

Annual Town Meeting Warrant
May 15, 2021

GREETINGS: In the name of the Commonwealth of Massachusetts, you are hereby required forthwith to warn the inhabitants of the Town of Nahant, qualified as the law directs, to assemble at the Flash Road Park, 67 Flash Rd, Nahant Massachusetts for the Annual Town Meeting on Saturday the 15th day of May, 2021, for to act on the Articles in this warrant at 12:00 p.m. that same day.

ARTICLE 1. (FY 2021 Transfers) To see if the Town will vote to raise and appropriate, and/or appropriate from available funds in the treasury, and/or transfer the following sums, or take any other action relative thereto.

ARTICLE 2. (FY2021 Snow & Ice) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, and/or transfer from available funds, a sum of money for the FY2021 snow and ice account, or take any other action relative thereto.

ARTICLE 3. (Prior Year bills) To see if the Town will authorize the payment of prior Fiscal Year bills, or take any other action relative thereto.

ARTICLE 4. (Salary & Classification Plan) To see if the Town will vote to amend the Nahant Town By Laws, Article XIII, Section 5, Subsection B, entitled "Chart of Classification and Salaries" for the fiscal year beginning July 1, 2021, or take any other action relative thereto.

ARTICLE 5. (Compensation for Elected Positions) To see if the Town will vote to fix the salary and compensation of all elective officers of the Town, as provided by Chapter 41, Section 108, as amended, or take any other action relative thereto.

ARTICLE 6. (Omnibus) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds such sums of money as may be necessary to defray Town charges for the fiscal year beginning July 1, 2021, or take any other action relative thereto.

ARTICLE 7. (Water & Sewer Enterprise) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds a sum of money to operate the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 2021, or take any other action relative thereto.

ARTICLE 8. (Water/Sewer - Equipment and Paving) To see if the Town will vote to appropriate from retained earnings in the Water and Sewer Enterprise Fund a sum of \$30,000 for paving throughout Town, including all costs incidental to or related thereto, or take any other action relative thereto.

ARTICLE 9. (Rubbish Enterprise) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Rubbish Enterprise. a sum of money to operate the Rubbish Enterprise Fund for the fiscal year beginning July 1, 2021, or take any other action relative thereto.

ARTICLE 10. (Compost Area) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Rubbish Enterprise, the sum of \$50,000 for the costs associated with the maintenance of the compost area, or take any other action relative thereto.

ARTICLE 11. (Recycling Carts) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, including retained earnings of the Rubbish

Enterprise, the sum of \$75,000 for the costs associated with the purchase of recycling carts, or take any other action relative thereto.

ARTICLE 12. (Recreation Revolving) To see if the Town will vote to accept M.G.L. Chapter 44, section 53D, thereby reauthorizing Parks and Recreation revolving accounts for general recreation, basketball, sailing, tennis, Fourth of July, tot lots, playground equipment, and Youth Commission, or take any other action relative thereto.

ARTICLE 13. (Amend Article IV of the General By-Laws and Establish Fiscal Year Spending Limits) To see if the Town will vote pursuant to Massachusetts General Laws Chapter 44, §53E½ to: (1) amend Section 8 of Article IV of the General By-Laws of the Town by establishing and authorizing two new revolving funds for use separately by the Board of Appeals and the Conservation Commission; and (2) establish fiscal year spending limits for such funds, all as set forth below; or take any other action relative thereto.

(1) Amend Section 8 of Article IV of the General By-Laws by adding:

C. Authorized Revolving Funds.

<u>FUND</u>	<u>REVENUE SOURCE</u>	<u>AUTHORITY TO SPEND FUNDS</u>	<u>USE OF FUNDS</u>
Board of Appeals Revolving Fund	Fees paid pursuant to the Zoning Act or Zoning By-Laws	Board of Appeals	To pay for the expenses required for training, processing applications, holding hearings, etc.
Conservation Commission Revolving Fund	Filing fees paid pursuant to the Wetlands Protection Act	Conservation Commission	To pay for consultant fees, expenses, etc. for administration and enforcement of the Wetlands Protection Act

(2) Vote to Establish Fiscal Year Expenditure Limits. (Note: This action is not a by-law amendment.)

