

COMMONWEALTH OF MASSACHUSETTS
TOWN OF MANCHESTER-BY-THE-SEA

ANNUAL TOWN MEETING

Essex, ss.

To any of the Constables of the Town of Manchester-by-the-Sea:

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Manchester-by-the-Sea qualified to vote in elections, to meet for the **Annual Town Meeting** at the Memorial Elementary School on Lincoln Street, in Manchester-by-the-Sea, on **Monday, the 3rd day of April**, two thousand and twenty-three AD, at six thirty o'clock in the evening.

ARTICLE 1. To see if the Town will vote to receive and place on file the reports of the Town boards and committees appearing in the Annual Report; or take any other action relative thereto.

Per petition of the Select Board

ARTICLE 2. To see if the Town will vote to fix the 12-month fiscal year salary and compensation of all elective officers of the Town as provided in Section 108 of MGL Chapter 41, as amended, as follows; or take any other action relative thereto.

Moderator	\$0.00
Chairman, Selectmen	\$0.00
Other four Selectmen	\$0.00

Per petition of the Board of Selectmen

ARTICLE 3. To see if the Town will vote to raise and appropriate or transfer from available funds \$245,081 as the Town's share of the Essex North Shore Agricultural and Technical School District; or take any other action relative thereto.

Per petition of the Select Board

ARTICLE 4. To see what sums of money the Town will raise by taxation or otherwise to pay Town debts and charges for the ensuing 12 months, effective July 1, 2023, and appropriate the same.

Per petition of the Select Board

ARTICLE 5. To see if the Town will vote to raise and appropriate the sums of money called for under the following items, or any other sums, for the purposes indicated, and to determine whether the money shall be provided by taxation, by appropriation from available funds in the Treasury, or by borrowing; or take any other action relative thereto:

Dept.	Item	Requested	Recommended	Funding Source
1. DPW	Road resurfacing	\$400,000	\$400,000	Fund Balance
2. DPW	DPW Facility Design work	\$350,000	\$ 0	
3. DPW	Drainage/Sidewalk Improvements	\$250,000	\$250,000	Fund Balance
4. DPW	Storm Damage Repair	\$ 25,000	\$ 25,000	Fund Balance
5. DPW	General Building Upgrades	\$ 50,000	\$ 50,000	Fund Balance
6. DPW	Seaside 1 HVAC	\$ 8,000	\$ 8,000	Fund Balance

7.	Town Hall	Upgrades inc. IT	\$ 50,000	\$ 50,000	Fund Balance
8.	Town Hall	Voting Booths and Tabulators	\$ 10,000	\$ 10,000	Fund Balance
9.	Land Mgmt	Downtown/3a Planning Studies	\$ 37,500	\$ 37,500	Fund Balance
10.	Land Mgmt	Water Resources Protection Studies	\$ 30,000	\$ 30,000	Fund Balance
11.	Land Mgmt	Hist. District – National Registry Survey	\$ 15,000	\$ 15,000	Fund Balance
12.	Library	Waterproofing and Generator	\$ 45,000	\$ 45,000	Fund Balance
13.	Park/Rec	Chowder House/Restroom Roofs	\$ 35,000	\$ 35,000	Fund Balance
14.	Park/Rec	Brook Str Turf Replacement	\$400,000	\$400,000	Fund Balance & Revolving Fund
15.	COA	Van Replacements (matching grant)	\$ 25,000	\$ 25,000	Fund Balance
16.	Public Safety	Fire Engine Replacement Fund	\$250,000	\$200,000	Fund Balance
17.	Public Safety	Fire Gear Washer/Dryer/Racks	\$ 35,000	\$ 35,000	Fund Balance
18.	Public Safety	Police Tasers	\$ 12,600	\$ 12,600	Fund Balance
19.	Public Safety	Replacement Police Admin Vehicles (2)	\$ 82,200	\$ 82,200	Fund Balance
20.	Public Safety	Fire Station repairs/upgrades	\$ 30,000	\$ 0	(in operating Budget)
21.	Harbor	Dredging Engineering/Permitting	\$ 50,000	\$ 50,000	Waterway Fund
22.	Harbor	Harbor Management Plan	\$100,000	\$100,000	Fund Balance & Waterway Fund
23.	Water	Plant Upgrades/Equipment Replacement	\$200,000	\$200,000	Water Enterprise
24.	Water	Pipe replacement/improvements	\$1,875,000	\$1,875,000	Water Enterprise Retained Earnings & Taxation
25.	Sewer	Plant Upgrades/Equipment Replacement	\$300,000	\$300,000	Sewer Enterprise
TOTAL				\$4,241,300	

