of intention to reconsider action on an article may only be given *within one hour of continuous meeting time*. Depending on the hour the vote is taken and officially recorded by the Town Clerk, this one hour may carry over to a subsequent session of the same town meeting in which the original vote is taken. The subsequent session of town meeting may reconvene several days after the original vote is taken.

13. Because it is a matter of long time custom and practice in the Town of Bourne, the Moderator will not allow notice of intention to reconsider or a motion to reconsider a vote except from a voter *who voted on the prevailing side of the original vote*.

14. It is solely within the discretion of the Moderator to allow non-voters to address the town meeting. It has been a matter of long time custom and practice in Bourne that the Moderator will generally allow non-voters to address the town meeting.

15. A town meeting is a public meeting. There are no expectations of privacy at a public meeting. A transcript of the meeting is kept. The meeting is video-taped by the local cable access channel. Press photographers are present taking photographs, including photographs of standing, counted votes. The Moderator does not allow still or motion photography *at the ballot boxes* of voter’s casting their votes during a secret ballot.

16. Most articles in the town meeting warrant are drawn by lottery. Because of this, voters interested in a particular article do not know when that article will be drawn, sometimes making it difficult to take even a bathroom break during the 3+ hour meeting. Because of this, the Moderator may call one or more brief recesses during the meeting to allow voters (and the Moderator, too!) to take a brief break.

17. Persons running for public office, and their supporters, and persons distributing literature promoting action on a warrant article or other matter of public interest, must remain not less than 50 feet from the outside entrance to the

auditorium, except when they themselves are entering the town meeting for the purpose of attending the meeting, or when they are actually in attendance at the meeting.

Thank you for attending Town Meeting!

Robert W. Parady
Town Meeting Moderator

SPECIAL TOWN MEETING
Monday, May 7, 2012

ARTICLE 1: To see if the town will vote to transfer from available funds a sum of money to satisfy the terms of **negotiated agreements** with the Town's municipal bargaining units, or take any action in relation thereto.

Sponsor – Town Administrator

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 2: To see if the Town will vote to appropriate or transfer from available funds a sum of money for the purpose of retaining an engineering/architectural firm to create specifications to repair or replace the roof or sections thereof at the **Bourne Veterans Community Building**, or take any action in relation thereto.

Sponsor – Town Administrator

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 3: To see if the Town will vote to appropriate or transfer from available funds a sum of money for alterations at the **Bourne Veterans Community Building** to create additional office space and other renovations that may be necessary to accommodate the public and municipal functions, or take any action in relation thereto.

Sponsor – Town Administrator

Finance Committee Recommendation

This Article will provide the town with funds to do the following at the Community Center:

- ***Repair the membrane roof and substructure repairs above the gymnasium area.***
- ***Renovate the Human Resource/Recreation Offices.***
- ***Construct an office for the Veterans Agent.***

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 4: To see if the Town will vote to transfer from available funds a sum of money to **supplement the Town of Bourne Integrated Solid Waste**

Management Programs 2012 annual budget as voted at the May 2, 2011 Annual Town Meeting, or take any other action in relation thereto.

Sponsor – Finance Director

Finance Committee Recommendation

This article increases the FY12 ISWM budget due to increased host community fees, fuel costs and c & d transfer and leachate costs.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 5: To see if the Town will vote to **close out and transfer available balances** in previous Town Meeting Articles whose purposes have been satisfied or take any other action in relation thereto.

Sponsor – Finance Director

Article 8 of May STM of 1998	Middle School Construction	12.67
Article 1 of March STM of 2000	Community Building Construction	<u>124,242.90</u>
		<u>124,255.57</u>
Article 27 of May ATM of 2006	Landfill Capping Phase 3 Stage 3	312,999.34

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 6: Whereas the Hoxie School building is available for re-use as a **Center for Art, Science and Culture** and whereas it has significant historical, cultural and community value to the Town of Bourne, the State of Massachusetts and the United States of America let it be known that the voters of the Town of Bourne assembled at this special town meeting support the goal of restoring the former Ella F. Hoxie Elementary School building and re-use it as a vibrant cultural resource for the benefit of Bourne and its neighbors, or act anything thereon.

Sponsor - John Brennan and others

The Finance Committee recommendation will be made at Town Meeting.

ANNUAL TOWN MEETING
MONDAY, MAY 7, 2012

ARTICLE 1: To see if the Town will vote the following **regularly required authorizations** or actions, or take any other action in relation thereto.

Sponsor – Board of Selectmen

- a. Assumption of liability in the manner provided by Section 29 and 29A of Chapter 91 of the General Laws, as most recently amended, for all damages that may be incurred by work performed by the Department of Environmental Protection of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, (including the Merrimack and Connecticut Rivers) in accordance with Section II of Chapter 91 of the General Laws, and authorize the Selectmen to execute and deliver a bond of indemnity therefore to the Commonwealth, and further to assume liability pursuant to Section 1 of Chapter 814 of the Acts of 1972.
- b. That the Selectmen may contract with the Massachusetts Department of Public Works and the County Commissioners for the construction and maintenance of public highways for the ensuing year.
- c. Authorize the Board of Selectmen from time to time to apply for, receive, and expend assistance funds under the Federal and State Small Cities Program of the Department of Housing and Urban Development as from time to time amended, to be used for such projects as the Selectmen in their discretion shall deem necessary, and proper, and to do such acts and enter into such contracts as may be necessary, proper or desirable to obtain such aid.
- d. Pursuant to the provisions of Section 12 of Chapter 30B of the Massachusetts General Laws, as amended and supplemented, to authorize the Town of Bourne to enter into contracts in excess of three years' duration for school bus transportation and for the lease or lease-purchase of equipment, subject to appropriation and all other approvals as may be required by law with respect to any particular such contract.
- e. Authorize the Treasurer and the Town Collector, pursuant to Chapter 44, Section 53F, Massachusetts General Laws, as amended and supplemented, with the approval of the Board of Selectmen, to enter into agreements for periods not to

exceed three years with banking institutions to maintain deposits in exchange for banking services.

f. Authorize the Board of Selectmen, pursuant to Chapter 44, Section 72, Massachusetts General Laws, as amended and supplemented, to allocate any funds received as part of the Medicaid Medical Services Program to the School Committee for use, without further appropriation, for the benefit of educational programs.

The Finance Committee Recommendation will be made at Town Meeting

ARTICLE 2: To see if the Town will vote to fix the **salaries and compensation of all elected officials** of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws as amended, and raise and appropriate a sum of money therefore, or take any other action in relation thereto.

Sponsor – Board of Selectmen

The Finance Committee Recommendation will be made at Town Meeting

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer from available funds, a sum of money to defray the **regular annual expenses** of the Town, or take any other action in relation thereto.

Sponsor – Board of Selectmen

The Finance Committee Recommendation will be made at Town Meeting

ARTICLE 4: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the **Sewer Department**, or take any other action in relation thereto.

Sponsor – Board of Sewer Commissioners

The Finance Committee Recommendation will be made at Town Meeting

ARTICLE 5: To see if the Town will vote to appropriate a sum of money from funds received or to be received from the Commonwealth of Massachusetts for the construction, reconstruction and improvement on all approved public ways which qualify under the **State Aid Highway (Chapter 90)** guidelines adopted by the Public Works' Commission, said funds to be expended under the direction of the D.P.W. Superintendent, with the approval of the Board of Selectmen, or take any other action in relation thereto.

Sponsor - D.P.W. Superintendent

Finance Committee Recommendation

Each year the governor's budget appropriates Chapter 90 funds for distribution among the cities and towns in Massachusetts. This local aid is earmarked for maintaining safety and accessibility for roads and bridges within the Commonwealth. Because the dollar amount varies from year to year, we must vote to allow our Department of Public Works to spend the appropriation at the annual town meeting.

The Finance Committee recommendation will be made at Town Meeting

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to establish a **Reserve Fund**, or take any other action in relation thereto.

Sponsor - Board of Selectmen

The Finance Committee recommendation will be made at Town Meeting

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to operate the **Integrated Solid Waste Management Program**, or take any other action in relation thereto.

Sponsor - Board of Selectmen

Finance Committee Recommendation

This article approves the operating budget of ISWM for the coming year including the ISWM Operational Budget, Salaries and Wages, Host Community Fee, the ISWM Reserve Fund and the General Fund Administration Fees. The ISWM budget includes the costs associated with the disposal of the town's municipal solid waste and the residential drop off center. In addition, ISWM will continue to pay for curbside trash pickup and curbside recycling.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 8: To see if the Town will vote under authority of M.G.L., Chapter 44, Section 53E ½ to establish **Revolving Funds** to be known as described below, or take any other action in relation thereto.

Sponsor – Board of Selectmen

Number	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY 2013 Spending Limit
1	Recreation Programs Fund	Recreation Department with the approval of the Town Administrator	All fees charged for all programs run by the Recreation Department	Purchase & Acquire recreational equipment and materials and part-time seasonal staff to facilitate seasonal recreational programs	\$ 90,000.00
2	Shellfish Propagation Fund	Department of Natural Resources with the approval of the Town Administrator	Fees for commercial shellfish licenses	Part-time salaries & expenses related to the propagation, cultivation, protection & study of shellfish	\$ 30,000.00
3	Transportation Revolving Fund	School Department with the approval of the School Committee	Fees for transportation services	To pay for transportation fees	\$ 50,000.00
4	After School Activity Revolving Fund	School Department with the approval of the School Committee	Fees for After School Activities	To pay for After School Programs	\$ 15,000.00
5	Public Library Book Fund	Library with the approval of the Town Administrator	Fines & Fees received from overdue,lost, damaged materials	To purchase additional library books and materials	\$ 20,000.00
6	COA Supportive Day/Bridging the Years	COA with the approval of the Town Administrator	Fees from and for Clients for Program Services	To pay for services and expenses related to providing supportive day programs	\$ 100,000.00
7	COA Programs	COA with the approval of the Town Administrator	Fees & Charges from COA classes and programs	To pay the instructors and expenses of programs offered.	\$ 50,000.00

Number	Revolving Fund	Authorized to Spend	Revenue Source	Use of Fund	FY 2013 Spending Limit
8	Community Building Rental fund	Community Building director with the approval of the Town Administrator	Fees from renting the building	To pay part time salaries and expenses related to the extra hours used for the rental of the building	\$ 10,000.00
9	Composting Bins Fund	Integrated Solid Waste Management with the approval of the Town Administrator	Fees received from the sale of composting bins	To purchase and acquire additional composting and recycling bins	\$ 250.00
				Total spending	\$ 365,250.00

Finance Committee Recommendation

Revolving funds are created to allow certain departments to raise specific funds to be appropriated without further town meeting action. The law is very explicit as to how this is done, and it requires that the funds be reauthorized every year in order to be sure that each fund is being used as intended.

The Finance Committee voted unanimously (12-0) to recommend approval of this article.

See Appendix "C" Supporting Information Page 133

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of funding **capital improvements and capital projects**, or take any other action in relation thereto.

CAPITAL OUTLAY PROJECTS MAY 2012 ATM					
ITEM	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
1	Police Dept	Cruisers	\$ 136,000.00	Ch 44, Sec 7(9)	Borrowing

2	Police Dept	Computer & Laptops	\$ 20,000.00		Transfer 20,000.00 from Art 10b Police Generator of May 2009 ATM
3	Police Dept	Tasers	\$ 65,500.00	Ch 44, Sec 7(9)	Borrowing
4	Fire Dept	Replace engine 125	\$ 575,000.00	Ch 44, Sec 7(9)	Borrowing
5	Fire Dept	Pocasset Station Repairs	\$ 30,000.00		Transfer 17,773.00 from Art 10k Upgrade BHS Security of May 2008 ATM, 6,914.35 from Art 10j Repair BHS Greenhouse & Entrance of May 2008 ATM, 5,312.65 from Art 10g Upgrade BHS Security of May 2009 ATM.
6	Fire Dept	Air Compressor SCBA	\$ 32,500.00		Transfer 19,700.00 from Art 10b Police Generator of May 2009 ATM, 4,000 from Art 10-1 Police Cruisers of May 2010 ATM, 2,367.99 from Art 8 Furn. & Fix Station 3 of May 2005 ATM, 416.00 from Art 10d Lifepac replacement May 2009 ATM, 6016.01 from Art 10m DPW roadside mower May 2009 ATM.
7	Fire Dept	Buzzards Bay Station Repairs	\$ 60,000.00		Transfer 60,000.00 from Art 10k Upgrade BHS Security of May 2008 ATM.
8	Fire Dept	Portable Radios	\$ 30,000.00		Transfer 30,000.00 from Art 10d Lifepac replacement May 2009 ATM.
9	Fire Dept	Safety Equipment	\$ 20,000.00		Free Cash
10	Natural Resources	Replace Pump out Boat Y-55	\$ 75,000.00		Waterways 70,200.00 Transfer 4,800.00 from Art 10f Repair pump out boat May 2009 ATM.
11	Natural Resources	Replace Pump Out System Kingman Yacht Center	\$ 25,000.00		Waterways
12	Bourne Schools	Gym Bleacher Replacement BHS	\$ 60,000.00	Ch 44 Sec 7 (3A)	Borrow 44,000, 55.72 from Free Cash, transfer 15,944.28 from Art 10g Upgrade Security BHS May 2009 ATM.
13	Bourne Schools	Technology Plan	\$ 210,000.00	Ch 44 Sec 7(28 & 29)	Borrowing
14	Bourne Schools	Maintenance Truck	\$ 60,000.00	Ch 44, Sec 7(9)	Borrowing

ITEM	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
15	DPW	One ton Dump Truck replace M4	\$ 70,000.00		Transfer 3,210.20 from Art 10j DPW One ton dump May 2009 ATM, 410.92 from Art 10m lawn mowing equipment May 2009 ATM, 4,549.24 from Art 10k DPW dump truck May 2009 ATM, 61,829.64 from Art 10q wastewater study May 2009 ATM.
16	DPW	One ton Stake body replace M10	\$ 68,000.00		Transfer 2,307.11 from Art 10q wastewater study May 2009 ATM, 6,159.00 from Art 10p Facility use & reuse May 2009 ATM, 3,314.87 from Art 9 Donation of land Cove lane Oct 2009 ATM, 14,450.00 from Art 11 Demolish bldg Old Plymouth Lane Oct 2009 STM, 36,613.45 Art 10o Roof repair town hall May 2009 ATM, 2.32 from Art 10a police cruisers May 2009 ATM, 2,823.32 from Art 10-4 DNR vehicle May 2010 ATM, 2,329.93 from Art 10i boiler replacement Peebles May 2009 ATM
17	DPW	Dump/Sander Truck replace T14	\$ 141,000.00	Ch 44, Sec 7(9)	Borrowing
18	DPW	Lawn Mowing equipment	\$ 35,000.00		Transfer 416.01 from Art 10i boiler replacement Peebles May 2009 ATM, 16,417.75 from Art 10m Stormwater remediation from May 2004 ATM, 18,166.24 from Free Cash
19	DPW	Electrical Service Upgrade	\$ 25,000.00		Transfer 7,700.00 from Art 10-2 Fire Generator May 2010 ATM, 15,199.00 from Art 10e Fuel system upgrade May 2009 ATM, 12.67 from Art 8 Bourne Middle School 1998 STM, 2,088.33 from Art 10j Repair BHS greenhouse & entrance May 2008 ATM.
20	ISWM	Replace 826g Compactor	\$ 500,000.00	Ch 44, Sec 7(9)	Borrowing

