

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF WEBSTER  
ANNUAL TOWN MEETING WARRANT  
October 21, 2013**

Worcester, ss

To either of the Constables in the County aforesaid:

In the name of the Commonwealth of Massachusetts you are hereby required and directed to notify and warn the inhabitants of the Town of Webster aforesaid who are qualified to vote in elections and Town affairs to meet in the Bartlett High School Auditorium, 52 Lake Parkway, in said Webster on **Monday, October 21, 2013 at 7:00 PM** then and there to act on the following Articles to wit:

**ARTICLE 1:** To hear and act upon the report and recommendations of the Board of Selectmen and the Finance Committee.

**Sponsored by the Board of Selectmen – Selectmen recommend approval**

**ARTICLE 2:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient to the Town Administrator Unpaid Bills Account # 0112352 579000 for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 3:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient to the Sewer Unpaid Bills Account # 6046052 579000 for the purpose of funding the payment of prior years' unpaid invoices; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 4:** To see if the Town will vote to transfer the sum of \$10,400 from the Code Enforcement Conservation Agent Salary Account # 0117751 511027 to the Code Enforcement Professional Services Account # 0117752 530000; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 5:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the treasury, a sum sufficient to the Harbormaster Overtime Account # 0129551 513002; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient to the Earned Vacation Payment Account # 0191951 519006 for the purpose of funding the payment of accrued vacation leave to Norma J. Bembenek; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 7:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient to the Unused Sick Leave Payment Account # 0191951 519005 for the purpose of funding the payment of unused sick leave to Norma J. Bembenek pursuant to the provisions of Article 16 of the collective bargaining agreement between the Town of Webster and SEIU Local 888 (Clerks Unit); or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 8:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, the sum of \$22,610 to the Fire Repairs and Maintenance Account # 0122052 524000; or take any action thereon.

**Sponsored by the Fire Department – Selectmen recommend approval**

**ARTICLE 9:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient to the Police Capital Outlay Account # 0121058 580000 for the purpose of funding the replacement of firearms for the department; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 10:** To see if the Town will vote to raise and appropriate or transfer from any available funds in the Treasury, a sum sufficient to the Veterans Benefits Account # 0154352 577000; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 11:** To see if the Town will vote to transfer the sum of \$20,680.18 from Overlay Surplus to the following Provisions for Abatements and Exemptions (Overlay) Accounts for the purpose of funding the abatement of uncollectible real estate receivables:

1999 and Prior	\$4,650.49
2000	\$1,326.53
2001	\$1,361.07
2002	\$1,435.78
2003	\$1,401.81
2004	\$1,348.88
2005	\$1,609.13
2006	\$1,730.74
2007	\$2,857.24
2008	\$1,754.84
2009	\$1,203.67

; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 12:** To see if the Town will vote to transfer the sum of \$63,965.38 from Overlay Surplus to the 1999 and Prior Provisions for Abatement and Exemptions (Overlay) Account for the purpose of funding the abatement of uncollectible tax title receivables; or take any action thereon.

**Sponsored by the Town Accountant – Selectmen recommend approval**

**ARTICLE 13:** To see if the Town will vote to amend Chapter 650, the Webster Zoning Bylaw, by deleting and replacing the existing Section 650.39. Table of Parking Requirements. with the following:

## **650-39. Motor Vehicle Parking and Loading.**

### **1.0 Off Street Parking and Loading Regulations**

All off-street parking and loading space shall be provided and maintained for each structure and use hereafter established, erected, altered or extended in accordance with the provisions of this Chapter.

#### **1.1 Use**

All required off-street parking spaces shall be used solely for the parking of motor vehicles by residents, visitors, patrons or employees. There shall be no commercial sale, repair or storage of vehicles within off-street parking areas.

#### **1.2 Setback Requirements**

A driveway may be included in the front and side yard setbacks, but parking shall not be allowed in the front yard setback (except for single and two-family dwellings).

#### **1.3 Location**

All required parking spaces shall be located on the same or abutting lot as the use they serve. When practical difficulties prevent such location or the public safety or convenience would be better served, they may be located within three hundred (300) feet from the premises they are intended to serve if the following conditions are met:

1.3.1 That the property is in the same possession, either by deed, easement or long-term lease assuring the use of the required parking spaces.

1.3.2 Means of pedestrian access is available so that pedestrians are not required to traverse property owned by another except where public sidewalks may provide the access.

1.3.3 Such separated parking space does not cause unreasonable traffic congestion, detriment to any residential neighborhood or hazard to pedestrian or vehicular traffic.

#### **1.4 Change in Requirements**

Whenever there is a change of use or enlargement of a structure which increases the parking and loading requirements for the use or structure, there shall be provided parking and loading spaces required for the entire structure or use, unless the increase in units of measurement specified in Section 2.0 amounts to less than twenty-five (25) percent, whether such increases occur at one time or in successive stages.

### **2.0 Required Off-Street Parking Spaces**

All uses and structures shall provide off-street parking spaces in an amount equal to or greater than the number listed below. The total number of

parking spaces necessary for two or more uses on the same lot shall be the sum of that required for each use. When computation is based on the number of employees, the number employed during the largest work shift shall be used.

