

*Town of Mansfield*  
**SPECIAL TOWN MEETING**

# MOTIONS



**November 5, 2019  
7:00 PM**

**MANSFIELD HIGH SCHOOL  
AUDITORIUM  
EAST STREET, MANSFIELD**

**CALL TO ORDER: 7:00 PM**





**MOTIONS**  
**Town of Mansfield**  
**Special Town Meeting**  
**November 5, 2019**

**Article 1:**

I move that the sum of Thirty Thousand Dollars (\$30,000.00) be hereby appropriated from Airport Enterprise Retained Earnings to increase the appropriations voted in Article 4 Motion 3 of the May 7, 2019 Annual Town Meeting for the Airport department for Fiscal Year 2020 as shown below which Fiscal Year begins July 1, 2019 and ends June 30, 2020:

<b>Appropriation</b>	<b>Department</b>	<b>Budget Item</b>	<b>Amount</b>
Airport Enterprise	Airport	Personal Services	\$5,000.00
Airport Enterprise	Airport	Other Expenses	\$10,000.00
Airport Enterprise	Airport	Capital Outlay	\$15,000.00
		<b>Totals</b>	<b>\$30,000.00</b>

**Article 2:**

I move that the sum of Five Thousand Three Hundred Eighty-Eight Dollars and Ninety-One Cents (\$5,388.91) be hereby transferred from the sources listed below to pay the following unpaid prior year's bills as shown below:

**Previous Years' Unpaid Bills**

<b>Department</b>	<b>Vendor</b>	<b>Amount</b>
Personnel	Sturdy Memorial Hospital Occupational Health	\$26.00
MIS	Boston Building & Bridge Inc.	\$3,056.57
DPW - Highway	Tree Tech Inc.	\$105.00
DPW - Water	Verizon	\$700.08
DPW - Water	Aggregate Industries Management Inc.	\$1,501.26
	<b>Totals</b>	<b>\$5,388.91</b>

**Funding Sources:**

Free Cash in the treasury of the Town (Undesignated Fund Balance):	\$3,187.57
Water Enterprise Retained Earnings:	\$2,201.34
<b>Totals</b>	<b>\$5,388.91</b>

**Article 3:**

I move that the sum of Five Thousand Eight Hundred Ninety-Nine Dollars and Seven Cents (\$5,899.07) be hereby transferred from Free Cash in the treasury of the Town (Undesignated Fund Balance) to eliminate the following Fiscal Year 2019 deficits as shown below:

<b>Department</b>	<b>Fund</b>	<b>Amount</b>
Fire	Fire Details Revolving Fund	\$5,569.08
Agency Funds	Voluntary Insurance	\$329.99
	<b>Totals</b>	<b>\$5,899.07</b>

**Article 4 - Motion 1:**

I move that the sum of One Million Three Hundred Fifty-Eight Thousand Two Hundred Dollars (\$1,358,200.00) be hereby appropriated to be spent by the Town Manager for the following various Capital Improvement projects for the Town of Mansfield, including all costs incidental and related thereto:

<b>Department</b>	<b>Description</b>	<b>Amount</b>
DPW – Public Buildings	Plymouth St. Fire Station Improvements	\$250,000.00
Fire	Fire Engine	\$330,000.00
Fire	Tower One Repairs	\$200,000.00
Fire - EMS	Rescue 33 Ambulance	\$250,000.00
DPW Administration	Norton-Mansfield Rail Trail Extension Design	\$13,200.00
DPW - Administration	Stormwater Permitting Requirements	\$90,000.00
DPW - Administration	Multi-Use Path State Match	\$70,000.00
DPW - Highway	Sidewalk Snowblower	\$155,000.00
	<b>Totals</b>	<b>\$1,358,200.00</b>

and to meet this appropriation, One Million Three Hundred Fifty-Eight Thousand Two Hundred Dollars (\$1,358,200.00) be transferred from Free Cash (Undesignated Fund Balance) in the treasury of the Town, the sums shown above being intended to be estimates of the individual items but the amount to be appropriated being the one line item in the total amount of One Million Three Hundred Fifty-Eight Thousand Two Hundred Dollars (\$1,358,200.00); and that the Town Manager be hereby authorized to distribute such funds in such a manner as may be needed to accomplish the list of items, provided however, that each item contained in the list set forth be undertaken and that any excess funds be available because one or more of the listed items cost less than was estimated and not because an item intended to be purchased is not so purchased.