Per petition of the Select Board

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Town's assessment from the District for the Gross Operating and Maintenance Budget of the Manchester-Essex Regional School District including debt service - said sum to be calculated solely in accordance with the "Agreement Between the Towns of Essex and Manchester-by-the-Sea, Massachusetts with Respect to the Formation of a Regional School District", as most recently amended, by invoking and approving the provision found in paragraph four of MGL c. 71, § 16B allowing District members "to reallocate the sum of their required local contributions to the District in accordance with the regional agreement", for the fiscal year beginning July first, two thousand twenty-three; or take any other action relative thereto.

Per petition of the Manchester-Essex Regional School Committee

ARTICLE 7: To see if the Town will vote to approve the indebtedness authorized by the Regional District School Committee of the Manchester Essex Regional School District to pay costs of renovating and making extraordinary repairs and other improvements to the District's outdoor athletic facilities, and for the payment of all costs incidental and related thereto, or to take any other action relative in connection therewith.

Per petition of the Manchester-Essex Regional School Committee

ARTICLE 8: To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation budget and to appropriate from the Community Preservation Fund estimated annual revenues a sum of money to meet the administrative expenses and

all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2024; and further to reserve for future appropriation a sum of money from the Community Preservation Fund estimated annual revenues for open space, including land for recreational space, historic resources, and community housing purposes, as well as a sum of money to be placed in the 2024 Budgeted Reserve for general Community Preservation Act purposes; and further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes as recommended by the Community Preservation Committee as follows; or take any other action relative thereto.

1. Community Preservation Committee Expenses (studies, etc.)	(administrative)	\$ 25,000*
2. Trail maps, brochures and digital app	(open space & recreation)	\$ 4,000
3. New Roof for Chowder House and Restrooms, Tuck's Point	(open space & recreation)	\$ 40,000
4. Signs at Coach Field and Sweeney Park	(open space & recreation)	\$ 12,000
5. Picnic Tables at Tuck's Point	(open space & recreation)	\$ 12,000
6. Sound Mitigation for Pickleball Courts	(open space & recreation)	\$ 20,000
7. Lifeguard Chair	(open space & recreation)	\$ 2,100
8. Affordable Housing Trust Project Funding	(community housing)	\$ 200,000
9. Restoration of Town Cemeteries	(historic preservation)	\$ 65,000
10. Library Floodproofing and Generator	(historic preservation)	\$ 45,000
11. Seaside 1 HVAC	(historic preservation)	\$ 8,000
12. Historic Origin of "Masconomo" Sign	(historic preservation)	\$ 3,500
TOTAL		\$ 436,600

(*Administrative amount limited to a maximum of 5% of total annual revenue)

Per petition of the Select Board and the Community Preservation Comm.

ARTICLE 9: To see if the Town will vote to raise and appropriate or transfer from available funds \$289,300 to be deposited into the Town's Other Post Employment Benefits Trust Fund, subject to said appropriation being expended from the Trust Fund only for the purposes authorized by section 20 of Chapter 32B of the General Laws of the Commonwealth of Massachusetts; or take any other action relative thereto.