And, further, to establish FY2022 fiscal year spending limits for such funds in the amounts indicated, with such limits to be applicable from fiscal year to fiscal year unless adjusted by Town Meeting prior to July 1 for the ensuing fiscal year, as follows:

<u>FUND</u>	<u>SPENDING LIMIT</u>
Board of Appeals Revolving Fund	\$10,000
Conservation Commission Revolving Fund	\$20,000

ARTICLE 14. (OPEB) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds the sum of \$25,000 to the Other Post-Employment Benefits Liability Trust Fund, or take any other action relative thereto.

ARTICLE 15. (Stabilization) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds the sum of \$125,000 to the Stabilization Fund, or take any other action relative thereto.

ARTICLE 16. (Paving) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing, a sum of \$100,000, for paving throughout Town, including the payment of all incidental or related costs, or take any other action relative thereto.

ARTICLE 17. (Town Hall Capital – Municipal Finance Software) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$350,000, or any other sum of money, to purchase and install a Municipal Finance Software and applications, including the payment of all incidental or related costs, or to take any other action relative thereto.

ARTICLE 18. (Police Department Capital – 2-Way Radio Communications) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$190,000, or any other sum of money, to purchase and install 2-Way Radio Communications equipment and software, including the payment of all incidental or related costs, or to take any other action relative thereto.

ARTICLE 19. (DPW Capital) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$112,000, or any other sum of money to purchase a Backhoe Loader and a Water Sewer Utility Truck and appurtenant fixtures, including the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

ARTICLE 20. (Coast Guard Design and Development Advisory Committee) To see if the Town will vote to authorize the Board of Selectmen to dispose of the property on Castle Road and Goddard Drive (known as the Coast Guard Housing)(Assessors Map 12D-0-1 and being premises being described in a deed recorded in the Essex County Registry of Deeds in Book 24011, page 401), and apply the proceeds of such sale to the payment of any outstanding debt issued by the Town to acquire the property in accordance with Chapter 44, Section 63 of the General Laws, under the following conditions:

That the existing houses are demolished, the in-ground oil storage tanks are removed, the land is leveled, the land is subdivided, and subject to any title issues being resolved, 12 individual lots be sold with deed restriction that no single individual/entity/group can purchase more than 1 lot, and lots cannot be combined, while retaining [permanent easements in, on and under] the following areas of said property

- An approximate 15-foot-wide path to connect the Heritage Trail to Bailey's Hill;
- An approximate 30 -foot-wide easement abutting the golf course to clear encroachment of the first tee;
- An approximate 10-to-20-foot-wide easement abutting Bailey's Hill to eliminate any encroachment to the dirt road access to the Bunker;
- And to prevent overdevelopment, deed restrictions be placed on each deed to limit the maximum Floor Area Ratio for these lots to 25%, and, to reduce construction congestion, sell alternating lots in 2 offerings over 2 years
- And all costs associated with the preparation of the lots and sale of the properties be paid off first with profits from the sale

and to see if the Town will vote to raise and appropriate, transfer from available funds or borrow, a sum of money to pay all costs of completing the conditions outlined above, including the payment of costs related or incidental thereto, or take any other action relative thereto.

ARTICLE 21. (Community Preservation) To see if the Town will vote to spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, not less than 10 per cent of the annual revenues for historic resources, and not less than 10 per cent of the annual revenues for community housing or to take any other action as may be allowed under the Community Preservation Act as requested by the Community Preservation Committee.