**Article 4 – Motion 2:**

I move that the sum of Three Hundred Thousand Dollars (\$300,000.00) be hereby appropriated to be spent by the Town Manager with the approval of the Mansfield School Committee for the following Capital Improvement projects for the Mansfield Public Schools including all costs incidental and related thereto; the sums shown below are intended to be estimates of the individual items but the amount to be appropriated is the one line item in the total of Three Hundred Thousand Dollars (\$300,000.00):

<b>Department</b>	<b>Description</b>	<b>Amount</b>
Schools	District-wide Paving & Concrete	\$100,000.00
Schools	Jordan-Jackson ES HVAC Controller	\$100,000.00
Schools	HVAC Controller Master Unit	\$100,000.00
	<b>Totals</b>	<b>\$300,000.00</b>

and to meet this appropriation, the sum of Three Hundred Thousand Dollars (\$300,000.00) be hereby transferred from Free Cash in the treasury of the Town (Undesignated Fund Balance) and that the Town Manager be hereby authorized to distribute such funds in such a manner as may be needed to accomplish the list of items, provided however, that each item contained in the list set forth be undertaken and that any excess funds be available because one or more of the listed items cost less than was estimated and not because an item intended to be purchased is not so purchased.

**Article 4 – Motion 3:**

I move that the sum of One Hundred Two Thousand Three Hundred Eighty-One Dollars and Twenty-Four Cents (\$102,381.24), no longer needed for the original purposes for which the sums had been appropriated, be hereby transferred from the General Fund articles set forth below to be spent by the Town Manager and, when required, with the approval of the Mansfield School Committee for the following Capital Improvement projects for the Town Mansfield including all costs incidental and related thereto:

**Capital Improvement Projects to be Funded Now:**

<b>Department</b>	<b>Description</b>	<b>Amount</b>
Fire	Car 1 Replacement	\$43,045.92
Schools	District-wide Paving & Concrete	\$59,335.32
	<b>Totals</b>	<b>\$102,381.24</b>

**Closed General Fund Articles Funding Sources:**

<b>Department</b>	<b>Description</b>	<b>When Voted</b>	<b>Funding Source</b>	<b>Transfer Amount</b>
Finance - MIS	GIS Aerial Imagery	Article 13 Motion 1 5/15/17 Annual Town Meeting	Free Cash (Undesignated Fund Balance)	\$22,300.00
DPW – Public Buildings	Fire Station Generator	Article 12 Motion 1 5/19/15 Annual Town Meeting	Free Cash (Undesignated Fund Balance)	\$2,447.59
DPW – Public Buildings	Town Hall Generator	Article 12 Motion 1 5/19/15 Annual Town Meeting	Free Cash (Undesignated Fund Balance)	\$18,298.33
Schools	Qualters MS Study Steam to Hot Water	Article 11 Motion 2 5/3/16 Annual Town Meeting	Free Cash (Undesignated Fund Balance)	\$7,823.00
Schools	Mansfield High	Article 11 Motion 2	Free Cash	\$1,170.01

	School Bleachers	5/3/16 Annual Town Meeting	(Undesignated Fund Balance)	
Department	Description	When Voted	Funding Source	Transfer Amount
Schools	Jordan/Jackson ES Generator	Article 9 Motion 2 5/15/18 Annual Town Meeting	Free Cash (Undesignated Fund Balance)	\$37,000.00
Schools	District-wide Special Education Mini-bus	Article 9 Motion 2 5/15/18 Annual Town Meeting	Free Cash (Undesignated Fund Balance)	\$507.04
Schools	Mansfield HS Bleachers	Article 9 Motion 2 5/15/18 Annual Town Meeting	Free Cash (Undesignated Fund Balance)	\$12,795.32
Schools	District-wide Plow Truck	Article 9 Motion 2 5/7/19 Annual Town Meeting	Free Cash (Undesignated Fund Balance)	\$39.95
		<b>Totals</b>		<b>\$102,381.24</b>

**Article 4 - Motion 4:**

I move that the sum of Five Hundred Thousand Dollars (\$500,000.00) be hereby appropriated, to be spent by the Town Manager, to install security check-in stations in the Town's public schools including the payment of all costs incidental and related thereto; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow Five Hundred Thousand Dollars (\$500,000.00), under and pursuant to G. L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town of Mansfield upon the sale of any bonds or notes approved by this vote, less any such 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 the amount authorized to be borrowed to pay such costs by a like amount.