Per petition of the Board of Selectmen

ARTICLE 10: To see if the Town will vote to amend the General By-laws of the Town by adding to Article IV, Section 11 a new revolving fund pursuant to MGL Chapter 44, Section 53E ½ for the Board of Health/Health Department for expenses, supplies, and contractual services necessary for the operation of emergency dispensing sites and clinics, including medical and non-medical/ancillary personnel. The table in Article IV, Section 11 is proposed to be amended as follows (new language shown in bold):

Program or Purpose	Representative of Board Authorized to Spend	Department Receipts
Costs Associated with Town of Manchester Recreation Programs	Recreation Director	Registration Fees or other funds intended to support the programs offered by the Recreation Department
Costs Associated with the operation and supplies necessary for the operation of emergency dispensing sites and clinics	Health Director/Agent and Public Health Nurse	Insurance and other reimbursements for vaccination clinics or other emergency dispensing sites

and to set the Fiscal Year 2024 spending limitations on expenditures from the revolving fund at \$50,000; or take any other action relative thereto.

Per petition of the Select board and the Board of Health

ARTICLE 11: To see if the Town will vote, pursuant to the provisions of MGL c.44, §53E½ to set the following Fiscal Year 2024 spending limitations on expenditures from the revolving fund(s) set forth in the Town's Revolving Fund By-law, Article IV, Section 11 of the General By-laws:
Program or Purpose: Costs Associated with Town of Manchester-by-the-Sea Recreation Programs; FY2024 spending limit: \$375,000.
Or take any other action relative thereto.

Per petition of the Select Board

ARTICLE 12: To see if the Town will vote to adopt the provisions of MGL Chapter 41, Section 110A allowing for Town offices to be closed on Saturdays, and the provisions of MGL Chapter 4, Section 9 shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday; or take any other action relative thereto.

Per the petition of the Select Board

ARTICLE 13: To see if the Town will vote to rescind MGL Chapter 90, Section 20A establishing parking fines at \$25.00 and adopt MGL Chapter 90, Section 20A ½ establishing parking fines at \$50.00 or as otherwise stated in Section 20A ½; or take any other action relative thereto.

Per the petition of the Select Board

ARTICLE 14: To see if the Town will vote to adopt the provisions of MGL Chapter 148, Section 26I establishing the requirement the any building constructed or substantially renovated to constitute the equivalent of new construction, and is occupied in whole or in part for residential purposes and contains four or more dwelling units including lodging houses, boarding houses, fraternity houses, dormitories, apartments, town houses, condominiums, hotels, motels or group residences, shall be equipped with an approved automatic sprinkler system; or take any other action related thereto.

Per the petition of the Select Board

ARTICLE 15: To see if the Town will vote to grant the Select Board authority to research, develop, and participate in a contract or contracts, to aggregate the electricity load of the residents and businesses in the Town and other related services, independently, or in joint action with other municipalities, retaining the right of individuals and businesses to opt-out of the aggregation; or take any other action relative thereto.

Per the petition of the Select Board

ARTICLE 16: To see if the Town will vote to accept the provisions of MGL c. 40, §42G-I and MGL c 40, §42K allowing for the levy of special assessments to meet the whole or part of the cost incurred of laying water pipes for the conveyance or distribution of water and allowing such assessments of water betterments through the so-called "uniform unit method"; or take any other action relative thereto.

Per the petition of the Select Board

ARTICLE 17: To see if the Town will vote to amend the Zoning By-laws, by adding a new Section 8.6 Adult Entertainment to provide regulations of such establishments by special permit of the Planning Board; or take any other action relative thereto. The full text of the proposed changes is as follows:

8.6 Adult Entertainment Establishments

8.6.1 Purpose and Intent: It is the purpose of this section to establish reasonable and uniform regulations to prevent the concentration of sexually oriented businesses within the Town of Manchester by the Sea in accordance with MGL chapter 272, Section 31 and MGL chapter 40A, Section 9A.; and, it is the intent to promote the health, safety and general welfare of the citizens of Manchester by the Sea; and it is the intent of this section that these provisions be utilized to prevent the problems of blight, deterioration and/or secondary impacts (increased crime, adverse impacts on health, adverse impacts on business climate of the Town, adverse impacts of property values of residential and commercial properties, and adverse impacts on the quality of life in the Town) which typically accompany and are brought about by the concentration of sexually oriented businesses. All of said secondary impacts are adverse to the health, safety and general welfare of the Town and its residents.