FY2022 Grant Recommendations:

- A. To appropriate the sum of \$10,000 from Fiscal Year 2022 Community Preservation Fund estimated revenues for administrative and operating expenses of the Community Preservation Committee.
- B. To appropriate the sum of \$32,375 from the FY 2022 Community Preservation estimated revenues to make improvements to the Nahant Little League Flash Road baseball fields fencing for the purpose of promoting recreation in the Town of Nahant, consistent with the application for CPA funding by the Nahant Little League, including all incidental and related costs.
- C. To appropriate the sum of \$4,000 from the FY 2022 Community Preservation estimated revenues to purchase and install an exterior sign for the Nahant American Legion Post 215, consistent with the application for CPA funding by the Nahant American Legion Post 215's, including all incidental and related costs
- D. To appropriate the sum of \$120,000 from the FY 2022 Community Preservation estimated revenues to make improvements to the Basketball & Tennis Courts located at Flash Road for the purpose of promoting recreation in the Town of Nahant, consistent with the Town of Nahant's request for CPA funding including all incidental and related costs.
- E. To authorize the Treasurer, with the approval of Board of Selectmen, to borrow the sum of \$500,000 pursuant to G.L. c.44B, §11, G.L. c.44, §§7 or 8, the State Public Library Bond program, or any other enabling authority, for the preservation of the three historic town-owned structures: the Nahant Public Library, located at 15 Pleasant Street; the Town Hall, located at 334 Nahant Road; and Greenlawn Cemetery, located at 195 Nahant Road consistent with the Town's application for CPA funding, including all incidental and related costs, and, as appropriate, to issue bonds and notes of the Town therefor, and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; and/or to authorize the Board of Selectmen to apply for, accept and expend any monies that may be made available to the Town for such purposes from any public or private source; and further, to appropriate from CPA FY2022 estimated annual revenues the sum of \$61,250 to pay debt service (principal and interest) on the first year of such borrowing.
- F. To appropriate for the payment of debt service of principal and borrowing on the \$400,000 Public Library Bonding authorized by the 2019 Annual Town Meeting (Article 16C), the sum of \$55,200 from Community Preservation Fund General Reserves for the first and second years of the bond payments.

FY2021 Grant Recommendations:

- G. To appropriate the sum of \$50,000 for the preservation of Ellingwood Chapel from the FY2021 Community Preservation Fund estimated revenues to fund priority building envelope repairs identified in the 2018 conditions assessment and interior plaster repair and painting consistent with the application for CPA funding by the Nahant Cultural Council and Town of Nahant and including all incidental and related costs.
- H. To appropriate the sum of \$17,000 from FY 2021 Community Preservation estimated revenues to cover 20% of the cost of the Nahant Dory Club in procuring and installing a new gangway and davit apparatus from Town Wharf and two new floating docks for the purpose of promoting recreation in the Town of Nahant. The majority of the total cost of the project, \$83,830, will be borne by the Dory Club and will be no less than \$66,830. The Dory Club will provide a professional engineering plan for the project, and the release of CPC funds will be contingent upon approval of the Town Administrator based on any independent engineering review of the plans he elects to engage, especially with regard to the impact of the new davit and gangway on the structural integrity of Town Wharf.
- I. To appropriate the sum of \$45,000 consisting of \$33,240 FY 2021 Community Preservation fund estimated revenues and \$11,760 from the CPC Community Housing Reserve to address window-related building envelope issues at the Nahant Housing Authority's buildings located at 41-53 & 75-77 Spring Road & 7-9 Emerald Road including all incidental and related costs, and in effect repair deteriorated wood material surrounding the windows to preserve the building envelope structure and remove the current windows in 12 low income family units, remove the deteriorated materials, replace the materials with new material, and then re-install/re-use the same windows.
- J. To appropriate the sum of \$155,000 from CPC Community Housing Reserve for the purposes of preserving the building envelope of the Nahant Housing Authority buildings located on Spring and Greystone Roads including all incidental and related costs, but if and only if NHA has first reported the exact and detailed nature of any preservation efforts it intends to, and receives approval to proceed from, the CPC and the Town Administrator before the CPC releases any such funds for the purposes stated herein.
- K. To appropriate the sum of \$41,000 from FY 2021 Community Preservation estimated revenues for Bailey's Hill Park - Fort Ruckman East Slope Restoration, consistent with the Town's request for CPA funding, including all incidental and related costs.
- L. To appropriate the sum of \$27,000 from the FY 2021 Community Preservation estimated revenues to make improvements to the Lowlands Softball Fields for the purpose of promoting recreation in the Town of Nahant, consistent with the Town of Nahant's request for CPA funding including all incidental and related costs.
- M. To appropriate the sum of \$165,000 consisting of \$128,165 from FY 2021 Community Preservation estimated revenues and \$36,835 from CPC General Reserves for preservation of the Town Hall to fund priority handicapped access work consistent with the request by the Town of Nahant, including all incidental and related costs.
- N. To appropriate the sum of \$24,000 Community Preservation Fund General Reserves for the use of the Town of Nahant to make improvements to Little Nahant Playground for the purpose of promoting recreation and the use of open space in the Town of Nahant consistent with the request by the Town of Nahant, including all incidental and related costs.
- O. To appropriate the sum of \$12,000 from Community Preservation Fund General Reserves for the use of the Town of Nahant to restore the basketball court on Spring Road for the purpose of promoting

