W A R R A N T
THE COMMONWEALTH OF MASSACHUSETTS
ESSEX, SS.

To Either of the Constables of the Town of Andover Greeting:

In the name of the Commonwealth you are hereby required to notify and warn the Inhabitants of said Town who are qualified to vote in Town Affairs to meet and assemble at the J. Everett Collins Center Auditorium, Andover High School, Shawsheen Road, in said Andover, on

MONDAY, THE TWENTY NINTH DAY OF APRIL, 2019

At seven o'clock P.M. to act upon the following articles:

ARTICLE 1	ANNUAL TOWN ELECTION

Annual Town Election: Moderator for one year, two Selectmen for three years, two School Committee members for three years, one Housing Authority Member for five years, and one Punchard Free School Trustee for three years, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 2	ELECTION NOT REQUIRED BY BALLOT

To elect all other officers not required by law to be elected by ballot, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 3	SALARIES OF ELECTED OFFICIALS

To establish the salaries of the elected officers for the ensuing year, or take any other action related thereto.

On request of the Town Clerk

ARTICLE 4	FISCAL YEAR 2020 BUDGET

To see if the Town will vote to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, and to provide for a reserve fund for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020, or take any other action related thereto.

On request of the Town Manager

ARTICLE 5	FISCAL YEAR 2020 CAPITAL PROJECTS FUND

To see if the Town will vote to raise by taxation and appropriate a sum of money for the purpose of funding the Fiscal Year 2020 appropriation for the Capital Projects Fund, or take any other action related thereto.

On request of the Town Manager

ARTICLE 6	BUDGET TRANSFERS

To see if the Town will vote to transfer from amounts previously appropriated at the April, 2018 Annual Town Meeting as authorized by Massachusetts General Laws Chapter 44, Section 33B, or take any other action related thereto.

On request of the Finance Director

ARTICLE 7	SUPPLEMENTAL BUDGET APPROPRIATIONS

To see if the Town will vote to transfer from available funds a sum of money to supplement appropriations voted at the April, 2018 Annual Town Meeting, or take any other action related thereto.

On request of the Town Manager

ARTICLE 8	STABILIZATION FUND

To see if the Town will vote to appropriate and raise from taxation or available funds a sum of money to the Stabilization Fund in accordance with Massachusetts General Laws Chapter 40, Section 5B, as amended by Chapter 46, Sections 14 and 50 of the Acts of 2003, or take any other action related thereto.

On request of the Town Manager

ARTICLE 9	FREE CASH

To see what amount the Town will vote to permit the Assessors to use in Free Cash to reduce the Fiscal Year 2020 tax rate and to affect appropriations voted at the 2019 Annual Town Meeting, or take any other action related thereto.

On request of the Finance Director

ARTICLE 10	UNEXPENDED APPROPRIATIONS

To see what disposition shall be made of unexpended appropriations and Free Cash in the treasury, or take any other action related thereto.

On request of the Finance Director

ARTICLE 11	GENERAL HOUSEKEEPING ARTICLES (A THROUGH G)

To see if the Town will vote the following consent articles, or take any other action related thereto:

A. **Grant Program Authorization** To see if the Town will vote to authorize the Board of Selectmen and/or the Town Manager to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted to Andover by the Commonwealth of Massachusetts or the U.S. Government under any State or Federal grant program, or take any other action related thereto.

On request of the Town Manager

B. **Road Contracts** To see if the Town will vote to authorize the Town Manager to enter into a contract with the Massachusetts Highway Department Commissioners or the Federal Government for the construction and maintenance of public highways in the Town of Andover for the ensuing year, or take any other action related thereto.

On request of the Town Manager

C. **Town Report** To act upon the report of the Town officers, or take any other action related thereto.

On request of the Town Manager

D. **Property Tax Exemptions** To see if the Town will vote to accept the provisions of Section 4, Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 to allow an additional property tax exemption for Fiscal Year 2020 for those persons who qualify for property tax exemptions under Massachusetts General Laws Chapter 59, Section 5, or take any other action related thereto.

