



**ANNUAL TOWN MEETING WARRANT
COMMONWEALTH OF MASSACHUSETTS
May 19, 2025**

Plymouth, ss.

**To the Constable(s) of the Town of Rochester in the County of Plymouth,
Greetings,**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and in Town affairs to meet at the Rochester Memorial School, 16 Pine Street in said Town on Monday, the 19th of May 2025 at seven p.m. (7:00 p.m.) in the evening to act on the following articles:

ARTICLE 1: ANNUAL REPORT OF TOWN OFFICERS AND COMMITTEES

To see if the Town will accept the annual report of all town officers and committees or take any other action relative thereto.

ARTICLE 2: ELECTED OFFICIALS SALARIES

To see if the Town will vote to fix the salaries of the elected officials of the Town for the Fiscal Year 2026 as follows or take any other action relative thereto.

	Previous	Requested Recommended	
	FY2025	FY2026	FY2026
Moderator – Annual Town Meeting	100.00	100.00	100.00
Special Town Meeting	50.00	50.00	50.00
Select Board (3) each member	5,460.00	5,597.00	5,597.00
Board of Assessors (3) each member	7,423.00	5,597.00	5,597.00
Tax Collector	31,543.00	32,332.00	32,332.00
Town Clerk	44,368.00	45,478.00	45,478.00
Tree Warden	1,897.00	2,000.00	2,000.00
Constables (2)	15.00/hr.	15.00/hr.	15.00/hr.
Highway Surveyor	97,375.00	100,785.00	100,785.00
Board of Health Chairman	2,560.00	2,624.00	2,624.00
Board of Health (2) each member	2,138.00	2,192.00	2,192.00

Herring Inspector

544.00

558.00

558.00

**ARTICLE 3: PERSONNEL BY-LAW AMENDMENT – CLASSIFICATION AND
COMPENSATION PLAN**

To see if the Town will vote to amend Part IV, Classification and Compensation Plan, as set forth below, or take any other action relative thereto. (SEE NEXT PAGE)

EFFECTIVE ON JULY 1, 2025 - WITH 2.5% COLA

[illegible]

Category	Position	Wage	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step	Step	MAX
		Range	1	2	3	4	5	6	7	8	9						
D. Support Staff	1. Clerical - Town Clerk	L.	16.68	17.09	17.52	17.96	18.41	18.86	19.33	19.82	20.32						
	2. COA Custodian	M.	17.12	17.54	17.98	18.43	18.89	19.36	19.84	20.35	20.85						20.82
	3. COA Breakfast																
	Program Manager	H.	18.31	18.76	19.23	19.71	20.20	20.71	21.23	21.75	22.30						22.86

ARTICLE 4: TOWN OF ROCHESTER FY2026 OPERATING BUDGET

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to defray Town charges and expenses for the Fiscal Year ending June 30, 2026, or take any other action relative thereto. (SEE NEXT PAGE)

ARTICLE 4

TOWN OF ROCHESTER FY 2026 OPERATING BUDGET

		FY 2024	FY 2025	FY 2026	FY 2026
		APPROPRIATED	APPROPRIATED	DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDATION
GENERAL GOVERNMENT:					
113	Town Meeting				
4-1	Salaries/Wages	468	480	492	492
4-2	Expenses	300	300	300	300
	Total Town Meeting	768	780	792	792
114	Town Moderator				
4-3	Elected Official Salaries	300	300	200	200
4-4	Expenses			150	150
	Total Moderator	300	300	350	350
	FY 2026 Position Breakdown:				
	Moderator \$100 ATM, \$50 STM				
122	Select Board				
4-5	Elected Official Salaries	15,978	16,380	16,791	16,791
	Total Select Board	15,978	16,380	16,791	16,791
	FY 2026 Position Breakdown:				
	Select Board Member ea.	5,326	5,460	5,597	
131	Finance Committee				
4-6	Expenses	300	300	300	300
132	4-7 Reserve Fund	70,000	70,000	70,000	70,000
	Total Finance Committee	70,300	70,300	70,300	70,300
134	Capital Planning Committee				
4-8	Expenses	300	300	300	300
	Total Capital Planning Committee	300	300	300	300
135	Finance Director/Town Accountant				
4-9	Salaries/Wages	163,227	167,284	178,264	178,264
4-10	Expenses	4,350	4,350	4,350	4,350
4-11	Capital	0	0	0	0
	Total Finance Director/Town Accountant	167,577	171,634	182,614	182,614
	FY 2026 Position Breakdown:				
	Finance Director/Town Accountant	82,400	84,460	92,250	
	Assistant Town Accountant	71,422	73,208	75,850	
	Longevity	8,405	8,616	9,164	
	Town Accountant Certification	1,000	1,000	1,000	
140	Information Systems				
4-12	Expenses	174,580	177,160	215,941	215,941
4-13	Capital	0	0	0	0
	Total Information Systems	174,580	177,160	215,941	215,941
141	Board of Assessors				
4-14	Elected Official Salaries	21,723	22,269	16,791	16,791
4-15	Salaries/Wages	185,097	195,309	205,142	205,142
4-16	Expenses	21,313	28,958	29,521	29,521
4-17	Capital	0	0	0	0
	Total Board of Assessors	228,133	246,536	251,454	251,454
	FY 2026 Position Breakdown				
	Board of Assessors (3 members each)	7,241	7,423	5,597	
	Principal Assessor Certification	1,000	1,000	1,000	
	Principal Assessor	85,490	90,257	94,827	
	Salary Full-Time (2)	97,559	102,946	108,153	
	Longevity	1,048	1,106	1,162	

ARTICLE 4					
TOWN OF ROCHESTER FY 2026 OPERATING BUDGET					
		FY 2024	FY 2025	FY 2026	FY 2026
		APPROPRIATED	APPROPRIATED	DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDATION
145	Treasurer				
4-18	Salaries/Wages	124,006	134,753	145,091	145,091
4-19	Expenses	12,095	12,595	13,880	13,880
4-20	Capital	0	0	0	0
4-21	Tax Title Expense	0	0	0	0
	Total Treasurer	136,101	147,348	158,971	158,971
	FY 2026 Position Breakdown:				
	Treasurer	73,550	80,000	84,050	
	Assistant Treasurer Stipend	3,900	3,900	4,500	
	Administrative Assistant	44,830	48,000	53,594	
	Treasurer Certification	0	1,000	1,000	
	Longevity	1,726	1,853	1,947	
146	Tax Collector				
4-22	Elected Official Salaries	30,773	31,543	32,332	32,332
4-23	Salaries/Wages	1,510	1,510	1,510	1,510
4-24	Expenses	16,250	16,450	20,450	20,450
	Total Tax Collector	48,533	49,503	54,292	54,292
	FY 2026 Position Breakdown:				
	Tax Collector	30,773	31,543	32,332	
	Additional Clerical	510	510	510	
	Collectors Fees	1,000	1,000	1,000	
151	Town Counsel				
4-26	Expenses	98,650	106,650	106,000	106,000
	Total Town Counsel	98,650	106,650	106,000	106,000
152	Personnel Board				
4-27	Expenses	200	200	200	200
	Total Personnel Board	200	200	200	200
161	Town Clerk				
4-28	Elected Official Salaries	43,285	44,368	45,478	45,478
4-29	Expenses	4,722	5,078	7,500	7,500
4-30	Capital	0	0	0	0
	Total Town Clerk	48,007	49,446	52,978	52,978
	FY 2026 Position Breakdown:				
	Town Clerk	43,285	44,368	44,368	
	Certification	0	0	0	
	Part-Time Salaries	0	0	0	
162	Elections				
4-31	Salaries/Wages	6,578	10,445	10,445	10,445
4-32	Expenses	8,896	9,426	12,145	12,145
	Total Elections	15,474	19,871	22,590	22,590
	FY 2026 Position Breakdown:				
	Election Workers	4,713	7,845	7,845	
	Detail Officers / Extended Polling	1,865	2,600	2,600	