recreation in the Town of Nahant consistent with the request by the Town of Nahant including all incidental and related expenses.

- P. To recommend that the Town transfer \$3,809.93 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2014 Community Preservation funds for the Recreation Feasibility Study for the Flash Road recreation area to the Community Preservation General Reserve.
- Q. To recommend that the Town transfer \$159.72 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2014 Community Preservation funds for the Wharf Sea Walls project to the Community Preservation General Reserve.
- R. To recommend that the Town transfer \$12,830.06 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2016 Community Preservation funds for the Wharf Boat Ramp project to the Community Preservation General Reserve.
- S. To recommend that the Town transfer \$29.45 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2018 Community Preservation funds for the Town Hall, Library, Ellingwood Chapel building envelope assessment study to the Community Preservation General Reserve.
- T. To recommend that the Town transfer \$ 0.41 from the unexpended funds appropriated to the Town of Nahant by the Annual Town Meeting from FY2018 Community Preservation funds from the 10-year Wharf bond to the Community Preservation General Reserve.
- U. To recommend the Town set aside from Fiscal Year 2020 Community Preservation Fund revenues for later appropriation any other amount not otherwise set aside or appropriated as aforesaid to be maintained in the Community Preservation Fund General Reserves Account for later appropriation.
- V. To appropriate through borrowing the sum of \$1,500,000 to pay a portion of the costs to acquire the fee simple or a lesser interest in all or a portion of the land located at 430 Nahant Road, Nahant, [shown on Assessors Map/Lot as 1B-0-1,] and described in a deed recorded with the Essex South District Registry of Deeds in Book 5344, Page 142, for open space, recreation, conservation and/or historic preservation purposes and an easement to use certain portions for beach purposes as shown on a plan on file with the Town Clerk, including the payment of all costs incidental or related thereto, [the expenditure of which is] subject to:

(i) a vote of the Town to acquire the above-described property, and

(ii) the receipt by the Town of grants or gifts in the amount of at least \$3,000,000 or such larger amount as shall be required, together with the amount appropriated at this Town Meeting, to pay the purchase price or pro tanto amount, as the case may be, of acquiring such interest in the above-described property,

and, further, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow the sum of \$1,500,000 under G.L. c. 44B, G.L. c. 44, §7, 8, or any other enabling authority, and to issue bonds or notes of the Town therefor, and any premium received by the Town 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, as amended, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, and to take any other action relative thereto.

ARTICLE 22. (Authorize Acquisition) To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, negotiated purchase, eminent domain taking (pursuant to c.80A exclusively), or otherwise, the

fee simple interest or any lesser interest in all or a portion of the land located at 430 Nahant Road, Nahant, [shown on Assessors Map/Lot as 1B-0-1,] and described in a deed recorded with the Essex South District Registry of Deeds in Book 5344, Page 142, certificate #47172, for open space, recreation, conservation and/or historic preservation purposes and an easement to use certain portions for beach purposes as shown on a plan on file with the Town Clerk, subject to the receipt by the Town of grants or gifts in the amount of at least \$3,000,000, or such larger amount as shall be required, together with the amount appropriated by Sub-article V of Article 21, to pay the purchase price or *pro tanto* amount, as the case may be, and all costs incidental or related thereto, and to take any other action relative thereto.