USE	NUMBER OF REQUIRED SPACES
<b><u>Residential Uses</u></b>	
a. Structure with less than four dwelling units.	2 per dwelling unit
b. Structures with four or more dwelling units.	1.5 per dwelling unit
c. Public elderly housing	1.25 per unit with 0 or 1 bedrooms 1.50 per unit with 2 or more bedrooms
<b><u>Commercial Uses</u></b>	
a. All retail and service establishments except those specified below	1 per 250 square feet of retail and service floor area <u>plus</u> 1 per employee
b. Eating and drinking establishments except for fast food and drive-in restaurants	1 per 4 patrons based on maximum design capacity or 1 per 150 square feet gross floor area whichever is greater
c. Fast food and drive-in restaurants	1 per 40 square feet gross floor area
d. Hotels, motels, country inns, rooming and lodging houses and group dwellings	1 per room <u>plus</u> 1 per 4 patrons for restaurants, lounges and meeting rooms based on maximum design capacity
e. Medical, veterinary and dental offices	8 per doctor or dentist
f. Shopping center or mall	1 per 250 square feet gross leasable area
g. Convenience grocery store	1 per 100 square feet gross floor area
h. Drive-up service such as a bank or car wash	1 per employee <u>plus</u> 5 off-street waiting spaces leading to and 1 beyond each service stall
1. Commercial and trade schools	1 per 400 square feet gross floor area
J. Auto service station	1 per employee <u>plus</u> 4 per service stall
k. Furniture stores, contractor's equipment, farm equipment and feed sales, mobile homes and motor vehicle sales	1 per 400 square feet gross floor area <u>plus</u> 1 per 3000 square feet outside sales area

<u>USE</u>	<u>NUMBER OF REQUIRED SPACES</u>
l. Amusement enterprises, including bowling alleys, billiard tables, pinball machines, video games, tennis and racquetball courts	4 per alley, table or court, 1 per machine or game plus 1 per employee
m. Other recreational uses	1 per 4 patrons based on maximum capacity of facility
n. Funeral parlor	1 per 4 patron seats plus 1 per each funeral vehicle plus 1 per employee
 <b><u>Industrial</u></b>	
a. All industrial uses except those specified below	1 per 1.5 employees <u>plus</u> 1 per each company vehicle <u>plus</u> 1 per each 25 required spaces for visitors
b. Auto wrecking, junk and establishments	1 per employee <u>plus</u> 1 per scrap 10,000 square feet of storage area
c. Freight and trucking terminals, wholesale distribution and warehouses, moving and storage, parcel delivery	1 per employee plus 1 per each company vehicle
 <b><u>Public and Quasi-Public Uses</u></b>	
a. Places of public assembly, including churches, auditoriums, meeting rooms and theaters	1 per 4 seats with fixed seats otherwise 1 per 4 patrons based on maximum capacity
b. Hospitals	2 per bed
c. Convalescent, nursing and rest homes	2 per 5 beds
d. Library, museum, gallery or historic site	1 per 800 square feet gross floor area <u>plus</u> 1 per employee
e. Schools	1 per employee plus
Elementary- Junior High	1 per class room
High School	1 per 10 students
Higher Education	1 per 4 students
f. Clubs and Lodges	1 per 3 persons based on maximum capacity
g. Day or Nursery School	1 per teacher/employee plus 1 per 6 students

### **3.0 Design**

Parking areas shall be arranged to provide an adequate, safe and convenient arrangement of roadways, driveways, off-street parking and loading spaces and pedestrian facilities. Parking areas containing more than five (5) parking spaces shall meet the dimensional standards specified in Sections 3.1 and 3.2. Parking plans shall be submitted sufficient for the Building Inspector to determine if the proposed layout properly complies with these standards.

#### **3.1 Dimensions**

All parking spaces shall meet the minimum geometric standards prescribed in Tables A and B. No portion of any parking space shall intrude into the required aisle width. Parking lots shall be designed to permit each motor vehicle to proceed to and from all unoccupied parking spaces without requiring the moving of any other parked motor vehicle. Spaces shall be designed to prevent motor vehicles from backing onto a public street in order to leave the lot.

#### **3.2 Compact Car Parking**

Reduced dimensions for compact cars may be provided if the stalls comply with the dimensions prescribed in Table B. Such spaces shall be well marked and easily distinguished from standard spaces. The maximum number of such stalls shall not exceed thirty (30) percent of the total number of stalls for general public use or fifty (50) percent for employees and commuter facilities.

### **4.0 Construction**

All access driveways and off-street parking and loading areas shall be paved with asphalt, concrete or other similar hard surface material with all parking spaces designated with a four (4) inch white or yellow stripe painted the entire length of each space. The surface shall be graded and drained in such a manner that there will be no free flow of water onto either adjacent properties or sidewalks.

### **5.0 Landscaping**

All parking areas shall be properly screened and landscaped to protect adjacent property from undesirable effects of parking lots and to preserve the appearance and character of the surrounding neighborhoods.