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TOWN OF ROCHESTER FY 2026 OPERATING BUDGET					
		FY 2024	FY 2025	FY 2026	FY 2026
		APPROPRIATED	APPROPRIATED	DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDATION
163	Board of Registrars				
4-33	Salaries/Wages	9,903	10,449	10,975	10,975
4-34	Expenses	9,083	6,635	8,287	8,287
4-35	Capital	0	0	0	0
	Total Board of Registrars	18,986	17,084	19,262	19,262
	FY 2026 Position Breakdown:				
	Part-Time Salaries	9,903	10,449	10,975	
	Fees	0	0	0	
171	Conservation Commission				
4-36	Salaries/Wages	94,699	97,953	101,099	101,099
4-37	Expenses	3,950	3,950	4,700	4,700
	Total Conservation Commission	98,649	101,903	105,799	105,799
	FY 2026 Position Breakdown:				
	Environmental Planner/Conservation Agent	68,959	70,683	72,451	
	Board Administrator	25,740	27,270	28,648	
	Longevity	0	0	0	
175	Planning Board				
4-38	Salaries/Wages	108,445	112,042	93,148	93,148
4-39	Expenses	6,150	6,150	6,150	6,150
	Total Planning Board	114,595	118,192	99,298	99,298
	FY 2026 Position Breakdown:				
	Town Planner	80,000	82,000	61,500	
	Board Administrator	25,740	27,270	28,648	
	Recording Secretary - Part-time	2,705	2,772	3,000	
176	Zoning Board of Appeals				
4-40	Salaries/Wages	0	0	0	0
4-41	Expenses	1,000	1,000	1,000	1,000
	Total Zoning Board of Appeals	1,000	1,000	1,000	1,000
179	Soil Board				
4-42	Expenses	100	100	100	100
	Total Soil Board	100	100	100	100
192	Town Hall				
4-43	Salaries/Wages	391,921	401,877	362,014	362,014
4-44	Expenses	156,600	168,100	154,500	154,500
4-45	Capital	0	0	0	0
	Total Town Hall	548,521	569,977	516,514	516,514
	FY 2026 Position Breakdown:				
	Town Administrator	135,000	140,000	138,375	
	Administrative Assistant to Selectboard/TA	63,274	67,965	67,819	
	Administrative Assistant - General	42,588	46,511	48,860	
	Stipend - Assistant Town Clerk	0	0	4,500	
	Administrative Assistant - ZBA	43,895	46,511	0	
	Facilities Manager	84,250	86,157	88,975	
	Facilities - Part-time	20,000	10,000	10,000	
	Longevity	2,914	4,733	3,485	
195	Town Hall Annex				
4-46	Expenses	47,400	48,900	48,900	48,900
	Total Town Hall Annex	47,400	48,900	48,900	48,900
	TOTAL GENERAL GOVERNMENT	1,834,152	1,913,564	1,924,446	1,924,446

ARTICLE 4					
TOWN OF ROCHESTER FY 2026 OPERATING BUDGET					
		FY 2024	FY 2025	FY 2026	FY 2026
		APPROPRIATED	APPROPRIATED	DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDATION
PUBLIC SAFETY:					
210	Police				
4-47	Salaries/Wages	1,424,684	1,453,075	1,508,466	1,508,466
4-48	Expenses	221,604	243,003	250,503	250,503
4-49	Capital	61,000	9,000	0	0
	Total Police	1,707,288	1,705,078	1,758,969	1,758,969
	FY 2026 Position Breakdown:				
	Police Chief	132,032	135,000	161,500	
	Sergeant	232,450	234,714	254,422	
	Lieutenant/Captain	97,850	100,750	124,500	
	Full-Time Officers / Stipends	613,000	653,971	622,989	
	Reserve Officers	18,817	5,038	26,000	
	Police Chief Admin. Assist.	31,413	32,962	0	
	Full-Time Office Coverage	44,543	47,822	56,147	
	Shift Differential	15,500	15,500	15,500	
	Benefit Coverage / Overtime	204,679	204,804	244,100	
	Longevity	34,400	22,514	3,308	
220	Fire				
4-50	Salaries/Wages	249,856	261,200	295,741	295,741
4-51	Expenses	198,766	197,766	202,500	202,500
4-52	Capital	0	0	0	0
	Total Fire	448,622	458,966	498,241	498,241
	FY 2026 Position Breakdown:				
	Fire Chief / EMT Stipend/Emerg. Mgmt Stipend	107,802	110,373	117,417	
	Deputy Chief, On-Call	10,300	12,228	12,534	
	Captain, On-Call	6,180	8,063	8,265	
	Lieutenant, On-Call	8,240	11,232	11,513	
	On-Call Firefighters Wages	107,660	109,527	135,953	
	Inspection Fees	5,562	5,562	5,562	
	Longevity	4112	4215	4497	
232	EMT				
4-53	Salaries/Wages	474,004	499,812	512,099	512,099
4-54	Expenses	98,200	94,200	99,842	99,842
4-55	Capital	6,500	6,500	6,500	6,500
	Total EMT	578,704	600,512	618,441	618,441
	FY 2026 Position Breakdown:				
	On-Call Paramedics /EMT's Wages	473,800	499,608	499,608	
	On-Call EMT's Court Time	204	204	204	
241	Building Inspector				
4-56	Inspection Services	9,000	8,000	8,000	8,000
4-57	Salaries/Wages	130,201	140,870	124,524	124,524
4-58	Expenses	4,775	4,775	5,420	5,420
4-59	Capital	0	0	0	0
	Total Building Inspector	143,976	153,645	137,944	137,944
	FY 2026 Position Breakdown:				
	Building Commissioner	85,000	92,250	94,557	
	Administrative Assistant	45,201	47,666	29,967	
	Longevity	0	954	0	
	Inspection Fees	9,000	8,000	8,000	
242/243	Gas/Plumbing Inspector				
4-60	Inspection Services	17,500	17,500	15,000	15,000
4-61	Expenses	800	800	500	500
	Total Gas/Plumbing Inspector	18,300	18,300	15,500	15,500
	FY 2026 Position Breakdown:				
	Inspection Fees	17,500	17,500	15,000	

ARTICLE 4					
TOWN OF ROCHESTER FY 2026 OPERATING BUDGET					
		FY 2024	FY 2025	FY 2026	FY 2026
				DEPARTMENT	FINANCE COMMITTEE
		APPROPRIATED	APPROPRIATED	REQUEST	RECOMMENDATION
244	Weights and Measures				
4-64	Expenses	0	0	1,000	1,000
	Total Weights and Measures	0	0	1,000	1,000
245	Wiring Inspector				
4-62	Inspection Services	16,800	16,800	13,500	13,500
4-63	Expenses	915	915	915	915
	Total Wiring Inspector	17,715	17,715	14,415	14,415
	FY 2026 Position Breakdown:				
	Inspection Fees	16,800	16,800	13,500	
290	Gasoline Account				
4-65	Expenses	100,400	100,400	100,400	100,400
	Total Gasoline	100,400	100,400	100,400	100,400
291	Emergency Management				
4-66	Salaries/Wages	500	500	500	500
4-67	Expenses	1,465	1,465	1,465	1,465
4-68	Capital	0	0	0	0
	Total Emergency Management	1,965	1,965	1,965	1,965
292	Animal Control				
4-69	Service Fees	9,200	9,200	9,200	9,200
4-70	Expenses	3,450	3,700	3,700	3,700
	Total Animal Control	12,650	12,900	12,900	12,900
	FY 2026 Position Breakdown:				
	Animal Control Officer	9,200	9,200	9,200	
294	Tree Warden				
4-71	Elected Official Salaries	1,850	1,897	2,000	2,000
4-72	Salaries/Wages	5,000	5,000	6,500	6,500
4-73	Expenses	23,600	23,600	23,100	23,100
4-74	Capital	0	0	0	0
	Total Tree Warden	30,450	30,497	31,600	31,600
	FY 2026 Position Breakdown:				
	Tree Warden	1,850	1,897	2,000	
	Detail Overtime Wages	5,000	5,000	6,500	
297	Constables				
4-75	Elected Official Salaries	300	300	300	300
4-76	Expenses	100	100	100	100
	Total Constables	400	400	400	400
	FY 2026 Position Breakdown:				
	Constables	300	300	300	
299	Regional Dispatch Center				
4-77	ROCCC Assessment	200,000	200,000	200,000	200,000
	Total Regional Dispatch Center	200,000	200,000	200,000	200,000
	TOTAL PUBLIC SAFETY	3,260,470	3,300,378	3,391,775	3,391,775

ARTICLE 4					
TOWN OF ROCHESTER FY 2026 OPERATING BUDGET					
		FY 2024	FY 2025	FY 2026	FY 2026
		APPROPRIATED	APPROPRIATED	DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDATION
EDUCATION:					
300					
4-78	Rochester Memorial School	6,816,930	7,173,464	7,421,882	7,421,882
	FY 2026 Breakdown:				
	RMS Operating	6,816,930	7,173,464	7,351,882	
	Math Curriculum Program 3 yrs.	0	0	70,000	
4-79	Bristol County Agricultural Assessment	208,564	244,895	284,911	284,911
4-80	Old Rochester Regional Assessment	5,392,520	5,526,283	5,723,546	5,723,546
	FY 2026 Breakdown:				
	ORR Operating	5,122,352	5,265,633	5,671,076	
	ORR Capital Debt	236,414	227,090	19,075	
	ORR Capital Stabilization Fund	33,754	33,560	33,395	
4-81	Old Colony Vocational Technical Assessment	1,513,792	1,694,271	1,884,044	1,884,044
	TOTAL EDUCATION	13,931,806	14,638,913	15,314,383	15,314,383
PUBLIC WORKS:					
421	Highway Surveyor				
4-82	Elected Official Salaries	95,000	97,375	100,785	100,785
	Total Highway Surveyor	95,000	97,375	100,785	100,785
	FY 2026 Position Breakdown:				
	Highway Surveyor	95,000	97,375	100,785	
422	Highway Department				
4-83	Salaries/Wages	376,662	397,282	410,746	410,746
4-84	Expenses	286,780	290,700	295,400	295,400
4-85	Capital	15,000	15,000	15,000	15,000
	Total Highway Department	678,442	702,982	721,146	721,146
	FY 2026 Position Breakdown:				
	Laborers, Foreman	291,512	305,999	321,492	
	Part-Time	42,668	45,679	54,198	
	Overtime wages	20,000	20,500	15,500	
	Detail	10,000	12,000	5,000	
	Longevity	12,482	13,104	14,556	
423	Snow/Ice Removal				
4-86	Salaries/Wages	24,500	24,500	24,500	24,500
4-87	Expenses	95,500	95,500	95,500	95,500
4-88	Capital	20,000	20,000	20,000	20,000
	Total Snow/Ice Removal	140,000	140,000	140,000	140,000
433/434	Solid Waste				
4-89	Contracted Services	351,506	450,000	550,000	550,000
4-90	Expenses	8,000	8,000	8,000	8,000
	Total Solid Waste	359,506	458,000	558,000	558,000
435	Recycling				
4-91	Expenses	0	20,000	20,000	20,000
	Total Recycling	0	20,000	20,000	20,000
450	Water Department				
4-92	Expenses	1,000	1,000	1,000	1,000
	Total Water Department	1,000	1,000	1,000	1,000
491	Cemeteries				
4-93	Expenses	8,650	11,200	11,200	11,200
	Total Cemeteries	8,650	11,200	11,200	11,200
	TOTAL PUBLIC WORKS	1,282,598	1,430,557	1,552,131	1,552,131