On request of the Board of Assessors

E. **Contracts in Excess of Three Years** To see if the Town will vote in accordance with the provisions of Massachusetts General Laws Chapter 30B, Section 12(b) to authorize the Town Manager or the Superintendent of Schools to solicit and award contracts for terms exceeding three years but no greater than five years, including any renewal, extension or option, provided in each instance the longer term is determined to be in the best interests of the Town by a vote of the Board of Selectmen or the School Committee, as appropriate, or take any other action related thereto.

On request of the Town Manager

F. **Accepting Easements** To see if the Town will vote to authorize the Board of Selectmen and the School Committee to accept grants of easements for streets, water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board and the Committee deem in the best interests of the Town, or take any other action related thereto.

On request of the Town Manager

G. **Rescinding of Bond Authorizations** To see if the Town will vote to rescind unissued bond authorizations from prior Town Meetings, or take any other action related thereto.

On request of the Finance Director

ARTICLE 12	GRANTING EASEMENTS

To see if the Town will vote to authorize the Board of Selectmen and the School Committee to grant easements for water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board and the Committee deem in the best interests of the Town, or take any other action related thereto.

On request of the Town Manager

ARTICLE 13	UNPAID BILLS

To see if the Town will vote to transfer from available funds a sum of money to pay unpaid bills for which obligations were incurred in prior fiscal years, or take any other action related thereto.

On request of the Town Accountant

ARTICLE 14	CHAPTER 90 AUTHORIZATIONS

To see if the Town will vote to authorize the Town to acquire any necessary easements by gift, by purchase or by right of eminent domain for Chapter 90 Highway Construction or any other federal or state aid program for road or sidewalk improvements, or take any other action related thereto.

On request of the Town Manager

ARTICLE 15	JERRY SILVERMAN FIREWORKS

To see if the Town will vote to appropriate and raise by taxation or available funds the amount of $14,000 for the Jerry Silverman Fireworks Program as part of the Fourth of July festivities, or take any other action related thereto.

On request of the Town Manager

ARTICLE 16	FISCAL YEAR 2020 REVOLVING ACCOUNTS

To see if the Town will vote to authorize the following expenditure limits for revolving funds for certain Town departments under Massachusetts General Laws, Chapter 44, Section 53E½ for the fiscal year beginning July 1, 2019, or take any other action related thereto:

Revolving Fund	FY2020 Limit
Community Development & Planning Department	$30,000
Memorial Hall Library-Lost/Damaged Materials	$20,000
Health Clinic	$60,000
Division of Recreation	$625,000
Division of Youth Services	$500,000
Field Maintenance	$150,000
Division of Elder Services	$225,000
Police Communications	$50,000
School Photocopy Fees	$15,000
Compost Program	$60,000
Solid Waste	$40,000
Stormwater Management	$5,000
Fire Rescue	$100,000
Health Services	$100,000

On request of the Finance Director

ARTICLE 17	SIGN SHOP REVOLVING FUND

To see if the Town will vote to amend Section 48 of Article XII and establish and authorize a new revolving fund for use by certain town/city departments, boards, committees, agencies or officers under Massachusetts General Law Chapter 44, Section 53E 1/2, and amend the table of Authorized Revolving Funds by inserting a new row after "Health Services" to read:

Sign Shop	Director of Public Works	Sign production revenue	Sign production and supplies expenses	Fiscal Year 2020 and subsequent years

On request of the Director of Public Works

ARTICLE 18	PEG ACCESS AND CABLE RELATED FUND EXPENSES

To see if the Town will vote to appropriate cable franchise fees and other cable-related revenues to support PEG access services, cable related expenses, and oversight of the cable franchise agreements for fiscal year 2020, which begins on July 1, 2019, or take any other action related thereto.

On request of the Finance Director

ARTICLE 19	OVERLAY SURPLUS TRANSFER FOR PROPERTY REVALUATION

To see if the Town will vote to transfer $32,000 from Overlay Surplus to fund the FY2020 property tax revaluation, or take any other action related thereto.

On request of the Finance Director

ARTICLE 20	ELDERLY/DISABLED TRANSPORTATION PROGRAM

To see if the Town will vote to appropriate and raise by taxation a sum not to exceed $14,000 for the purpose of continuing to provide for an elderly and disabled transportation subsidy program, or take any other action related thereto.