Furthermore, the provisions of this By-law have neither the purpose or intent of imposing a limitation on the content of any communicative matter or materials, including sexually oriented matter or materials. Similarly, it is not the purpose and intent of this By-law to restrict or deny access by adults to Adult Entertainment Establishments or to sexually oriented matter or materials that are protected by the Constitution of the United States of America or of the Commonwealth of Massachusetts, nor to restrict or deny rights that distributors or exhibitors of such matter or materials may have to sell, rent, distribute or exhibit such matter or materials. Neither is it the purpose or intent of this By-law to legalize the sale, rental, distribution or exhibition of obscene or other illegal matter or materials.

MGL Chapter 272, Section 31 and MGL Chapter 40A, Section 9A allow a municipality to issue and control special permits for adult bookstores, adult motion pictures theaters, adult paraphernalia stores, adult video stores or establishments which display live nudity.

8.6.2 Definitions: Definitions for this Section shall be as defined in MGL. Chapter 40A, Section 9A and in MGL Chapter 272, Section 31.

8.6.3 Applicability. An Adult Entertainment Establishment may be permitted as set forth in the Table of Use Regulations by special permit of the Planning Board provided a written decision is issued by said Board that the special permit decision criteria of this bylaw have been met.

Adult Entertainment Establishments shall be allowed in the Limited Commercial District as a Special Permit only, provided that the following locational standards, site appearance criteria and other conditions are complied with:

8.6.3.1 No structure containing an Adult Entertainment Establishment shall be permitted within any of Manchester by the Sea's School Zones, 1,000 ft. of the property line of a church or place of worship, parish house or convent, a public, parochial or private school, another structure containing an adult use, a structure proposed to contain an adult use for which a building permit has been applied for, or 400' of a residence or child day care facility. The measure of distance between any Adult Entertainment Establishment and other named point of reference shall be measured in a straight line.

8.6.3.2 No sexually explicit material or advertising shall be visible from outside the building.

8.6.3.3 No private viewing rooms or booths shall be constructed unless one side is always open to a public central area.

8.6.3.4 No one under the age of eighteen (18) shall be permitted inside such a use and a procedure shall be developed to keep those under eighteen (18) from entering the building.

8.6.3.5 Adult Entertainment Establishments which have been established at their existing locations prior to the effective date of this By-Law and which are not in conformity with the requirements of this By-law, may continue to operate until one year after the effective date of this By-law. Thereafter,

unless any such Adult Entertainment Establishment conforms to the provisions of this By-Law, it shall no longer be permitted to operate.

8.6.3.6 Said Board shall prohibit the issuance of such special permits to any person convicted of violating the provisions of MGL section sixty-three of chapter one hundred and nineteen or MGL section twenty-eight of chapter two hundred and seventy-two.

8.6.4. Restrictions on Other Retail Uses.

For those retail uses permitted by right in the General and Limited Commercial Districts which sell sexually explicit goods and paraphernalia but do not meet the 25% thresholds outlined in Section 8.6.2, such goods and paraphernalia shall be located either behind a counter, or in a separate room or enclosure where citizens under the age of 18 are not allowed to enter. Such sexually explicit goods and paraphernalia must be located so that the materials in question are not within view of minors or readily visible to children.

8.6.5 The measure of distance between any adult use and other named point of reference shall be measured in a straight line.