ARTICLE 4					
TOWN OF ROCHESTER FY 2026 OPERATING BUDGET					
		FY 2024	FY 2025	FY 2026	FY 2026
		APPROPRIATED	APPROPRIATED	DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDATION
HUMAN SERVICES:					
511	Board of Health				
4-94	Elected Official Salaries	6,667	6,836	7,008	7,008
4-95	Salaries/Wages	80,177	80,121	84,897	84,897
4-96	Expenses	14,290	9,690	9,690	9,690
4-97	Capital	0	0	0	0
4-98	Regional Health District	13,529	20,550	19,860	19,860
	Total Board of Health	114,663	117,197	121,455	121,455
	FY 2026 Position Breakdown:				
	Board of Health, Chairman	2,497	2,560	2,624	
	Board of Health, Member ea. (2)	2,085	2,138	2,192	
	Public Health Nurse	32,732	33,516	34,352	
	Administrative Assistant - Part-time	15,288	16,537	16,945	
	Health Agent	32,157	30,068	33,600	
519	Inspector of Animals				
4-99	Inspection Services	1,700	1,700	1,700	1,700
4-100	Expenses	100	100	100	100
	Total Inspector of Animals	1,800	1,800	1,800	1,800
	FY 2026 Position Breakdown:				
	Inspector of Animals	1,700	1,700	1,700	
541	Council On Aging				
4-101	Salaries/Wages	270,777	272,887	267,482	267,482
4-102	Expenses	93,890	103,050	102,550	102,550
4-103	Capital	0	0	0	0
	Total Council On Aging	364,667	375,937	370,032	370,032
	FY 2026 Position Breakdown:				
	Council on Aging Director	90,000	92,250	94,750	
	Outreach Worker	43,150	45,336	24,151	
	Council on Aging Van Drivers	70,345	71,240	74,857	
	COA Administrative Assistant & Part-Time	40,143	48,849	58,565	
	Longevity	1,726	1,814	0	
	Custodian	25,413	13,398	15,159	
543	Veterans Services				
4-104	Veterans Benefits	63,900	63,900	53,900	53,900
4-105	Assessment	24,027	20,800	24,060	24,060
	Total Veterans Services	87,927	84,700	77,960	77,960
	TOTAL HUMAN SERVICES	569,057	579,634	571,247	571,247
CULTURE & RECREATION:					
610	Plumb Library				
4-106	Salaries/Wages	182,943	185,003	205,276	205,276
4-107	Expenses	75,726	76,425	84,725	84,725
4-108	Capital	0	0	0	0
	Total Plumb Library	258,669	261,428	290,001	290,001
	FY 2026 Position Breakdown:				
	Library Director	72,000	73,000	75,000	
	Library Asst. - Circ & Tech Services	53,937	57,571	60,781	
	Library Asst. - Youth Services	44,558	49,016	51,776	
	Library Page	7,428	0	12,000	
	Longevity	5,020	5,416	5,719	

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TOWN OF ROCHESTER FY 2026 OPERATING BUDGET					
		FY 2024	FY 2025	FY 2026	FY 2026
		APPROPRIATED	APPROPRIATED	DEPARTMENT REQUEST	FINANCE COMMITTEE RECOMMENDATION
630	Park Department				
4-109	Salaries/Wages	6,500	7,000	7,000	7,000
4-110	Expenses	22,100	25,700	25,700	25,700
4-111	Capital	0	0	0	0
	Total Park Department	28,600	32,700	32,700	32,700
	FY 2026 Position Breakdown:				
	Laborer - Part-time	6,500	7,000	7,000	
631	Herring Inspector				
4-112	Elected Official Salaries	530	544	558	558
4-113	Expenses	625	625	625	625
	Total Herring Inspector	1,155	1,169	1,183	1,183
	FY 2026 Position Breakdown:				
	Herring Inspector	530	544	544	
691	Historical Commission				
4-114	Expenses	500	500	500	500
	Total Historical Commission	500	500	500	500
692	Town Events/Celebrations				
4-115	Salaries/Wages	1,500	1,500	1,500	1,500
4-116	Expenses	700	700	700	700
	Total Town Events/Celebrations	2,200	2,200	2,200	2,200
694	Rochester Historic District				
4-117	Expenses	200	200	200	200
	Total Rochester Historic District	200	200	200	200
	TOTAL CULTURE & RECREATION	291,324	298,197	326,784	326,784
FIXED COSTS & OTHER REQUIREMENTS:					
710	Debt Service				
4-118	Principal	755,000	690,000	705,000	705,000
4-119	Long-Term Interest	199,950	173,150	148,250	148,250
4-120	Short-Term Notes	73,800	73,800	0	0
4-121	Short-Term Interest	23,753	25,711	10,000	10,000
	Total Debt Service	1,052,503	962,661	863,250	863,250
830/840	Intergovernmental Assessments				
4-122	SRPEDD/ Buzzards Bay Action Comm.	2,683	2,712	2,712	2,712
	Total Intergovernmental Assessments	2,683	2,712	2,712	2,712
900	Other Fixed Costs				
4-123	County Retirement Assessment	1,149,452	1,250,303	1,443,224	1,443,224
4-124	Unemployment	15,000	15,000	15,000	15,000
4-125	Medicare	139,450	138,816	140,000	140,000
4-126	Employee Group Insurances	1,249,515	1,179,878	1,155,505	1,155,505
4-127	Town Insurances	277,000	292,000	302,000	302,000
4-128	Accumulated Sick Leave Benefit	20,000	20,000	20,000	20,000
	Total Other Fixed Costs	2,850,417	2,895,997	3,075,729	3,075,729
	TOTAL FIXED COSTS & OTHER REQUIREMENTS	3,905,603	3,861,370	3,941,691	3,941,691
	Total General Government	1,834,152	1,913,564	1,924,446	1,924,446
	Total Public Safety	3,260,470	3,300,378	3,391,775	3,391,775
	Total Education	13,931,806	14,638,913	15,314,383	15,314,383
	Total Public Works	1,282,598	1,430,557	1,552,131	1,552,131
	Total Human Services	569,057	579,634	571,247	571,247
	Total Culture & Recreation	291,324	298,197	326,784	326,784
	Total Fixed Costs & Other Requirements	3,905,603	3,861,370	3,941,691	3,941,691
	TOTAL OPERATING BUDGET (Article 4)	25,075,010	26,022,613	27,022,457	27,022,457

ARTICLE 5: SPENDING LIMITS ON REVOLVING FUNDS

To see if the town will vote to fix the maximum amount that may be spent during fiscal year 2026 beginning on July 1, 2025, for the revolving funds established in the town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E½, or take any other action relative thereto.

Authorized Revolving Funds	FY 2026 Spending Limit
Library Materials	\$10,000
Waste and Recycling Program	\$50,000
Hazardous Waste Recovery	\$10,000
Local Cultural Council	\$6,000
COA Programs and Activities	\$10,000
Flu and Medical Clinics	\$25,000
Tax Title	\$2,500
Arbor Funds	\$50,000
Total FY 2026 Spending Limit	\$163,500

ARTICLE 6: NATURAL RESOURCE EXPENSES

To see if the Town will vote to raise and appropriate a sufficient sum of money to fund the following recurring Environmental and Natural Resources expenses or take any other action relative thereto.

FUND FY 2026 NATURAL RESOURCE EXPENSES		
DEPARTMENT	ITEM/PROJECT	
Select Board	Planting of Shellfish (Marion)	\$300
TOTAL ASSESSMENT		\$300

ARTICLE 7: OPEB FUNDING

To see if the Town will vote to transfer from free cash the sum of Fifteen Thousand Dollars (\$15,000) to fund the Town's future obligations for the cost of Other Post-Employment Benefits (OPEB) identified by the Government Accounting Standards Board (GASB) Statement 75 Report or take any other action relative thereto.

ARTICLE 8: CAPITAL IMPROVEMENTS FUND

To see if the Town will vote to transfer from free cash the sum of one hundred and fifty thousand Dollars (\$150,000) to be added to the Capital Improvements Fund or take any other action relative thereto.

ARTICLE 9: CAPITAL PLAN FUNDING

To see if the Town will vote to appropriate from the Capital Improvement Fund the sum of three hundred and sixty-four thousand dollars (\$364,000) for the following capital expenditures or take any other action in relation thereto.