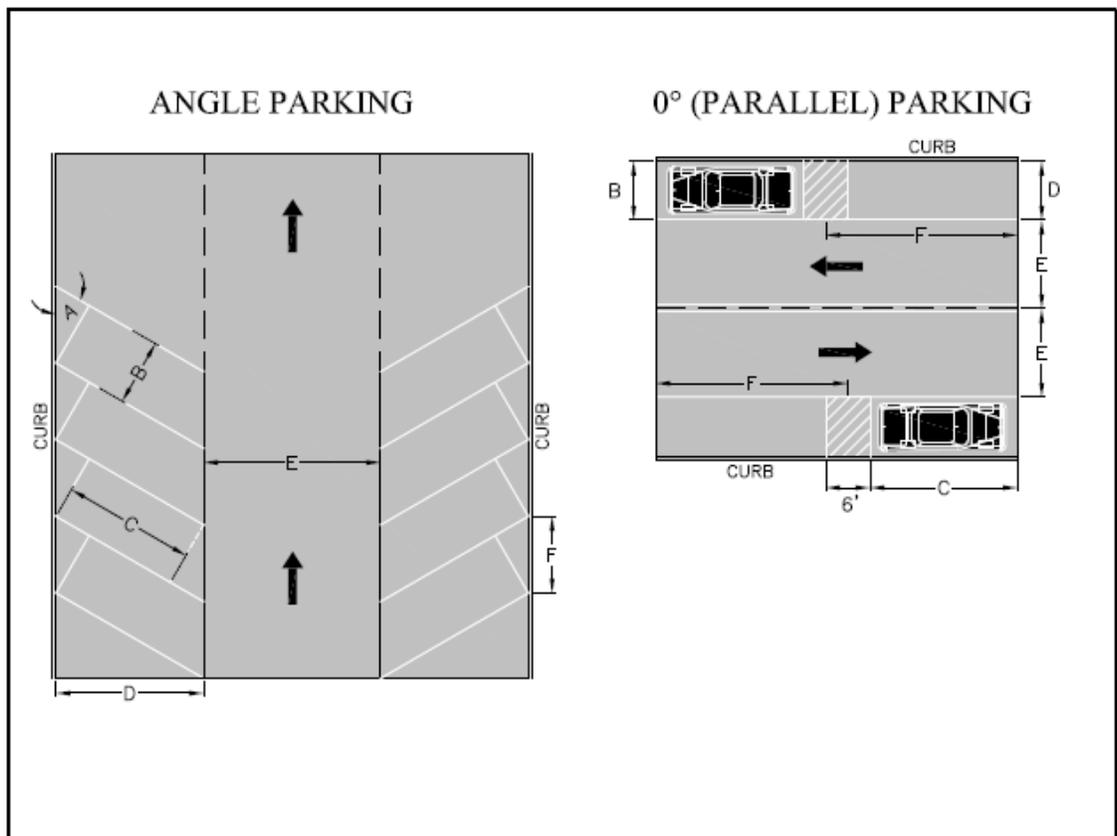
- 5.1 The entire front setback area, except for driveways, shall be landscaped and there shall be a landscaped strip at least five (5) feet in width from other property lines.
- 5.2 Excluding the area required by Section 5.1 above, the landscaped area within the parking lot shall not be less than three (3) percent of the surface area of the parking lot, except for parking lots with two bays or less of single rows, no interior landscaping shall be required.
- 5.3 A minimum of one (1) tree shall be provided within the landscaped areas for each ten (10) parking spaces. Existing trees and natural vegetation shall be retained wherever practicable.

**TABLE A**  
**Minimum Off-Street Parking Area Dimensions**

Parking Angle Per Car	Stall Width	Stall Length	Stall to Curb	Aisle Width**	Curb Length
A	B	C	D	E	E
0	8.0	20.0	8.0	12.0	23
30	9.0	19.0	17.3	11.0	18
45	9.0	19.0	19.8	13.0	12.7
60	9.0	19.0	21.0	18.0	10.4
90	9.0	19.0	19.0	24.0*	9.0

\* Two-way circulation

\*\*Minimum width of traffic aisles for two-way traffic shall be twenty-four (24) feet.



**TABLE B**

**Minimum Off-Street Parking Area Dimensions  
Compact Cars**

Parking Angle Per Car	Stall Width	Stall Length	Stall to Curb	Aisle Width**	Curb Length
A	B	C	D	E	E
0	8.0	16.0	8.0	12.0	20
30	8.0	16.0	14.9	10.0	16
45	8.0	16.0	17.0	11.0	11.3
60	8.0	16.0	17.9	14.2	9.2
90	8.0	16.0	16.0	22.0	8.0

\* Two-way circulation

\*\*Minimum width of traffic aisles for two-way traffic shall be twenty (20) feet.

- 5.4 Any landscaped area shall be bordered by a permanent curb six (6) inches high to restrict the destruction of landscaped areas by vehicles, or as otherwise approved by the Planning Board.
- 5.5 Raised islands shall be installed at the ends of all parking bays abutting an aisle or driveway and landscaped with grass, trees or shrubs and may be combined with crushed stone.
- 5.6 Where a parking area is located adjacent to a residential dwelling, there shall be provided along the lot line a continuous solid fence, masonry wall or evergreen plantings to a height adequate to prevent direct light from automobile headlights being cast on the dwelling.
- 5.7 Adequate lighting shall be provided if the uses which are served by the parking lot will be in operation at night. The lighting shall be directed so as not to produce objectionable glare on adjacent property or streets.