ARTICLE 23. (MWRA Borrowing) To see if the Town will vote to raise by borrowing, a sum not to exceed \$200,000 from the Massachusetts Water Resource Authority, to repair and/or replace water distribution lines and appurtenant structures, and in connection therewith, to enter into a loan agreement and/or security agreement with the MWRA relative to such loan, or take any other action relative thereto.

ARTICLE 24. (Wastewater By-law Amendment) To see if the Town will vote to amend Article XIV of Nahant's by-laws - Discharge of Wastewater, Drainage, Substances or Wastes - (1) to add definitions for 'Infiltration', 'Infiltration/Inflow' and 'Inflow'; (2) to add the following language to Section 6.5 - "This section includes, but is not limited to, inflow. Inflow is strictly prohibited."; (3) to rename Section 9.11 and add language clarifying the process to inspect for infiltration and inflow; (4) to add Section 10.7 to clarify the Town's ability to enforce these by-laws; and (5) to add Section 5.14 requiring the implementation of a 4:1 I/I removal plan for large (re)development projects; a copy of these amendments is available for review in the Town Clerk's office, or take any other action relative thereto.

ARTICLE 25. (Police By-law Amendment – Firearm Discharge) To see if the Town will vote to amend Police By-law Article XI Section 1 - Firearms - by deleting the words "a minimum of 300 yards off the shore" and replacing it with "a minimum of six-hundred (600) yards from the mean low water line", or take any other action relative thereto.

ARTICLE 26. (By-law – Snow Removal - Sidewalks) To see if the Town will vote, pursuant to Massachusetts General Laws, Chapter 85, Section 5, to amend Article VIII of the Police By-Laws - Streets, Sidewalks and Public Ways - to add the following section:

Section 15. (a) The owner or any other person having the care of any building or lot of land abutting upon any street or public place within the Town where there is a sidewalk, shall clear sidewalks and any abutting curb cuts or ramps of snow and ice a minimum of three (3) feet in width within twenty-four (24) hours after the snow ceases to fall for residential properties and within twelve (12) hours after the snow ceases to fall for non-residential properties. If the sidewalk becomes covered with ice that cannot be readily removed, the owner shall place sand, salt or similar material on the sidewalk so as to render it safe for pedestrians.

(b) This bylaw shall be enforceable through the Non-Criminal Disposition Procedures provided in Article XIII of the Police By-Laws, but the penalty for violation shall be:

1st offense: Warning

2nd offense and subsequent offenses, absent any mitigating circumstances: \$10.00

Each day on which a violation exists shall be deemed to be a separate offense.

The Nahant Police Department shall be authorized to enforce this by-law.

(c) The Board of Selectmen may promulgate regulations to implement this bylaw. Waivers shall be available for disabled, elderly and others with special needs or circumstances as promulgated by the Board of Selectmen.

ARTICLE 27. (Short-term Rental Excise Tax) To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 64G, Section 3A authorizing the imposition of a local excise tax upon the transfer of occupancy of a room in a short-term rental at a rate of 6% of the total amount of rent for each such occupancy, or take any other action relative thereto.

ARTICLE 28. (Short-term Rental By-law Advisory Committee) To see if the Town will form a 5-member Short-term Rental By-law Advisory Committee consisting of the building inspector, the health agent, one member of the planning board and two Nahant citizens appointed by the town administrator 1) to develop draft by-laws regulating short-term rentals pursuant to Massachusetts General Laws, Chapter 64G, Section 14; and 2) to present those draft by-laws at a future Town Meeting, or take any other action relative thereto. Said committee shall dissolve on June 30, 2024 or upon completion of task 1 and 2.

ARTICLE 29. (Marijuana - Local Tax) To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 64N, Section 3, authorizing the Town to impose a local sales tax at the statutory rate of not more than 3% on marijuana and marijuana product sales originating within the Town, or take any other action relative thereto.