- a) Fire Department – sixty-nine thousand dollars (\$69,000) to purchase a new truck for Fire Chief
- b) Rochester Memorial School – fifty thousand dollars (\$50,000) for asphalt resurfacing of parking lot and playground
- c) Rochester Memorial School – eighty thousand dollars (\$80,000) for playground enhancement
- d) Rochester Memorial School – forty thousand dollars (\$40,000) for audio visual enhancements in the auditorium
- e) Highway Department – one hundred and twenty-five thousand dollars (\$125,000) for new mower for roadside mowing

ARTICLE 10: TO PURCHASE TRACTOR AND MOWER

To see if the Town will vote to transfer from Article 20 of the 2023 Annual Town Meeting the sum of twenty six thousand (\$26,000) for the purchase of a tractor with an attached mower or take any other action in relation thereto.

Explanation: Article 20 of the 2023 Annual Town Meeting appropriated \$26,000 for a grass vacuum but was never purchased. This new tractor and mower will be used to maintain the parks and ball fields.

ARTICLE 11: ROCHESTER MEMORIAL SCHOOL SPECIAL EDUCATION

To see if the Town will vote to transfer from free cash the sum of Two Hundred Thousand Dollars (\$200,000) and authorize the School Superintendent to make the necessary disbursements to the respective school departmental budgets to assist with the special education of students at the Rochester Memorial School or take any other action in relation thereto.

ARTICLE 12: HIGHWAY BARN ROOF REPLACEMENT CAPITAL EXPENDITURE

To see if the Town will vote to transfer from free cash the sum of two hundred thousand dollars (\$200,000) for the replacement of the highway barn roof (200 Ryder Rd.), and related costs, or take any other action relative thereto.

ARTICLE 13: DIGITIZATION OF DOCUMENTS

To see if the Town will vote to transfer from free cash the sum of twenty-five thousand dollars (\$25,000) for the digitization and shredding of documents, and related costs, or take any other action relative thereto.

Explanation: The Town was awarded a grant of \$80,906 through the Community Compact Grant for the purpose of digitizing records. This appropriation will be to supplement the grant.

ARTICLE 14: TOWN TECHNOLOGY UPGRADE FIBER AND CAPITAL

To see if the Town will vote to transfer from free cash the sum of one hundred and fifty thousand dollars (\$150,000) to upgrade the town's information technology system including computer equipment and fiber optic cable network, and related costs, or take any other action relative thereto.

ARTICLE 15: POLICE CRUISER CAPITAL PURCHASE

To see if the Town will vote to transfer from free cash the sum of seventy-eight thousand dollars (\$78,000) for the purchase of a new police cruiser, and related costs, or take any other action relative thereto.

ARTICLE 16: FACILITY MAINTENANCE RESERVE

To see if the Town will vote to transfer from free cash the sum of twenty thousand dollars (\$20,000) to be expended by the Facilities Department to complete maintenance projects, perform preventative maintenance, and to use towards emergency repairs, subject to approval of individual expenditures by the Town Administrator, or by the Select Board for purchases over \$1,000 or take any other action in relation thereto.

ARTICLE 17: PAYOFF OF NON-EXEMPT DEBT

To see if the Town will vote to transfer from free cash the sum of two hundred and sixty thousand dollars (\$260,000) to pay off the ambulance and firetruck on the non-exempt debt schedule or take any other action in relation thereto.

ARTICLE 18: TO FUND CONSULTANTS

To see if the Town will transfer from free cash the sum of Fifty Thousand Dollars (\$50,000) to hire consultants to assist departments with various projects or take any other action in relation thereto.

ARTICLE 19: GRANT MATCH

To see if the Town will transfer from free cash the sum of seventy-five thousand Dollars (\$75,000) for awarded grant matching purposes or take any other action in relation thereto.

ARTICLE 20: RESCIND AMBULANCE BORROWING AUTHORIZATION

To see if the Town will vote to rescind the previously approved borrowing authorization for the purchase of an ambulance and related equipment as approved on the May 23, 2022 Annual Town Meeting, Article 13, with the unissued amount of \$380,000, or take any other action relative thereto.

ARTICLE 21: MILITARY LEAVE POLICY

To see if the Town will vote to amend Section XIV Section 1, of the Personnel By-law by striking Section 1 in its entirety and inserting in place thereof the following:

Section 1. MILITARY PAY FOR PUBLIC EMPLOYEES

1. PURPOSE:

The Town of Rochester recognizes the patriotic service rendered by those employees who belong to the military reserve units and active military duty. The purpose of this policy is to ensure that the rights of employees who are reservists, National Guard Members, or who leave Town service to enter the Armed Forces have protected leave. Special Town Meeting of January 22, 2024, Article I, accepted the provisions of M.G.L. Chapter 33, § 59. This Section is intended to be consistent therewith.

2. APPLICABILITY:

This policy applies to all full-time and permanent part-time public employees for the Town of Rochester who are in service of the Armed Forces of the Commonwealth or a reserve component of the Armed Forces of the United States.

3. DEFINITIONS & M.G.L. CHAPTER 33 REFERENCES:

Active Duty: That period during which an employee is officially called up for military service and subsequently unable to report to work.

Initial Active

Duty Training: That training period completed by a reservist or National Guard member on an on-going basis such as weekend drills.

Inactive Duty

Training: That training which is performed by a reservist or National Guard member on an on-going basis such as weekend drills.

National Guard: An organized unit of the ready reserve of a State or Commonwealth jointly maintained by the federal or state government subject to the call of either.

Reserve Forces: An organized unit of the ready reserve of the Armed Forces of the United States of America: the Coast Guard, the Navy, the Marine Corps, the Army, or the Air Force.

USC: United States Code

M.G.L. C.33, § 59: Effect of military service on salary, seniority and leave allowances of public employees.

M.G.L. C.33, § 13: Entitlement to rights, protections, privileges and immunities afforded under the uniformed services employment and reemployment rights act; action against private employer; service time exempted from calculation of cumulative period of absence from a position of employment.

M.G.L. C.33, §38: Use of militia; escort duties; emergencies.

M.G.L. C.33, §40: Use of militia; invasion or insurrection.

M.G.L. C.33, §41: Aid by armed forces to the civil authority in cases of riot, natural disaster or catastrophe or when necessary to preserve order and afford protection to persona and property; powers and duties of military police forces of the National Guard.

4. POLICY:

4.1 Pursuant to M.G.L. Chapter 33, § 59(a), a public employee in the service of the Armed Forces of the Commonwealth or a reserve component of the Armed Forces of the United States shall be entitled to receive pay without loss of ordinary remuneration as a public employee during service. This includes service in the uniformed services, annual training as described under M.G.L. Chapter 33, § 60, or drills and parades as described under M.G.L. Chapter 33, § 61, not exceeding forty (40) days in any federal fiscal year. No such employee shall lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime.

4.2 Pursuant to M.G.L. Chapter 33, § 59(b), a public employee in the service of the Armed Forces of the Commonwealth under M.G.L. Chapter 33, § 38, 40 or 41 shall be entitled to receive pay without loss of ordinary remuneration and shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime during the first thirty (30) days of any mission. Thereafter, any such ordinary remuneration shall be reduced by any amount received either from the United States or the Commonwealth as base pay for military service performed during the same pay period. No such employee shall lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime. National guard duty performed under Title 32 of the USC shall not be deemed service in the Armed Forces of the Commonwealth under M.G.L. Chapter 33, § 38, 40 or 41 for the purpose of this section.

4.3 Pursuant to M.G.L. Chapter 33, § 59(c), a public employee in the Armed Forces of the Commonwealth performing duties under Titles 10 or 32 of the USC shall be paid the regular base salary as a public employee for each pay period of such military leave of absence. This is to be reduced by any amount received either from the United States or the Commonwealth as base pay for military service performed during the same pay period. No such employee shall lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime.

4.4 Pursuant to M.G.L. Chapter 33, § 59(d), a public employee in a reserve component of the Armed Forces of the United States, who is ordered to service for more than thirty (30) consecutive days shall be paid the regular base salary as a public employee for each pay period of such military leave of absence. This is to be reduced by any amount received either from the United States or the Commonwealth as base pay for military service performed during the same pay period. No such employee shall lose any seniority or accrued vacation leave, sick leave, personal leave, compensation time or earned overtime.

For the purposes of clarification for the above, "base pay for military service" shall not include any housing, incentive, bonus, skills pay, allowance or other stipend or benefit paid to the employee for their military service pursuant to M.G.L. Chapter 33, § 59 (f).

5. **PROCEDURE:**

A public employee who learns that they are required to attend reserve military training must notify the Town Administrator in writing as soon as practicable. They must also advise the Town Administrator of the expected duration of the training and their anticipated date of return. It is the employee's responsibility to provide documentation of base pay received by the Commonwealth or United States government during those pay periods for the purposes of the reduction. It is the employee's responsibility to submit a copy of the military orders upon the request of the Town Administrator.

An employee shall be paid the regular base salary as a public employee for each pay period of such military leave of absence, reduced by any amount received either from the United States or the Commonwealth as base pay for military service performed during the same pay period and shall not lose any seniority or accrued vacation leave, sick leave, personal leave, compensation time or earned overtime during such service.