**Article 4 - Motion 5:**

I move that the sum of Two Million Eight Hundred Seventy-Five Thousand Dollars (\$2,875,000.00) be hereby appropriated, to be spent by the Town Manager, to pay costs of designing, repairing and/or replacing various roads, sidewalks, public parking, and bridges within the Town, including the payment of all costs incidental and related thereto, and to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow Two Million Eight Hundred Seventy-Five Thousand Dollars (\$2,875,000.00) under and pursuant to G. L. c. 44, §7(1), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received by the Town of Mansfield upon the sale of any bonds or notes approved by this vote, less any such 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 the amount authorized to be borrowed to pay such costs by a like amount.

**Article 4 - Motion 6:**

I move that the sum of Fifty Thousand Six Hundred Forty-Three Dollars and Fourteen Cents (\$50,643.14) be hereby appropriated to be spent by the Town Manager for upgrades to the Water

Enterprise Fund’s Albertini Well Vent System including all costs incidental and related thereto; and to meet this appropriation, the Town transfer from Water Enterprise Fund Retained Earnings the sum of Fifty Thousand Six Hundred Forty-Three Dollars and Fourteen Cents (\$50,643.14).

**Article 4 - Motion 7:**

I move that the sum of Nine Thousand Five Hundred Fifty-Six Dollars and Eighty-Six Cents (\$9,556.86), no longer needed for the original purposes for which the sums had been appropriated, be hereby transferred from the Water Enterprise Fund articles set forth below to be spent by the Town Manager for the following Capital Improvement projects for the Town Mansfield including all costs incidental and related thereto:

**Capital Improvement Projects to be Funded Now:**

<b>Department</b>	<b>Description</b>	<b>Amount</b>
DPW - Water	Albertini Well Vent System Upgrade	\$9,556.86
	<b>Totals</b>	<b>\$9,556.86</b>

**Closed Water Enterprise Fund Articles Funding Sources:**

<b>Department</b>	<b>Description</b>	<b>When Voted</b>	<b>Transfer Amount</b>
DPW - Water	Prescott Wells #8 & #9 Chlorination	Article 12 Motion 7 5/6/14 Annual Town Meeting	\$2,311.23
DPW - Water	Walsh Well Filter Media	Article 11 Motion 6 5/3/16 Annual Town Meeting	\$6,310.00
DPW - Water	Radio SCADA Control System Phase II	Article 13 Motion 8 5/2/17 Annual Town Meeting	\$514.17
DPW - Water	Foolish Hill Tank Mixing System	Article 13 Motion 8 5/2/17 Annual Town Meeting	\$421.46
		<b>Totals</b>	<b>\$9,556.86</b>

**Article 4 - Motion 8:**

I move that the sum of Three Hundred Thousand Dollars (\$300,000.00) be hereby appropriated, to be spent by the Town Manager, for the repair and replacement of water mains on Chauncy Street (Route 106), Copeland Drive, and Spring Street, including the payment of all costs incidental and related thereto; and to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow Three Hundred Thousand Dollars (\$300,000.00), under and pursuant to G. L. c. 44, §8(5), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. This amount of Three Hundred Thousand Dollars (\$300,000.00) is in addition to the One Million Dollars (\$1,000,000.00) previously appropriated for this same purpose in Article 6 Motion 8 of the November 13, 2018 Special Town Meeting. Any premium received by the Town of Mansfield upon the sale of any bonds or notes approved by this vote, less any such 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 the amount authorized to be borrowed to pay such costs by a like amount.

**Article 5:**

I move that the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00) of the authorized, but unissued, bonding authorizations for balances of the capital projects as shown below, be rescinded, as these amounts are no longer needed to complete the projects.