ITEM	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
21	ISWM	Replace Cat 6R Dozer	\$ 340,000.00	Ch 44, Sec 7(9)	Borrow 235,000.00, Retained Earnings 1,358.75, transfer 12,622.02 from Art 8q Replace CAT 966 Loader May 2005 ATM, 73,939.50 from Art 8 Compactor May 2007 , STM, 11,870.48 from Art 10w pickup truck May 2008 ATM, 5,209.25 from Art 10v roll off truck May 2008 ATM
22	ISWM	Tracked Mobile Heavy Screener	\$ 260,000.00		Transfer 245.61 from Art 10p replace CAT 826G Compactor May 2004 ATM, 57,928.75 from Art 27q Replace CAT dozer May 2006 ATM, 15,194.34 from Art 10y Replace Komatus 155A Dozer May 2008 ATM, 15,421.00 from Art 10-18 Replace CAT 906 Mini loader May 2009 ATM, 657.85 from Art 10-19 Replace Container Truck May 2009 ATM, 80,936.04 from Art 5 Excavator Oct 2009 STM, 41,958.87 from Art 10-15 Caterpillar off road truck May 2010 ATM, 47,657.54 from Art 8-q Replace CAT 966 Loader May 2005 ATM.
23	ISWM	Roll off Containers	\$ 22,700.00		Transfer 2,865.59 from Art 10r Water main & Fire suppression May 2003 ATM, 3,519.08 from Art 10s Recycling truck May 2003 ATM, 1,796.01 from Art 10t Skid Steer Loader May 2004 ATM, .07 from Art 8p Leachate Tanks May 2005 ATM, 158.41 from Art. 27 p Replace pickup truck May 2006 ATM, 9,168.40 from Art 10y replace front end loader May 2007 ATM, 5,192.44 from Art 8q Replace CAT 966 Loader May 2005 ATM

ITEM	DEPART.	PROJECT/DESCRIPTION	AMOUNT	MGL BORROW STATUTE	FUNDING SOURCE
24	ISWM	Phase 2A/3A Final Cap & Closure Construction and Associated Appurtenances	\$ 2,047,421.00		Transfer 80,849.58 from Art 1 Lining Landfill Oct. 1999 STM, 5,764.93 from Art 10x Phase II A/IIIA Stage 2 Landfill Area cap May 2008 ATM, 241,748.29 from Art 8-2 Installation of 8 Vertical gas wells, 1,719,058.20 from Phase 2A/3A closure account.
25	Recreation	Clark Field Playground surface upgrade and equipment retrofit	\$ 115,000.00	Ch 44, Sec 7(25)	Borrow 60,000.00, free cash 2,354.77, transfer 52,645.23 from Art 11 Homestead Road Oct 2009 STM.
26	Recreation	Pocasset Playground surface upgrade and equipment retrofit	\$ 75,000.00	Ch 44, Sec 7(25)	Borrowing
27	Shore & Harbor	Dredging Ramp & pier maintenance	\$ 90,000.00		Waterways
28	Selectmen	Estuaries Project Squeteague Harbor	\$ 57,450.00		Free Cash
29	Board of Health	Vehicle to replace 2003 Ranger	\$ 21,500.00		Free Cash
			\$ 5,267,071.00		

Finance Committee Recommendation

This article requests the funding for the FY13 Capital Improvement Budget recommendations of the Capital Outlay Committee. The items recommended in this article are those which have been deemed to have the highest priority. The recommendation on the replacement of the DPW Facility has been deferred. More details and an explanation of the individual expenditures will be provided at Town Meeting.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 10: To see if the Town will vote to hear **reports and recommendations** of Committees and Town Officers, or take any other action in relation thereto.

Sponsor - Board of Selectmen

Finance Committee Recommendation

Every year this article is placed on the warrant, so that any committee or Board can address the Town meeting directly. Therefore, if there are comments or updates on activities from a committee, this will be your opportunity to speak.

The Finance Committee voted unanimously (12-0) to recommend approval of this article.

ARTICLE 11: To see if the Town will vote to rescind the authorization for **unissued debt** that has been determined is no longer needed for the completion of various projects, or otherwise act thereon.

Sponsor – Finance Director

Debt Authorized & Unissued		
Article 16 of the Oct. 2009 STM	Land Acquisition - Mashnee Island	AUTHORIZATION
		\$3,200,000.00
Article 10-15 of the May 2010 ATM	ISWM-Replace Cat D250 Truck	\$200,000.00
	GRAND TOTAL	\$3,400,000.00

The Finance Committee recommendation will be made at Town Meeting

ARTICLE 12: To see if the Town will vote, upon the recommendation of the **Community Preservation Committee**, to appropriate a sum of money for the purposes of the administrative and operating expenses of the Community Preservation Committee, or take any other action in relation thereto.

Sponsor – Community Preservation Committee

Finance Committee Recommendations

This authorizes routine expenditures necessary to operate the committee such as appraisals, inspections, legal advice and related expenses. We formerly

appropriated funds for multiple years, but now fund it every year, making this is an annual article.

The Finance Committee voted unanimously (12-0) to recommend approval of this article.

ARTICLE 13: To see if the Town will vote, upon recommendation of the **Community Preservation Committee**, to appropriate a sum of money for the following Community Preservation Fund purposes, and to meet said appropriation, to transfer from available funds, or reserve from the FY2013 Estimated Community Preservation Fund Revenues a sum of money for the purposes of this article, or take any other action relative thereto.

Sponsor – Community Preservation Committee

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend
A	Open Space Committee	Main St. parcel: clearing, trimming, upgrade trails Map 23.2 Parcel 122	Open Space	\$110,000 Open Space Estimated Revenues
B	Open Space Committee	Purchase of sundry parcels of land Map 23.2 Parcel 123 Map 24.3 Parcel 6 Map 31 Parcel 7 Map 34 Parcel 57	Open Space	\$262,904 Open Space Estimated Revenues 1,137,096 Open Space Reserves
C	Habitat for Humanity	6 Flintlock Lane – new home	Community Housing	\$30,000 Community Housing Revenues
D	Bourne Housing Partnership & Housing Trust	Affordable Housing Specialist services and administrative support	Community Housing	\$54,600 Community Housing Revenues
E	Bourne Housing Authority	Exterior decking, stairs and railings at the Continental apartments	Community Housing	\$49,131 Community Housing Revenues \$50,869 CPA Undesignated Fund Balance
F	Bourne Society for Historic Preservation Inc	Briggs-McDermott House sash restoration	Historic Preservation	\$4,680 Historic Revenues
G	Bourne Fire Dept	Restore and rehabilitate the outdoor wall clock at the Main St. station	Historic Preservation	\$6,000 Historic Revenues
H	Bourne Historic	Scanning of Bournedale burial site	Historic Preservation	\$6,000 Historic Revenues

	Commission			
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Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend
I	Cataumet Schoolhouse Preservation Group	Restore the stove and chimney	Historic Preservation	\$8,700 Historic Revenues
J	Bourne Historical Society	Restoration of Joseph Jefferson windmill	Historic Preservation	\$14,575 Historic Revenues
K	Town Clerk	Bind, re-bind permanent birth, death, marriage records; install shelving in the clerk's vaults, purchase proper archival storage containers	Historic Preservation	\$20,000 Historic Revenues
L	Bourne Archives	Organize and preserve the Archives' scrapbook collection	Historic Preservation	\$20,500 Historic Revenues
M	Bourne Public Schools	Roof replacement at School Administration Building	Historic Preservation	\$25,000 Historic Revenues
N	Town Clerk	Electronic document management system (Laserfiche) for the Clerk, Inspection, Board of Health, Archives and Historic Commission	Historic Preservation	\$28,276 Historic Revenues \$11,724 Historic Preservation Reserves
O	Bourne Historic Society	Replace, repair, restore windows in Historical Center	Historic Preservation	\$75,000 Historic Preservation Reserves
P	Community Preservation Committee	Reserve for Open Space	Open Space	\$0
Q	Community Preservation Committee	Reserve for Community Housing	Community Housing	\$0
R	Community Preservation Committee	Reserve for Historic Resources	Historic Resources	\$0

Item	Sponsor	Project Description	CPA Purpose	Community Preservation Committee Recommend
S	Community Preservation Committee	2012 Budgeted Reserve	All CPA Purposes	\$0
			Total	<u>\$1,915,055.00</u>

The Finance Committee Recommendation will be made at Town Meeting.

See Appendix "C" Supporting Information Pages 134-138

ARTICLE 14: To see if the town will vote to add to the Bourne Zoning Bylaw **Appendix 1 Architectural Design Standards and Guidelines** to be used in union with Section 2815- Design Review Committee under Section 2800 –Downtown District, for the purposes of advancing the revitalization of the Downtown, by adding the following, or take any other action relative thereto.

Sponsor – Planning Board

**Bourne's Downtown - Architectural Design Standards and Guidelines -
APPENDIX 1**

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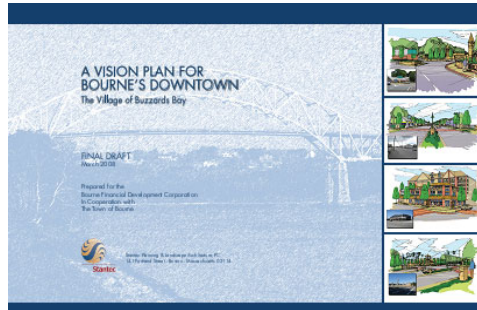
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1.0 OVERVIEW OF ARCHITECTURAL DESIGN STANDARDS & GUIDELINES

These standards and guidelines are intended to implement the previously approved document: ***"A Vision Plan for Bourne's Downtown: The Village of Buzzards Bay," March 2008***, by encouraging high quality building design which improves the aesthetic character of the Downtown District, to allow diversity of building design and architectural styles, and to minimize conflicts between residential and commercial uses. In keeping with the intent of the Town of Bourne Zoning Bylaws, Section 2800 - Downtown District, the review procedures are intended to:



- a) Enhance the Downtown District's cultural, economic and architectural characteristics by providing for a preliminary review of changes in land use, the appearance of structures and the appearance of sites which may affect these attributes;
- b) Enhance the social and economic viability of the Downtown District by enhancing property values and promoting the attractiveness of the area as a place to live, work and visit;
- c) Encourage conservation of specific buildings and groups of buildings that have aesthetic or historic significance;
- d) Prevent alterations that are of inferior quality or appearance;
- e) Encourage flexibility and variety in future development;
- f) Create a high quality public realm with a framework of public streetscapes, open spaces, and roadway network that reinforces and enhances the traditional development patterns of a small downtown; and

- g) Enhance waterfront connections and activity and recognize the Cape Cod Canal as a major cultural, historic and economic asset of downtown and the community.

The overall objective is to foster a blend of traditional and contemporary design principles that represent the best match between the needs of human users, and the natural environmental assets within the Town of Bourne's Downtown Zoning District.

1.1 How to Use These Design Guidelines and Standards

In the provisions that follow, Standards are identified as "S" and Guidelines identified as "G". "Standards" are mandatory; "Guidelines" are not mandatory, but are provided in order to educate planners, design consultants, developers and Town staff about the design objectives for Downtown Bourne. The green star ★ indicates a suggestion for Energy Efficient Design. They are found throughout the document in addition to Section 4.3. These standards and guidelines are to be used in conjunction with all the other sections of

STANDARD OR GUIDELINE	STYLE AND FEATURES
★ G	<p>General Style – The overall style and building proportion should be consistent. Green Building Design is</p> 

the Site Plan Regulations, Subdivision Regulations, Streetscape Plan and Zoning Bylaws.

1.2 Creativity Clause

These principles and guidelines shall not be regarded as inflexible requirements and they are not intended to discourage creativity, invention or innovation. The Design Review Committee (DRC) is specifically precluded from mandating any official, aesthetic style for the Downtown District or from imposing the style of any particular historical period.

2.0 ADMINISTRATION

2.1 Applicability

The Town of Bourne has adopted the Downtown Architectural Design Standards and Guidelines to supplement the development review process for eligible projects. They are intended to guide both the applicant in the development of site, building and sign design, and to guide the Permitting Authorities* in their review of proposed actions.

Eligible projects include signage, new construction and the adaptive reuse, alteration, expansion or exterior modification of existing buildings within Bourne's Downtown Zoning District (DTD) in accordance with Zoning Bylaw 1233 (see Figure 2.1). Site plans should reflect a comprehensive proposal integrating signage, building design, site layout, lighting, landscaping, parking, access, and screening of utilities and services.

2.2 The Design Review Committee (DRC)

The DRC is a Town of Bourne committee responsible for reviewing development and sign applications for compliance with these Architectural and Design Standards and Guidelines. Upon their careful review and a properly noticed public meeting, they will issue an advisory opinion to the applicable Permitting Authority hereafter referred to as the Board*.

The DRC is a five (5) member board with one (1) alternate. Preference for appointment will be given to those with current experience as a -

- Registered Architect,
- Landscape Architect or Civil Engineer,
- Member of the Main Street Steering Committee,
- Downtown Bourne Business or Property Owner,
- Bourne Citizen At Large.

The enabling legislation for the DRC is contained within section 2815 of the Town of Bourne Zoning Bylaws.

2.3 Procedure

The design review process shall not unreasonably delay the special permit/site plan review process for development applications in the Downtown District. The Planning Board shall have authority for administering all aspects of site planning and exterior architecture, including aesthetic appropriateness and any other site-specific matters not delineated herein.

Applicants for downtown development projects are required to meet with the DRC prior to the first hearing of the "Board." The Applicant is responsible for filing the necessary materials to the DRC and to each applicable board. The DRC will issue a written advisory opinion that is then forwarded to the appropriate reviewing Board. (See Table 2.1).

Applications for signage within the Downtown District must be reviewed and approved by the DRC before a sign permit can be issued by the Inspector of Buildings. This applies to all new signage as well as the alteration of existing signs. All appeals of the decision of the DRC shall be according to the procedures outline within the Zoning Bylaw.

OPTIONAL - Applicants may meet informally with town staff prior to a formal meeting with the DRC to ask questions and receive recommendations regarding development and sign ideas.

***Boards** - The following Permitting Authorities shall take in consideration the recommendations of the DRC on applications to the respective board(s):

- Board of Selectmen • Planning Board • Zoning Board of Appeals • Building Inspector – Signage Applications

Figure 2.1
Map of Bourne's Downtown Zoning District

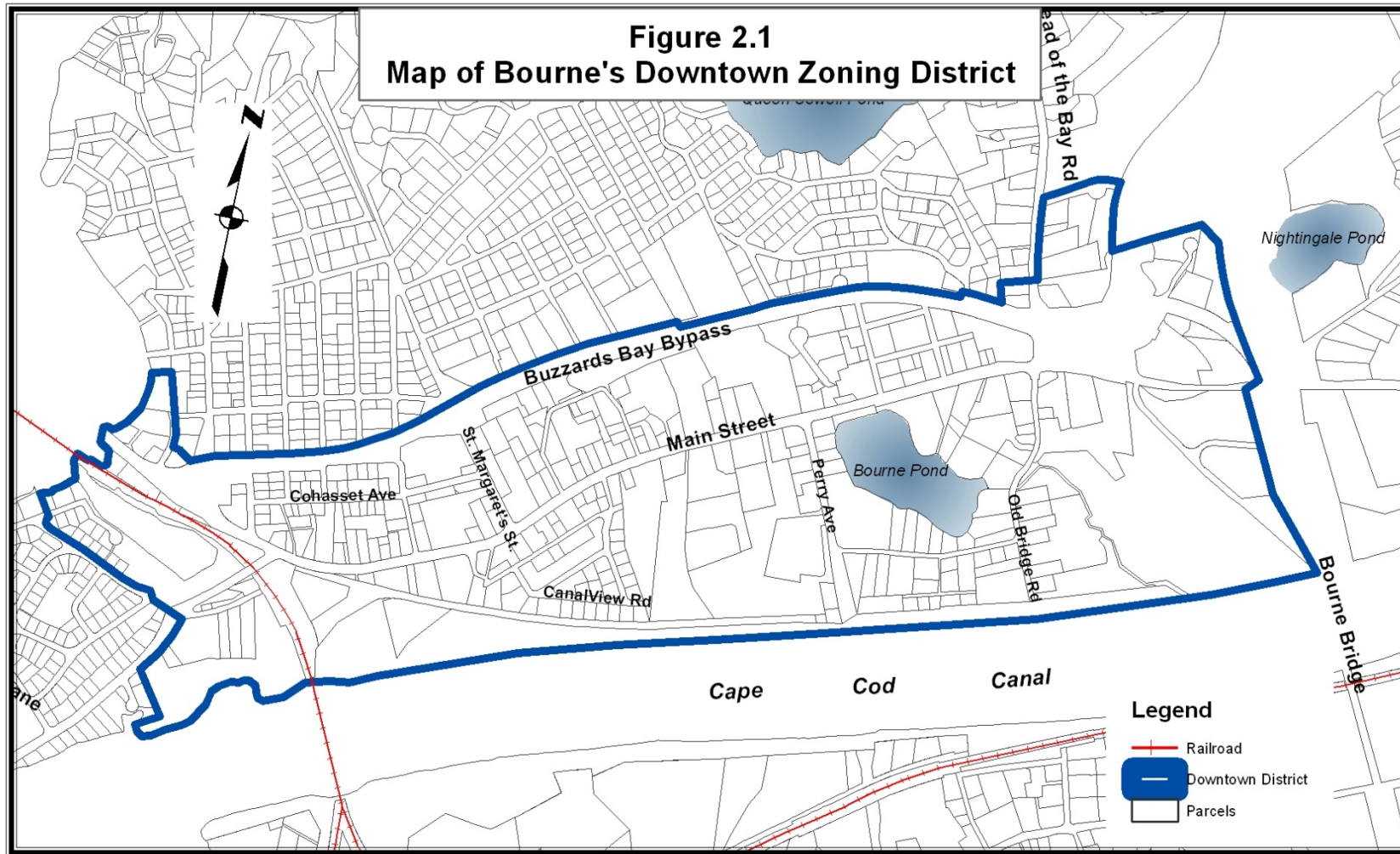


TABLE 2.1 – EXAMPLE OF AN APPLICATION LIFE CYCLE

All applications will be processed in accordance with Massachusetts General Laws, Special Permits - Chapter 40A. Timelines are affected by the completeness of applications, thresholds for regional and State reviews, and discussions that extend over a span of multiple meetings. Time extensions could be granted by consent of both parties. **This timeline has been developed as an informal guide for applications and should not be construed as legal advice.**