6. **REEMPLOYMENT POLICY:**

The Town shall adhere to the requirements of Uniformed Services Employment and Reemployment Rights Act ("USERRA").

ARTICLE 22: HOME RULE PETITION - FIRE CHIEF

To see if the Town will vote to authorize the Select Board to file a Home Rule Petition to continue the employment of the Fire Chief beyond the mandatory retirement age, in substantially the form provided herein, subject to clerical and editorial changes, and to authorize the Select Board to approve such amendments that are within the scope of the general public objectives of the petition, or take any other action relative thereto.

Section 1: Notwithstanding chapter 32 of the General Laws or any other general or special law to the contrary, Scott Weigel, chief of the fire department of the town of Rochester, may continue in service in such position until he reaches the age of 70; provided, however, that he is mentally and physically capable of performing the duties of such position. The town of Rochester may, at its own expense, require Scott Weigel to undergo an annual examination by an impartial physician designated by the town to determine his capability to remain in service. No further deductions shall be made from the regular compensation of Scott Weigel under said chapter 32 for any service subsequent to his reaching 65 years of age and, upon retirement, Scott Weigel shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired at 65 years of age.

Section 2: This Act shall take effect upon its passage.

ARTICLE 23: HEALTH INSURANCE OPT OUT POLICY

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

Add Section XVI: Health Insurance Opt Out Policy

Eligibility and Requirements:

- To be eligible for the opt-out incentive, employees must have been covered by the Town's health insurance plan for a minimum of 12 months prior to receiving this benefit within the first year the policy is adopted. In subsequent years, employees will have to be enrolled on the Town's plan for at least 24 months.
- Employees must provide written documentation of alternate medical coverage outside of the Town's group plans, including coverage dates and the names of all covered individuals. Employees wishing to enroll in the opt out program must enroll no later than May 15 for the upcoming fiscal year.

Opt-Out Process:

- Employees who opt out of the Town's health insurance may re-enroll within 30 days of a qualifying event. A qualifying event shall mean a loss of alternate medical coverage outside of the Town's group plans, for reasons beyond the employee's control (for example: employee reaches age twenty-six (26) and is no longer eligible to remain on parent's health insurance plan; spouse loses job providing alternate medical coverage). If an employee re-enrolls in the Town's group health insurance plan, due to a qualifying event, the employee shall not be entitled to the remaining opt-out payments for the fiscal year.
- A spouse cannot opt out of their own health plan and join the Town's plan under their spouse's name to become eligible for the opt-out incentive.
- Changing from a family to an individual plan does not qualify for the opt-out incentive.
- Employees must commit to the opt-out program for the entire fiscal year, with a provision that if they experience a qualifying event during the year and need to enroll in the Town's health coverage. Also, if an employee leaves employment or loses benefit-eligible status for any reason during the fiscal year, they would not be entitled to the remaining opt-out incentive payments.

Payment:

- An eligible employee will receive an annual opt-out incentive in the amount of \$2,000/\$4,000 (single plan/family plan) for the first year of participation in the opt-out program (one time only, per enrollee). For subsequent years of participation in the opt-out program, the employee will receive an annual incentive in the amount of \$1,000/\$2,000 (single plan/family plan).
- The opt-out incentive will be paid in equal installments, each pay period during the fiscal year. The opt-out incentive will be processed through payroll, with the required tax withholdings.

Error and Reimbursement:

- If an employee receives the opt-out incentive in error due to not meeting the eligibility criteria, they will be required to reimburse the Town for the full amount of the incentive received by the employee.

Dispute Resolution:

- Any disputes or issues arising regarding enrollment periods, rules, and regulations related to the implementation of the opt-out program shall be reviewed and determined by the Town Administrator, whose decision shall be final and not subject to the grievance process under the Town's Personnel Bylaw.

ARTICLE 24: ELECTED OFFICIALS

To choose by ballot all necessary officers for the ensuing year, viz; one member of the Select Board for three years; one Highway Surveyor for three years; one member of the Board of Health for three years; one member of the Board of Assessors for three years; one member of the Board of Assessors for one year; two members of the Plumb Library Board of Trustees for three years; one member of the Park Commissioner for three years; one member of the Rochester Memorial School Committee for three years; one member of the Water Commission for three years; two members of the Planning Board for 5 years; two members of the Constables for 3 years.

ARTICLE 25: TO SEE IF THE TOWN WILL VOTE TO AMEND SECTION 21.60 OF THE ROCHESTER ZONING BY-LAW AND DISTRICT MAP AS FOLLOWS, OR TAKE ANY OTHER ACTION RELATIVE THERETO:

(New language in ***bold italics*** and deleted language in ~~strikethrough~~)

SECTION 21.60: Cranberry Highway Smart Growth Overlay District (CHSGOD)

1.0 Purpose. It is the purpose of this Section to establish a Cranberry Highway Smart Growth Overlay District (CHSGOD), to encourage Smart Growth in accordance with the purposes of G. L. c. 40R and the regulations promulgated thereunder at 760 CMR 59.00 *et seq.*, and to foster a range of housing opportunities to be proposed in a distinctive and attractive site development program that promotes compact design, preservation of open space, and a variety of transportation options, including enhanced pedestrian access to employment and consumer goods and services. Other objectives of this Section are to:

1. Promote the public health, safety, and welfare by encouraging diversity of housing opportunities;
2. To promote mixed use and economic development that is safe and pedestrian friendly;
3. Increase the production of rental and/or ownership housing units to meet existing and anticipated housing needs;
4. Provide a mechanism by which residential development can contribute directly to increasing the supply and diversity of housing;
5. Establish requirements, standards, and guidelines, and ensure predictable, fair and cost-effective development review and permitting;

6. Establish development standards to allow high quality design and creative site planning;
7. Enable the Town to receive Zoning Incentive Payments and/or Density Bonus Payments in accordance with G.L. Chapter 40R, 760 CMR 59.06, and additional Chapter 70 aid in accordance with G.L. Chapter 40S arising from the development of housing in the CHSGOD.

2.0 Definitions. For purposes of this Section, the following definitions shall apply. All capitalized terms shall be defined in accordance with the definitions established under the Governing Laws or this Section 2.0. To the extent that there is any conflict between the definitions set forth in this Section and the Governing Laws, the terms of the Governing Laws shall govern. Any term not defined in this Subsection or the Governing Laws shall be subject to its common law definition unless a specific definition is otherwise expressly approved by ~~DHCDEO~~**HLC** for use under this Section, in which case, until such time that ~~DHCDEO~~**HLC** has confirmed the eligibility of at least 201 Bonus Units, any amendment to such definition shall not be applicable under this Section unless expressly approved by ~~DHCDEO~~**HLC**.

Affordable Unit or Affordable Housing or Affordable Housing Unit: An Affordable Rental Unit or an Affordable Homeownership Unit that is affordable to and occupied by an Eligible Household and is approved by the ~~Department of Housing and Community Development~~**Executive Office of Housing and Livable Communities** for inclusion in the Town of Rochester's Chapter 40B Subsidized Housing Inventory.

Affordable Rental Unit: A Dwelling Unit required to be rented to an Eligible Household in accordance with the requirements of Subsection 4.0 of this section.

Affordable Homeownership Unit: A Dwelling Unit required to be sold to an Eligible Household in accordance with the requirements of Subsection 4.0 of this section.

Affordable Housing Restriction: A deed restriction of one or more Affordable Units required to be affordable in accordance with the requirements of Subsection 4.0 of this section, in perpetuity or the maximum period allowed by law, meeting statutory requirements in G.L. c. 184 Section 31 and the requirements of Subsection 4.0 of this section.

Applicant: The individual or entity that submits a Project for Plan Approval.

As-of-right: A residential, commercial or mixed-use that is developable as-of-right if it may be developed under the Underlying Zoning or Smart Growth Zoning without recourse to a special permit, variance, zoning amendment, or other form of zoning relief. Units developed as part of a Project that requires Plan Approval shall be considered As-of-right Units, subject to review and approval by the Department of the proposed Smart Growth Zoning under 760 CMR 59.00.

*Department/~~DHCDEO~~**HLC**:* The ~~Department~~**Executive Office** of Housing and Community Development/**Livable Communities** of the Commonwealth of Massachusetts (~~DHCD~~)(**EOHLC**) or any successor agency.

Developable Land: The “Developable Land,” as the term is defined in 760 CMR 59.00, is available for residential development within the CHSGOD. Developable Land shall not include:

1. Substantially Developed Land;
2. Open Space;
3. Future Open Space;
4. the rights-of-way of existing public streets, ways and transit lines;
5. land currently in use for governmental functions (except to the extent that such land qualifies as Underutilized Land); or
6. areas exceeding one-half acre of contiguous land that are:
 - a. protected wetland resources (including buffer zones) under federal, state or local laws;
 - b. rare species habitat designated under federal or state law;
 - c. characterized by steep slopes with an average gradient of at least fifteen percent; or
 - d. subject to any other local ordinance, bylaw or regulation that would prevent the development of residential projects at the as-of-right density set forth in the Smart Growth Zoning.

Dwelling Unit: Dwelling Unit: A room, group of rooms, or dwelling forming a habitable unit for living, sleeping, food storage and/or preparation and eating, and which is directly accessible from the outside or through a common hall without passing through any other dwelling unit. The term shall not include a hotel, motel, bed-and-breakfast, rooming house, hospital, or other accommodation used for transient lodging.