**6.0 Loading Regulations**

For all non-residential uses involving the distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, turning, loading and unloading services in order to avoid interference with public use of streets and alleys.

- 6.1 All loading and delivery facilities shall be located either at the side or rear of buildings they are designed to serve, but not closer than ten (10) feet from a public right of way and five (5) feet from any other lot line.
- 6.2 Each required space shall be at least twelve (12) feet in width, fifty (50) feet in length and have a vertical clearance of at least fourteen (14) feet.

**6.3 Required Loading Spaces**

	<b>At which first berth is required</b>	<b>At which second berth is required</b>
Industrial	5,000	40,000
Commercial Wholesale, Service	10,000	40,000
Retail	10,000	20,000
Commercial Recreation	10,000	100,000
Restaurant	10,000	25,000
Office Building, Hotel, Funeral		
Home	10,000	100,000
Institutional	10,000	100,000
Public Buildings	10,000	100,000

Or take any action thereon.

**Sponsored by the Planning Board – Selectmen refer to Sponsor**

**ARTICLE 14:** To see if the Town will vote to amend Chapter 650, the Webster Zoning Bylaw, by deleting and replacing the existing Section 650.38. Signs. with the following:

**650-38. Signs and Advertising Devices**

**650-38.1 Definitions**

For the purpose of this section, the following terms shall have the following meaning:

- A. Signs and Advertising Devices – Any symbol, design, or device used to identify or advertise any place of business, product, activity or person.
- B. Erecting – Any constructing, extending, altering, or changing of a sign other than repainting, repairing, and maintaining.
- C. Display Area – The total surface area of the sign. The display area of an individual letter sign or irregular shaped sign shall be the area of the smallest geometric shape into which the letters or shape will fit. Where sign faces are placed back to back and face in opposite directions, the display area shall be defined as the area of one face of the sign.
- D. Banners – A strip of cloth or other man-made fabric on which a sign is painted, silk-screened, or printed. The display area shall be defined as the area of one face of the banner. The banner shall not

exceed forty (40) square feet.

- E. Electronic Message Sign or Center: A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

**650-38.2 General Regulations**

The following regulations shall apply in all districts:

- A. No exterior sign or advertising device shall be erected except as provided by this by-law.
- B. No sign or banner which requires a sign permit under this by-law shall be erected except in the exact location and manner described in the permit.
- C. No sign or banner shall be erected that in any way creates a traffic hazard or obscures or confuses traffic control.
- D. The illumination from any sign shall be shaded, shielded, directed, and maintained at a sufficiently low intensity and brightness that it shall not affect the safe vision of operators of vehicles moving within the premises or on any adjacent public or private way.
- E. Any window signs, stickers, banners, or other easily attached advertising devices or signage which advertises or identifies products, businesses, services, or activities which are no longer sold, located, or carried on at the premises shall be removed within thirty (30) days after notice by the Building Inspector. After one month of the above mentioned operational changes, any self standing signage, roof signage, or other permanently attached sign will be changed to a plain white front, or other acceptable alternative as required by the Building Inspector. After one year of the above mentioned operational changes, any self standing signage, roof signage, or other permanently attached sign that is not operational and/or in a state of disrepair, shall be subject to removal as required by the Building Inspector.
- F. Banner use shall be for a period of time not to exceed thirty (30) days; such period requiring a new permit. No property shall qualify for more than six banner permits per year.

**650-38.3 Sign Permits**

- A. No sign which requires a sign permit shall hereafter be constructed except in conformity with a sign permit from the Building

Inspector.

- B. Applicability – All signs shall require a sign permit except as provided in Section 650.38.5.
- C. Application – All applications for signs requiring a sign permit shall be obtained from the Building Inspector and shall include at least:
  - 1. The location by street number of the proposed sign;
  - 2. The name and address of the sign owner and the owner of the premises where the sign is to be located, if other than the sign owner;
  - 3. A scale drawing showing the proposed construction, method of installation or support, colors, dimensions, location of the sign on the site, and method of illumination;
  - 4. Such other pertinent information as the Building Inspector may require to ensure compliance with the by-law and any other applicable law; and
  - 5. The application must be signed by the owner of the sign and the owner of the premises where the sign is to be located.

The Building Inspector shall have the authority to reject any sign permit application which is not complete when submitted.

- D. Time Limitation – The Building Inspector shall approve or disapprove any application for a sign permit within sixty (60) days of receipt of the application. If the Building Inspector should fail to approve or disapprove an application for a sign permit within such sixty (60) day period, the application shall be deemed approved provided that such sign shall conform to all provisions of the bylaw.
- E. Fees – The Board of Selectmen shall establish and from time to time review a sign permit fee which shall be published as part of the sign permit application.