**Amounts to be Rescinded Now:**

<b>Department</b>	<b>Purpose</b>	<b>Town Meeting Vote</b>	<b>Amount to be Rescinded</b>
DPW-Public Buildings	Building improvements and renovations to the Plymouth Street Fire Station and other site improvements	Article 9 Motion 3 of the May 15, 2018 Annual Town Meeting	\$80,000.00
DPW-Public Buildings	Building improvements and renovations to the Plymouth Street Fire Station and other site improvements	Article 9 Motion 3 of the May 7, 2019 Annual Town Meeting	\$170,000.00
Fire	To repair and rehabilitate the Town's Tower One Fire Truck	Article 9 Motion 4 of the May 7, 2019 Annual Town Meeting	\$200,000.00
		<b>Totals</b>	<b>\$450,000.00</b>

**Article 6:**

I move that the sum of Five Thousand Thirty-Nine Dollars and Forty Cents (\$5,039.40) be hereby appropriated, to be spent by the Town Manager, to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the Town of Mansfield including, but not limited to, the Complete Streets Program established in section 1 of chapter 90I of the Mass. General Laws and other programs that support alternative modes of transportation; and to meet this appropriation, Five Thousand Thirty-Nine Dollars and Forty Cents (\$5,039.40) be hereby transferred from the Commonwealth Transportation Infrastructure Fund Receipts Reserved for Appropriation Fund.

**Article 7:**

I move that the sum of Three Hundred Fifty Thousand Seven Hundred Forty-Six Dollars and Seventy-Nine Cents (\$350,746.79) be appropriated to be expended by the Town Manager for the purpose of remedial environmental cleanup costs at the Mansfield Municipal Airport, and to meet this appropriation, Three Hundred Fifty Thousand Seven Hundred Forty-Six Dollars and Seventy-Nine Cents (\$350,746.79) be hereby transferred from the Town's Receipts Reserved For Appropriation Insurance Reimbursements over \$150,000 Fund.

**Article 8:**

I move that Massachusetts General Laws Chapter 40 Section 58 be accepted by the Town and that the municipal charges and fees as printed in the warrant be established as municipal charges liens. A copy of the warrant article is shown below:



To see if the Town will vote to a) adopt Massachusetts General Laws Chapter 40 Section 58, which allows the Town to place a lien on real property located within the Town for unpaid municipal charges and fees; the text of which is set forth below;

*Section 58: Any city or town may impose a lien on real property located within the city or town for any local charge or fee that has not been paid by the due date, said lien shall be known as the "municipal charges lien"; provided, that a separate vote at a town meeting, or by a city or town council is taken for each type of charge or fee.*

*A municipal charges lien authorized under this section shall take effect upon the recording of a list of unpaid municipal charges and fees by parcel of land and by the name of the person assessed for the charge or fee in the registry of deeds of the county or district where the land subject to the lien lies.*

*If a charge or fee which is secured by a municipal charges lien remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed under section fifty-three of chapter fifty-nine, the board or officer in charge of the collection of the municipal charge or fee, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such charge or fee to the assessors, who shall forthwith add such charge or fee to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as part of such tax.*

*If the property to which such charge or fee relates is tax exempt, such charge or fee shall be committed as the tax. A lien under this section may be discharged by filing a certificate from the tax collector that all municipal charges or fees constituting the lien, together with any interest and costs thereon, have been paid or legally abated. All costs of recording or discharging a lien under this section shall be borne by the owner of the property.*

and b) vote to allow the Town to place a lien on real property located within the Town for the following unpaid municipal charges and fees;

- 1) Police Detail Charges
- 2) Police Detail Service Fee Charges
- 3) Fire Detail Charges
- 4) Fire Detail Service Fee Charges
- 5) Curbside Recycling Fees
- 6) Personal Property Taxes

#### **Article 9:**

I move that the Town adopt Massachusetts General Laws Chapter 40 Section 8A and a Mansfield Industrial and Development Commission be created as printed in the warrant. A copy of the warrant article is shown below:

To see if the Town will a) vote to adopt Massachusetts General Laws Chapter 40 Section 8A, which allows the Town to create a "Development and Industrial Commission"; the text of which is set forth below;

