

TOWN OF MATTAPOISETT

TOWN MEETING WARRANT

ANNUAL TOWN MEETING

MAY 10, 2021

6:30 P.M.

**OLD ROCHESTER REGIONAL
HIGH SCHOOL AUDITORIUM**

**ANNUAL TOWN MEETING
TOWN OF MATTAPOISETT
MAY 10, 2021**

Commonwealth of Massachusetts

Plymouth, ss

To either of the Constables of Mattapoisett, in said County of Plymouth:

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Mattapoisett qualified to vote in Elections and Town Affairs to meet at the Old Rochester Regional High School, located at 135 Marion Road, in said Mattapoisett on Monday, the tenth day of May in the Year 2021 at six thirty in the evening, then and there to act on the following Articles:

ARTICLE 1: ELECTED OFFICERS' COMPENSATION

To see if the Town will vote to fix the salaries of elected officers of the Town for Fiscal Year 2022 as follows:

	<u>CURRENT</u>	<u>PROPOSED</u>
Moderator	270.00	276.00
Board of Selectmen, Chairman	5,600.00	5,715.00
Board of Selectmen, Members – each	5,050.00	5,150.00
Assessor – each	5,050.00	5,150.00
Town Clerk	63,800.00	70,000.00
Board of Health – each	650.00	665.00
Highway Surveyor	90,958.00	75,000.00
Mattapoisett School Committee – each	650.00	665.00
Water/Sewer Commissioner – each	650.00	665.00
Tree Warden	9,690.00	9,885.00
Herring Inspector	930.00	949.00

or take any action relative thereto.

BY VARIOUS BOARDS AND COMMITTEES

ARTICLE 2: GENERAL OPERATING BUDGET

To see if the Town will vote to appropriate the sums of money to defray general operating expense of the Town for Fiscal Year 2022 including debt and interest, the money to be raised by taxation, borrowing or transfer from available funds, or take any action relative thereto.

Amounts to be voted are shown in Attachment "A".

BY VARIOUS TOWN DEPARTMENTS

ARTICLE 3: PAYMENT OF PRIOR YEAR BILLS

To see if the Town will vote to appropriate a sum of \$ 25,699 from Article 35 of the May 2018 Annual Town Meeting for the purpose of paying outstanding invoices for disposal of solid waste materials of past fiscal years or take any action relative thereto.

BY THE BOARD OF HEALTH

ARTICLE 4: APPROPRIATION FOR OPEB LIABILITIES

To see if the Town will vote to appropriate the total sum of \$179,100 to meet the Town's obligations under the Government Accounting Standards Board (GASB) Statement 45 to fund the Town's future obligations for the costs of other post-employment benefits (OPEB) identified by the GASB 45 Report; and as funding therefore, to raise \$150,000 from the Tax Levy, with \$140,000 to be appropriated to the Town of Mattapoisett OPEB Account, and \$10,000 to be paid for the Mattapoisett share of the ORR School Liability, and transfer the sums of \$4,100 from Sewer Retained Earnings and \$25,000 from Water Retained Earnings, to the Town of Mattapoisett OPEB Account for Water and Sewer Enterprise related OPEB Liability or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 5: DEPARTMENTAL REVOLVING FUND AUTHORIZATION

To see if the Town will vote pursuant to MGL c. 44 Sec. 53E ½ for Fiscal Year 2022 to authorize expenditure limits for Revolving Funds for certain departments, as set forth below, or take any action relative thereto.

Revolving Fund	FY Limit
Public Health Nursing Services	\$5,000
Heritage Days	\$10,000
Local Cultural Council	\$5,000
Wood Waste Recycling	\$10,000
Community Farmer's Market	\$7,500

Library Fines	\$10,000
Private Road Maintenance	\$25,000
Fire Alarm Bylaw Penalties	\$10,000
Public Access Channels	\$200,000
COA Programs	\$5,000
School Kiln/Art Project	\$7,500
Center School Clock Maintenance	\$5,000

BY VARIOUS TOWN DEPARTMENTS

ARTICLE 6: CYCLICAL ANNUAL PROPERTY REVALUATION AND TOWN MAPPING

To see if the Town will vote to appropriate the sum of \$36,000 from the Town's Tax Levy for the purpose of funding the Department of Revenue mandated cyclical revaluation of property in Mattapoisett and mapping updates or take any action relative thereto.