On request of the Council on Aging

ARTICLE 21	SUPPORT FOR CIVIC EVENTS

To see if the Town will vote to appropriate and raise by taxation or transfer from available funds a sum not to exceed $5,000 for the purpose of paying a portion of the municipal costs associated with civic events in the downtown, or take any other action related thereto.

On request of the Town Manager

ARTICLE 22	SPRING GROVE CEMETERY MAINTENANCE

To see if the Town will vote to transfer the sum of $6,000 from the Spring Grove Cemetery Perpetual Care reserve account and appropriate the sum of $6,000 for the purpose of cemetery maintenance, including costs incidental and related thereto, or take any other action related thereto.

On request of the Director of Public Works

ARTICLE 23	STABILIZATION FUND BOND PREMIUM

To see if the Town will vote to transfer the sum of $100,000 from the Bond Premium Stabilization Fund to the General Fund to offset non-exempt debt interest payments, or take any other action related thereto.

On request of the Finance Director

ARTICLE 24	SENIOR CENTER AT PUNCHARD RENOVATION AND CONSTRUCTION

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $4,500,000 for the purpose of purchasing professional services related to the design, renovation and construction, and for the construction of the Senior Center at Punchard, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Town Manager

ARTICLE 25	ELDER SERVICES PROGRAM STABILIZATION FUND TRANSFER

To see if the Town will authorize the transfer of the sum of $700,000 from the Elder Services Program Stabilization Fund to fund the construction of the renovation of the Senior Center at Punchard or offset the borrowing costs of the Senior Center at Punchard renovation construction, or to take any action related thereto.

On request of the Elder Services Task Force

ARTICLE 26	ELECTRONIC VOTING

To see if the Town will vote to amend Article II of the General Bylaws by adding the following as Section 5.2:
"Electronic Voting. Subject to the availability of a system to enable electronic voting by using wireless handheld mobile devices, the Moderator may count the vote on any matter before the Town Meeting by the use of such system." and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Andover Code of Bylaws, or take any other action related thereto.

On request of Brian Major and others

ARTICLE 27	RENTAL OF ELECTRONIC VOTING SYSTEM

To see if the Town will raise by taxation or transfer from available funds or any combination thereof and appropriate $25,000 to pay for the rental of an electronic voting system for the use at Annual and Special Town Meetings for fiscal year 2020, or take any other action related thereto.

On request of Brian Major and others

ARTICLE 28	WATER AND SEWER VEHICLES

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $225,000 for the purpose of purchasing Water and Sewer vehicles, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Public Works

ARTICLE 29	WATER MAIN REPLACEMENT PROJECTS

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $4,000,000 for the purpose of purchasing services and materials related to completing water main replacement projects, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Public Works

ARTICLE 30	SEWER INFLOW AND INFILTRATION REDUCTION PROJECT

To see if the Town will vote to appropriate the sum of $284,934.44 by repurposing funds remaining from the following articles: Article 41 of the 2007 Annual Town Meeting, Article 33 of the 2008 Annual Town Meeting, and Article 46 of the Annual Town Meeting, so that such funds may, instead, be used to pay costs of the Sewer Inflow and Infiltration Reduction Project, including all costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Public Works

ARTICLE 31	HYDRANT REPLACEMENT PROGRAM

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $100,000 for the purpose of purchasing services and materials related to the fire hydrant replacement program, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Public Works

ARTICLE 32	WATER TREATMENT PLANT PARKING AREA RECONSTRUCTION

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $110,000 for the purpose of purchasing services and materials related to the water treatment plant parking area reconstruction, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Public Works

ARTICLE 33	WATER TREATMENT PLANT GRANULAR ACTIVATED CARBON (GAC) REPLACEMENT

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $450,000 for the purpose of purchasing services and materials related to granular activated carbon replacement, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Public Works

ARTICLE 34	PUBLIC WORKS VEHICLES – LARGE

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $380,000 for the purpose of purchasing public works vehicles, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Public Works

ARTICLE 35	FIRE APPARATUS REPLACEMENT

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $360,000 for the purpose of purchasing fire apparatus, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Fire Chief

ARTICLE 36	MAJOR TOWN BUILDING PROJECTS

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $650,000 for the purpose of purchasing services and materials related to reconstructing, making extraordinary repairs to, and equipping various town buildings, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Facilities