Informal meeting with DRC and/or Town Planner (optional)								
File complete application with DRC								
Public Notice of Meeting								
Formal meeting and review with DRC								
DRC issues Advisory Opinion to Board(s)								
File complete application(s) with Board(s)								
Public Notice of Hearing								
Formal hearing with Board(s)								
Board(s) issues Decision								
File for building permits								
	0 – 30 days		31-65 days		66-130 days		91-180 days	

2.3 Definitions

Capitalized terms not otherwise defined in these Design Standards and Guidelines shall have the meanings ascribed to such terms in the Bylaws. All terms used in these Design Standards and Guidelines that are defined in the Bylaws shall have the meanings ascribed to such terms in the Bylaws.

APPURTENANCES: Architectural features added to the main body of a building, including awnings, marquees, balconies, turrets, cupolas, colonnades, arcades, spires, belfries, dormers and chimneys.

BALUSTER: A short vertical member used to support a railing or coping.

BALUSTRADE: A railing together with its supporting balusters or posts, often used at the front of a parapet.

BELFRY: A tower attached to a building that rises above the roof, in which bells are hung.

BLANK (BUILDING) WALL: A side of a building lacking any windows or architectural features.

BUILDING FRONTAGE: The vertical side of a building that faces the lot's frontage and is built to the setback.

BUSINESS SIGN: A sign setting forth the name of the building occupant(s) or indicating the use of the building.

CAP: The protective top layer of a brick structure exposed to weather from above.

CHIMNEY: A vertical structure that rises above a roof of a building and contains the passage through which smoke and gases escape from a fire or furnace.

CIVIC BUILDING: A building used primarily for general public purposes. Uses may include Educational Use, Government Offices, Religious Use, cultural performances, gatherings and displays administered by non-profit cultural, educational, governmental, community service and religious organizations.

COLONNADE: A roofed structure, extending over the sidewalk and open to the street except for supporting columns or piers.

CORNICE: A projecting horizontal decorative molding along the top of a wall or building.

CUPOLA: A domelike structure surmounting a roof or dome, often used as a lookout or to admit light and air. Cupolas are often used to create a visual focal point.

CURB RADIUS: The curved edge of street paving at an intersection used to describe the sharpness of a corner.

EXPRESSION LINE: A horizontal line, the full length of a façade, expressed by a material change or by a continuous projection, such as a molding or cornice. Expression lines delineate the transition between the floor levels.

FREESTANDING BRICK PIER: A pillar of brickwork not connected to a wall.

GARDEN WALL: A freestanding wall along the property line dividing private areas from streets, alleys and or adjacent lots. Garden walls sometimes occur within private yards.

GLAZING: The portion of a wall or window made of glass.

GROCERY STORE: A building containing greater than 20,000 square feet of gross floor area which involves the display and sale to the general public of food and other commodities.

HEADER: The horizontal member spanning the top of an opening.

LARGE FOOTPRINT BUILDING: Any building that has a footprint area equal to or greater than 20,000 square feet.

LINER BUILDING: A functional building built in front of Structured Parking, Movie/Playhouse, Theater, Grocery Store, Anchor Retail building or other Large Footprint Buildings to conceal large expanses of blank wall area and to front the street with a façade that has doors and windows opening onto the sidewalk.

LINTEL: A horizontal structural beam that spans an opening, such as between the posts of a door or window or between two columns or piers.

MARQUEE: A permanently roofed architectural projection, the sides of which are vertical and are intended for the display of signs and which is supported entirely from an exterior wall of a building.

MULLION: Structural supports within a window opening made of wood or metal that also separate and hold in place the glass panes of a window.

MUNTIN: A strip of wood or metal used to either separate larger panes of glass into smaller ones or to hold small panes of glass within a window.



NEW URBANISM: A set of urban design principles that advocate for walkable neighborhoods containing a variety of transit oriented housing and job options, regional planning and respect for the environment. Advocacy for these pre-automobile villages emerged in the early 1980's. They have been adapted through the Charter of New Urbanism to consider more modern issues such as historic preservation, green building and brownfield redevelopment to name a few.

OPEN SPACE: Parks, squares, plazas, golf courses and other land used for passive or active recreational, conservation or civic use.

PARAPET: A low wall at the edge of a roof, terrace, or balcony.

PILASTER: An upright, rectangular element of a building that projects slightly from a wall or surface to resemble a flat column. A pilaster is non-structural and may or may not conform to one of the classical orders in design.

PRIMARY ACCESS: The main entry point of a building.

PRINCIPAL FAÇADE (For the purpose of placing buildings along setbacks): The front plane of a building not including stoops, porches, or other appurtenances.

REVEAL: The horizontal distance between a window or door opening and the exterior façade, measured from the dominant building surface to the window or door frame.

ROOFTOP EQUIPMENT: Equipment placed on top of the building which is mechanical in nature for the purpose of supporting the

operational needs of the building and site. Includes but is not limited to HVAC units and ductwork, antennae, energy generators, exhaust fans and vents.

SECONDARY ACCESS: Entry points of buildings which are not the Primary Access.

SHARED PARKING: A system of parking areas shared by multiple users, where each user has peak parking demands at different times within a 24 hour period or within a weekly or other relevant period, thereby allowing some parking spaces to be shared.

SILL: The horizontal member at the base of a door or window opening.

SPIRE: A vertical structure attached to a building that rises above the roof and tapers to a point.

STEPBACK: A recession in the vertical expanse of the building or structure made above the first floor continuing at consistent intervals between floors up to the permitted height a minimum depth from the exterior facade of such building or structure which faces a street. Stepbacks reduce shadowing and allow for more sunlight onto the streetscape and in public open spaces.

STOOP: A small platform and entrance stairway at a building entrance, commonly covered by a secondary roof or awning.

STOREFRONT: The portion of a building at the first story that is made available for retail use.

TURRET: A small tower or tower-shaped projection on a building used to create a visual focal point.

WATER TABLE: The horizontal reveal marking the height of the first finished floor level in masonry construction.



4 References

The Town of Bourne Downtown District Zoning bylaw Section 2800 is hereby included by reference.

Zoning Bylaws

An outline of the bylaw sections follows:

Section 2810	General Provisions and Description.
Section 2820	Allowable Uses
Section 2830	Dimensional Standards
Section 2840	Performance & Functional Standards
Section 2850	Off-Street Parking and Loading Standards
Section 2860	Streetscape Design & Pedestrian Amenities
Section 2870	Landscaping
Section 2880	Signs

PLEASE NOTE:

Every effort has been made to eliminate any contradiction between these Design Guidelines and the Zoning Bylaws. In the event of conflict, the Zoning Bylaw will prevail.

Zoning Bylaw Tables and Figures

Table DTD-1:	Allowable Uses in the Downtown District
Table DTD-2:	Site and Building Dimensional Standards for the Downtown District
Table DTD-3:	Required Parking Spaces in the Downtown District
Figure DTD-1:	Ground Floor Limitations
Figure DTD-2:	General Building and Lot Layout Standards
Figure DTD-3:	Public and Private Thoroughfares and Frontages
Figure DTD-4:	Building Setbacks from Main Street
Figure DTD-5:	Building Height Stepback from Main Street
Figure DTD-6:	Parking Integration into Building and Liner Building Diagram
Figure DTD-7:	Shared Parking Reduction Factor
Figure DTD-8:	Examples of Allowed Private Frontage Overlaps of Public Frontage

3.0 GENERAL PROVISIONS FOR ALL DEVELOPMENT

3.1 Purpose

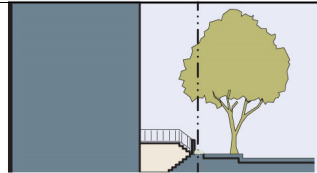
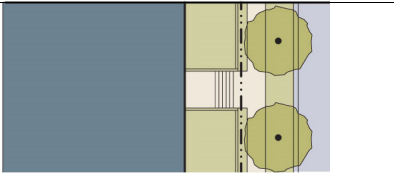
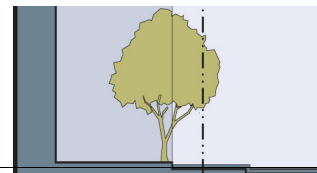
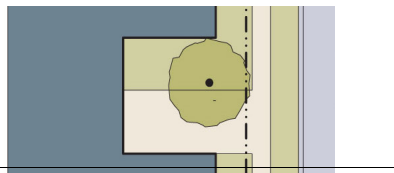
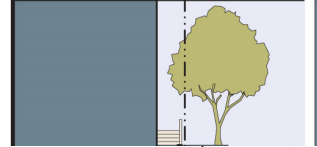
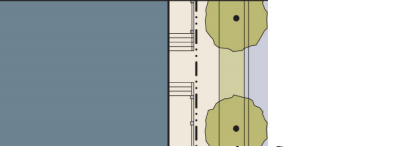
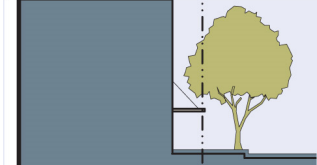
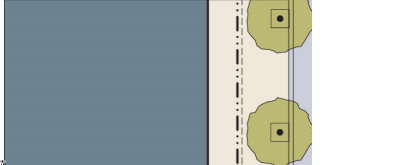
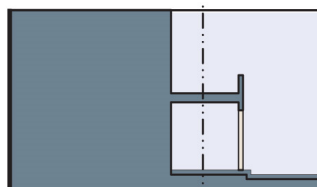
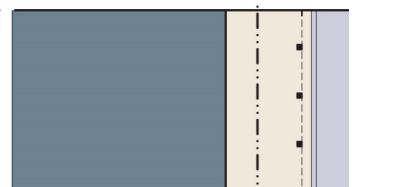
The provisions of this section apply to all buildings, open spaces and streets located in the Downtown Zoning District. The goal is to create high quality public spaces within the community. Buildings, open spaces and streets should also use materials that are appropriate to local climate and use. Building forms and design should be appropriate to the intended use.

3.2 Site Design

The flow of activity to, from and within Bourne's downtown is significantly impacted by the arrangement of its buildings and parking. In support of those standards set by the Zoning Bylaws, the following are suggestions for placement of buildings and their relationship to the street.

	YARD ALTERNATIVES / BUILDING PLACEMENT (S = Standard G = Guideline)	
G	Sideyard: A building that occupies one side of the lot with the setback to the other side. The visual opening of the side yard on the street frontage causes this building type to appear freestanding. A shallow frontage setback defines a more urban condition. This type permits systematic climatic orientation in response to the sun or the wind.	
G	Rearyard: A building that occupies the full frontage, leaving the rear of the lot as the sole yard. This is an urban type as continuous façade steadily defines the public street. The rear elevations may be articulated for functional purposes. In its residential form, this type is the rowhouse. In its commercial form, the rear yard can accommodate substantial parking.	
G	Courtyard: A building that occupies the boundaries of its lot while internally defining one or more private patios. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, lodging and schools. The high security provided by the continuous enclosure is useful for busy urban areas.	


NOTE: All developments are required to meet dimensional standards per the Zoning Bylaw section 2830. The illustrations below suggest various frontage alternatives that could be built within the set-back. They also propose how the frontage might relate to the public right of way if permission to overlap is granted by way of Special Permit – Zoning Bylaw section 2868.



	FRONTAGE ALTERNATIVES (S = Standard G = Guideline)	SECTION	PLAN
		PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE	PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE
G	Terrace or Light Court: A frontage wherein the façade is set back from the frontage line by an elevated terrace or a sunken light court. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment. The terrace is suitable for conversion to outdoor cafes.		
G	Forecourt: A frontage wherein a portion of the façade is close to the frontage line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other frontage types. Large trees within the forecourts may overhang the sidewalks.		
G	Stoop: A frontage wherein the façade is aligned close to the frontage line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing.		
G	Storefront & Awning: A frontage wherein the façade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to the maximum extent possible.		
G	Gallery: A frontage wherein the façade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. This is conventional for retail use. The gallery shall be no less than 10 feet wide.		

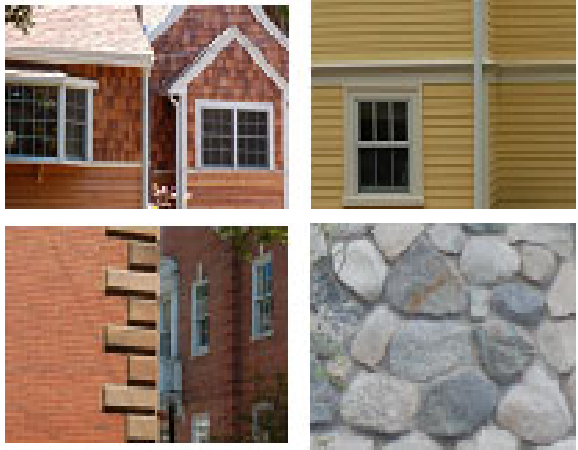


3.3 ARCHITECTURE

The architectural palette of coastal New England covers a broad spectrum of building styles, from the more conservative early Colonial homes to elaborate Second Empire mansions. Collectively they are the story of development along America's Northeastern Atlantic shore. The vision for Bourne's downtown is that of a modern day village architecturally influenced by its own maritime industry and styles from throughout coastal New England.