BY BOARD OF ASSESSORS

ARTICLE 7: PERSONNEL SCHEDULES

To see if the Town will vote to amend the Town of Mattapoisett Personnel Compensation Schedules, by adding the Personnel Schedules **all as shown in Attachment "E"** or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 8: WATER RESERVE ACCOUNT

To see if the Town will vote to appropriate the sum of \$10,000 from Water Retained Earnings for the purpose of establishing a Reserve for unforeseen expenses of the Department in FY2022 or take any action relative thereto.

BY WATER AND SEWER COMMISSION

ARTICLE 9: SEWER RESERVE ACCOUNT

To see if the Town will vote to appropriate the sum of \$10,000 from Sewer Retained Earnings for the purpose of establishing a Reserve for unforeseen expenses of the Department in FY2022 or take any action relative thereto.

BY WATER AND SEWER COMMISSION

ARTICLE 10: ACCEPTANCE OF REPORT OF CAPITAL PLANNING COMMITTEE

To see if the Town will vote to accept a report of the Capital Planning Committee outlining the needs of the various town departments as to both short and long-term capital equipment, improvements and project needs **all as shown in Attachment "C"** or take any action relative thereto.

BY CAPITAL PLANNING COMMITTEE

ARTICLE 11: CAPITAL PLAN FUNDING

To see if the Town will vote to appropriate the sum of \$479,889, with \$294,889 from Surplus Revenue/Free Cash, \$90,000 from Water Retained Earnings, and \$95,000 from Sewer Retained Earnings, for the purpose of replacing and/or purchasing and /or lease purchasing for terms up to or more than three years, as appropriate, the following items including equipping of vehicles and equipment and as applicable, professional services and all other incidental and related costs all as set forth below:

Local Schools New Phone System	\$42,889
Library Roof and Skylight Repairs	\$18,500
Highway Sidearm Mower Attachment	\$85,000
Fire Department Boat Pontoon Replacement	\$14,500
Long Wharf Grant Match	\$54,000
Local Schools Floor Tile Replacements	\$25,000
Police Department Cruiser	\$55,000

Water Department

Well Upgrades	\$30,000
New Building Design 50% Share	\$25,000
New Truck 50% Share	\$35,000

Sewer Department

Lift Station Updates	\$35,000
New Building Design 50% Share	\$25,000
New Truck 50% Share	\$35,000

or take any action relative thereto.

BY VARIOUS TOWN DEPARTMENTS

ARTICLE 12: ALLOCATION OF REVENUES COMMUNITY PRESERVATION ACT (From Community Preservation Funds)

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY2022 Community Preservation Budget, and to appropriate or reserve from the Community Preservation Act, FY2022 estimated annual revenues to meet the administrative expenses and all other necessary and proper expenses of the Committee for FY2022 and reserve for future appropriation from said annual revenues a sum of money for open space, historic preservation and housing purposes, as well as a sum of money to be placed in the FY2022 Budgeted Reserve all as recommended by the Community Preservation Committee as follows

Appropriate FY2022 Estimated Annual Revenues

Administrative Expenses	\$ 1,000
Debt Service Expense	\$ 50,980

Transfer from FY2022 Estimated Annual Revenues for the Following Reserve Accounts.

Housing	\$ 23,700
Historic Preservation	\$ 23,700
Open Space	\$ 23,700
Budgeted Reserve	\$ 113,920

or take any action relative thereto.

BY COMMUNITY PRESERVATION COMMITTEE

ARTICLE 13: CPA FUNDING MATTAPOISETT HISTORICAL CHURCH/MUSEUM BUILDING

To see if the Town will vote to appropriate from the CPA Historical Fund or CPA Non-Designated Reserve Fund, the sum of \$35,000 as a grant to the Mattapoisett Historic Society purpose of restoration and rehabilitation of the historic old meeting house/museum building at 5 Church Street, including reconstruction of the entrance, stairs and landing to enhance the safety of, and make it more suitable for use for, visitors to the Mattapoisett Museum, including all incidental and related expenses, and to authorize the Select Board to execute a grant agreement with said society and accept any interest in said property, or take any action relative thereto.

BY COMMUNITY PRESERVATION COMMITTEE

ARTICLE 14: CPA FUNDING CUSHING CEMETERY RECORDS MANAGEMENT & MAPPING

To see if the Town will vote to appropriate from the CPA Historical Fund or CPA Non-Designated Reserve Fund, the sum of \$20,000 for the purpose of funding services to digitize burial records; cemetery maps; convert cemetery maps to CAD/GIS files; create a CemeteryFind Account to all web-base access to digitized files; and first year software license fees or take any action relative thereto.