ARTICLE 37	TOWN AND SCHOOL ENERGY EFFICIENCY INITIATIVES

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $420,000 for the purpose of purchasing services and materials related to completing Town and School energy efficiency initiatives, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Facilities

ARTICLE 38	MAJOR SCHOOL PROJECTS

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $920,000 for the purpose of purchasing services and materials related to reconstructing, making extraordinary repairs to, and equipping school buildings, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Facilities

ARTICLE 39	PUBLIC SAFETY MICROWAVE COMMUNICATIONS SYSTEM

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $300,000 for the purpose of purchasing services and materials related to the Public Safety Microwave Communications System, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Fire Chief

ARTICLE 40	TOWN BRIDGE MAINTENANCE AND EVALUATION

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $500,000 for the purpose of purchasing services and materials related to town bridge maintenance and evaluation, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Director of Public Works

ARTICLE 41	PARKING AND HARDSCAPE IMPROVEMENTS

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $400,000 for the purpose of purchasing services and materials related to making improvements to parking and hardscapes, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Planning Director

ARTICLE 42	STUDENT DEVICE REFRESH

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $372,870 for the purpose of purchasing services and materials related to replacing student technology devices, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Chief Information Officer

ARTICLE 43	PARKING VEHICLE REPLACEMENT

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $40,000 for purpose of purchasing a parking enforcement vehicle, including any other costs incidental and related thereto, or take any other action related thereto.

On request of the Police Chief

ARTICLE 44	DISPOSITION OF BUILDING AT 161 ANDOVER STREET

To see if the Town will vote to transfer the care, custody and control of the building situated on the property at 161 Andover Street to the Board of Selectmen for the purpose of removing the building and to authorize the Board of Selectmen to remove the building from the property, either by the sale or conveyance of the building on terms and conditions they deem to be in the best interest of the Town, even if the Town receives no financial payment, or by demolition of the building, if the Board of Selectmen determines that demolition of the building is in the best interest of the Town, or take any other action related thereto.

On request of the Town Manager

ARTICLE 45	DISPOSITION OF BUILDING AT 163 ANDOVER STREET

To see if the Town will vote to transfer the care, custody and control of the buildings situated on the property at the Ballardvale Fire Station at 163 Andover Street to the Board of Selectmen for the purpose of removing the buildings and to authorize the Board of Selectmen to remove the buildings from the property, either by the sale or conveyance of the buildings on terms and conditions they deem to be in the best interest of the Town, even if the Town receives no financial payment, or by demolition of the buildings, if the Board of Selectmen determines that demolition of the buildings is in the best interest of the Town, or take any other action related thereto.

On request of the Town Manager

ARTICLE 46	CHANGE FROM "BOARD OF SELECTMEN" TO "SELECT BOARD"

To see if the Town will vote to take the following action in order to change the title of Board of Selectmen to Select Board: to amend the Town's General Bylaws by striking the words "Board of Selectmen" wherever they appear and inserting the word "Select Board" in place thereof, or take any action related thereto.

On request of the Board of Selectmen

ARTICLE 47	CHANGE FROM "BOARD OF SELECTMEN" TO "SELECT BOARD"

To petition the Legislature to pass a Special Act to amend the Town Charter by striking the words "Board of Selectmen" wherever they appear and inserting the word "Select Board" in place thereof, and to provide that, with respect to the Town of Andover that wherever the words "Board of Selectmen" or "Selectman" appear in the Constitution, General or Special laws of the Commonwealth of Massachusetts, that such word shall apply to the Select Board of the Town of Andover and its members, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition, or take any action related thereto.

On request of the Board of Selectmen

ARTICLE 48	CHANGE FROM "BOARD OF SELECTMEN" TO "SELECT BOARD"

To see if the Town will vote to take the following action in order to change the title of Board of Selectmen to Select Board: to amend the Town's Zoning Bylaws by striking the words "Board of Selectmen" wherever they appear and inserting the word "Select Board" in place thereof; or take any action related thereto.