ENCOURAGED

Pitched roof or flat roof with architectural trim	
2 or more stories	
Vertical windows on all stories with architectural trim and sills	
Separation between levels	
Colonnades, Balconies, Awnings, Porticos, Projecting Signs	
Doors encased in trim, Generous glazing at pedestrian level	
Utilities underground	

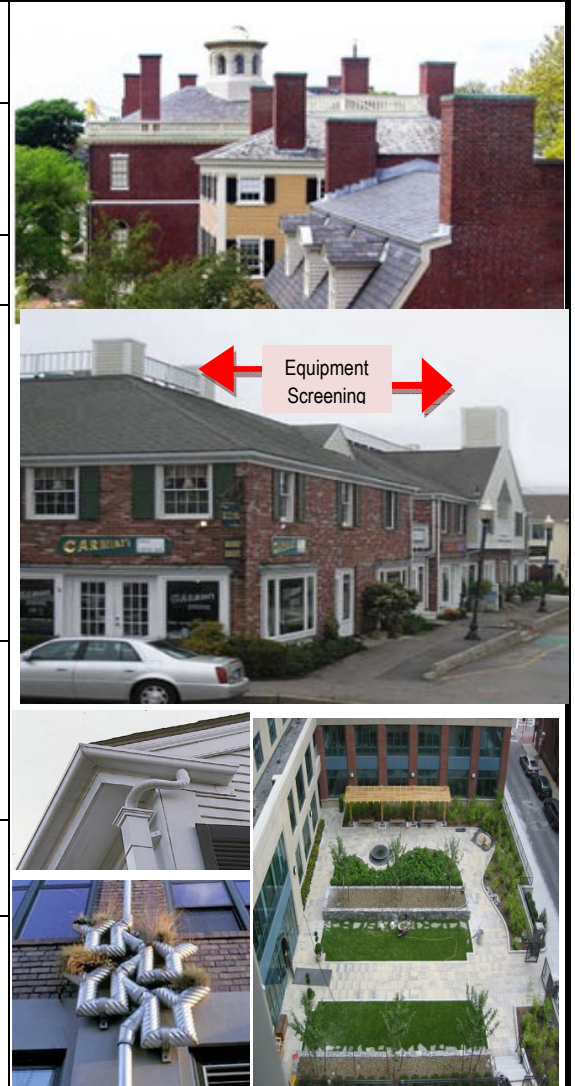
	STYLE AND FEATURES (S = Standard G = Guideline)	
S	<p>General Style – Design details should be consistent with the overall style and proportion of the building design. Green Building Design is encouraged where appropriate. Exterior design considerations shall not be forgone to accommodate internal functions.</p>	
G	<p>Features - A building's features should accentuate the building as a whole and provide visual interest at the scale of the pedestrian, reduce massive aesthetic effects, recognize the local maritime industry and reflect architectural styles found throughout coastal New England.</p> <p>Features include, but are not limited to balconies, decks, covered porches, columns, dormers, turrets, towers, skylights, arches, roofs, windows, doors, signs and other architectural design elements.</p> <p>Shapes and relationships of height and width between elements should be in proportion with the building and compatible with the architectural style and character of a building or site.</p>	




<p>G</p>	<p>Materials – Exteriors of new buildings should utilize quality materials appropriate for the character of the building. Exterior building materials differentiating design elements, should be consistent with the rhythm and proportion of the building design.</p> <p>All exterior surfaces visible to the public shall be covered with a siding material and long term maintenance characteristics of all materials should be considered during the selection process. Exterior building materials should be natural or quality synthetic materials presenting the appearance of natural materials. The following are materials of acceptable kind and texture:</p> <ul style="list-style-type: none"> • Stone • Brick • Wood • Clapboards • Cedar shingles • Smooth/Lightly textured stucco • Architectural Concrete Block 	 
<p>G</p>	<p>Color - A building's color shall be complimentary to a buildings trim and accents as well as to its surroundings. Attention grabbing, loud colors are not permissible.</p> <ul style="list-style-type: none"> • Subtle colors should be used on larger and very plain buildings, while smaller buildings with elaborate detailing can use more colors. • Colors should reflect traditional coastal New England colors with accenting trim work. • Colors that are disharmonious with other colors used on the building or found on adjacent structures should be avoided. • Paint colors should relate to the natural material colors found on the building such as brick, terracotta, stone or ceramic tile and existing elements such as signs or awnings. • Contrasting colors, which accent architectural details and entrances, are encouraged. 	

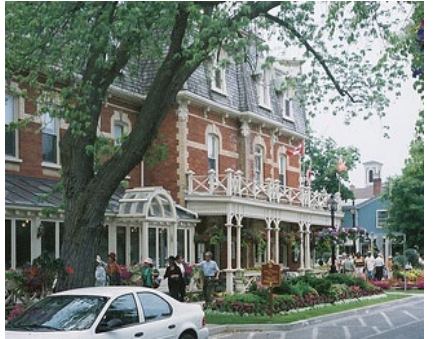


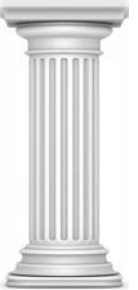

SCALE AND PROPORTION OF BUILDINGS (S = Standard G = Guideline)	
S	<p>Horizontal Expanses – Facades should be articulated to reduce the massive scale and the uniform, impersonal appearances of large buildings. Articulating features should also provide visual interest that will be consistent with the Downtown identity, character, and scale. The intent is to encourage community interaction by creating a more human scale environment for residents and visitors.</p> <ul style="list-style-type: none"> • Uninterrupted facades should not exceed the length specified in Zoning Bylaw 2836. • Examples of encouraged façade divisions include building jogs, architectural detailing, changes in surface materials, colors, textures and rooflines. • Ground floor facades that face public streets should have articulating features and significant glazing. Examples include but are not limited to offsets, display windows, recessed entrances, arcades, covered walkways, awnings and canopies, multiple entrances, roof overhangs, shadow lines, courtyards, and balconies.
S	<p>Façade Extensions - All facades of a building which are visible from adjoining properties and/or public streets should contribute to the pleasing scale features of the building and encourage community integration by featuring characteristics similar to the front façade. The rear and side elevations shall incorporate the materials, design details and theme when exposed to public view. Where side façades are built of a different material than the front façade, the building corners shall be treated in such a way as to cover the transition between surfaces.</p>
S	<p>Foundations - Exposed foundation walls (below the first floor elevation) should be concrete (painted and/or stuccoed concrete block system ("C.B.S.")), brick, or natural/ manufactured stone. Foundation walls should not be exposed to more than 3 feet in height from grade or to 1 foot above the Base Flood Elevation, whichever is less. Refer also to Zoning Bylaw 2831.</p>
S	<p>Vertical Expanse - In order to modulate their scale, multi-story buildings should articulate the base, middle and top, separated by cornices, string cornices, step-backs or other articulating features.</p>
G	<p>Vertical Material Use - Buildings should use materials that are durable, economically maintained and of a quality that will retain their appearance over time. Where more than one material is used, traditionally heavier materials (stone, brick, concrete with stucco, etc.) shall be located below lighter materials (wood, fiber cement board, siding, etc). The change in material shall occur along a horizontal line, preferably at the floor level.</p>

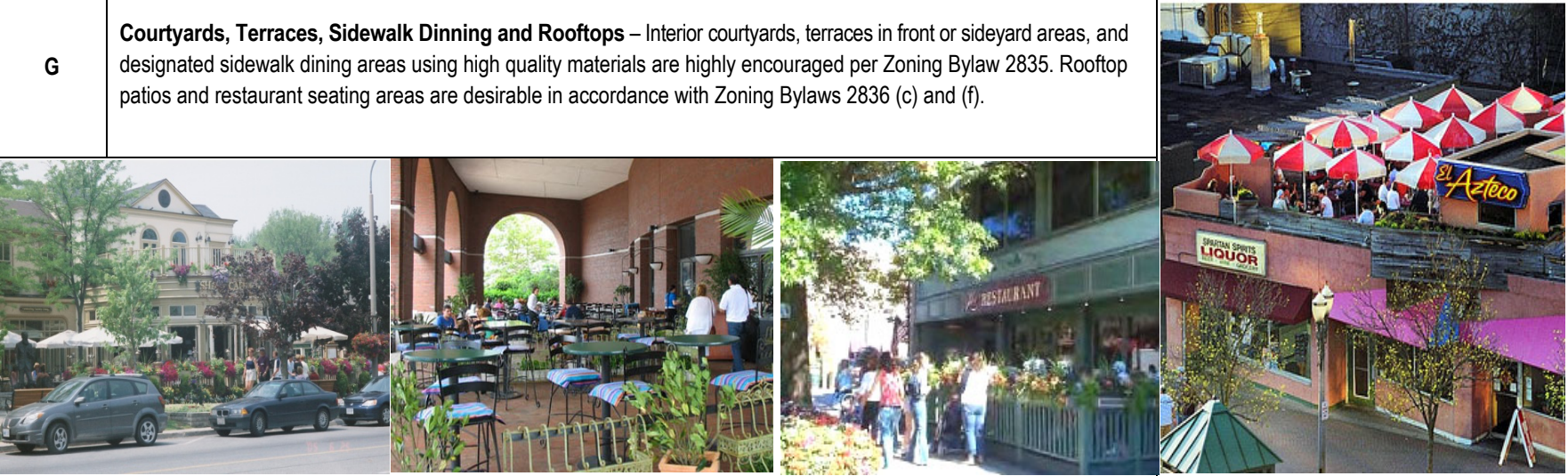



ROOF FORM AND HEIGHT (S = Standard G = Guideline)	
G	Roof Forms - Roof forms should be of various pitch variety including gable, hip roofs, shed, and gambrel.
G	Roof Proportions - Long unbroken expanses of roofs should be avoided through the use of dormers, chimneys, and changes in ridgeline. All roofs should have appropriate overhangs. Multiple roof plane slopes are acceptable, but should be limited.
G	Chimneys - All chimneys should be finished with brick, stucco or natural or manufactured stone.
G	<p>Roof Materials – Pitched roofs should be constructed of materials which are common to the coastal New England style. Acceptable roofing materials consist of:</p> <ul style="list-style-type: none"> • Architectural-grade composition shingles • Wood shingles • Slate or slate composition • Standing seam metal roofs <p>Shingled roofs constructed of asphalt or wooden shingles are preferred. Standing seam, copper, or metal roofs are acceptable under certain circumstances.</p>
S	Rooftop Equipment - All rooftop mechanical/ventilation equipment shall be placed in such a manner so that it is not visibly apparent at the nearest street right-of-way. This may be accomplished by using architectural treatment/camouflaging (walls, parapets, false chimneys, etc.) or by other appropriate means. Refer to Zoning Bylaws 2836d and 2869a.
G	Downspouts - Downspouts should match gutters in material and finish. Gutters: Copper, galvanized steel or aluminum.
G	<p>Low Impact Design - To prevent adverse impacts of stormwater runoff all roof drains should be recharged into the site with the use of structural and/or non-structural low impact development drainage systems. Green Roofs are highly encouraged.</p>



	DOORS AND WINDOWS (S = Standard G = Guideline)	
G	Size and Placement - Openings should be proportional to facade length and height and placed in a balanced manner.	  
G	Materials and Style <ul style="list-style-type: none"> All windows (except storefront windows) should be operable and shall meet the requirements of the Energy Star Program. All windows and doors should be of high quality materials and consistent with the architectural style. Windows that block two-way visibility such as darkly tinted and mirrored glass or colored metal panels are discouraged. Upper story horizontal windows should be avoided. Particular emphasis shall be made for vertical window openings. <p>Recommended materials include:</p> <ul style="list-style-type: none"> Windows, Skylights & Storefronts: Wood, aluminum, copper, steel, vinyl clad wood or glass Doors: Wood, metal or glass 	
G	Sills, Trim and Design Elements <ul style="list-style-type: none"> Windows shall be adorned with projecting sills, lintel and/or crowns for added definition. Ground floor windows should have a sill no more than four (4) feet above grade. Where interior floor levels prohibit such placement, the sill should be raised to no more than two (2) feet above the finished floor level, up to a maximum sill height of six (6) feet above grade. Doorways should be encased with trim. 	
S	Transparency - Windows shall be kept clean, transparent and free of visual clutter. See also DG Section 5.0 Signage.	

WALKWAYS (S = Standard G = Guideline)		
G	<p>Colonnades and Arcades - Colonnades and arcades are encouraged within the setback. Overlap into the public right of way requires a Special Permit in accordance with Section 2868 of the Zoning Bylaws.</p>	
G	<p>Columns and Piers - Columns and piers should be spaced no farther apart than they are tall. Column proportions and configurations should be consistent traditional construction patterns.</p> <p>Recommended Finish Materials:</p> <ul style="list-style-type: none"> • Columns: Wood (termite resistant), painted or natural, cast iron, concrete with smooth finish, brick or stone. • Arches, Lintels, Sills and Piers: Concrete masonry units with stucco (C.B.S.), reinforced concrete • with stucco, brick or stone. • Railings & Balusters: Wood (termite resistant), painted or natural, or wrought iron. 	  
G	<p>Alleyways - The construction of any new buildings should provide for the creation of pedestrian alleyways, where appropriate, in order to allow for passageways to parking at the rear of the lots and adjoining streets.</p>	
G	<p>Awnings – Fabric awnings should be scaled and proportioned with building façade elements and functional in providing shade. Arched awnings over individual windows and as door canopies are encouraged. See also Section 5.0 Signage.</p>	

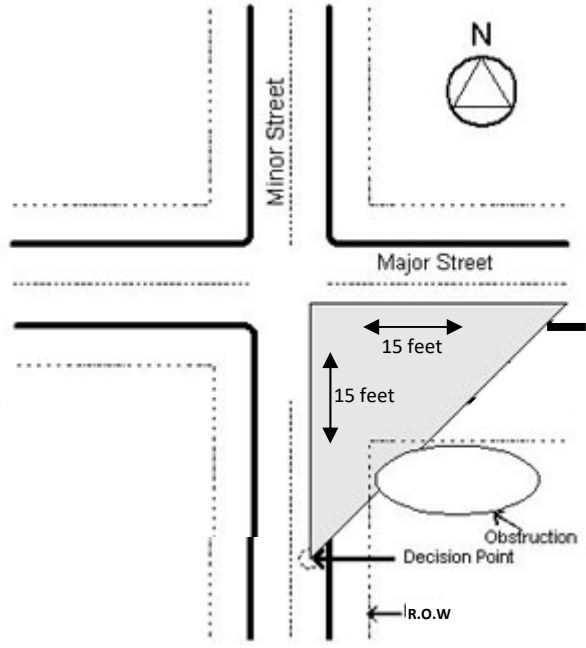
	OUTDOOR SEATING (S = Standard G = Guideline)	
G	<p>Courtyards, Terraces, Sidewalk Dinning and Rooftops – Interior courtyards, terraces in front or sideyard areas, and designated sidewalk dining areas using high quality materials are highly encouraged per Zoning Bylaw 2835. Rooftop patios and restaurant seating areas are desirable in accordance with Zoning Bylaws 2836 (c) and (f).</p>	


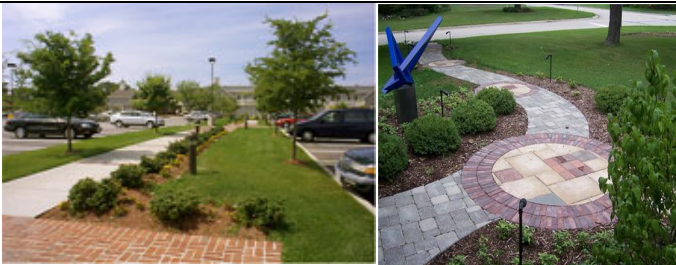

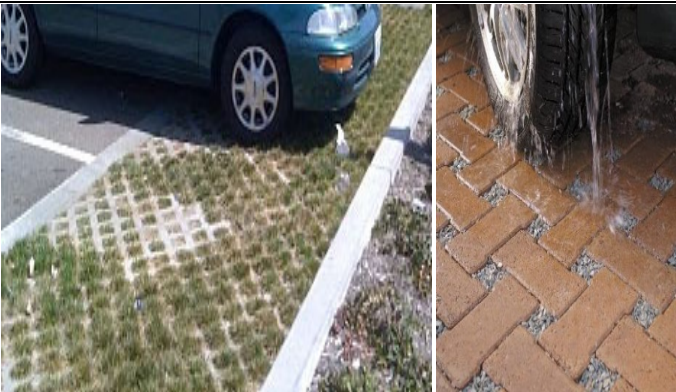
	CANOPIES (S = Standard G = Guideline)	
G	<p>Gas Station Canopies – Standard franchise gas station canopies are strongly discouraged. As an alternative, Gas Station Canopies should include the following design elements:</p> <ul style="list-style-type: none"> • Canopies should have pitched roof and should be compatible with the building architecture. • Signage should be placed within the gable of the roof structure. • Architectural details should be incorporated into the structure as feasible. 	





3.4 Landscaping & Site Enhancements

Standards for landscaping are mentioned in Sections 2860, 2870, 3300, and 3500 of the Zoning Bylaw. Below are additional suggestions for the Downtown District. It is expected that all sites will comply with standards for accessibility as recommended by the Americans with Disabilities Act.