Eligible Household: An individual or household whose annual income is less than 80 percent of the areawide median income as determined by the United States Department of Housing and Urban Development (HUD), adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

Governing Laws: G. L. c. 40R and 760 CMR 59.00, as they may be amended from time to time.

Monitoring Agent: The local housing authority or other qualified housing entity designated by the PAA, pursuant to Section 4.0, to review and implement the Affordability requirements affecting Projects permitted under this Section 2.0.

Multifamily Residential Use: Apartment or condominium units in buildings that contain or will contain more than three (3) such units, provided that the Smart Growth Zoning may treat attached townhouses on separate lots as single-family residential use. See 760 CMR 59.04(1)(d).

Plan Approval: Standards and criteria which a Project in the CHSGOD must meet under the procedures established herein and in the Governing Laws.

Plan Approval Authority (PAA): For purposes of reviewing Project applications and issuing Plan Approval decisions on Projects within the CHSGOD, the Plan Approval Authority (PAA), consistent with G. L. c. 40R and 760 CMR 59.00, shall be the Planning Board. The PAA is authorized to review projects and issue Plan Approval decisions to implement a Project under G. L. c. 40R, § 11.

PAA Regulations: The rules and regulations of the PAA adopted pursuant to Section 11.0 of this Section 2.0, provided such rules and regulations have been approved for use under this Section by ~~DHCDE~~**EOHLC**.

Plan Review: The review procedure established by this Section 11.0 and administered by the Plan Approval Authority.

Project: A residential development undertaken within the CHSGOD in accordance with the requirements of the Smart Growth Zoning.

Site Plan: A plan depicting a proposed Project for all or a portion of the CHSGOD and which is submitted to the Plan Approval Authority for its review and approval in accordance with provisions of this Section.

Smart Growth: A principle of land development that furthers, on balance, the goals set forth in G. L. c. 40R, § 1 and 760 CMR 59.02.

***Townhouse Residential Use:* Apartment or condominium units in buildings that contain or will contain two or three such units.**

Unduly Restrict: A provision of the District or a Design Standard adopted pursuant to G.L. c. 40R and 760 CMR 59.00 that adds unreasonable costs or unreasonably impairs the economic feasibility of a proposed Development Project in the District.

Unrestricted Unit: A Dwelling Unit that is not restricted as to rent, price, or eligibility of occupants.

Zoning By-law: The Zoning By-law of the Town of Rochester.

3.0 Overlay District. The CHSGOD is an overlay district having a land area of approximately 30.91 acres, as shown on a plan entitled “Cranberry Highway Smart Growth Overlay District: Smart Growth Zoning Map,” prepared by Allen & Major Associates, Inc and dated April 8, 2019 (see Appendix A, attached hereto), that is superimposed over the Underlying Zoning district(s).

This map is hereby made a part of the Zoning By-Law and is on file in the Office of the Town Clerk.

1. *Underlying Zoning.* The CHSGOD is an overlay district superimposed on all Underlying Zoning districts. The Zoning By-law governing the Underlying Zoning district(s) shall remain in full force and effect except for Projects undergoing development pursuant to this Section 3.0. Within the boundaries of the CHSGOD a developer may elect either to develop a Project in accordance with this Section 3.0, or to undertake development in accordance with the requirements of the regulations for use, dimension and all other provisions of the Zoning Bylaw governing the Underlying Zoning district(s).
2. *Applicability of CHSGOD.* In accordance with the provisions of G. L. c. 40R and 760 CMR 59.00, an Applicant for a Project located within the CHSGOD may seek Plan Approval in accordance with the requirements of this Section 3.0. In such case, notwithstanding anything to the contrary in this Zoning By-Law, such Plan Approval shall not be subject to any other provisions of this Zoning By-Law, including limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits, or to building permit or dwelling unit limitations. When a building permit is issued for any Project approved in accordance with this Section 3.0, the provisions of the Underlying Zoning district(s) shall no longer be applicable to the land shown on the site plan which was submitted pursuant to Section 11.0 for such Project.

4.0 Housing Affordability.

1. *Marketing Plan.* Prior to granting Plan Approval for housing within the CHSGOD, an Applicant for such approval must submit a narrative document, housing marketing plan, and resident selection plan that establish that the proposed development of housing is appropriate for diverse populations, including households with children, other households, individuals, households including individuals with disabilities, and the elderly. These documents in combination, to be submitted with an application for Plan Approval pursuant to Section 11.0, below, shall include details about construction related to the provision, type and specific location, within the Project, of all Affordable Housing units as well as all units that are accessible to the disabled. The marketing plan must be approved by ~~DHCDEO~~**HLC** pursuant to Chapter 40R prior to the issuance of a building permit for a Project.
2. *Number of Affordable Housing Units.* Unless otherwise approved by ~~DHCDEO~~**HLC** upon a finding that such increase above the minimum twenty percent (20%) required under the Governing Laws is not unduly restrictive and inconsistent with the Governing Laws, not less than twenty-five percent (25%) of housing units constructed in each Project and the CHSGOD as a whole shall be Affordable Units. For purposes of calculating the number of units of Affordable Housing required within the CHSGOD, any fractional unit shall be deemed to constitute a whole unit.
3. *Requirements.* Affordable Housing shall comply with the following requirements:

- a. For an Affordable Rental Unit, the monthly rent payment, including utilities and parking, shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one, unless other affordable program rent limits approved by the ~~DHCDE~~**EOHLC** shall apply.
 - b. For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking, shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one.
 - c. Affordable Housing required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households.
 - d. The CHSGOD shall not include the imposition of restrictions on age upon Projects, *and the PAA may not require such restrictions*, unless proposed or agreed to voluntarily by the Applicant. However, the PAA may allow the development of specific Projects within the CHSGOD that may be exclusively for the elderly, persons with disabilities, or for assisted living, provided that any such Project shall have received prior approval from **EOHLC**, and shall comply with all applicable federal, state and local fair housing laws and regulations, and not less than 25% of the housing units in such a restricted Project shall be restricted as Affordable Units.
 - e. At least 10% of the Affordable Housing units shall be accessible to people with disabilities.
 - f. There may be a local preference applied in the selection of Eligible Households for a Project, to the extent allowable by applicable laws, regulations, and guidelines and to the extent it is approved by ~~DHCDE~~**EOHLC** and any other applicable regulating authority(ies) for the Project.
4. *Design and Construction.* Units of Affordable Housing shall be finished housing units. Units of Affordable Housing shall be equitably dispersed throughout the development/Project of which they are part, proportionately across all unit types, and must be comparable in initial construction, quality and exterior design equivalent to the Unrestricted Units in the development. The total number of bedrooms in the Affordable Housing shall be at least proportionate to the total number of bedrooms in all the units in the Project of which the Affordable Housing is part.
 5. *Affordable Housing Restriction.* Each for-sale unit of Affordable Housing, and each residential structure in a rental development, shall be subject to an Affordable Housing Restriction which is recorded with the appropriate registry of deeds or district registry of the Land Court and prior

to such recording has been approved by ~~DHCD~~**EOHLC** pursuant to Chapter 40R. Such Affordable Housing Restriction shall contain the following:

- a. Specification of the term of the Affordable Housing Restriction which shall be perpetual;
- b. The name and address of a Monitoring Agent with a designation of its power to monitor and enforce the Affordable Housing Restriction;
- c. A description of the Affordable Housing Unit, if any, by address and number of bedrooms; and a description of the overall quantity and number of bedrooms and number of bedroom types of Affordable Rental Units in a Project or portion of a Project which are rental. Such restriction shall apply individually to the specifically identified Affordable Homeownership Unit and shall apply to a percentage of rental units of a rental Project or the rental portion of a Project with the initially designated Affordable Rental Units identified in, and able to float subject to specific approval by ~~DHCD~~**EOHLC** in accordance with, the corresponding Affirmative Fair Housing Marketing Plan (AFHMP) and ~~DHCD's~~**EOHLC's** AFHMP guidelines;
- d. Reference to a housing marketing and resident selection plan, to which the Affordable Housing is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process pursuant to the Chapter 40R Program. The housing marketing and selection plan shall provide for local preference in the selection of Eligible Households for a Project to the extent allowable by applicable laws, regulations, and guidelines and to the extent it is approved by ~~DHCD~~**EOHLC** and any other applicable regulating authority(ies) for the Project. For the Affordable Housing units, the plan shall designate the household size appropriate for a unit with respect to bedroom size and provide that the preference for such unit shall be given to a household of the appropriate size;
- e. A requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan;
- f. Reference to the formula pursuant to which the rent limit of an Affordable Rental Unit or the maximum resale price of an Affordable Homeownership Unit will be set;
- g. A requirement that only an Eligible Household may reside in Affordable Housing and that notice of any lease or sublease of any unit of Affordable Housing shall be given to the Monitoring Agent;