*Section 8A. A city or town which accepts this section may establish a development and industrial commission for the promotion and development of the industrial resources of said city or town. Such commission shall conduct researches into industrial conditions, investigate and assist in*

*the establishment of educational or commercial projects, including projects involving private enterprise, for the purpose of expanding or strengthening the local economy, and shall seek to co-ordinate the activities of unofficial bodies organized for said purposes, and may advertise, prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further the purposes for which it is established. The commission may appoint such clerks and other employees as it may require.*

*Such commission shall consist of not less than five nor more than fifteen members. The members in cities shall be appointed by the mayor, subject to the provisions of the city charter, except in cities operating under a Plan D or Plan E form of city charter, said appointments shall be by the city manager, subject to the provisions of the city charter; and in towns they shall be appointed by the selectmen, excepting towns having a manager form of government, in which towns such appointments shall be made by the town manager. When a commission is first established, the terms of the members shall be for such length, not exceeding five years, and so arranged that the terms of approximately one fifth of the members will expire each year, and their successors shall be appointed for terms of five years each. Any member of a board so appointed in a city may be removed for cause after a public hearing, if requested, by the mayor with the approval of the city council. A vacancy occurring otherwise than by expiration of term shall be filled for the unexpired term in a city in the same manner as an original appointment, and in a town as provided in section eleven of chapter forty-one.*

and b) vote to create a Mansfield Industrial and Development Commission under the following terms and conditions:

- 1) The Town Manager shall appoint an Industrial and Development Commission (“hereafter referred to as the “Commission”) consisting of seven members for terms of three years such that no less than two terms shall expire in any one year.
- 2) The Commission shall assist the Town Manager in their function of development of the general economic base of the town and shall exercise all the powers and duties of industrial and development commissions under the General Laws.
- 3) All current Mansfield Industrial and Development Commission members as of November 5, 2019 shall be immediately re-appointed by the Town Manager to the new Commission. All files and records, minutes, documents, and other items related to the old Commission shall be immediately turned over to the new Commission and shall thereafter be under the care and control of the new Commission.

#### **Article 10:**

I move that the Select Board be hereby authorized to declare the North Main Street Fire Station property located at 291 North Main Street, as shown on Assessors Map 24 Lot 272, containing 0.35 acres, surplus property and to make said property available for sale on such terms and conditions as the Select Board may determine.

#### **Article 11:**

I move that the Select Board be hereby authorized to grant an easement to Verizon New England Inc. on such terms and conditions as the Select Board may determine to lay, construct, reconstruct, operate, maintain, replace and remove underground cables, pipes, conduits, handholes, and such surface testing terminals, pedestals, repeaters, markers, and other appurtenances with wires and or cables therein at the Municipal Complex located at 500 East Street.

## **Article 12:**

I move that Article III of Chapter 230 of the Town of Mansfield Town Code (Zoning) be amended by adding the following section 230-3.6 (G) (6) Small Wireless Facilities as printed in the warrant. The article is shown below:

### **230-3.6 Classification of Industrial Uses**

#### **G. Wireless Towers**

##### **(6) Small Wireless Facilities**

###### **(1) Purpose**

The Town of Mansfield has established these aesthetic standards to govern access by wireless carriers, infrastructure companies or others for installation of Small Wireless Facilities, as defined by the U.S. Federal Communications Commission, in the Town. These facilities are commonly called “small cells.” The small cells and all associated equipment are referred to in this section as “Small Wireless Facilities.” These standards are intended to protect the aesthetic integrity of the Town and to ensure public safety.

###### **(2) General Requirements**

(a) No small wireless facility shall be erected or installed except in compliance with the provisions of this subsection. In all cases, a special permit is required from the Planning Board. Section 230-5.5, Special Permits, of this by-law shall apply to these applications; however, the application timeline [the “shot clock”] shall conform to that outlined in the FCC regulations. Any proposed extension in the height, addition of cells, antennas or panels, or construction of a new or replacement of a small wireless facility shall be subject to a new application for a special permit.

(b) This bylaw does not govern access to poles or structures owned and controlled by the Mansfield Municipal Electric Department. For small wireless facilities to be located on MMED infrastructure, please refer to MMED “Technical Standards for Wireless Communications Attachments.” For MMED poles, in the event that the standards of MMED exceed the requirements of this Bylaw, the greater MMED standards apply.