Site enhancements including signs, lighting, pedestrian furniture, planting and paving, along with materials, colors, textures and grade shall be treated so as to be compatible with the architectural structure and to preserve and enhance the character of the surrounding area. In the Downtown Zoning District, these details should blend with their surroundings to create a diverse, functional and unified streetscape.



	SITE DETAILS (S = Standard G = Guideline)	
S	<p>Sight Obstructions - No parking, wall, fence, sign, structure or any plant growth other than grasses shall be placed or maintained within the Sight Triangle so as not to impede vision between a height of two and one half (2 1/2) feet and ten (10) feet above the center line grades of the intersecting streets and/or drives.</p> <p>The "Sight Triangle" is defined as the area within a triangle formed by two (2) lines measured along the center of the nearest lane of traveled way of intersecting streets/or drives from the point of intersection for a distance of fifteen (15) feet and a third line connecting the points on the two (2) legs. The height restrictions shall designate the distance above each point in the plane of the "sight triangle".</p>	

SITE DETAILS (S = Standard G = Guideline)		
G	<p>Vegetation – Planting arrangements on site should not obstruct views for vehicle and pedestrian traffic but instead enhance travel pathways or assembly areas.</p>	
G	<p>Paving – Stable walking, driving and parking surfaces should be created using high quality materials. Preferred materials include stamped concrete and brick pavers for walkways and patios; asphalt, stamped concrete or brick pavers for parking lots.</p>	
 G	<p>Low Impact Design (LID) - LID Best Management Practices are encouraged for all driveways, parking and other disturbed areas in order to preserve natural features on the site, reduce impervious surfaces, and to utilize the natural features of the site for source control and stormwater management. Existing and native materials should be incorporated into the landscape design as much as possible. To minimize water consumption, low water vegetative ground cover (other than turf) should be used. For a comprehensive listing of plants suitable and native to Southeastern Massachusetts, please refer to p.27 in the Cape Cod Commission's publication - <i>Design Guidelines for Cape Cod.</i></p>	

SITE DETAILS (S = Standard G = Guideline)		
G	<p>Lighting – Dark sky friendly lighting is required per Zoning Bylaw 2867. Illumination and lighting fixtures should complement the building's architecture and consider vehicle and pedestrian traffic patterns within the parking area and around the building.</p>	
S	<p>Fences and Walls – Low walls and fences may be used to accommodate changes in topography, provide for screening/separation between uses, or enhance landscaping. Preferred materials are wood and stone.</p> <p>Chain link fences are strictly prohibited.</p>	
G	<p>Amenities –Placement of benches, waste receptacles, bike racks or sculpture throughout the site within setbacks can aid in the creation of intimate pedestrian oriented spaces.</p>	
G	<p>Arts and Culture – Any site amenity or architectural feature can become a functional work of art such as benches, bike racks, sign posts, downspouts, etc... Placement of sculpture reflecting the local maritime heritage not only enhances the character of the downtown, but can also serve as a landmark aiding in business identification.</p>	




4.0 SPECIAL DEVELOPMENT PROVISIONS

4.1 Corporate and Franchise Development

CORPORATE AND FRANCHISE DEVELOPMENT (S = Standard G = Guideline)		
S	Franchise Buildings - Large franchise buildings should adapt to local development patterns and styles but follow standard site plans.	
G	Corporate Logos and Graphics - Company logos should be incorporated into the overall sign and not become the sign itself.	

4.2 Altering Existing Structures



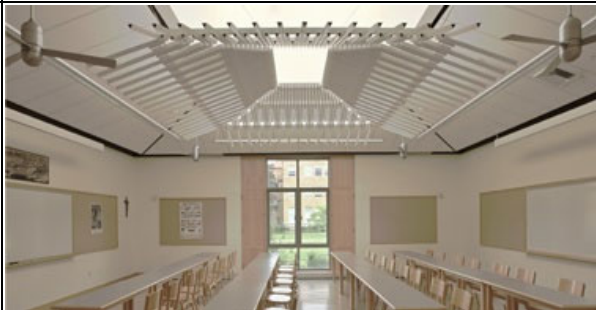
Expansions and additions of existing structures should aim to develop a structural design that embodies the traditional architecture styles and development patterns commonly found in the region. This should be achieved while adhering to the most recent standards for new construction.

Building Details (S = Standard G = Guideline)		
S	Historic Buildings - Accurate restoration of existing detail is encouraged. However, use of historical details on contemporary structures should be included only when appropriate to the overall design.	
S	Existing, Non-Historic Buildings - Existing buildings should be altered in a manner compatible with the design standards for a new building and consistent with the subject building's architectural style. Appropriate adaptive reuse of existing buildings should enhance the quality of development within the Downtown District.	
G	Replacement Buildings – Damaged buildings that are replaced in accordance with the Massachusetts Building Code are encouraged to follow these design standards and guidelines.	



Energy Efficient Design

Energy efficient design considers every aspect of a building's life-cycle from siting structures to materials, energy systems and waste generation. The use of passive solar building design, geothermal electricity, greywater systems and recycling programs are just a few examples. In addition to the qualitative benefits such as better air quality and more pleasant working environments, the quantitative long-term savings of an energy efficient building can be significant. Along with the suggestions found in earlier sections of this document, general development guidance is offered below to create a more energy efficient and sustainable Downtown Bourne.

ENERGY EFFICIENT DESIGN (S = Standard G = Guideline)			
<div><div>★ G</div></div>	<p>Redevelopment should seek consultation on energy efficient retrofit opportunities.</p>		
<div><div>★ G</div></div>	<p>New Development should, at a minimum, be designed to earn the ENERGY STAR through the US Environmental Protection Agency and the Department of Energy Resources. Conformance with energy components of green building rating systems, such as LEED or Passive House, and the Advanced Buildings Core Performance Guide are strongly encouraged.</p>		

5.0 SIGNAGE (Please note: In the event of any contradiction between the language of the following signage standards and the zoning bylaw, the zoning bylaw shall prevail.)

Part of the revitalization of Downtown Bourne is to create an active and attractive pedestrian environment. Signs reflect the overall image and success of a business and can contribute color, variety and detail to the character of a downtown area making it a vibrant public place. Signs in the downtown area should have pedestrian orientation and scale, artistic quality and unique creative design that reflects the individual character of the business. These proposed standards and guidelines along with specific recommendations made by the Design Review Committee will help to achieve the purpose and the goals of Bourne's Downtown Action Plan.

5.1 Applicability

- A. The standards and guidelines set forth in this section shall apply to all properties located within the Bourne Downtown District (see Figure 2.1).
- B. Upon adoption of these guidelines, the Downtown will continue to have many non-conforming signs. The intent of this ordinance is not to require that the existing signs be updated but instead to encourage them to come into compliance to provide a better experience in the downtown.
- C. No person shall erect, modify or move any signs without first obtaining a permit from the Inspector of Buildings. The Inspector of Buildings shall not issue a sign permit without first receiving the approval of the Design Review Committee.
- D. Signage should be carefully planned and comply with Section 2880 of the Town of Bourne's Zoning Bylaws.
- E. Permit Applications shall be accompanied by a site plan showing the location of the sign(s), sign elevation drawings showing the proposed size, supporting structure, materials, and color.

5.2 Intent and Purpose

- A. To help guide the business owners in the Downtown to install well designed and well constructed signs that compliment the business and the area.
- B. To encourage creative and innovative approaches to signage within an established framework.
- C. To enhance overall property values and the visual environment in the Downtown by discouraging signs which contribute to the visual clutter of the streetscape.
- D. To ensure that the signs on the façade of buildings reinforce the existing character and are integrated into the architectural scheme of the building.
- E. To promote a quality visual environment by allowing signs that are compatible with their surroundings and which effectively communicate their message.

5.3 Sign Permit Process

- A. All signs must follow the review and approval procedures as set forth in the Bourne Zoning Bylaw Section 2880.
- B. The Inspector of Buildings shall not issue a sign permit without first receiving approval of the Design Review Committee.

5.4 General Sign Construction

	GENERAL SIGN CONSTRUCTION (S = Standard G = Guideline)
<p>S</p> <p>See</p> <p>§ 2883¹</p>	<p>Construction and Maintenance</p> <ul style="list-style-type: none"> • Sign switches conduits and panel boxes shall be concealed from view. • Sign shall be designed to be vandal and weather resistant. • Signs shall be properly maintained so that they are in proper working order and do not endanger public. • When a sign is removed due to replacement or termination of the lease, the tenant or owner shall fill and paint any holes caused by the removal of the sign. • Once a business has vacated the premises the sign shall be removed within 30 days, to the satisfaction of the Inspector of Buildings
<p>G</p>	<p>Design</p> <ul style="list-style-type: none"> • The design of signs should reflect the scale and character of the structure or site and its surroundings. • Preferred signs are flat against the façade, or mounted projecting from the façade. • A simple and direct message, with upper and lowercase lettering is most effective. Signs should simply and clearly identify individual establishments, buildings, locations and uses, while remaining subordinate to the architecture and larger streetscape. • Retail signs along sidewalks should be located a minimum of 8 feet above the pedestrian sidewalk. • Individual tenant signs may be located on individual storefronts, over display windows and/or at entries.
<p>G</p>	<p>Content – Traffic speeds should be considered when determining content by limiting text, colors and graphics to the essential nature of the business. More signage is often less effective. Automobile passengers can only identify an average of four words or symbols when passing a site at 25 miles per hour. This number decreases depending upon other visual distractions from on-site or adjacent properties, or if speed limits are higher.</p>
<p>S</p>	<p>Materials and Color</p> <ul style="list-style-type: none"> • All signs should harmonize with the building's design and be professionally constructed using high-quality durable materials such as hardwood (painted or natural), glass, stone, copper, brass, galvanized steel, painted canvas or paint/engraved on the façade surface, or any other material approved by the Design Review Committee. • Excessive Use of bright colors or over scaled letters shall not be used as a means to attract attention.

¹ Refers to a section in the Bourne Zoning Bylaw

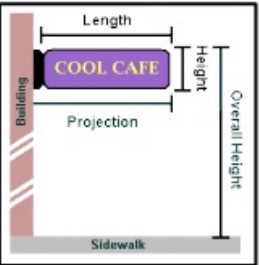
	GENERAL SIGN CONSTRUCTION (S = Standard G = Guideline)
S	Illumination <ul style="list-style-type: none"> Light should be contained within the sign frame and not spill over onto other portions of the building or site and will not shine into adjacent properties, pedestrian, bicyclists or motorists. Lighting types that are <u>encouraged</u> include: back-lit, halo-lit or reverse channel letters with halo illumination, gooseneck light fixtures and other decorative light fixtures. Lighting types that are <u>prohibited</u> include internally illuminated signs, exposed neon tubing, signs that use blinking or flashing lights.
G	Coordination <ul style="list-style-type: none"> All signage on site should be coordinated by using similar materials, lettering, styles, colors, and overall sign sizes to ensure sign continuity and a uniform appearance throughout the development. The design of signs for multi-tenant structures and centers should be consistent so individual signs complement each other and fit into the overall scheme of the site or center.
S	Placement <ul style="list-style-type: none"> Signage throughout the site shall be placed appropriately and not obstruct views for pedestrians and vehicles (see 3.4 Sight Obstructions). On-site directional and parking signs must comply with section 3210.b.2 of the Zoning Bylaw. Off-site directional and parking signs must comply with section 3250 of the Zoning Bylaw.
S	Right of Way Overlap - Awning signs or projecting signs are permitted, those encroaching on the Public Right of way must obtain approval from the Board of Selectmen according to section 2868 of the Zoning Bylaw.
G	Scale and Proportion - Every sign should be an integral, subordinate element within the overall building and site design. The scale and proportion of the signage shall not overpower the building or obscure the building's architectural features.
S	Building Numbers - Building numbers should be located on all buildings in accordance with requirements for emergency services and the Bourne General Bylaw Section 4.5.1.

5.5 Signage Styles

	PERMANENT SIGNS (S = Standard G = Guideline)
<p>S</p> <p>See</p> <p>§ 2885 a</p>	<p>Primary Occupancy Signs. The primary sign is the main sign used to identify a business. A primary sign is any sign painted on or attached parallel to the face of the building, including individually mounted letters, painted signs, and awning signs.</p> <ul style="list-style-type: none"> • One primary sign for each storefront or building facade that fronts a public street or alley is permitted. The primary sign shall not exceed one (1) square foot per 1 foot of frontage, subject to meeting other sign design criteria. • The design of the primary sign shall be integrated with and compliment the overall design of the facade. The location of the sign shall be centered above the storefront and below the second floor windows. • The primary sign may be a projecting sign or awning sign to enhance pedestrian visibility.
<p>S</p> <p>See</p> <p>§ 2885 b</p>	<p>Pedestrian Signs. Pedestrian signs are small signs, typically projecting signs supported by a decorative bracket, which are located above the storefront entry and are oriented to the pedestrian.</p> <ul style="list-style-type: none"> • One pedestrian sign for each storefront is permitted. The pedestrian sign shall be no larger than 2 feet by 3 feet, subject to meeting the other design criteria. • The bottom of pedestrian signs shall be located at least 8 feet above the sidewalk, and be rigidly supported. • The pedestrian sign shall be supported by decorative chain or bracket, designed and constructed with a high level of craftsmanship and detail. Creative signs that "symbolize" the business are encouraged.
<p>S</p> <p>See</p> <p>§ 2885 c</p>	<p>Monument Signs are -</p> <ul style="list-style-type: none"> • Free-standing signs located adjacent to the right of way and independent of the building. • In compliance with these guidelines with regard to Design, Materials and Lighting Requirements and section 2880 of the Zoning Bylaws. • Only allowed for developments whose primary building facade is 15 feet or less from the property frontage line. • Consistent with the sign designs shown in the Idea Gallery included in this document. • Placed outside of the Sight Triangle so that it does not obstruct views entering and exiting the site. (see 3.4 Sight Obstructions) • A maximum of 6 feet high with an area no larger than 30 square feet per sign face, subject to meeting other design criteria. • Set onto a base or frame, presenting a solid attractive and well-proportioned appearance that complements the building design and materials.

	PERMANENT SIGNS (S = Standard G = Guideline)
S See § 2885 d	<p>Directory and Upper Floor Signs.</p> <ul style="list-style-type: none"> For two or more story multiple-tenant buildings, one small directory sign with nameplates of the individual tenants is permitted on the ground floor. The maximum letter height for tenant names is 2 inches. Where a second or third story tenant has a separate entry door on the street, a small projecting pedestrian sign is permitted, in keeping with the guidelines for pedestrian signs. Such signs shall be placed near the tenant street entry. Commercial uses on second floor of multiple story buildings that do not have ground floor occupancy may have window signs in addition to otherwise permitted building-mounted or free-standing signs. One window sign is permitted per framed window area and cannot exceed 15% of the total second floor glass area. Window signs above the second floor are not permitted. The maximum letter height for window signs is 12 inches. Second floor window signs shall be non-illuminated, and shall consist of paint, gold-leaf or similar high-quality graphic material on the glass surface.
S See § 2885 e	<p>Window Signs are -</p> <ul style="list-style-type: none"> Any sign placed within a window facing the street either directly on the window glass or behind it. These signs typically give the name of the store, a logo, or other decorative feature. Only permitted on the first floor level. To be designed to attractively promote the business while still allowing for the customer to view the interior of the business. Placed or painted on the interior or exterior glass windows or doors provided that such signs cover no more than 30 percent or the glass area of the entire storefront, nor more than 50 percent of the window in which it is placed. Mounted only in the interior of the storefront if they are neon signs. Window signs above the second floor are not permitted. The maximum letter height for window signs is 12 inches. Second floor window signs shall be non-illuminated, and shall consist of paint, gold-leaf or similar high-quality graphic material on the glass surface. One window sign is permitted per enterprise on the ground floor. Window signage shall not cover more than 25% of the window area, excluding the area of any glass doors, or one square foot per one foot of frontage, whichever is less. Permanent Interior window and door signage shall be professionally designed and constructed. Signs made of gold leaf and other high-quality graphic materials that compliment the storefront display are permitted. Window signs constructed of paper, cardboard, plastic, chalk- or white-board signs are prohibited. Except one (1) civic or charitable poster/flyer may be placed in a storefront window at a maximum of 11"x 17". Any graphics, displays, or sign panels with lettering more than one inch high, mounted within four feet of a window shall be considered a window sign, except for the following: <ul style="list-style-type: none"> Displays with lettering less than one inch high; Products on shelves for sale to the public; and Or signs posting hours maximum size 11 x 17

	PERMANENT SIGNS (S = Standard G = Guideline)
G	<p>Wall signs are –</p> <ul style="list-style-type: none"> • Mounted directly to the building façade in locations that respect the design of the building. • Subject to height and size requirements in section 3210 of the Zoning Bylaw. • Must either be a minimum of 1.5 inches thick or included within a 1.5-2 inch border. • Made of sign board, metal or channel letters mounted directly to a wall or via a raceway, or painted directly on brick (wall signs painted directly on brick must be artistically and professionally done to meet the intent of these guidelines). <p>Wall signs may not -</p> <ul style="list-style-type: none"> • Project no more than 12 inches from the building wall. Any sign that is affixed to a building and projects more than 12 inches in a perpendicular manner is considered a projecting sign and is subject to those requirements. • Extend beyond the front façade of any suite in the case of a multitenant building. • Cover architectural or ornamental features.
G	<p>Awning and Canopy Signs are –</p> <ul style="list-style-type: none"> • Signs that are painted or printed directly onto an awning or canopy. • Made of matte finish canvas, glass or metal. • Printed onto an awning or canopy of a single, solid color. Striped awnings are not encouraged. • Mounted on the wood or metal framing within a door or window opening, not on the wall surrounding the opening. • Allowed for the purpose of adding color and dimension over the entrance on the front façade of a building as well as providing shelter for pedestrians entering and exiting the building. • Kept in good condition and well maintained at all times.