8.6.6 Once established in a permitted location under this Ordinance, an adult use operating as a conforming use is not rendered a non-conforming use by the subsequent location of:

- A. A church or place of worship, parish house or convent within 1,000 ft.
- B. A residence or child day care facility within 400 ft.
- C. A public, parochial, or private school within 1,000 ft. or the designation of a School Zone within 1,000 ft.

8.6.7 Violation of the use provisions of this ordinance is declared to be a public nuisance per se, which shall be abated by the Town by way of civil abatement procedures.

8.6.8 Nothing in this Ordinance is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building or use which violates any Town of Manchester by the Sea bylaw or the Commonwealth of Massachusetts regarding public nuisances, sexual conduct, lewdness or obscene or harmful matter or the exhibition or public display thereof.

8.6.9 If any section, subsection, sentence, clause, phrase, or any portion of this Bylaw is for any reason held to be invalid or unconstitutional by the decision of any court or competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

Per Petition of the Select board and Planning Board

ARTICLE 18: To see if the Town will modify the Zoning Bylaws by amending section 9.1.2: Accessory Dwelling Units in Single Residences Districts A, B, C, and E of the Zoning By-Laws as follows; or take any other action relative thereto:

- 1) Deleting Section 9.1.2.2 (a) ~~“Except in Single Residential District E, the lot size shall be two (2) times the minimum lot size as determined by zoning regulations”~~ and replacing it with a new Section 9.1.2.2 (a) as follows: **Except in Single Residential District E, the lot size shall meet the minimum lot size requirement within the zoning regulations for the district.”**
- 2) Amending Section 9.1.2.2 (b) by deleting ~~“the single family dwelling shall have existed on the lot as of March 1, 1984”~~ and replacing it with **“The single family dwelling shall have existed on the lot with an occupancy permit for five (5) or more years.**
- 3) Adding to Section 9.1.2.2 (d) a second sentence. The new sentence reads as follows: **“The second unit shall be subject to a lease of at least twelve (12) months in duration, pursuant to applicable regulations.”**

Thus, the amended section 9.1.2 is proposed to be as follows with the new wording in bold:

9.1.2 Accessory Dwelling Units in Single Residence Districts A, B, C, and E:

9.1.2.1 An owner or owners of a single-family dwelling in Single Residence Districts A, B, C, and E may apply to the Board of Appeals for a Special Permit for the construction of one accessory dwelling unit in such single family dwelling.

9.1.2.2 After notice and public hearing the Board of Appeals may grant such a permit provided that:

- (a) Except in Single Residential District E, the lots size shall meet the minimum lot size requirement within the zoning regulations for the district.
 - (b) The single-family dwelling shall have existed on the lot with an occupancy permit for five (5) or more years.
 - (c) Off-street parking for at least four (4) vehicles shall be provided in a manner consistent with the character of a single-family dwelling.
 - (d) Either the accessory dwelling unit or the main dwelling shall be occupied by the owner of the property except for temporary absences of up to one year. The second unit shall be subject to a lease of at least twelve (12) months in duration, pursuant to applicable regulations.
 - (e) The construction and occupancy of the accessory dwelling unit will not be detrimental to the neighborhood or injurious to persons or property.
 - (f) The accessory dwelling unit is accessory to the principal residence. The floor area of the accessory dwelling unit will not exceed 35% of the floor area of the principal dwelling and the accessory dwelling unit combined.
 - (g) No exterior changes shall be made which alter the single-family character of the dwelling. Any additions made shall not increase the floor area or volume by more than 10% and shall meet all applicable setback requirements.
 - (h) Adequate provisions shall be made for the disposal of sewage, waste and drainage caused by the occupancy of such dwelling unit.
 - (i) There is no other accessory dwelling unit in the dwelling.
- (Continued as currently in the bylaw . . .)