**650-38.4 Signs Prohibited In All Districts**

- A. All billboards.
- B. Signs on utility poles, trees, or fences and all signs not located on the same premises as the advertised activity, business, product, or person.
- C. All signs consisting of pennants, ribbons, streamers, spinners, revolving beacons, searchlights, or animated signs.
- D. No sign shall rotate, or make noise. No sign shall move or give the illusion of moving except for indicators of time and temperature or

barber poles.

- E. No roof signs shall be erected except those roof signs placed at least one (1) foot below the top of the lower slope of a mansard roof.
- F. Mobile Signs – Signs that are placed on a chassis or that are designed to be taken from site to site are not allowed.
- G. Portable Signs – Signs on sidewalks that swing freely, except for A-Frame signs that do not exceed 6 square feet (each side) and do not impede vehicular or pedestrian safety. Portable signs are limited to one sign per business and shall be removed at the close of business each day.
- H. Sign Structures, and operations of such signs shall be grandfathered if such signage has been properly permitted and has maintained its permitted status.

**650-38.5 Signs Which Do Not Require A Sign Permit**

- A. **Resident Identification Sign** – For single and two family residential uses in any district, one identification sign upon a lot identifying the occupants of the dwelling or one sign identifying an authorized home occupation shall not require a Sign Permit. In the residential districts, one sign identifying an authorized home occupation shall not require a Sign Permit. In the residential districts, one sign identifying any other use which is conducted on the premises and is permitted in the residential districts. All such signs shall not exceed six square feet of display area and if lighted, shall use indirect white light only. All such signs shall be placed on the street side only.
- B. **Government Signs** – Signs erected and maintained by the Town of Webster, the Commonwealth of Massachusetts, or the Federal Government on any land, building, or structure used by such agencies and any other signs at any location required by such agencies for public health, safety purposes or other public purposes.
- C. **Temporary Construction Signs** – One temporary construction sign for a new project identifying the building, the owner or intended occupant, and the contractor, architect, and engineers, which shall not be illuminated nor in excess of thirty-two (32) square feet of display area. Such signs shall not be erected prior to the issuance of a Building Permit and shall be removed within seven (7) days of completion of the construction or issuance of the Occupancy Permit, whichever comes first.

- D. **Fuel Pump Signs** – Fuel pump signs on service station fuel pumps identifying the name or type of fuel and price thereof.
- E. **Window Signs** – Window signs in the Business or Industrial Districts shall not require a Sign Permit provided that their aggregate display surface covers no more than seventy-five percent (75%) of the window or door on which they are placed. Such signs shall not be illuminated other than by standard lighting fixtures on the building. Window signs promoting a public service or charitable event shall not be calculated in the allowable seventy five percent (75%).
- F. **Political Signs** – Political signs are allowed on private property for a period beginning sixty (60) days before an election. All signs must be removed within seven (7) days following an election. Signs shall be no more than twenty four (24) square feet in area.
- G. **Real Estate Signs** – Real estate signs are allowed for a period of up to thirty (30) days beyond the closing of sale.
- H. **Service and Charitable Organizations** – Signs announcing fundraising and community service events shall be allowed for a period beginning sixty (60) days before an event. Signs shall be removed within seven (7) days following such event.

**650-38.6** Signs Permitted In The Business and Industrial Districts

Any principal use permitted in the Business and Industrial Districts may erect a sign subject to the following:

- A. **Exterior Sign** – Except as may otherwise be provided, one (1) exterior sign shall be permitted for each business, not including directional or informational signs. The exterior sign may be a wall sign, individual letter sign, or projecting sign.
  - 1. **Wall Sign or Individual Letter Sign** – A wall sign or individual letter sign shall not exceed four (4) feet overall in height. A wall sign or individual letter sign on the front façade on the first floor of a building shall not exceed in area one (1) square foot for each lineal foot of the wall, up to a maximum of forty (40) square feet. The length of signs of businesses occupying other than the first floor of a building shall not exceed six (6) square feet. No portion of a wall sign or individual letter sign shall project more than one (1) foot from the face of a wall or above the wall of any building. A business may divide the entire display area

permitted on one front façade into separate wall signs or individual letter signs provided that the maximum height of each separate sign does not exceed the maximum height permitted herein, and that the sum of the aggregate width and area of each separate sign does not exceed the maximum permitted herein, and that all signage is located on the front façade of the building. Other signage on exterior walls would be considered secondary signage. Any sign larger than forty (40) square feet shall require a special permit from the Planning Board, acting in their capacity as the Special Permit Granting Authority.

2. **Projecting Sign** – One projecting sign may be erected provided that the display area shall not exceed twenty-four (24) square feet and the thickness between sign faces shall not exceed more than one and one-half (1½) feet. No portion of a projecting sign shall project more than six (6) feet from the face of a wall or above the wall of any building. A sign which projects over a sidewalk may not contain more than six (6) square feet of display surface. A business in the Industrial District may erect one projecting sign at each exterior doorway provided that the display area of the sign shall not exceed six (6) square feet and the sign conforms to all other provisions herein.
- B. **Secondary Signs** – If a business has a direct entrance into the business in a wall other than the front wall, there may be a secondary sign affixed to such wall, and if the business has a wall, other than the front wall, that faces upon a street or parking area, there may be a secondary sign affixed to such wall whether or not such wall contains an entrance to the business; provided, however, that no business shall have more than two secondary signs in any event. The total display surface of any secondary signage shall not exceed twenty four (24) square feet. Multiple signage is allowed provided that the total display area does not exceed twenty four (24) square feet.
- C. **Directory Signs** – One exterior directory sign listing the name and location of the occupants of the premises may be erected on the exterior wall or pole of a building at each entrance or other appropriate location provided the display area shall not exceed four (4) square feet for each occupant identified on the directory sign.