BY COMMUNITY PRESERVATION COMMITTEE

ARTICLE 15: CPA FUNDING ORR PRESS BOX

To see if the Town will vote to appropriate from the CPA Open Space Fund, the sum of \$20,000 for the purpose of funding 1/3 the cost of building a HP accessible access system for the Press Box at the Old Rochester Regional School Athletic Complex, provided, however, that no expenditure of Mattapoisett's share of such funding shall be made unless an equal or greater share of the cost is approved by town meeting action in Rochester and Marion, or take any action relative thereto.

BY COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16: MS4 STORMWATER COMPLIANCE RULES AND REGULATIONS

To see if the Town will vote to amend the Mattapoisett General Bylaws to add the following new section:

The Mattapoisett Board of Selectmen is hereby authorized to promulgate Rules and Regulations as to the Town's compliance with the municipal stormwater management and improvements as they relate to municipally owned stormwater structures, outfalls, and stormwater discharges into waterways. Promulgation of any such Rules and Regulations shall become effective following the holding of a hearing for which no fewer than 7 days-notice is given by posting on the Town website, and in any other way the Board of Selectmen determines is calculated to reach voters and, further, to authorize the Town Clerk, with the approval of the Town Administrator, to assign such bylaw a proper number and to make adjustments to any numbering impacted by such assignment, or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 17: AUTHORIZATION OF USE OF GRANT ANTICIPATION NOTES FOR TOWN PROJECTS

To see if the Town will vote to authorize the various Town departments to use Grant Anticipation Notes for any grant allotted or to be allotted, and have a signed executed contract between the Town and the Commonwealth of Massachusetts and Mattapoisett, further to authorize the Treasurer with the approval of the Board of Selectmen to use Grant Anticipation Notes for the purpose of funding, with reimbursement from the Commonwealth for expenditure of the grant funding, or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 18: ACCEPTANCE OF MEALS TAX STATUTE

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 64L, § 2(a) to impose a local sales tax upon the sale of restaurant meals originating within the Town by a vendor at the rate of .75 percent of the gross receipts of the vendor from the sale of restaurant meals, to take effect October 1, 2021 or take any other action with respect thereto.

BY BOARD OF SELECTMEN

ARTICLE 19: TOWN ROAD IMPROVEMENT PLAN FUNDING

To see if the Town will vote to appropriate the sum of \$450,000 for 75% portion of the design and engineering costs for the following streets, Main Street, Water Street, Beacon Street, and Marion Road, including all incidental and related expenses; and, to authorize the Treasurer, with the approval of the Select Board, to borrow said sum pursuant to G.L.c.44, §§ 7 or 8 or any other enabling authority, and to issue bonds and notes therefor, and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; provided, however, that the appropriation authorized hereunder shall be expressly contingent upon approval by the voters of the Town at an election of a so-called Proposition 2 1/2 debt exclusion question; and, further, that the Board of Selectmen be authorized to enter into such contracts and agreements as shall in its judgment be necessary to effectuate the intent of this article, or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 20: AMENDMENT TO TOWN GENERAL BYLAWS

To see if the Town will vote to amend the Mattapoisett General Bylaws to rename the Board of Selectmen as the Select Board, by deleting, in each instance in which they appear, the words, "Board of Selectmen", "Selectmen", "Selectman" and "Chairman", and inserting, respectively, the words, "Select Board", "Select Board", "Select Board member", and "Chair", and authorize the Town Clerk to make any non-substantive, ministerial revisions to ensure that gender and numerical issues in related text are revised to properly reflect such change in title; and further, to amend Article 1 of the General Bylaws by inserting the following new section:

Section 1.10 For the purposes of this Bylaw and otherwise, the chief executive of the Town of Mattapoisett shall be referred to as the "Select Board" and members of the Board shall be referred to as "Select Board Members". The Select Board shall have all the powers and duties of a "board of selectmen", as defined under clauses Third A and Fifth B of section 4 of Chapter 7 of the General Laws, and as referenced in any other general, special, or local law or regulation.

or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 21: ZONING BYLAW AMENDMENT Flood Maps and Flood Regulations

Article: To see if the Town will vote to amend the Zoning Bylaws to delete in its entirety Article 8 and to add a new Article 8, Regulation of Flood Hazard Areas, to read as follows:

Article 8 – Regulation of Flood Hazard Areas

8.1 Statement of Purpose

The purpose of the Floodplain Overlay District is to:

- 1) Ensure public safety through reducing the threats to life and personal injury
- 2) Eliminate new hazards to emergency response officials
- 3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding
- 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding
- 5) Eliminate costs associated with the response and cleanup of flooding conditions
- 6) Reduce damage to public and private property resulting from flooding waters