	PERMANENT SIGNS (S = Standard G = Guideline)	
G	<p>Projecting Signs are –</p> <ul style="list-style-type: none"> Affixed to the face of a building and projected in a perpendicular manner <u>more than</u> 12 inches from the wall surface. Strongly encouraged and should be designed to match the architectural style of the building or structure to which the sign is affixed. Only permitted for uses located on the first floor of a building. Within the set-back unless permitted to overlap the Right of Way per section 2868 of the Zoning Bylaws. Oriented to the pedestrian passing on the sidewalk in front of the building and not to the vehicles traveling on the road or to the pedestrians on the opposite side of the road. Limited to a maximum area of 6 square feet per side. No more than 2 feet in distance from the building to the outer edge of the sign per section 3210g of the Zoning Bylaw. No less than 8* feet in distance from the sidewalk to the bottom edge of the sign. Not to exceed 20 feet in overall height from ground/sidewalk to the top part of the sign (see diagram). 	
G	<p>Hanging Signs are -</p> <ul style="list-style-type: none"> Similar to projecting signs except that they are suspended below a marquee or under a canopy. Hanging signs are generally smaller than projecting signs due to their low mounting height. A maximum of 4 square feet of sign area per side. Treated similar to projecting signs in their regulations. Only permitted for uses located on the first floor of a building Within the set-back unless permitted to overlap the Right of Way per section 2868 of the Zoning Bylaws. No less than 8* feet in distance from the sidewalk to the bottom edge of the sign. 	
G	<p>Restaurant Menu Signs are -</p> <ul style="list-style-type: none"> Signs that display menu items and pricing. Located within a display box permanently mounted to the front building façade adjacent to the entrance. A maximum size of 3 square feet. Made of high-quality materials and use artistic designs. Appropriate in size, location, and design to the character and architectural detail of the building as well as to the character of the restaurant. 	

	<p>SPECIAL SIGNAGE (S = Standard G = Guideline)</p> <p>Additional artistic signs that identify the business and convey a message through the use of a pictorial or graphic image, and may include a limited amount of wording that is clearly secondary to the artistic quality of the sign.</p>
<p>S</p> <p>See § 2886</p>	<p>Flags</p> <ul style="list-style-type: none"> • One (1) flag per storefront not exceeding 3 feet by 5 feet that conveys the message of “open” or “sale” is permitted. The lowest point of the flag must be at least 8 feet above the surface of the sidewalk or pedestrian way. Flags must be removed daily at the close of business. • Flags must be mounted on a decorative bracket attached perpendicular to the building face.
<p>S</p>	<p>Murals</p> <ul style="list-style-type: none"> • Life-size murals painted on the wall surface of a building may be permitted upon approval of the Design Review Committee to ensure the artwork complements the design of the building in color, shape and location on the building. A free-standing menu holder is permitted on the exterior storefront of a restaurant.
<p>S</p>	<p>Menu Holders</p> <ul style="list-style-type: none"> • An exterior menu holder is permitted on the facade of a restaurant. • The menu holder shall be limited to the size of two pages of the menu utilized by the establishment. • A menu holder shall be located so as not to cause a safety hazard to pedestrians. • The menu holder shall not be used for additional business identification or additional signage. • Free standing “A” Frame menu boards may be allowed on a limited basis upon approval of the Design Review Committee. Placement of the “A” frame sign shall be solely on the applicants property and must be removed daily at the close of business.
<p>S</p>	<p>Off-Site Signs</p> <ul style="list-style-type: none"> • Off-site directory signs on buildings or free-standing that direct pedestrians to businesses down side streets and/or alleys are permitted with the permission of the building/site owner. Initial directory sign shall be approved by the Design Review Committee via a sign program, thereafter directory signs that are consistent with the sign program may be approved by the Town Planner. • Signs shall be professionally designed and constructed. • Directory signs shall not count against the signage allotment for building or site owner.

S	<p>Sidewalk Café Signage</p> <ul style="list-style-type: none"> • A sidewalk cafe may have signage on the cafe umbrella(s) in addition to the main occupancy frontage signs may be permitted. Signage is limited to the name of the cafe business. The maximum letter height is 6 inches and the business logo shall not exceed 1 square foot in area. • The total signage on an umbrella shall not exceed 10% of the area of the umbrella. • Generic advertising, such as a product name is not allowed. • Sidewalk Café signs must be approved by the Design Review Committee.
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	<p>TEMPORARY SIGNS (S = Standard G = Guideline)</p> <p>Temporary signs must comply with section 3210 of the Zoning Bylaw. It is strongly suggested that temporary signs be artistically and professionally done. Please refer to the Idea Gallery in these guidelines for examples of temporary signs.</p>
S See § 2887	<p>Grand Opening Banner</p> <ul style="list-style-type: none"> • Banners of not more than 12 square feet advertising a new business opening are permitted for a maximum of 30 days. • The banner shall include a date visibly noted on the sign and be removed within 30 days of the posted date. • No other types of banners or flags are permitted. • “A” Frame signs may be permitted on a limited temporary basis for special events upon approval of the Design Review Committee. Placement of the “A” frame sign shall be solely on the applicant’s property.
S	<p>Construction Signs:</p> <ul style="list-style-type: none"> • One temporary sign, advertising the various construction trades participating in the project is allowed. • Sign shall not exceed 50 square feet in sign area or 6 feet in height. • The sign shall not extend beyond the subject property nor interfere with any traffic safety visibility area of the parcel. • The sign may remain on the property until occupancy, unless an extension has been granted by the Inspector of Buildings.
S	<p>Real Estate Signs</p> <ul style="list-style-type: none"> • No more than one real estate sign per property shall be permitted, however it may remain until the entire project or tenant space is leased or sold. • Maximum sign area per sign is 9 square feet, and shall be located flat against the building wall or within a window, and shall not project above the eave line. • Vacant lots may mount the sign on a free-standing monument, located outside of any sight visibility area; no portion of the sign may extend across the property line.

	SIGNS NOT PERMITTED (S = Standard G = Guideline)
S See § 2888	<ul style="list-style-type: none"> • Rooftop signs, cabinet signs, including neon or digital/LED, banners (except for grand opening and civic event signs), balloons, flashing signs, billboards, plastic flags, whiteboards, chalkboards and blackboards, wire framed yard signs (except for temporary construction signs) are prohibited. • Any exterior sign advertising or publicizing an activity, service or product not conducted on the premises upon which the sign is maintained, except for public events and as otherwise allowed by the guidelines. • Internally illuminated signs of any kind or style. • Single pole signs, aka : “lollipop” signs (see idea galley)
	EXEMPTIONS
S See §2889	<p>The following signs shall be exempt from the requirements of the DTD sign regulations:</p> <ul style="list-style-type: none"> a) Flags or emblems of government, political, civic, philanthropic, educational or religious organizations, displayed on private property, as long as such flag or emblem does not exceed 15 square feet; b) Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazard, parking, swimming, dumping, etc.; c) Address numerals and other signs required to be maintained by law or governmental order, rule or regulation; provided, the content and size of the sign do not exceed the requirements of such law, order, rule or regulation; d) Small signs, not exceeding five square feet in area, displayed on private property identifying entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances and the like; e) Holiday decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday; provided such signs

shall be displayed for a period of not more than 45 consecutive days nor more than 60 days in any one year.

- f) Special Community/Civic Event Signage is subject to the review by the DRC.

5.6 Idea Gallery












Sign Style	YES	NO
OUTDOOR MENU BOARDS		
CAFÉ, "A" MENU BOARDS & READER BOARDS		

Sign Style	YES	NO
BANNERS & FLAGS		

Sign Style	YES	NO
AWNINGS & CANOPIES	<p>Solid color awnings create a clean and inviting characteristic of small villages.</p> 	<p>Lettering is hard to read on striped background.</p>  <p>Vinyl awnings create a harsher, more industrial feel which is not compatible with a small village environment.</p>

Sign Style	YES	NO
WALL SIGNS		 <p data-bbox="1745 446 1850 537">Internally lit signs are prohibited.</p>
WINDOW SIGNS		
PROJECTING SIGNS		

Sign Style	YES	NO
HANGING SIGNS		
MONUMENT, POLE & LADDER		

Sign Style	YES	NO
BUILDING NUMBERS	  	 
TEMPORARY	  	  

6.0 SOURCES

In addition to original work by the Committee, the sources used in the development of these Standards and Guidelines include those listed below.

6.1 Documents

Cape Cod Commission et al. *Designing the Future to Honor the Past: Design Guidelines for Cape Cod, 2nd Edition*. March 1998.

Cape Cod Commission. *Contextual Design on Cape Cod: Design Guidelines for Large-scale Development*. 1 October, 2009.

Cecil Group, Inc. *Buzzards Bay Village Center Revitalization Strategy*. Funded by the Massachusetts Department of Housing and Community Development. 25 March, 2004.

Stantec Planning & Landscape Architecture, PC. *Downtown Buzzards Bay Zoning District: The Village of Buzzard's Bay Design Guidelines*, Town of Bourne, MA. September, 2008.

Town of Bedford, MA. *Architectural Design Review Guidelines for Commercial and Mixed-Use Developments*. No date.

Town of Bourne, MA. *Town of Bourne Bylaws*. Approved Town Meeting, 2011.

Town of Bourne, MA. *Town of Bourne Zoning Bylaw*. Approved Town Meeting, 2010.

Town of Glenview, IL. *Signs in the Downtown: Appearance Code and Design Guidelines*. No date.

Town of Portland, OR. *Portland Main Street Design Handbook: A guide to neighborhood commercial district revitalization*. October 2011.

University of Pennsylvania School of Design, Department of City and Regional Planning. *The Town of Bourne Village Centers Action Plan*. Spring, 2005.

6.2 Online Images

In addition to images and information taken from the documents listed in 6.1, images were also retrieved from several public and private internet sites including those listed below.

Café . . . Boards	Copper Dreams Sidewalk Sign	http://blog.fawny.org/category/typesnap/page/51/	6-Jan-12
Definitions	Stepback	http://www.buildinggreentv.com/taxonomy/term/1023/all	12-Jan-12
Efficient Energy Design	Sink-toilet	http://www.nachi.org/greywater-inspection.htm	13-Jan-12
Efficient Energy Design	Redevelopment – lighting	http://www.mountain-news.com/business/article_17169f54-0641-11e1-ab2d-001cc4c002e0.html	13-Jan-12
Efficient Energy Design	New Development	http://patternguide.advancedbuildings.net/	12-Jan-12
Front Cover	Bourne Bridge – modified from original retrieved at:	http://www.mvmorninglight.net/how-to-find-us/	19-Dec-12
Hanging Sign	Coffee Shop	http://www.absolutesignsuk.co.uk/pavement-projecting-signs.php	6-Jan-12
Hanging Sign	Old City Hall	http://ulrichsigns.com/portfolio/Old-City-Hall-1.jpg	6-Jan-12
Idea Gallery	Neon House Numbers	http://st.houzz.com/simages/25832_0_4-2100--exterior.jpg	6-Jan-12
Landscaping and Site Enhancements	Sight Triangle (adapted from original retrieved)	http://www.ctre.iastate.edu/pubs/tech_news/2005/jan-feb/line_of_sight.htm	9-Jan-12
Outdoor Seating	Rooftop Restaurant	http://www.hawaiidermatology.com/el/el-azteco-east-lansing-menu.htm	9-Jan-12
Projecting Signs	Bytes & Slices	http://www.roscommonsigns.ie/projecting.php	6-Jan-12
Projecting Signs	Geshunt Tandoori	http://www.forefrontsigns.co.uk/category/illuminated	6-Jan-12
Projecting Signs	Bottle Revolution	http://www.harrellsign.com/Galleries/signs-blade-undercanopy-hanging-storefront.html	6-Jan-12
Projecting Signs	Neon Paradise Valley	http://www.danitesign.com/signage.6.0/projecting.aspx	6-Jan-12
Replacement Buildings	Mezza Luna	www.mezzalunarestaurant.com	9-Jan-12
Roof Form and Height	Downspout Planters	http://dornob.com/creative-downspouts-double-as-water-recycling-planters/?ref=search	9-Jan-12
Signs	Ladder/Pole	http://mysanfordherald.com/printer_friendly/11136068	13-Jan-12
Window Signs	Dog Café & Spa	http://www.thesignsaid.com/blog/tag/window-lettering	13-Jan-12

Finance Committee Recommendation

The purpose of this article is to add Appendix 1 (Architectural Design Standards and Guidelines) to be used in conjunction with Section 2815 of the Design Review Committee under Section 2800. This offers a comprehensive set of definitions, examples, and references that address a wide array of considerations for those seeking to locate commercial establishments in the Downtown District. It reflects the goal of revitalizing Buzzards Bay and adds consistency and predictability to the review process.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 15: To see if the town will vote to amend the **Bourne Zoning Bylaw Section 2814** - Relationship to Other Bylaws, by deleting 3200 – Sign Regulations and add a new subsection “e)” as shown in the following, or take any other action relative thereto.

Sponsor – Planning Board

2814. Relationship to Other Bylaws

Due to the critical importance of the revitalization of the Downtown District this section of the Zoning Bylaw shall be used and interpreted primarily on its own. Certain other general sections of the Bylaw shall continue to apply to this District including the following:

- 1230 – Site Plan Review
- 2600 – Development scheduling
- 3100 – Lowland regulations
- ~~3200 – Sign Regulations~~
- 3400 – Environmental controls
- 4400 – Earth removal
- 4500 – Motor vehicle services
- 4900 – Seasonal Conversions
- Section V – Definitions

Applicability of this Section

e) The Planning Board shall refer all developments applications in the DTD to the Design Review Committee for review of the proposal in accordance with §2815.

The findings of the Design Review Committee shall be available to the Planning Board at the scheduled public hearing on the application for site plan review.

Finance Committee Recommendation

This article seeks to amend zoning bylaw section 2814. It deletes 3200 – sign regulations, and moves it to new subsection (e) where it will have special handling by the Design Review Committee. The DRC would forward its recommendation to the planning board at the scheduled public hearing on the application for site plan review.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 16: To see if the town will vote to amend the **Bourne Zoning Bylaws** by deleting **Section 2880 Signs**, in its entirety and add a new Section 2880 Downtown Sign Regulations, for the purposes of advancing the revitalization of the Downtown; by adding the following, or take any other action relative thereto.