- D. **Directional signs** – Directional signs may be erected near a street, driveway, or parking area if necessary for the safety and direction of vehicular or pedestrian traffic. The display area of each directional sign shall not exceed two (2) square feet and no directional sign shall be located more than six (6) feet above the ground level if mounted on a wall of a building, more than three and one-half (3 ½) feet above the ground if free standing. Directional signs shall not advertise, identify, or promote any product, person, premises, or activity, but may identify the street name/number and provide traffic directions.
- E. **Freestanding Business Sign** – One freestanding business sign which identifies only the name of a business center or a business may be erected on a lot provided that no other sign(s) permitted under this by-law other than directory or directional signs shall be on the same lot. The display area of a freestanding business sign shall not exceed twenty-four (24) square feet and the height shall not exceed twelve (12) feet.
- F. No sign shall be erected with any part closer than ten (10) feet from the traveled roadway or side or rear lot lines.

**650-38.7 Electronic Message Sign or Center**

**650-38-7.1 Electronic Message Center signs are allowed by Special Permit.** Elements to be reviewed and regulated in allowing a Special Permit shall include, but not be limited to the following:

- A. Such signs shall display static images only.
- B. Such signs may change their static images no more than once every thirty (30) minutes as a free standing or monument sign or once every five (5) minutes as a wall sign. In addressing this issue, the Planning Board may review sight distances and speed limits on surrounding roads.
- C. Transitions from one static image to the next shall appear instantaneously without the appearance of flashing, animation or movement of any kind.
- D. The background of any Electronic Message Center shall remain a consistent color and intensity from one message to the next.
- E. Such signs shall come equipped with automatic dimming technology that automatically adjusts the sign’s brightness based on ambient light conditions.
- F. No Electronic Message Center sign shall exceed a brightness level

of 0.3 foot candles above ambient light as measured using a foot candle meter at a distance of twenty (20) feet from the display.

- G. There shall be only one (1) Electronic Message Center allowed per property.
- H. No Electronic Message Center shall be located within two hundred (200) feet of any residence.

**650-38.7.2 Landscaping:** The area surrounding the base of all freestanding and monument signs shall be attractively landscaped. This landscaping may include low shrubbery, flowers or other such plantings that will not exceed one and one half (1 ½) feet in height. These plantings will serve to obscure the supporting structure of the sign while adding to the overall appearance of the property.

**650-38.7.3 Site Plan Approval:** All signs shall be included as an element of all Site Plan Approval applications. The application shall include the location, size and height of all signs existing and proposed on the property. Applicants may be required to document signs on adjacent property if the Planning Board determines the circumstances warrant such to reach an informed decision.

**650-38.8 Signs Permitted In The Residential Districts**

- A. In any Residential District having accessory uses permitted in a Residential District, such as mentioned under the definition of Home Occupation or Professional Offices, one (1) sign, per occupation, not over six (6) square feet in area shall be permitted. If lighted, only indirect white light must be used. All such signs shall be placed on the street side only.
- B. In Residential Districts, real estate signs not over six (6) square feet in area advertising the sale or rental of the premises on which they are located are permitted. Real estate signs are allowed for a period up to thirty (30) days beyond the closing of sale.
- C. Political signs are allowed in Residential Districts for a period beginning sixty (60) days before an election. All signs must be removed within seven (7) days following an election.
- D. Resident Identification Sign – For single and two family residential uses in any district, one identification sign upon a lot identifying the occupants of the dwelling shall not require a Sign Permit. All such signs shall not exceed six square feet of display area and if lighted, shall use indirect white light only.
- E. Contractor Signs: One (1) sign no closer than ten (10) feet from any

street or property line may be permitted. Such sign shall be removed no later than fourteen (14) days after the issuance of an occupancy permit. In the event of multiple units or subdivision construction, the removal must follow within fourteen (14) days of the issuance after the last occupancy permit.

**650-38.9 Exceptions**

A. Under extreme and unusual conditions, exceptions may be granted only to the size and setback requirements which are established in the Webster Zoning By-law. These exceptions shall be allowed through Special Permit process with the Planning Board acting as the Special Permit Granting Authority (SPGA). In granting a Special Permit, the SPGA must determine that:

1. The sign in question is appropriately located and reasonably adapted to the proper use.
2. The sign will not be a nuisance or a hazard to vehicles and pedestrians.
3. The granting of such a Special Permit does not derogate substantially from the intent of the By-law.
4. Billboards shall not qualify for a Special Permit under any circumstances.