(c) For small wireless facility applications on poles not owned by the applicant, written permission of the owner, including MMED, is required separate and distinct from the requirements of this Bylaw.

###### **(3) Application Process**

All applications for small wireless facilities shall be made and filed on the applicable application form in compliance with the Mansfield special permit application instructions. For an application to be considered complete, all requirements identified in Section 230-5.5, Special Permits, must be submitted, in addition to the following requirements:

(a) A locus plan at a scale of one inch equals 1,000 feet.

(b) A computer-generated image of the proposed small wireless facility with its

antenna and/or panels. Renderings shall also be prepared illustrating a view of the small wireless facility from the nearest street or streets. Renderings shall be sketches, drawings and/or computer-generated imagery of a proposed small wireless facility in 2-D or 3-D perspective. Each rendering shall contain a front corner perspective depicting the facility, one side and one rear corner perspective depicting the rear corner of the facility and one other side.

- (c) The following information prepared by one or more professional engineers:
  - [1] Description of the small wireless facility and the technical, economic and other reasons for the proposed location, height and design.
  - [2] Confirmation that the small wireless facility complies with all applicable federal and state standards.
  - [3] A description of the capacity of the small wireless facility, including the number and type of panels, antennas and/or transmitter receivers that it can accommodate and the basis for these calculations.
  - [4] A complete set of construction documents showing the proposed method of installation.
  - [5] A copy of the manufacturer's recommended installation instructions, if any.
  - [6] A diagram to scale showing the location of the small wireless facility, property and setback lines, easements, power lines, all structures and the distances from all residential zoning districts and the nearest residential structures.
- (d) If applicable, a written statement that the proposed small wireless facility complies with, or is exempt from, applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.
- (e) The Planning Board shall from time to time establish an application fee, an annual recording fee, and a requirement for the applicant to pay for necessary advertising, in accordance with Federal law.

#### **(4) Design Guidelines**

Typical pole-mounted small cell equipment comprises:

- (a) Antennas on the upper part of pole. Height limit of antenna shall be 48" (4 feet);
- (b) Radios, fiber terminations and other equipment located in enclosures or cabinets;
- (c) A power meter and power disconnect switch, usually located in two separate, smaller enclosures;
- (d) Power disconnect must be mounted outside areas that exceed RF exposure limits (per FCC).

#### **(5) General Technical Requirements and Guidelines**

- (a) No new poles or structures shall be installed where poles do not currently exist, unless the applicant can demonstrate to the Town's satisfaction that there is no other option to provide service;
- (b) Small wireless facilities by a single provider should be installed with a minimum spacing of 200 feet in residential areas;
- (c) Stealth design elements shall be used to the extent feasible;
- (d) Tapered shapes that smoothly integrate into structures (avoiding, for example, new rectangular boxes) shall be used to the extent feasible;
- (e) The applicant shall minimize the size and aesthetic difference between a replacement structure and the original pole or structure;
- (f) Equipment in the public way must not violate any ADA requirements.

- (g) In all cases, the placement of small wireless facilities shall be consistent with existing structures and aesthetics, in harmony with the surroundings and as unobtrusive as possible.
- (h) In the event an applicant seeks to place a small wireless facility in a manner that does not comply with these standards, a variance from the Zoning Board of Appeals will be required.

**(6) Use of Existing Utility Poles**

MMED maintains sole authority over the access to and suitability of the MMED pole or other MMED structure for the use of small wireless facilities. If no such MMED poles are available, applicants should submit an application pursuant to this by-law for making attachments on new or alternate poles or other structures. For MMED poles, in the event that the standards of MMED exceed the requirements of this Bylaw, the greater MMED standards apply.

**(7) RF Exposure**

Applicant shall comply with all provisions and guidelines of FCC OET Bulletin 65 and Town regulations, as may be amended from time to time.

**(8) RF Signage Requirements**

Approved signage as may be required by the Select Board.

**(9) Cessation of Use**

Any special permit issued hereunder by the Planning Board shall contain conditions requiring that small wireless facilities installed pursuant to this by-law shall be removed within one year of cessation of use.