Per Petition of the Select board and Planning Board

ARTICLE 19: To see if the Town will vote to amend the Zoning By-laws, by adding a new Section 9.3. Senior Housing to provide regulations that allow, by special permit, the development and use of alternative housing and nursing care for seniors and to create health care, housing and other supportive services for the senior populations in all Districts and amending the Table 4.2 Table of Use Regulations to add Senior Housing by Special Permit of the Planning Board in all Districts, or take any other action relative thereto. The full text of the proposed changes is as follows:

1. Adding a row to Table 4.2 Manchester-by-the-Sea Table of Allowed Uses in subsection A, 7. to indicate Senior Housing, subject to footnote 16, as an allowed use by special permit by the Planning Board (PB) in Single Residence Districts A, B, C, and E and Residence Districts D1 and D2, General District and Limited Commercial District, consistent with the following example, with the new row in bold

Use	Districts							
	A	B	C	D1	D2	E	G	LCD(1)
A. Residential								
7. Senior Housing (16)	PB	PB	PB	PB	PB	PB	PB	PB

2. Adding a new footnote in the Notes to Table section of Table 4.2 reading as follows in bold:
Note 16. See Section 9.4 for requirements.”

3. **9.4 SENIOR HOUSING**

9.4.1 Purpose. The objectives of this Section are to achieve the following public purposes:

1. To provide for the development and use of alternative housing and nursing care for seniors.
2. To create home health care, housing and other supportive services for the senior population outside of an institutional setting.
3. To provide housing which is less costly.
4. To provide such accommodations in a manner harmonious with the surrounding land uses while protecting community character, natural resources and open space.

9.4.2 Definitions. See Section 2, "Senior Housing." (already in the bylaw)

9.4.3 Applicability. The Planning Board may grant a special permit for Senior Housing as defined in Section 2 and as set forth in the Table of Allowed Uses, subject to the requirements of this Section.

1. This Section shall not apply to Senior Housing existing on the date of adoption of this Section.
2. An Independent Living Facility as defined in Section 2 located in the Limited Commercial District must be part of a larger complex of Senior Housing (as defined in Section 2) and senior-oriented facilities which may include assisted living, long-term care, nursing, and adult day care programs.
3. Each dwelling unit shall be deed restricted to be occupied by at least one person over the age of 55. All other residents shall be over the age of 18.

9.4.4 Dimensional Requirements and Design Standards. Dimensional requirements and design standards shall be as follows:

1. Minimum Lot Size. The minimum lot size (square feet) shall be that required in the District.
2. Building Height. Any addition or new construction shall not exceed the height restrictions of the District. This shall not preclude the reuse and renovation of existing structures which may exceed this height limit.
3. Building Coverage. The maximum building coverage, including accessory buildings, shall conform to the requirements for new construction or expansion of existing structures in that District.
4. Building Setbacks. Buildings shall have the setbacks required in the District.
5. Setback from Residential Dwellings. All new buildings associated with the Senior Housing Facility shall be no closer than 50 feet from existing residential dwellings; however, with respect to accessory structures not greater than 300 square feet, the Planning Board, in its discretion, may reduce said setback by an amount up to but not greater than 30 feet if it determines that said structure will not adversely impact the use and enjoyment of the existing residential dwelling.
6. Minimum Lot Frontage. The minimum lot frontage shall conform to the requirements of the district where such use is located.
7. Design Standards. In addition to the listed requirements the following shall be required:
 - a. Senior Housing shall be limited to no more than two (2) bedrooms per living unit.
 - b. At least one bedroom and bathroom shall be located on the same floor as the kitchen and living/family room.
 - c. Maximum area shall be 1,200 net square feet for a 2-bedroom unit; 900 net square feet for a one-bedroom unit; and 600 net square feet for a studio unit.
 - d. All units shall be American with Disabilities (ADA) compliant, in accordance with the laws of the Commonwealth of Massachusetts.
8. Town Services. Where available, facilities shall be serviced by public water and sewer of sufficient capacity to serve the project. Any extension and/or replacement

of sewer and/or water lines necessary to provide sufficient capacity shall be the responsibility of the applicant.