The proposed sign must meet the above criteria. However the Special Permit Granting Authority is not limited to these criteria in exercising its authority to find a sign inappropriate or unnecessary for a given site. Exceptions are not allowed to be permanent signs, there shall be time limits associated with signs that qualify for an exception. The Planning Board shall establish reasonable fees for application and review under this provision.

**650-38.10 Appeals**

Any appeal hereunder to the Building Inspector regarding signage shall be taken within thirty (30) days from the date of the order or decision which is being appealed, by filing a notice of appeal, specifying the grounds thereof with the Town Clerk who shall forthwith transmit copies thereof to such officers or board whose decision is being appealed and to the Planning Board. Such officer or board shall forthwith transmit to the Planning Board all documents and papers constituting the record of the case in which the appeal is taken; or take any action thereon.

**Sponsored by the Planning Board – Selectmen refer to Sponsor**

**ARTICLE 15:** To see if the Town will vote to amend Chapter 650, the Webster Zoning Bylaw, by deleting and replacing Section 650-42.B. with the following:

- B. Windmills and wind-powered generators must be set back from all lot lines at least the distance equal to the height of the tower from its base on the ground to the highest extension of any part of the windmill or wind-powered generator;

or take any action thereon

**Sponsored by the Planning Board – Selectmen refer to Sponsor**

**ARTICLE 16:** To see if the Town will vote to raise and appropriate, borrow or transfer from any available funds in the treasury, a sum sufficient to be expended under the direction of the Webster School Committee for the Administration Offices Renovation Project at Bartlett Jr-Sr High School, located at 52 Lake Parkway, Webster; or take any action thereon.

**Sponsored by the Webster Public Schools – Selectmen pass over for more information**

**ARTICLE 17:** To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the licensing authority to issue five additional all alcoholic beverages license to be designated for use in the downtown’s “Slum and Blight” Main Street area, which area is shown on a sketch plan on file in the Town Clerk’s office, in the form as set forth below; provided, however, that the General Court shall be authorized to make editorial changes of form only to said bill unless the Board of Selectmen approves amendments prior to enactment, and to authorize the Board of Selectmen to approve such changes as may be within the public purposes of this petition:

An Act Authorizing the Town of Webster to issue Five Additional All Alcoholic Beverages to be Drunk on the Premises Designated for Use in the Downtown’s Slum and Blight” Main Street Area.

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws or of any other general or special law to the contrary, the licensing authority of the town of Webster may issue five additional licenses under section 12 of said chapter 138 for the sale of all alcoholic beverages to be drunk on the premises, which licenses shall be designated for use in the downtown area in said Webster, which area is shown on a sketch plan on file in the Town Clerk’s office entitled “Downtown Webster 2010 Slum & Blight Inventory” and dated September 05, 2013,. The license shall be subject to all of said chapter 138, except said section 17. The licensing authority shall not approve the transfer of the license to any person, organization, or corporation located outside of said designated area.

SECTION 2. This act shall take effect upon its passage.

Or take any other action thereon.

**Sponsored by the Town Administrator – Selectmen recommend approval**

**ARTICLE 18:** To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the licensing authority to issue one additional all alcoholic beverages license to be designated to 41 Worcester Road, as set forth below; provided, however, that the General Court shall be authorized to make editorial changes of form only to said bill unless the Board of Selectmen approves amendments prior to enactment, and to authorize the Board of Selectmen to approve such changes as may be within the public purposes of this petition:

An Act Authorizing the Town of Webster to issue One Addition All Alcoholic Beverages to be Drunk on the Premises of 41 Worcester Road.

SECTION 1. Notwithstanding section 17 of chapter 138 of the General Laws or of any other general or special law to the contrary, the licensing authority of the town of Webster may issue five additional licenses under section 12 of said chapter 138 for the sale of all alcoholic beverages to be drunk on the premises designated to the downtown area in said Webster to a license for the sale of all alcoholic beverages to be drunk on the premises. The license shall be subject to all of said chapter 138, except said section 17. The licensing authority shall not approve the transfer of the license to any other person, organization, corporation or location.

SECTION 2. This act shall take effect upon its passage.  
Or take any other action thereon.

**Sponsored by the Town Administrator – Selectmen recommend approval**

**ARTICLE 19:** To see if Town will vote to accept the remaining portion of Regina Ave 900 ft. in a north westerly direction sta # 4+50 to 13+50. Ending at intersection of Lakeside, Konkell & Ragina Ave S.