- h. Provision for effective monitoring and enforcement of the terms and provisions of the Affordable Housing Restriction by the Monitoring Agent;
 - i. Provision that the restriction on an Affordable Homeownership Unit shall run in favor of the Monitoring Agent and the Town, in a form approved by municipal counsel, and shall limit initial sale and resale to and occupancy by an Eligible Household;
 - j. Provision that the restriction on Affordable Rental Units in a rental Project or rental portion of a Project shall run with the rental Project or rental portion of a Project and shall run in favor of the Monitoring Agent and the Town, in a form approved by municipal counsel, and shall limit rental and occupancy to an Eligible Household;
 - k. Provision that the owner(s) or manager(s) of Affordable Rental Unit(s) shall file an annual report to Monitoring Agent, in a form specified by that Agent certifying compliance with the affordability provisions of this By-law and containing such other information as may be reasonably requested in order to ensure affordability;
 - l. A requirement that residents in Affordable Housing provide such information as the Monitoring Agent may reasonably request in order to ensure affordability.
6. *Monitoring Agent.* A Monitoring Agent shall be designated by the PAA as the Monitoring Agent for all Affordable Units in a Project. In a case where the Monitoring Agent cannot adequately carry out its administrative duties, upon certification of this fact by the PAA or by ~~DHCDEO~~HLC, such duties shall devolve to and thereafter be administered by a qualified housing entity designated by the PAA or, in the absence of such timely designation, by an entity designated by the ~~DHCDEO~~HLC. In any event, such Monitoring Agent shall ensure the following, both prior to issuance of a building permit for a Project within the CHSGOD, and on a continuing basis thereafter, as the case may be:
- a. Prices of Affordable Homeownership Units are properly computed; rental amounts of Affordable Rental Units are properly computed;
 - b. Income eligibility of households applying for Affordable Housing is properly and reliably determined;
 - c. The housing marketing and resident selection plan, including the location and unit type mix of the Affordable Housing Units relative to all units within the Project, has been submitted to and received approval from the Department's 40R Program staff and otherwise conforms to all requirements and is properly administered;

- d. Sales and rentals are made to Eligible Households chosen in accordance with the housing marketing and resident selection plan with appropriate unit size for each household being properly determined and proper preference being given;
 - e. Affordable Housing Restrictions meeting the requirements of this Section are recorded with the proper registry of deeds or district registry of the Land Court; and
 - f. Local preference in the selection of Eligible Households for a Project to the extent allowable by applicable laws, regulations, and guidelines and to the extent it is approved by ~~DHC~~**EOHLC** pursuant to an Affordable Fair Housing Marketing Plan.
7. *Housing Marketing and Selection Plan.* The housing marketing and selection plan shall make provision for payment by the Project Applicant of reasonable costs to the Monitoring Agent to develop, advertise, and maintain the list of Eligible Households and to monitor and enforce compliance with affordability requirements, as set forth in Section 4.0.
9. *Phasing.* The PAA, as a condition of any Plan Approval, may require a Project to be phased in order to mitigate any extraordinary adverse Project impacts on nearby properties. For Projects that are approved and developed in phases, the PAA shall assure the minimum required number of Affordable Housing units in the Project. Such assurance may be provided through use of the security devices referenced in G.L. c. 41, § 81U, or through the PAA's withholding of certificates of occupancy until the proportionality required under 760 CMR 59.04(1)(h) has been achieved. No Density Bonus Payment will be received by the Town until such proportionality has been achieved by the issuance of occupancy permits for the Affordable Housing units in the Project. Notwithstanding the foregoing, for Projects that are approved and developed in phases, the proportion of Affordable Housing units across all phases shall be at least 25%.
10. *Computation.* Prior to the granting of any Plan Approval of a Project, the Applicant must demonstrate, to the satisfaction of the Monitoring Agent, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or federal guidelines for affordability applicable to the Town.
11. *No Waiver.* Notwithstanding anything to the contrary herein, none of the provisions in this Affordability Section 4.0 shall be waived, without specific written approval from **EOHLC** where it has such authority.

5.0 Permitted Uses

- 1. The following uses are permitted *as of right* within the CHSGOD **and such uses are limited to the Developable Land contained in their respective sub-district(s):**

- a. **In sub-district A**, Multifamily Residential Use as a principal use, upon the issuance of Plan Approval for a Project.

b. *In sub-district B, Townhouse Residential Use as a principal use, upon the issuance of Plan Approval for a Project.*

c. Accessory uses which are subordinate to, clearly incidental to, customary in connection with and located in the same structure as a permitted principal use and which do not, in effect, constitute conversion of the permitted principal use to a use not otherwise permitted within the CHSGOD.

2. Commercial uses are allowed only in the Commercial Sub-District(s) designated for commercial use on the CHSGOD Zoning Map. Commercial uses allowed in designated General Commercial Sub-Districts within the CHSGOD shall be consistent with the commercial uses allowed pursuant to the Rochester Zoning Bylaws Table of Uses for commercial areas. *The total gross square floor area of non-residential uses permitted in the CHSGOD shall not exceed 49% of the aggregate maximum gross floor area of all uses permitted in the CHSGOD.*

6.0 Density.

1. *Multifamily Residential Use Sub-districts.* The maximum permissible residential density in *the Multifamily Residential Use sub-district of the CHSGOD (sub-district A)* shall be 20 units per acre of Developable Land ~~provided that all residential use allowed under this Section and any associated accessory uses are limited to such Developable Land Sub-District and that residential use is not permitted elsewhere in the CHSGOD and that the total gross square floor area of non-residential uses permitted in the CHSGOD and any uses non-residential accessory to the allowable Multifamily Residential Use does not exceed 49% of the aggregate maximum gross floor area of all uses permitted in the CHSGOD.~~ *Sub-district A of the CHSGOD, the Multifamily Sub-district contains, in the aggregate, 10.64 acres of Developable Land. To the extent consistent with the Governing Laws, the total number of units to be developed in aggregate in Sub-district A, shall not exceed 208212 units, i.e. 10.64 acres x 20 units/acre.*
2. *Townhouse Residential Use Sub-district.* *The maximum permissible residential density in sub-district B, the Townhouse Residential Use sub-district of the CHSGOD, shall be 12 units per acre of Developable Land. Sub-district B of the CHSGOD, the Townhouse Sub-district, contains 3.66 acres of Developable Land. To the extent consistent with the Governing Laws, the total number of units to be developed in the Subdistrict B shall not exceed 44 units, i.e. 3.66 acres x 12 units/acre.*
3. *Aggregate CHSGOD Density.* *To the extent consistent with the Governing Laws, the aggregate total density for the CHSGOD shall not exceed 256 dwelling units.*

7.0 Dimensional Regulations.

1. ***Multifamily Sub-District Height.*** Building height shall not exceed four (4) stories and 55 feet unless the corresponding portions of the ground floor are used for what would otherwise be required parking and/or one or more allowable accessory uses that substitute residential amenities, in either case, replacing a corresponding number of parking spaces that would otherwise be required to be provided in surface lots outside the building, in which case, the building height shall not exceed five (5) stories and 62 feet.
2. ***Townhouse Sub-District Height.*** *Building height shall not exceed three (3) stories and 45 feet in height.*
3. ***Coverage.*** To the extent the minimum residential densities that must be allowed under the Governing Laws can nonetheless be met, the Maximum building coverage shall be 30 percent measured as to the total acreage of Developable Land in the CHSGOD.

8.0 Performance Standards

1. ***Interior Design.*** Projects shall assure safe and convenient interior circulation within its site and safe and convenient connections to adjacent properties and transit stops by allowing for the separation of pedestrian, bicycle, and motor vehicle traffic.
2. ***Noise.*** Any Project in the CHSGOD shall comply with 310 CMR 31.07, as may be amended.

9.0 Off-Street Parking and Loading Regulations.

1. ***Off-Street Parking Requirements.*** For any structure that is constructed, enlarged, or extended, or has a change of use which affects the computation of parking spaces, and any use of land established, or any existing use changed, the number of parking spaces shall meet the following minimum requirements:

Residential uses	1.5 spaces per unit
Commercial uses	1 spaces per 200 square feet of commercial space

In no event shall the total number of parking spaces for residential uses exceed an average of 1.75 spaces per unit.

2. ***Modification in Parking Requirements.*** Notwithstanding anything to the contrary herein, any minimum required or maximum permitted amount of parking may be modified by the Plan Approval Authority through the Plan Approval process, if the Applicant can demonstrate that the modified amount of parking will not cause excessive congestion, endanger public safety, or that a modified amount of parking will provide positive environmental or other benefits, taking into consideration:

- a. The availability of public or commercial parking facilities in the vicinity of the use being served;

- b. Shared use of parking spaces serving other uses having peak user demands at different times;
- c. The provision of safe, efficient, appropriately located and sheltered bicycle parking serving residential and commercial uses;
- d. Age or other occupancy restrictions which are likely to resulting a lower level of auto usage;
- e. Such other factors, including the availability of valet parking, shuttle service, or a transportation management plan as may be considered by the Approving Authority. Where such reduction is authorized, the Approving Authority may impose conditions of use or occupancy appropriate to such reductions provided such use or occupancy restrictions are otherwise voluntary.

3. *Parking Location and Design.* Required parking shall in all cases be on the same lot as the use it is intended to serve. Unless otherwise approved in writing by ~~DHCDEO~~HLC, parking shall not be located between the ~~principle~~principal adjacent street (e.g., Cranberry Highway/Rte. 28, County Rd/Rte. 58) and the adjacent ~~principle~~principal residential or commercial use but shall be located behind any commercial or residential use that fronts on or is adjacent to a ~~principle~~principal street.