Sponsor – Planning Board

Existing Language:

2880. SIGNS

All development shall comply with the applicable signage requirements contained in Section 3200, Sign Regulations, of the Bourne Zoning Bylaws except that internally illuminated signs are prohibited in the Downtown Zoning District.

Proposed Language:

2880. DOWNTOWN (DTD) SIGN REGULATIONS

2881. General DTD Sign Regulations.

- a) No person shall erect, modify or move any signs within the DTD without first obtaining a permit from the Inspector of Buildings. The Inspector of Buildings shall not issue a sign permit without first receiving the approval of the Design Review Committee.
 - b) Permit Applications shall be accompanied by six (6) copies of a site plan showing the location of the sign, sign elevation drawings showing the proposed size, supporting structure, materials, and color.
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c) Upon receipt of an application for a sign permit the Inspector of Buildings shall immediately forward all materials to the Design Review Committee. (See §2815)

d) No signs shall be located in any public right of way, except for awnings or projecting signs with the approval of the Board of Selectmen; after receiving a recommendation from the Design review Committee.

No sign shall be attached to a tree or utility pole whether on public or private property.

Signs shall not flash, blink or fluctuate.

This sign bylaw shall be used in conjunction with the Architectural Design Standards and Guidelines incorporated herein as Appendix 1.

2882. Non-Conforming Signs

- a) When a business with a nonconforming sign is replaced with a new business, the nonconforming sign shall be removed and replaced with a permitted conforming sign.
- b) Any sign that is erected, modified or moved must conform to these regulations; non-conforming signs must be removed and replaced upon the occupancy of a new business.
- c) If any nonconforming sign or portion thereof that is damaged or destroyed by any means shall not be reconstructed except in conformity with this bylaw.

2883. Sign Construction and Maintenance

- a) All permanent signs shall be professionally constructed of high quality durable materials.
 - b) Sign switches, conduits and panel boxes shall be concealed from view.
 - c) Signs shall be designed to be vandal and weather resistant.
 - d) Signs shall be properly maintained so that they are in proper working order and do not endanger the public.
 - e) Signs must be removed within 30 days of a business or tenant vacating the premises. The sign shall be removed to the satisfaction of the Inspector of Buildings.
 - f) When a sign is removed due to replacement or termination of the lease,
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the tenant or owner shall fill and paint any holes caused by the removal of the sign.

2884. Multi-Tenant Projects

- a) Multi-tenant structures or multiple structures which display more than one exterior sign shall implement an exterior sign program. Sign programs serve to create a coordinated project theme of uniform design elements including: color, lettering style, material, and placement. Each business should have a consistent palette of signs designed in a similar character and style.
- b) The sign program shall be initially approved by the Design Review Committee.
- c) Once a sign program is approved, the Inspector of Buildings may issue a sign permit upon receiving approval from the Town Planner. Signs must conform with these guidelines, and to the previously approved sign program.

2885. Permanent Signs

- a) **Primary Occupancy Signs.** The primary sign is the main sign used to identify a business. A primary sign is any sign painted on or attached parallel to the face of the building, including individually mounted letters, painted signs, and awning signs.
 - 1) One primary sign for each storefront or building facade that fronts a public street or alley is permitted. The primary sign shall not exceed one (1) square foot per 1 foot of frontage, subject to meeting other sign design criteria.
 - 2) The design of the primary sign shall be integrated with and compliment the overall design of the facade. The location of the sign shall be centered above the storefront and below the second floor windows.
 - 3) The primary sign may be a projecting sign or awning sign to enhance pedestrian visibility.
 - b) **Pedestrian Signs.** Pedestrian signs are small signs, typically projecting signs supported by a decorative bracket, which are located above the storefront entry and are oriented to the pedestrian.
 - 1) One pedestrian sign for each storefront is permitted. The pedestrian sign shall be no larger than 2 feet by 3 feet, subject to meeting the other design criteria.
 - 2) The bottom of pedestrian signs shall be located at least 8 feet above the sidewalk, and be rigidly supported.
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- 3) The pedestrian sign shall be supported by decorative chain or bracket, designed and constructed with a high level of craftsmanship and detail. Creative signs that "symbolize" the business are encouraged.

c) **Monument or Freestanding Signs.** Monument and free-standing signs are located adjacent to the right of way independent of the building. Monument and free-standing signs must be located outside the sight triangle area so as not to obstruct views of vehicles at the intersection.

- 1) Monument or freestanding signs are allowed in addition to the primary and pedestrian signs when a building's front entrance is set back at least 15 feet from the street. The sign shall not exceed a height of 6 feet with an area no larger than 30 square feet per sign face, subject to meeting other design criteria.
- 2) A monument sign shall be set onto a base or frame, presenting a solid, attractive and well-proportioned appearance that complements the building design and materials.
- 3) A freestanding sign is a sign supported by two or more columns, uprights or braces in, or upon the ground.

d) **Directory and Upper Floor Signs.**

- 1) For two or more story multiple-tenant buildings, one small directory sign with nameplates of the individual tenants is permitted on the ground floor. The maximum letter height for tenant names is 2 inches.
- 2) Where a second or third story tenant has a separate entry door on the street, a small projecting pedestrian sign is permitted, in keeping with the guidelines for pedestrian signs. Such signs shall be placed near the tenant street entry.
- 3) Commercial uses on second floor of multiple story buildings that do not have ground floor occupancy may have a window sign in addition to otherwise permitted building-mounted or free-standing signs. One window sign is permitted per framed window area and cannot exceed 15% of the total second floor glass area.

e) **Window Signs.** Any sign placed within a window facing the street.

- 1) Window signs above the second floor are not permitted. The maximum letter height for window signs is 12 inches. Second floor window signs shall be non-illuminated, and shall consist of paint, gold-leaf or similar high-quality graphic material on the glass surface.
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- 2) One window sign is permitted per enterprise on the ground floor. Window signage shall not cover more than 25% of the window area, excluding the area of any glass doors, or one square foot per one foot of frontage, whichever is less.
- 3) Permanent Interior window and door signage shall be professionally designed and constructed. Signs made of gold leaf and other high-quality graphic materials that compliment the storefront display are permitted.
- 4) Window signs constructed of paper, cardboard, plastic, chalk- or white-board signs are prohibited. Except that one 11"x 17" civic or charitable poster or flyer may be placed in a storefront window.
- 5) Any graphics, displays, or sign panels with lettering more than one inch high, mounted within four feet of a window shall be considered a window sign, except for the following:
 - Displays with lettering less than one inch high;
 - Products on shelves for sale to the public, or
 - Signs depicting hours of operation. (11" x 17" maximum)

2886. Special Signage

Special signage are additional artistic signs that identify the business and convey a message through the use of a pictorial or graphic image, and may include a limited amount of wording that is clearly secondary to the artistic quality of the sign.

a) Flags

- 1) One flag per storefront, not exceeding 3 feet by 5 feet that conveys a message of "open" or "sale" is permitted. The lowest point of the flag must be at least 8 feet above the surface of the sidewalk or pedestrian way. Flag must be removed daily at the close of business.
- 2) Flags must be mounted on a decorative bracket attached perpendicular to the building face.

b) Murals

- 1) Life-size murals painted on the wall surface of a building may be permitted upon approval of the Design Review Committee to ensure the artwork complements the design of the building in color, shape and location on the building.

c) Menu Holders

- 1) An exterior menu holder is permitted on the facade of a restaurant.
 - 2) The menu holder shall be limited to the size of two pages of the
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menu utilized by the establishment.

- 3) A menu holder shall be located so as not to cause a safety hazard to pedestrians.
- 4) The menu holder shall not be used for additional business identification or additional signage.
- 5) Free standing "A" Frame menu boards may be allowed upon approval of the Design Review Committee. Must be removed at the close of business.

d) Off-Site Signs

- 1) Off-site directory signs on buildings or free-standing ladder signs that direct pedestrians to businesses down side streets and/or alleys are permitted with the permission of the building/site owner. Initial directory or ladder signs shall be approved by the Design Review Committee via a sign program; thereafter directory signs that are consistent with the sign program may be added upon the approval of the Town Planner.
- 2) Directory and ladder sign panels shall not exceed 4 feet by 8 inches.
- 3) Directory signs shall not count against the signage allotment for building or site signs.
- 4) Signs shall be professionally designed and constructed.

e) Sidewalk Café Signage

- 1) A sidewalk cafe may have signage on a cafe umbrella(s) in addition to the main occupancy frontage signs. Signage shall be limited to the name of the cafe business. The maximum letter height is 6 inches and the business logo shall not exceed 1 square foot in area.
- 2) The total signage on an umbrella shall not exceed 10% of the area of the umbrella.
- 3) Generic advertising, such as a product name is not allowed.
- 4) Sidewalk Café signs must be approved by the Design Review Committee.

2887 Temporary Signs.

a) Grand Opening Banner

- 1) Banners advertising a new business opening are permitted for a maximum of 30 days.

The banner shall include a date visibly noted on the sign and be

removed within 30 days of the posted date.

- 2) No other types of banners or flags are permitted.

“A” Frame signs may be permitted on a limited temporary basis for special events upon approval of the Design Review Committee. Placement of the “A” frame sign shall be solely on the applicant’s property.

b) Construction Signs:

1. One temporary sign, advertising the various construction trades participating in the project is allowed.
2. Sign shall not exceed 50 square feet in sign area or 6 feet in height.
3. The sign shall not extend beyond the subject property nor interfere with any traffic safety visibility area of the parcel.
4. The sign may remain on the property until occupancy, unless an extension has been granted by the Inspector of Buildings.

c) Real Estate Signs

- 1) No more than one real estate sign per property shall be permitted, however it may remain until the entire project or tenant space is leased or sold.
- 2) Maximum sign area per sign is 9 square feet, and shall be located flat against the building wall or within a window, and shall not project above the eave line.
- 3) Vacant lots may mount the sign on a free-standing monument, located outside of any sight visibility area; no portion of the sign may extend across the property line.

2888. Signs Not Permitted

- a) Rooftop signs, cabinet signs, including neon or digital/LED, banners (except for grand opening and civic event signs), balloons, flashing signs, billboards, plastic flags, whiteboards, chalkboards and blackboards, wired framed yard signs (except for temporary political or construction signs).
 - b) Any exterior sign advertising or publicizing an activity, service or product not conducted on the premises upon which the sign is maintained, except for public events and as otherwise allowed by the guidelines.
 - c) Internally illuminated signs of any kind or style.
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- d) Single pole centered signs, aka “lollipop” signs. (See idea galley in Appendix 1)

2889. Exemptions

The following signs shall be exempt from the requirements of the DTD sign regulations:

- a) Flags or emblems of government, political, civic, philanthropic, educational or religious organizations, displayed on private property, as long as such flag or emblem does not exceed 15 square feet;
- b) Signs of a duly constituted governmental body, including traffic or similar regulatory devices, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazard, parking, swimming, dumping, etc.;
- c) Address numerals and other signs required to be maintained by law or governmental order, rule or regulation; provided, the content and size of the sign do not exceed the requirements of such law, order, rule or regulation;
- d) Small signs, not exceeding five square feet in area, displayed on private property identifying entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances and the like;
- e) Holiday decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday; provided such signs shall be displayed for a period of not more than 45 consecutive days nor more than 60 days in any one year.
- f) Special Community/Civic Event Signage is subject to the review by the DRC.

2890 Appeal.

Any person aggrieved by the decision of the Design Review Committee may appeal said decision to the Board of Appeals in accordance with Section 1320 of this Bylaw. Any such appeal must be filed within (30) days after the receipt of the decision of the Design Review Committee.

Finance Committee Recommendation

By deleting Section 2800 - Signs, in its entirety, and adding new Section 2880 - Downtown Sign Regulations, the article seeks to advance the revitalization of the Downtown District. This section extensively strengthens and clarifies sign regulations.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 17: To see if the Town will vote to amend the Bourne Zoning Bylaw as follows, or take any other action in relation thereto.

Sponsor – Planning Board

Existing Language

3530. Screening. All outdoor sales display areas, and all commercial outdoor recreation must be screened from any adjacent residential use or district and from any state numbered highway or MacArthur Boulevard by a wall, fence, or densely planted trees, or by shrubs three feet or more in height, or be equivalently obscured by natural vegetation. Contractor's yards, open storage and loading or service yards shall be similarly screened from any adjacent Residential District or use and from any public way from which they would otherwise be visible, and shall not be located within any required front yard.

Delete **Section 3530** in its' entirety and replace with the following

3530. Screening. Exposed storage areas, machinery, garbage "dumpsters," service areas, the storage of vehicles including boats, recreational vehicles, trucks, utility trailers, utility buildings or structures, contractor's yards, open storage and loading or service yards shall be screened from view of abutting properties by a wall, stockade fence, or densely planted trees, or be equivalently obscured by natural vegetation, and shall not be located within any required front yard.

Finance Committee Recommendation

This article seeks to strengthen and improve existing language regarding screening of commercial-related objects from neighboring properties. It deletes section 3530 language and replaces it with more specific screening remedies for exposed storage areas.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 18: To see if the town will vote to add to the Bourne Zoning Bylaw a new **Section 2815- Design Review Committee** under Section 2800 –Downtown District, for the purposes of advancing the revitalization of the Downtown, or take any other action relative thereto.

Sponsor – Planning Board

ZONING BYLAW SECTION 2800 – DOWNTOWN DISTRICT

New Section 2815 – Design Review Committee (DRC)

A Design Review Committee is hereby established to review development and sign applications in the Downtown District. The Design Review Committee shall make recommendations to the Planning Board, Zoning Board of Appeals, and Board of Selectmen on matters of architectural and design concerns in the review of applications for special permits and site plan review within the Downtown District. Architectural and design concerns shall include but not be limited to site design, building size and placement, design compatibility, exterior appearance, construction materials, finishes, landscaping, sign design and placement. The Design Review Committee shall also hear and issue a decision on all sign applications and forward their decision to the Inspector of Buildings.

Committee Composition:

The DRC membership shall consist of five members and one alternate, preference shall be given so that the membership of the committee will include an architect, a landscape or civil engineer, a Downtown District property or business owner, a member of the Main Street Steering Committee, and a citizen at large.

The Planning Board shall appoint all members of the Design Review Committee for a term of three years, except that when the Committee is established, two appointments shall be for a two year term and the remaining appointments shall be for a one year term.

Applicability:

The DRC shall be an advisory to the Planning Board, Zoning Board of Appeals, and Board of Selectmen for the purposes of site development.

The DRC shall hear and issue a decision on all sign applications, before a sign permit is issued by the Inspector of Buildings the application must be accompanied by a decision approved by the DRC.

Procedure:

Development applications in the Downtown District shall be submitted to the Design Review Committee simultaneously with any application submitted to the Planning Board, Zoning Board of Appeals, or Board of Selectmen. Within 20 days of the receipt of the application the DRC shall hold a public meeting. The DRC shall transmit its recommendations in writing to the Applicant and the appropriate reviewing Board within 40 days of the receipt of the application.

Failure by the Design Review Committee to transmit its decision within the 40 day period allocated shall be considered a recommendation of approval of the

application submitted, unless the applicant has granted an extension in a public meeting or in writing.

Upon receipt of an application for a sign permit, the Inspector of Buildings shall immediately forward a copy thereof to the DRC. Within fourteen (14) days the DRC shall hold a public meeting. Within seven (7) days of the public meeting, the DRC shall notify the Inspector of Buildings, in writing, of its determination. Upon receipt of such notice, or upon the expiration of seven (7) days from the date of the public meeting, without having received any notification from the DRC, the Building Inspector may, subject to the requirements of the DTD sign regulations, issue the sign permit.

Design Standards and Guidelines:

The Architectural Design Standards and Guidelines are hereby incorporated into this Bylaw as Appendix 1. These standards and guidelines are intended to guide the applicant and the DRC in the development of site and building design. The purpose and intent of the Design Guidelines are to conserve the value of the land and buildings and for the prevention of slum and blight. The Design Guidelines are not to be regarded as inflexible requirements and they are not intended to discourage creativity, invention or innovation. Strict compliance with the Design guidelines is not required unless so noted as a “Standard”.