ARTICLE 30. (Zoning By-law Amendments - Marijuana) To see if the Town will vote to amend the Nahant Zoning By-Laws by amending Section 2.02 (Definitions) to add Marijuana-related terms; by adding a new section – Section 14 (Marijuana Establishments [ME] and Medical Marijuana Treatment Centers [MTC]) – in an effort to abate the objectionable operational characteristics and minimize minor exposure to MEs and MTCs; and to amend Section 4.13 (Table of Use Regulations) to account for MEs and MTCs; a copy of these amendments are available for review in the Town Clerk’s office, or take any other action relative thereto.

ARTICLE 31. (Veterans’ Tax Work-Off Program) To see if the Town will vote to accept the provisions of Massachusetts General Laws, Chapter 59, Section 5N authorizing the Board of Selectmen to establish a Veterans’ Tax Work-Off Program for an amount not to exceed \$1,500 of local property tax, and further that an approved representative for a veteran physically unable to provide such services be permitted, or take any other action relative thereto.

ARTICLE 32. (Senior Deferred Property Tax Interest) To see if the Town will vote to reduce the rate of interest that accrues on property taxes deferred by eligible seniors under General Laws chapter 59, Section 5, Clause 41A from 4% to 2.5%, with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2020.

ARTICLE 33. (Sale of Town Owned Land) To see if the Town will vote to authorize the Board of Selectmen to convey, transfer or sell - pursuant to MGL Chapter 30B - a portion of town owned land located on the northwestern portion of Antigo Way and identified on the attached certified plan prepared by Ralph Reid and dated July 16, 2020 and measuring 192 square feet, or take any other action relative thereto.

ARTICLE 34. (Discontinue a Portion Antigo Way) To see if the Town, pursuant to Section 21 of MGL Chapter 82, will vote to discontinue - upon the Board of Selectmen’s conveyance, transfer or sale – the portion of Town owned land addressed in the previous Article, as described in the certified plan prepared by Ralph Reid and dated July 16, 2020, or take any other action relative thereto.

ARTICLE 35. (Tree By-laws) To see if the Town will vote to adopt a new article (“Article XIX – Trees”, a copy of which is on file with the Town Clerk) to the General By-laws aimed at, among other things: 1) the preservation of the tree canopy; 2) the planting of replacement trees; 3) the protection of air quality; and 4) the creation of a Nahant Tree Task Force, or take any other action relative thereto.

ARTICLE 36. (Parking Violations) To see if the Town will vote to rescind the acceptance of MGL Chapter 90, Section 20A, as voted at the 1964 Annual Town Meeting, and vote to accept MGL Chapter 90, Section 20A½, or to take any other action relative thereto.

ARTICLE 37. (Chapter 90 Highway) To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, or transfer from available funds, or raise by borrowing, such sum of money in order to accomplish certain highway construction and maintenance pursuant to the provisions of the General Laws, Chapter 90, or other state transportation program, or take any other action relative thereto.

ARTICLE 38. (General By-law Amendment - Non-Compostable Shopping Bag Reduction) To see if the Town will vote to amend the Nahant General By-Laws by adding a new Article - ARTICLE XIX: NON-COMPOSTABLE SHOPPING BAG REDUCTION – in an attempt to abate detrimental environmental impacts by eliminating the usage of thin-film, single-use plastic bags by all Retail Establishments in the Town of Nahant; a copy of this amendment is available for review in the Town Clerk’s office, or take any other action relative thereto.

ARTICLE 39. (Lowlands Drainage) - To see if the Town will vote to raise and appropriate and/or appropriate from available funds in the treasury, transfer from available funds, or raise by borrowing the sum of \$100,000, or any other sum of money, to fund drainage improvements in the Lowlands neighborhood generally consisting of Castle Road, Fox Hill Road, and Ward Road, including but not limited to, improvements to existing infrastructure of storm-water pipes and outfalls to Lynn Harbor, drainage ditches, as well as development of infrastructure to improve drainage, or take any other action relative thereto.