8.2 Use of FEMA Maps and Supporting Studies

The Floodplain Overlay District is herein established as an overlay district. The District includes all special flood hazard areas within the Town designated as Zone A, AE, AH, AO, A99, V, or VE on the Plymouth County Flood Insurance Rate Map (FIRM), Panel numbers 25023C 553 K, 25023C 554 K, 25023C 558 K, 25023C 561 K, 25023C 562 K, 25023C 566 K, and 25023C 567 L, dated July 6, 2021 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program, and as shown on the following panels: 25023C 563 J, dated July 17, 2012; 25023C 564 K, dated February 5, 2014; 25023C 568 K, dated February 5, 2014; 25023C 569 J, dated July 17, 2012; 25023C 627 J, dated July 17, 2012; and 25023C 650 J, dated July 17, 2012. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated July 6, 2021. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, Conservation Commission and Board of Selectmen's Office. ***Maps of Areas are listed and viewable on town web page under Planning Board***

8.3 Abrogation and Greater Restrictions

The floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

8.4 Disclaimer of liability

The degree of flood protection required by this Bylaw is considered reasonable but does not imply total flood protection.

8.5 Severability section

If any section, provision or portion of this Bylaw is deemed to be unconstitutional or invalid by a court, the remainder of this Bylaw shall be effective.

8.6 Designation of community Floodplain Administrator

The Town hereby designates the position of the Zoning Enforcement Officer to be the official Floodplain Administrator for the Town.

8.7 Requirement to submit new technical data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s.) Until the Town is notified otherwise, notification shall be submitted to:

FEMA Region I Risk Analysis Branch Chief
99 High St., 6th floor, Boston, MA 02110

And copy of notification to:

Massachusetts NFIP State Coordinator
MA Dept. of Conservation & Recreation, 251 Causeway Street, Boston, MA 02114

8.8 Variances to Building Code Floodplain Standards

The Town, through its Zoning Enforcement Officer, will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The Town, through its Zoning Enforcement Officer, shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced Development in the Floodplain Overlay District.

8.9 Variances to local Zoning Bylaws related to community compliance with the National Flood Insurance Program (NFIP)

All variances to any provisions of this Article 8 or other provisions of these Bylaws, as may be approved by the Zoning Board of Appeals, must comply and be consistent with the National Flood Insurance Program.

Additionally, any variance from the provisions of this Article 8 law or other Bylaw Articles must meet the requirements set out by State law, and may only be granted if: 1) good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

8.10 Permits are required for all proposed development in the Floodplain Overlay District

In addition to the permits, variances, orders, licenses, and other approvals as may be required by applicable local, state, and federal laws and regulations ("Permits"), the Town requires a site plan review and approval from the Planning Board under Section 3.9 of these Bylaws for all proposed construction or other Development in the Floodplain Overlay District, including New Construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other Development that might increase flooding or adversely impact flood risks to other properties.

8.11 Assure that all necessary permits are obtained

Mattapoisett's permit review process includes the use and completion of a Floodplain Development Review Form of all Permits that will be necessary in order to carry out the proposed Development in the Floodplain Overlay District. The proponent must acquire all such necessary Permits and must submit the completed checklist demonstrating that all such necessary Permits have been acquired.

8.12 Subdivision proposals

All subdivision proposals and development proposals in the Floodplain Overlay District shall be reviewed to assure that:

- (a) Such proposals minimize flood damage.
- (b) Public utilities and facilities are located & constructed to minimize flood damage.
- (c) Adequate drainage is provided.

8.13 Base flood elevation data for subdivision proposals

When proposing subdivisions or other Developments greater than 50 lots or 5 acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

8.14 Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other Development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in Floodways.

8.15 Floodway encroachment

In Zones A, A1-30, and AE, along watercourses that have not had a Regulatory Floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in Floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM or Flood Boundary & Floodway Map (choose map which delineates floodways for your community) encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

8.16 Watercourse alterations or relocations in riverine areas

In a riverine situation, the Zoning Enforcement Officer shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, 8th floor
Boston, MA 02114
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

8.17 AO and AH zones drainage requirements

Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

8.18 Recreational vehicles

In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all Recreational Vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

8.19 Protection of dunes

Alteration of sand dunes is prohibited when the alteration would increase potential flood damage.

8.20 Definitions

For purposes of this Article 8, defined terms shall have the meanings provided in Section 2.16 of these Bylaws, the US Code of Federal Regulations, Title 44, International Building Code, Chapter 2, and American Society of Civil Engineers Standards 24. In addition, defined terms for flood zones are provided in the US Code of Federal Regulations, Title 44, Part 64.3.