4. *Loading Requirements.* Adequate off-street loading facilities and space must be provided to service all needs created by construction of new structures. Required facilities shall be so sized and arranged that no trucks need back onto or off of a public way, or be parked on a public way while loading, unloading or waiting to do so.

10.0 Perimeter Vegetative Boundary.

- 1. Perimeter buffer: A minimum buffer of 10 feet shall be provided along all lot lines. The buffer shall be provided with berms, curbs or other barriers at the inside edge to inhibit vehicular access. Screening shall be a four-season evergreen planting with groundcover, grass, or shrubs. Where 10 feet cannot be maintained, a minimum buffer of 5 feet shall be provided with a vertical wall or screening fence to a height of not less than 6 feet.

11.0 Application for Plan Approval; Required Submittals. The PAA shall adopt and file with the

Town Clerk administrative rules (PAA Regulations) for Plan Approval Application submission requirements. Such administrative rules and any amendment thereto must be approved by ~~DHCDEO~~HLC before they become effective and applicable to Plan Approval Applications. All site plans shall be prepared by a certified architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts. All landscape plans shall be prepared by a certified landscape architect registered in the Commonwealth of Massachusetts. All building elevations shall be prepared by a certified architect registered in the Commonwealth of Massachusetts. All plans shall be signed and stamped, and drawings prepared at a scale of one inch

equals forty feet (1" = 40') or larger, or at a scale as approved in advance by the PAA. All plans and elevations presented with the application shall remain a part of the records of the PAA. The provision of the plan and the application shall be the sole responsibility of the Applicant. Plans shall show the following:

1. The perimeter dimensions of the lot; Assessors Map, lot and block numbers.
2. All existing and proposed buildings, structures, building setbacks, parking spaces, driveway openings, distance between buildings, plan view exterior measurements of individual buildings, driveways, service areas and open areas.
3. Internal roads, sidewalks and parking areas (width dimensions of paving and indication of number of parking spaces).
4. All facilities for sewage, refuse and other waste disposal and for surface water drainage.
5. All proposed landscaping features, such as fences, walls, planting areas and walks on the lot and tract.
6. Existing major natural features, including streams, wetlands and all trees six inches (6") or larger in caliper (caliper is girth of the tree at approximately waist height).
7. Scale and North arrow (minimum scale of one inch equals 40 feet (1" = 40')).
8. Total site area in square footage and acres and area to be set aside as public open space, if appropriate.
9. Percentage of lot coverage (including the percentage of the lot covered by buildings) and percentage of open space, if appropriate.
10. The proposed residential density in terms of dwelling units per acre and types of proposed commercial uses in terms of the respective floor area, and recreation areas, and number of units proposed by type (number of one (1) bedroom units, two (2) bedroom units, etc., if appropriate).
11. Location sketch map (indicate surrounding streets and properties and any additional abutting lands owned by the Applicant).
12. Representative elevation sketches of buildings (indicate height of building and construction material of the exterior facade).
13. Typical unit floor plan for residential uses. (Floor plan should be indicated for each type of unit proposed. The area in square feet of each typical unit should be indicated.)

14. Developer's (or his representative's) name, address and phone number.
15. Any other information which may include required traffic, and utilities impact studies ~~y~~ and in order to adequately evaluate the scope and potential impacts of the proposed project.

12.0 Procedures.

1. Filing. An Applicant for Plan Approval shall file the application form and the other required submittals with the Town Clerk and fifteen (15) copies of the application and other required materials, including the date of filing certified by the Town Clerk, shall be filed forthwith with the PAA. The application form and any other submittal requirements must be contained in the PAA Regulations which must be approved by ~~DHCDEO~~**HLC**.
2. Circulation to Other Boards. Upon receipt of the Application, the PAA shall immediately provide a copy of the application materials to the Board of Selectmen, Board of Appeals, Board of Health, Conservation Commission, Fire Department, Police Department, Building Commissioner, Department of Public Works, and other municipal officers, agencies or boards for comment, and any such board, agency or officer shall provide any written comments within thirty-five (35) days of its receipt of a copy of the plan and application for approval.
3. Hearing. The PAA shall hold a public hearing for which notice has been given as provided in Section 11 of G. L. Chapter 40A. The decision of the PAA shall be made, and a written notice of the decision filed with the Town Clerk, within 120 days of the receipt of the application by the Town Clerk. The required time limits for such action may be extended by written agreement between the Applicant and the PAA, with a copy of such agreement being filed in the office of the Town Clerk. Failure of the PAA to take action within said 120 days or extended time, if applicable, shall be deemed to be an approval of the application and site plan.
4. Peer Review. The Applicant shall be required to pay for reasonable consulting fees to provide peer review of the Plan Approval application, pursuant to G. L. c. 40R, § 11(a). Such fees and any other fees required as part of an application to the PAA must be specified in the PAA Regulations which must be approved by ~~DHCDEO~~**HLC**. Approved Peer Review fees shall be held by the Town in a separate account and used only for expenses associated with the review of the application by outside consultants, including, but not limited to, attorneys, engineers, urban designers, housing consultants, planners, and others. Any surplus remaining after the completion of such review, including any interest accrued, shall be returned to the Applicant.

13.0 Decision.

1. Waivers. Except where expressly prohibited herein, upon the request of the Applicant the Plan Approval Authority may waive dimensional and other requirements in the interest of design flexibility and overall project quality, and upon a finding of

consistency of such variation with the overall purpose and objectives of the CHSGOD, or if it finds that such waiver will allow the Project to achieve the density, affordability, mix of uses, and/or physical character allowable under this Section; but in no event shall such a waiver reduce the as-of right density approved by ~~DHCDEO~~HLC.

2. Plan Review. An Application for Plan Approval shall be reviewed for consistency with the purpose and intent of this Section, and such Plan Review shall be construed as an As-of right review and approval process as required by and in accordance with the Governing Laws.

3. Plan Approval. Plan Approval shall be granted where the PAA finds that:

- a. the Applicant has submitted the required fees and information as set forth in the PAA Regulations as approved by ~~DHCDEO~~HLC;
- b. the Project and site plan meet the requirements and standards set forth in this Section, or a waiver has been granted therefrom in accordance with Section 13.0; and
- c. extraordinary adverse potential impacts of the Project on nearby properties have been adequately mitigated.

For a Project subject to the affordability requirements of Section 4.0, compliance with Condition (b), above, shall include written confirmation by the Monitoring Agent that all requirements of that Section have been satisfied. The PAA may attach condition(s) to its Plan Approval decision that are necessary to ensure substantial conformance with this Section 4.0 or to mitigate any extraordinary adverse potential impacts of the Project on nearby properties.

4. Plan Disapproval. A Plan Approval Application may be disapproved only where the PAA finds that:

- a. the Applicant has not submitted the required fees and information as set forth in the PAA Regulations as approved by ~~DHCDEO~~HLC;
- b. the Project and site plan do not meet the requirements and standards set forth in this Section, or in a waiver has been granted therefrom; or
- c. it is not possible to adequately mitigate significant adverse project impacts on nearby properties by means of suitable conditions.

5. Form of Decision. The PAA shall issue to the Applicant a copy of its decision containing the name and address of the owner, identifying the land affected, and the plans that were the subject of the decision, and certifying that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file

with the PAA. If twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. A copy of the decision or application bearing such certification shall be recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The fee for recording or registering shall be paid by the Applicant.

14.0 Change in Plans After Approval by PAA.

1. Minor Change. After Plan Approval, an Applicant may apply to make minor changes involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall buildout or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the PAA on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the PAA. The PAA may authorize such changes at any regularly scheduled meeting, without need to hold a public hearing. The PAA shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the Applicant for filing with the Town Clerk.

2. Major Change. Those changes deemed by the PAA to constitute a major change because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the PAA as a new application for Plan Approval pursuant to this Section.

15.0 Enforcement; Appeal. The provisions of the CHSGOD shall be administered by the Zoning Enforcement Officer, except as otherwise provided herein. Any appeal arising out of action by the PAA regarding an application for Plan Approval decision for a Project shall be governed by the applicable provisions of G. L. c. 40R. Any other request for enforcement or appeal arising under this Section shall be governed by the applicable provisions of G. L. c. 40A.

16.0 Severability. If any provision of this Section 21.60 is found to be invalid by a court of competent jurisdiction, the remainder of Section 21.60 shall remain in full force. The invalidity of any provision of this Section 21.60 shall not affect the validity of the remainder of the Town's Zoning By-Law.

Given under our hands this 5TH day of May 2025.

Rochester Select Board:


Bradford Morse, Chairman


Adam Murphy, Vice Chairman


Paul Ciaburri, Clerk

By virtue of this Warrant, I have this day notified and warned the inhabitants of the Town of Rochester qualified to vote in elections and Town affairs, to meet at Rochester Memorial School, 16 Pine Street, in said Town on Monday the 19th of May 2025 at the time and place for the purpose herein named by posting up attested copies thereon in the following places:

Rochester Post Office
Outside the Rochester Town Hall
Plumb Library
Council on Aging
Rochester Web Site

A true copy:

Attest


Constable


Date

May 8TH, 2025