9. **Transportation Services.** The operator of the facility shall be encouraged to provide or arrange for transportation to town services and facilities.
10. **Common Open Space:** In the Residence Districts, there shall be an area of contiguous common open space accessible to all residents equal to at least 20% of the lot area. Land set aside for sewage treatment facilities, roadways, driveways, parking areas or wetlands may not be included in the calculation of open space. The Planning Board, in its discretion, may increase this requirement.
11. **Parking.** The minimum number of parking spaces required in Section 6 may be altered by Special Permit.
12. **Access and On-site Circulation.** Adequate on-site circulation shall be provided to and from the site, taking into consideration the adjacent sidewalks and streets and accessibility of the site and building(s) thereon for emergency vehicles. Adequate provision shall be made for off-street loading and unloading requirements of delivery vehicles and passengers using private transportation.
13. **Public Safety.** The facility shall have an integrated emergency call, telephone and other communication system to provide monitoring for its residents. There shall be sufficient site access for public safety vehicles. A plan shall be approved by the Fire Department for the emergency evacuation of residents with emphasis on ensuring the safety of residents with physical impairments. The Planning Board shall consult with the Fire Chief and Chief of Police in its review.
14. **Landscaping.** Landscaping and screening are required to obscure visibility from beyond the boundaries of the premises of parking areas, dumpster locations and loading areas. The minimum setback from all property lines of such parking areas, dumpster locations, and loading areas, except for their points of ingress and egress, shall be 15 feet.
15. **Conversion of Existing Structures.** Applicants are encouraged to convert existing buildings that are no longer needed or suitable for their original use to senior housing facilities. The Planning Board shall consider such conversions if they are compatible with the character of the neighborhood, and which take into consideration the interests of abutters, neighbors and the public, especially where the site abuts a residential area or the building(s) merit preservation. Any non-conformity must be referred to the Board of Appeals for consideration under Section 7 of this Zoning Bylaw.

9.4.5 Accessory Uses. At the sole discretion of the Planning Board during the special permit application, the operator of the Senior Housing Facility may also be permitted to provide optional services on the site for the convenience of residents, including but not limited to transportation, barber/beauty services, sundries for personal consumption, laundry services and other amenities, provided such uses serve primarily the residents and staff of the Senior Housing Facility and the accessory uses shall be wholly within a residential structure and shall have no exterior advertising display. A Senior Housing Facility may also provide adult social day care to nonresident participants as an accessory use.

9.4.6 Special Permit Procedure. The procedure for the granting of a special permit under this Section shall be governed by the relevant sections of this By-laws.”

Per Petition of the Select Board and Planning Board

ARTICLE 20: To see what sum of money the Town will vote to appropriate or transfer from available funds for the purpose of reducing the tax rate; or take any other action relative thereto.

Per petition of the Board of Selectmen

And you are directed to serve this warrant by posting attested copies thereof, one at the Town Hall Building, one at the Police Station, one at the Fire House, one at the Memorial School, and one at the Post Office, twenty-one (21) days, at least, before the time of holding said meeting.

Hereof fail not to make due return of this warrant, with your doings thereon, to the Town Clerk three (3) days before the day of this meeting.

Given under our hands at Manchester-by-the-Sea, aforesaid, this 6thth day of March, 2023.

SELECT BOARD

Rebecca SC Jaques Ann Harrison
Rebecca Jaques, Chair Ann Harrison, Vice Chair

Catherine Bilotta Brian Sollosy John Round
Catherine Bilotta Brian Sollosy John Round

To the Town Clerk:

I have served the foregoing Warrant by posting attested copies thereof as directed by the By-Law of the Town and the Commonwealth.

[Signature] 3/9/23 Heather H. Bucco
Constable Date of Posting Received by Town Clerk