Or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 22: ZONING BYLAW AMENDMENT Flood Regulation Definitions

To see if the Town will vote to amend the Zoning Bylaws, Article 2, Definitions, by adopting a new Section 2.17 Floodplain Overlay District Definitions and further to amend the Table of Contents to add Section 16 Floodplain Overlay District Definitions to read as follows:

2.16 Floodplain Overlay District Definitions

The following terms are defined for purposes of Article 8 of these Bylaws:

2.16.1 Development means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

2.16.2 Flood Boundary and Floodway Map means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500-year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

2.16.3 Flood Hazard Boundary Map (FHBM.) An official map of a community issued by the Federal Insurance Administrator, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E. [US Code of Federal Regulations, Title 44, Part 59]

2.16.4 Floodplain Development Review Form A checklist of all local, state, and federal permits, variances, orders, licenses, and other approvals which are necessary in order to carry out a proposed Development in the Floodplain Overlay District.

2.16.5 Floodway. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202]

2.16.6 Functionally Dependent Use means a use which cannot perform its intended purpose unless it is located or carried out near water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

2.16.7 Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

2.16.8 Historic Structure means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(1) By an approved state program as determined by the Secretary of the Interior or

(2) Directly by the Secretary of the Interior in states without approved programs.
[US Code of Federal Regulations, Title 44, Part 59]

2.16.9 New Construction. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14]

2.16.10 Recreational Vehicle means a vehicle which is:

(a) Built on a single chassis;

(b) 400 square feet or less when measured at the largest horizontal projection;

(c) Designed to be self-propelled or permanently towable by a light duty truck; and

(d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

2.16.11 Regulatory Floodway - see Floodway.

2.16.12 Special Flood Hazard Area. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

2.16.13 Start of Construction. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

2.16.14 Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59]

2.16.15 Substantial Repair of a Foundation. When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

2.16.16 Variance means a grant of relief under Article 8 by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

2.16.17 Violation means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

Or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 23: TINKHAM HILL ROAD ACCEPTANCE

To see if the Town will vote to accept the layout of Tinkham Hill Road from its present intersection with North Street all as shown on a Plan entitled Plan of Tinkham Hill Road prepared for Town of Mattapoisett dated November 1971 drawn by Arthur C. Thompson, INC. Engineers and Surveyors Marion, NA. to it terminus within the Mattapoisett Transfer Station/Former Landfill Property, and that any property owners who have land that abuts said way shall continue to have all rights of access to and from said property as presently exist within the way, further that the Board of Selectmen is authorized to accept in the form of a gift any authority of others in the roadway for the purposes of use by the public as a town accepted way, or take any action relative thereto.

BY BOARD OF SELECTMEN

ARTICLE 24: TRANSFER OF FUNDS FOR NEW PROJECT FUNDING

To see if the Town will vote to appropriate a sum of money from the unexpended proceeds of the bonds of the Town dated September 18, 2018, a portion of which were issued to reline, repair and improve the sewer main line from Mattapoisett to the Fairhaven Treatment Plant and for improvements to the plant, authorized under the vote of the Town passed May 8, 2017 (Article 24), which project is now complete, and for which no further liability remains, to pay costs of the Eel Pond Design and Pipe Replacement project, or take any action relative thereto.

BY WATER & SEWER COMMISSION

ARTICLE 25: APPROPRIATION OF FUNDING TO PAVE TINKHAM LANE

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of installing drainage, development of a roadbed, and paving the entire unpaved length of Tinkham Lane, or take any action relative thereto.

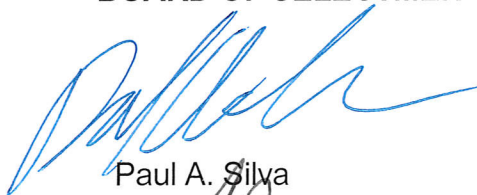
BY CITIZENS PETITION

You are hereby notified to serve this Warrant by posting up attested copies thereof at the several places designated in the Town By-Laws, namely the Mattapoisett Post Office and the Mattapoisett Town Hall, and the Mattapoisett Library seven (7) days at least before the day appointed for said meeting.

Here of fail not and make do return of this Warrant with your doing thereon to the Town Clerk at the time and place of the meeting aforesaid.

Given under our hands this 28th day of April in the year Two Thousand and Twenty-One.

BOARD OF SELECTMEN



Paul A. Silva



Jordan C. Collyer

John N. DeCosta, Jr.