ARTICLE 40. (Citizen Petition – Lowlands Drainage) To see if the Town of Nahant will vote to appropriate up to \$100,000 or any sum of money, to fund plans and permitting to improve drainage in the Lowlands, in order to replace/repair/construct the existing Castle Road storm drain or a install new 36-inch-diameter storm drain, such plans and permitting will include the installation of a permanent fixed pump, and will include the payment of all costs incidental or related thereto, and to determine whether this appropriation shall be raised by borrowing or otherwise, or to take any other action relative thereto.

ARTICLE 41. (Citizen Petition - Wetlands Protection By-Law) To see if the Town will vote to repeal, in its entirety, the Wetlands Protection By-law adopted at the August 27, 2018 Special Town Meeting, or take any other action relative thereto.

ARTICLE 42. (Citizen Petition – Keeping Animals By-Law) We Move to adopt the following into the Nahant General Bylaws

General

Number of animals per residence shall be limited to 10 (pets or other). This includes all animals, mammals, reptiles, and birds. All animals must be kept as to not create a public nuisance by noise, odors, and/or appearance of property.

Aquarium fish shall be exempt from this bylaw.

Setbacks

All fences, pens, and ancillary buildings must comply with all other by-laws and permitting as required.

Dog houses shall be exempt from this bylaw.

All pens, cages, and enclosures to house animals other than dogs shall require setbacks of 25 feet from all property lines.

Pens/sty’s for the purposes of keeping swine and other farm type animals shall require setbacks of 100 feet from all property lines.

Property owners that have ponds and pools used for the purpose of keeping waterfowl, or troughs for watering of animals shall provide insect control to reduce the possibility of Triple E and other insect, bird, and animal Bourne viruses.

For farm type animals, a waste control plan for the elimination/removal of fecal waste must be filed with the town health department. Fecal waste must not be stored or spread on owner's property or disposed of in the Town's composting site.

Enforcement of this bylaw shall be the jurisdiction of the Animal Control Officer and/or Health Inspector.

Whoever is found in violation of this bylaw shall be given a 30-day notice to comply/ and after 30 days, will be subject to a \$10 fine per day per animal over the limit until compliance is met.no w

ARTICLE 43. (Continue Committees) To see if the Town will vote to continue the following standing committees to June 30, 2022: Community Preservation Committee, Cable TV Advisory Committee, Veterans Memorial Committee, Sailing Committee, Cemetery Advisory Committee, Coast Guard Design and Development Advisory Committee, Town Charter and Bylaw Committee, Tennis Committee, Town Owned Land Study Committee, Nahant Alternative Energy Committee, Golf Course Management Advisory Committee, and the Open Space and Recreation Plan Committee, , Cultural Council, FEMA Flood Insurance Study Committee, Green Community Committee, MVP Committee, Noise Abatement Committee, Nahant Fire Station Architectural Assessment Committee, or take any other action relative thereto.

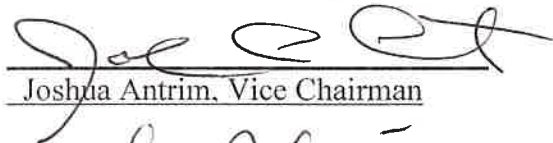
Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 12th day of April, 2021

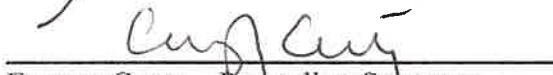
SELECTMAN of the Town of Nahant



Mark P. Cullinan – Chairman



Joshua Antrim, Vice Chairman



Eugene Canty – Recording Secretary

Served in hand to Town Clerk: Diane M. Dunfee

April 14 2021



Robert T. Scanlan, Constable

Pursuant to the foregoing notice, I The Constable of the Town of Nahant, have notified the inhabitants of said Town, by posting attested copies of this notice in the Nahant Town Hall, Public Library, Police Station and Fire Station, this 14 day of April, 2021. Town Of Nahant