**230.36H “5G”:**

Residential	R1	R2	R3	R
Districts	N	N	N	N

Business	B1	B2	B3	B4	PBD
Districts	S	S	N	S	S

Industrial	I1	I2	I3
Districts	S	S	S

Other	TOD	SPA
Districts	S	Y

**Article 13: Citizens Petition**

I move that the Town Code, Chapter 230: Zoning, also known as the Town’s Zoning Bylaws, Article IV, section 230-4.7, D. & E., be hereby amended as printed in the warrant. The article is as shown below:

“To see if the town will vote to amend the Town Code, Chapter 230: Zoning, also known as the Town’s Zoning By-Laws, Article IV, §230-4.7, D. & E. (7) to the extent necessary to change “Prohibited signs” by removing “Billboards or other off-site advertising.” from the list of prohibited signs and include under D. Permitted signs, number (5) Billboards, permitted only by Special Permit granted by the Mansfield Planning Board, within the Planned Business District, on property directly adjacent to limited access highways, known and numbered as Interstate 95 & Interstate 495. Also, to add definition of Billboards as follows: Any outdoor general advertising sign, whether double- faced, back to back, or V-shaped, that is 600 square feet or larger and serves as a structure or device to advertise, direct or call attention to any business, article, substance, or service, or anything that is painted, printed, pasted or affixed to any building, structure, wall, fence, pole, railing, natural object or structure of any kind on real property or upon the ground itself, and that advertises services, products or commodities that may or may not be available on the premises on which the billboard is located. (See additional text of article attached) Or take any action in relation thereto:

To see if the town will vote to amend the Town Code, Chapter 230: Zoning, also known as the Town's Zoning By-Laws, Article IV, § 230-4.7, D. & E. (7) to the extent necessary to change "Prohibited signs" by removing "Billboards." from the list of prohibited signs and include under D. Permitted signs, number (5) Billboards, permitted only by Special Permit granted by the Mansfield Planning Board, within the Planned Business District, on property directly *abutting* limited access highways, known and numbered as *either* Interstate 95 or Interstate 495.

Or take any action in relation thereto:

Criteria: In addition to the Special Permit Criteria as set forth in Article V, § 230-5.5 hereof, the Applicant shall:

1. Demonstrate compliance with the Outdoor Advertising Board Regulations (Commonwealth of Massachusetts), as amended and M.G.L. c. 93D s. 1-7, or any applicable provisions of the Federal/State Agreement governing outdoor advertising in areas adjacent to the national system of interstate and defense highway and the federal-aid primary system and any other state and federal statutes and regulation, including but not limited to M.G.L c. 6C, 23 U.S.C., 23 CFR 750.101 as they may be in force and applicable, *the more stringent regulation, or statute being applied;*
2. Demonstrate that the proposed location does not adversely interfere with the uses of adjacent properties;
3. Demonstrate that the proposed billboard does not create an adverse shadow on adjacent properties and that the digital copy does not change more often than once every 8-10 seconds and in no event does it display a flashing message;
4. Demonstrate that the proposed billboard does not contain an audio messaging component and will not enhance any visual message with the use of audio.
5. Demonstrate that the Billboard is in harmony with or suitable for the surrounding area and would not do significant damage to the visual environment. In making this determination, the Special Permit Granting authority may consider among other factors, health, safety, general welfare of the public, the scenic beauty of the area, the physical environmental, cultural, historical or architectural characteristics of the location and area, the structure, height, size of the sign, the number of signs on the premise and in the area where the Billboard is to be located.

Definition of Billboard to be added to Section 230-4.7. Signs and 230-1.5 Definitions, of the Mansfield Zoning By-Laws:

Any outdoor general advertising sign, whether double-faced, back-to-back, or V-shaped, that does not exceed 672 square feet, *per sign face* and serves as a structure or device to advertise, direct or call attention to any business, article, substance, or service, or anything that is painted, printed, pasted or affixed to any building, structure, wall, fence, pole, railing, natural object or structure of any kind on real property or upon the ground itself, and that advertises services, products or commodities that may or may not be available on the premises on which the billboard is located. Said Billboard shall not exceed 110 feet in height from established grade."