**CITIZEN PETITION – Selectmen took no action**

**ARTICLE 20:** To see if the Town will vote to amend the Town of Webster Zoning Map referenced in Section 650-13 of the Code of the Town of Webster by extending the B-4 (Business with Sewer) zone to include a certain parcel of land which is currently zones M.R. (Multi-Family Residential) identified as said estate in the Town of Webster located a 108 Thompson Road in the County of Worcester in the Commonwealth of Massachusetts as shown on the Assessors Plat 28, Lot E6. Said land is currently assessed to Louis Piasta. Said Parcel is described as follows: Beginning at the S.E. corner thereof on the west side of said Thompson Road at a point which is forty (40) feet northerly from the N.E. corner of land formerly of the Maynard; Thence N. 79 degrees 45' W., four hundred and twenty-five feet (425), more or less, in a straight line parallel with forty (40) feet distant northerly at the right angles from a stone wall by land formerly of one Gerber, to the center of the wall running northerly; Thence by the center of said wall northerly by said Gerber land, about two hundred (200) feet, to the end of said wall; Thence continuing in the same direction by land formerly of said Gerber, about one hundred and forty-five (145) feet further, to a point which is about twenty (20) feet southerly from a stone wall running easterly; Thence S. 79 degrees 45" E., about four hundred and fifty (450) feet in a straight line by land formerly of said Gerber, to the west side of Thompson Road, the last eighty-five (85) feet of said line nearest said Thompson Road are the center of a stone wall. Thence, Southerly by the west side of said Thompson Road, about three hundred and forty-five feet, to the point of

beginning, continuing by estimation about three and one-half (3 ½) acres; or take any action thereon.

**CITIZEN PETITION – Selectmen refer to Sponsor**

**ARTICLE 21:** I move that the Town transfer the sum of \$80,000 from free cash to a Special Revenue Account for lake weed treatment to be performed in 2014 and further that the treatment be administered by the Webster Lake Association’s Environmental Committee, or take any action thereto or thereon.

**CITIZEN PETITION – Selectmen refer to Sponsor**

**ARTICLE 22: RESTORING CONSTITUTIONAL GOVERNANCE  
RESOLUTION OF WEBSTER, MASSACHUSETTS**

**WHEREAS,** the Town of Webster, Massachusetts is not a “battlefield” subject to the “laws of war;” and

**WHEREAS,** Federal Judge Katherine Forrest has ruled Section 1021 of the 2012 NDAA is unconstitutional;

**WHEREAS,** the U.S. Supreme Court has ruled that neither Congress nor the President can Constitutionally authorize the detention and/or disposition of any person in the United States, or citizen of the United States “under the law of war” who is not serving “in the land or naval force, or the Militia, when in actual service in time of War or public danger;” and

**WHEREAS,** for the purpose of this resolution, the terms “arrest,” “capture,” “detention under the law of war,” “disposition under the law of war,” and “law of war” are used in the same sense and shall have the same meaning as such terms have in the 2012 NDAA, Section 1021(c); and therefore

**BE IT RESOLVED,** that notwithstanding any treaty, federal, state or local law or authority, enacted or claimed, including, but not limited to, an authorization for use of military force, national defense authorization act, or any similar law or authority enacted or claimed by Congress or the Office of the President directed at any person in Webster, who is not serving “in the land or naval forces, or in Militia, when in actual service in time of War or public danger,” it is unconstitutional, and therefore unlawful for any person to:

- a. Arrest or capture any person in Webster, or citizen of Webster, within the United States, with the intent of “detention under the law of war,” or
- b. Actually subject a person in Webster, to “disposition under the law of war.” or
- c. Subject any person to targeted killing in Webster, or citizen of Webster, within the United States; and be it further

**RESOLVED,** that the Town of Webster requests the Massachusetts State Legislature recognize the duty of the Commonwealth of Massachusetts to interpose itself between unconstitutional usurpations by the federal government or its agents and the people of this state, as well as the duty to defend unalienable natural rights of the people, all of which consistent with our oaths to defend the Constitution of the United States and the

Constitution of the Commonwealth of Massachusetts against all enemies, foreign and Domestic; and be it further

**RESOLVED**, that the Town of Webster, requests our Congressional delegation commence immediately with efforts to repeal the unconstitutional sections of the 2012 NDAA, to wit, section 1021 and 1022, and any other section or provision which will have the same or substantially the same effect on any person in the United States not serving “in the land or naval force, or in the Militia, when actual service in the time of War or public danger.” And be it finally

**RESOLVED**, that Webster, requests our Congressional delegation introduce, support, and secure the passage of legislation which clearly states that Congress not only does not authorize, but in fact prohibits the use of military force, military detention, military trail, extraordinary rendition, or any other power of the “law of war” against any person in the United States not serving “in the land or naval forces, or in the Militia, when in actual in time of War or public danger.” Recognizing our duty to defend the Constitution of the United States and the Constitution of the Commonwealth of Massachusetts, as well as recognizing the duty of the people to protect our unalienable natural rights to “life, liberty, and the pursuit of happiness” as articulated in the Declaration of Independence, we, the Town Meeting of Webster, Massachusetts, do hereby adopt this resolution.

**CITIZEN PETITION – Selectmen refer to Sponsor**

And you are directed to serve this warrant by publishing attested copies thereof in a newspaper published within the Town of Webster at least seven (7) days preceding the meeting and by posting attested copies thereof with the Town Clerk and filing in the Public Library.

Thereof fail not and make due return of your doings thereon to the Town Clerk at the time and place of holding said meeting. Given under our hands this Thirtieth Day of September in the year of our Lord Two Thousand and Thirteen.

**WEBSTER BOARD OF SELECTMEN**

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Deborah A. Keefe, Chairman

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Robert J. Miller, Vice Chairman

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William A. Starzec

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Jeffrey P. Duggan

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Mark G. Dowgiewicz