Finance Committee Recommendation

The purpose of this article is to create a Design Review Committee geared to reviewing and making recommendations to the Planning Board, Zoning Board of Appeals, and Selectmen regarding applications for special permits & site plan review within the Downtown District.

Proposed section 2815 addresses the committee’s purpose, composition, applicability, procedure, and design standards and guidelines.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 19: To see if the Town will vote to amend **Section 3.1.31 Blocking Fire Hydrants and Fire Department Connections** of the Town of Bourne Bylaws, by adding the following sentence at the end of the Section: “Anyone who refuses to remedy the situation after notification by the Police shall be subject to a fine of \$300.00”, or take any other action in relation thereto.

Sponsor – Bylaw Committee

Finance Committee Recommendation

This article is to encourage businesses and homeowners to not place fences, trees, bushes and etc in front of fire hydrants that may impede their use by increasing the fine to \$300.00.

The Finance Committee voted 9-1 to recommend approval of this article

ARTICLE 20: To see if the Town will vote to amend **Section 3.4.4** of the Town of Bourne Bylaws by striking subsections b. and c. which currently read:

“b. Except as may otherwise be provided by law, whoever violated any provision of Section 3.4.4, shall be punished by a fine of Fifty (\$50.00) Dollars for each offense. In case of any continuing violation, each day said violation continues shall constitute a separate offense. Said section shall be enforced by the Board of Health, its agent, or its duly authorized designee as well as by Town Officers having police powers.

c. In addition to procedures otherwise provided bylaw for enforcement of this Section, the provisions of this section 3.4.4 may be Massachusetts General Laws, Chapter 40, Section 21D.”

and substitute new subsections b. and c. as follows:

“b. . Except as may otherwise be provided by law, whoever violated any provision of Section 3.4.4, shall be punished by a fine of \$50.00 for the first offense, \$100.00 for a second offense, \$200.00 for a third offense and \$300.00 for subsequent offenses within any 12 month period of time. In case of any continuing violation, each day said violation continues shall constitute a separate offense. Said section shall be enforced by the Board of Health, its agent, or its duly authorized designee as well as by Town Officers having police powers.

c. In addition to procedures otherwise provided by law for enforcement of this Section, the provisions of Section 3.4.4 may be enforced pursuant to Massachusetts General Laws, Chapter 40, Section 21D.”

or take any action in relation thereto.

Sponsor – Bylaw Committee

Finance Committee Recommendation

The purpose of this article is to have the bylaw match our Board of Health regulation. Making these changes will enable the town to charge fines for any violation of this regulation.

The Finance Committee voted unanimously (12-0) to recommend approval of this article.

ARTICLE 21. To see if the Town will vote to amend **Section 3.1.35 Motor Vehicle Junkyards** of the Town of Bourne Bylaws by adding a new subsection h. which reads as follows: “h. Violation of this Bylaw shall be subject to a fine of \$300.00 per day.” or take any action in relation thereto.

Sponsor – Bylaw Committee

Finance Committee Recommendation

The purpose of this article is to include a fine that can be imposed if there is any violation to this Bylaw.

The Finance Committee voted 6 to 4 to recommend approval of this article.

ARTICLE 22: To see if the Town will vote to amend **Chapter 3 General Regulations** of the Town Bylaws by adding the following specific fines for violation of various Sections in the proposed amounts as printed in the Warrant or take any other action in relation thereto.

Sponsor – Bylaw Committee

Town of Bourne Fines

<u>Section</u>	<u>Proposed Fine</u>
3.1.2 Digging on Public Land	\$150.00
3.1.3 Littering	\$300.00
3.1.5 Advertising on Public Ways	\$ 50.00
3.1.6 Signs	\$ 50.00
3.1.9 Fires	\$300.00
3.1.10 Emergency Vehicle Right of Way	\$300.00
3.1.18 Interference with Police	\$300.00
3.1.22 Loitering	\$ 50.00
3.1.26 Yard, Garage & Barn Sales	\$ 50.00

Sponsor – Bylaw Committee

Finance Committee Recommendation

The purpose of this article is to include a fine that can be imposed if there is any violation to this bylaw. The purpose of this article is to add specific fines to the listed violations. Including fines to these regulations will enable the town to

enforce any violations and also allow the town to keep the collected fines rather than the funds being turned over to the Commonwealth.

The Finance Committee voted 7 to 3 to recommend approval of this article.

ARTICLE 23: To see if the Town will vote to amend the Town of Bourne Bylaws by adding a new Section, **Section 3.1.41 Police Details** to read as follows, or take any action in relation thereto:

Sponsor - Police Department

Section 3.1.41

Police Details

a. Police Traffic Details

1. The Chief of Police or his or her designee shall have the authority to require police traffic details where the passage or flow of pedestrian or vehicle traffic will be impeded, delayed, disturbed, backed-up or rerouted on any public way, alley, highway, lane, court, public square, public place, or sidewalk in the Town of Bourne, and/or where the safety, health and welfare of the general public is concerned.

2. Any establishment, entity or individual operating under a license, and any individual or private entity which produces and operates an event, within the Town of Bourne whose event or operation affects traffic flow in a manner as described in paragraph 1. Above, shall procure at his or her own expenses police details furnished by the Bourne Police Department as the Chief of Police or his or her designee may require in his or her reasonable discretion and shall pay such officers at the prevailing rate.

3. The Chief of Police shall adopt a written criteria consistent with law and these Bylaws for the government, disposition and applicability of this bylaw, including, without limitation, for determining when the safety, health and welfare of the general public is affected by pedestrian and/or traffic flow, and the process to be implemented for procurement of such details.

b. Police Protection Required at Certain Gatherings

The owner, lessee, occupant or person in charge of a public hall, which for the purposes of this Section shall include, but not be limited to, any restaurant, night

club, function hall, entertainment or sporting venue or arcade who leases, rents , causes or permits use of such public hall for compensation or otherwise for the purposes of public or private entertainment, at which alcoholic beverages are served or consumed, whether or not such alcoholic beverages are sold, whether or not an admission fee is charged; or public gatherings of any description whether or not an admission fee is charged, and where the safety and general welfare of the public, fans or participants is concerned, for any group of two hundred persons or cumulative group of three hundred and twenty-five persons or more shall file an application for Police Detail and cause to be I attendance a number of Bourne Police Officers as determined by the Bourne Police Chief to be necessary.

Application for a police detail shall be made to the Bourne Police Department not less than seventy-two hours before the holding of an event requiring such application. Applications shall be in a form approved by the Police Chief, and payment for the Police detail shall be made at a rate of pay established by the Chief or by collective bargaining agreement.

Group definition – individual party of 200 people.

Cumulative group - This is applicable to businesses holding multiple separate functions. When individual parties of 5 people or more in the same business constitute a group gathering of 325 persons or greater the detail requirement goes into effect.

Finance Committee Recommendation

This article is sponsored by the Town of Bourne Police Department for the purpose of placing their general requirements in writing within the bylaws of the Town. Passage of this bylaw will not change any of the current practices of the Police Department that address public safety issues related to traffic details and details at certain public gatherings.

The Finance Committee voted 11-1 to recommend approval of this article.

ARTICLE 24: To see if the Town will vote to amend **Section 3.4.3 Prohibiting Feeding of Waterfowl** of the Town Bylaws by increasing the fine for violation of this Bylaw from \$50.00 to \$100.00 or take any other action in relation thereto.

Sponsor – Bylaw Committee

Finance Committee Recommendation

This change is trying to stop the feeding of waterfowl by increasing the fine from \$50.00 to \$100.00.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 25: To see if the Town will vote to amend the Town Bylaws by deleting “**Article 3.1.4 Railroad and Auto Overpasses**” in its entirety or take any other action in relation thereto.

Sponsor – Susan Baracchini and others

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 26: To see if the Town will vote to amend **Section 3.1.34 Sidewalk Sales** of the Town Bylaws by striking the current subsection c. which reads: “The non-criminal procedures of Section 6.1.2 of the Town of Bourne Bylaws may be used for the enforcement of the provisions of this Bylaw.” and substituting in its place a new subsection c. which reads: “Violation of this Bylaw shall be subject to a fine of \$100 for the first offense and \$300 for each subsequent offense.” or take any other action in relation thereto.

Sponsor – Bylaw Committee

Finance Committee Recommendation

The purpose of this article is to bring certain provisions of the Town Bylaws that stipulate fines in non-criminal procedures into the Sidewalk Sales bylaw. Instead of referring to another bylaw this new language incorporates the fine schedule into the Sidewalk Sales bylaw, making the bylaw clearer and to the point.

The Finance Committee voted 9-1 to recommend approval of this article.

ARTICLE 27: To see if the Town will vote to amend the Town of Bourne Bylaws by adding a new Section, **Section 1.1.11 Two-thirds Votes** to read as follows, or act anything in relation thereto:

Section 1.1.11

Two-thirds votes: If a two-thirds vote of the Town Meeting is required by statute a count shall not be taken unless it is deemed necessary in the discretion of the Moderator.

Sponsor – Bylaw Committee

Finance Committee Recommendation

This new bylaw will streamline the voting procedure at Town Meeting; making the meeting more efficient and help the Town Meeting get their work done in a more timely fashion.

The Finance Committee voted unanimously (10-0) to recommend approval of this article.

ARTICLE 28: To see if the Town will vote to amend **Section 3.4.2 Unsanitary Conditions** of the Town Bylaws by striking the sentence “The maintenance of any nuisance source of sickness is prohibited, and for that purpose due regard shall be paid to the cleanliness of cellars, wells, privy vaults and cesspools.” And substituting in its place the sentence: “The creation and/or maintenance of any nuisance, source of filth, or cause of sickness is prohibited. For that purpose due regard shall be paid to the proper maintenance of all septic systems (Title 5 or cesspools), swimming pools, garbage collection areas, and storage units. Any violation of this section will result in a fine of \$300.00 and each day of offense shall be considered a separate violation.” or take any other action in relation thereto.

Sponsor – Bylaw Committee

Finance Committee Recommendation

This Bylaw change is a simple update to the wording to bring it into the 21st century by removing phrases like privy vaults and specifies the fine for violation of the bylaw.

The Finance Committee voted unanimously (12-0) to recommend approval of this article.

ARTICLE 29: To see if the Town will vote to amend the Town of Bourne Bylaws **Section 1.1.7 Vote by Ballot** by striking said Section in its entirety, and substituting the following new Section in its place, or act anything thereon:

Section 1.1.7

Vote by Ballot. Upon request of 30 registered voters a vote on a main motion shall be taken by secret ballot. The provisions of this Section shall not apply to parliamentary motions.

Sponsor – Bylaw Committee

Finance Committee Recommendation

This bylaw update will now require 30 registered voters to force a secret ballot vote at Town Meeting.

The Finance Committee voted unanimously to recommend approval of this article.

ARTICLE 30: To see if the Town will vote to appropriate a sum of money for the purpose of accepting **proceeds from insurance** for a loss at the Department of Integrated Solid Waste and, to meet this appropriation, to transfer said sum from the insurance recovery fund, or action in relation thereto.

Sponsor – Board of Selectmen

Finance Committee Recommendation

This is a house keeping vote to allow the town to accept and spend proceeds of an insurance check from a truck that was damaged in a covered accident.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 31: To see if the Town will vote to transfer any sums of money received from the **ISWM Host Community Fees** in excess of the budgeted amount into a fund entitled the Capital Expenditure Stabilization Reserve Fund, or take any other action in relation thereto:

Sponsor - Board of Selectmen

Finance Committee Recommendation

Passage of this article will allow any FY13 Host Community Fees generated by ISWM which are in excess of \$475,000.00 to be added to the Capital Expenditures Stabilization Fund that was established at the 2007 Annual Town Meeting.

The Finance Committee voted unanimously (12-0) to recommend approval of this article.

ARTICLE 32: To see if the Town will vote to amend the Town of Bourne Bylaws by adding a new Section, **Section 3.1.42 Unregistered Vehicles** to read as follows:

Section 3.1.42 Unregistered Vehicles

a. No person shall permit more than one unregistered motor vehicle or trailer or major part thereof, except for farm vehicles, to remain ungaraged on any lot owner, occupied or controlled by him/her at any time, unless under a Class 1 or Class 2, or Class 3 license for sale of Motor Vehicles authorized by the Board of Selectmen, or a Department of Public Utility Towing permit. In no event shall an unregistered motor vehicle or trailer or parts thereof, be stored in a front yard, or in the case of a corner lot, in any visible side or rear yard.

b. This Bylaw shall be administered by the Chief of Police. Any person violating any of the provisions of this bylaw shall be fined one hundred dollars (\$100.00) for each offense, and each day of violation shall be considered a separate offense.

Sponsor – Bylaw Committee

Finance Committee Recommendation

This article, recommended by the Bylaw Committee, asks for a new bylaw providing that no more than one unregistered motor vehicle or trailer or major part thereof, except for farm vehicles, shall remain ungaraged.

The Finance Committee voted (7-3) to recommend approval of this article.

ARTICLE 33: To see if the Town will vote to amend the Town Bylaws by adding a new **Section Mooring Permits** to read as follows, or act anything in relation thereto.

Section 3.6.5

Mooring Permits: Mooring permits are transferable to the spouse upon the death of the current holder. The current holder may transfer one and only one mooring permit to his or her sibling, child or grandchild. If a current holder of multiple mooring permits transfers a mooring permit to a sibling, child or grandchild and subsequently transfers mooring permits to his or her spouse the spouse may not transfer further permits to anyone.

Sponsor – John Fisher and others

Finance Committee Recommendation

This new bylaw would allow the transfer of one mooring permit to specified relatives in addition to the surviving spouse.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 34: To see if the Town will vote to authorize the Town Administrator, on behalf of the Town of Bourne, to execute long term **solid waste related**

AGREEMENTS with terms up to 20 years with participating municipalities and companies for the disposal and other disposition of waste as approved by the Massachusetts Department of Environmental Protection and the Town of Bourne Board of Health, through the Department of Integrated Solid Waste Management, or take any other action in relation thereto.

Sponsor – Board of Selectmen

The Finance Committee voted unanimously (12-0) to recommend approval of this article.

ARTICLE 35: To amend the Town of **Bourne Zoning Map** to include the following Lots, Map 24.3 parcels 15, 16 and 23, et al in the Bourne Village, Village Business District, or act anything in relation thereto.

Sponsor –Gregory Siroonian and others

The Finance Committee recommendation will be made at Town Meeting.

See Appendix “C” Supporting Information Page 139

ARTICLE 36: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to **repair and resurface Cheryl Lane, Pocasset** pursuant to petitions submitted by abutters under Section 3.1.28 of the Town of Bourne Bylaws, said funds to be repaid to the Town through betterment assessments to abutters as provided in Section 3.1.28 of the Town of Bourne Bylaws and under Massachusetts General Laws, or take any other action in relation thereto.

Sponsor - Board of Selectmen

Finance Committee Recommendation

The cost of these repairs and resurfacing will be assessed to the abutters based on a formula of frontage on the said roads.

The Finance Committee recommendation will be made at Town Meeting.

ARTICLE 37: To see if the Town will vote to accept the provisions of **MGL Chapter 40 Section 22F**, relative to allowing any municipal board or officer to fix reasonable charges to be paid for the services rendered or work performed.

Sponsor – Finance Director

The Finance Committee recommendation will be made at Town Meeting.

See Appendix "C" Page 146

ARTICLE 38: To see if the town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$25,000.00 for the purpose of conducting a **wage and classification study** to include all employee groups or take any action in relation thereto.

Sponsor – Town Administrator

The Finance Committee recommendation will be made at Town Meeting.

APPENDIX A

FISCAL YEAR 2013

OPERATING BUDGET

APPENDIX B

FISCAL YEAR 2013

CAPITAL BUDGET

APPENDIX C

FISCAL 2013

SUPPORTING INFORMATION

A. Article 8 – Revolving Fund

B. Article 13 – CPC

Item A & B

C. Article 35 – Zoning Bourne Village

D. Long-Term Financial Planning Model

E. Article 37 – Massachusetts General Laws

F. Bourne Rule