On request of the Board of Selectmen

ARTICLE 49	AMEND ZONING BYLAW ARTICLE VIII: SOLAR ENERGY

To see if the Town of Andover will vote to amend the Andover Zoning Bylaw, Article VIII, Section 3.1.3 Table of Use Regulations Appendix A Table 1, Section 4.2 Accessory Building and Structures, and Section 10 Definitions by adding the following:

Add to Section 3.1.3 Table of Use Regulations Appendix A Table 1

E. Other Main Uses	SRA	SRB	SRC	APT	LS	OP	GB	MU	IG	IA	ID	ID2
9. Solar Energy Systems												
a. Ground Mounted-Small Scale as an accessory use (See section 4.2.5)	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
b. Ground Mounted-Small Scale - Carport	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
c. Roof/Building Mounted	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
d. Ground Mounted-Large Scale (See Section 10 Major Non-Residential Project)	N	N	N	N	N	N	N	N	PB	PB	PB	PB

Add Section 4.2.5 Solar Energy Ground Mounted

Ground Mounted Small Scale as an accessory use and Ground Mounted - Small Scale - Carport shall be allowed on properties as an accessory use in rear yards and side yards, but not in front yards, provided such uses are not located nearer than 10 feet to any property line of the rear yard, they comply with the minimum setback requirements for side yards in the particular district, and they do not exceed 20 feet in height.

Add to Section 10 Definitions

Solar Energy System Ground Mounted – Small Scale - A solar photovoltaic system that is structurally mounted on the ground (i.e., not roof mounted) and has a maximum output of electric power production in Direct Current (i.e. Rated Nameplate Capacity) of less than 250 kW DC or less than 1,000 square feet of solar panel area or less.

Solar Energy System Ground Mounted – Large Scale - A solar photovoltaic system that is structurally mounted on the ground (i.e. not roof mounted) and has a minimum output of electric power production in Direct Current (i.e. Rated Nameplate Capacity) of 250 kW DC or more or more than 1,000 square feet of solar panel area. Solar Energy System Ground Mounted – Large Scale shall also include Solar Carport Energy Systems of 250 kW DC or more than 1,000 square feet of solar panel.

Solar Energy System Roof/Building Mounted - A solar photovoltaic system that is structurally mounted on the roof or side of the building.

Solar Energy System Carport System – A Solar Energy System Ground Mounted that also provides cover and shade for parking and/or pedestrian areas.

Add d. to Section 10 Major Non-residential Project definition

d. A proposal to construct a Solar Energy System Ground Mounted - Large Scale.

And further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Andover Code of By-Laws, or take any other action related thereto.

On request of the Planning Board

ARTICLE 50	**AMEND ANDOVER ZONING BYLAW SECTION 9.6.3: SIGNS**

To see if the town will amend Section 9.6.3. of the Zoning Bylaw by deleting the words "or a sign larger than four square feet" in the first sentence and inserting in place thereof with the following "signs as listed in Section 5.2.4.3. of this Bylaw"

On request of the Planning Director

ARTICLE 51	AMEND ANDOVER ZONING BYLAW DEFINITIONS

To see if the Town of Andover will vote to amend the Andover Zoning Bylaw, Article VIII, Section 10 Definitions by deleting the definition of "Sign" and replace with the following:

Sign: A sign shall consist of any of the following elements:
a. Lettering, words, numerals, emblems, trademarks, logos, images, drawings, pictures, graphics, pennants, streamers, or other devices of any material or construction, however displayed, whether as an independent structure or as part of a building or other structure;

b. Any visual device that informs, attracts or draws the attention of persons outside the premises on which the device is located, including messages within or attached to windows and doors;

c. Any lighting device or fixture, whether integral to the building façade or attached to it, which attracts or draws attention to the building or structure on which it is located and lighting of a building façade or its architectural elements. Sconces, attached to a ground floor of building, which comply with all of the lighting regulations of this bylaw, shall not be considered a sign.

On request of the Planning Director

ARTICLE 52	AMEND ANDOVER ZONING BYLAW ARTICLE VIII

To see if the Town of Andover will vote to amend the Andover Zoning Bylaw, Article VIII, Section 5.2 by deleting the current text and replace in its entirety with the following:

5.2 SIGNS.
5.2.1 Findings and Purpose.
A. **Findings**
1. The regulation of signs is necessary to serve the substantial governmental interests of the Town of Andover in protecting its natural, scenic, historic, cultural, and aesthetic qualities by preserving and enhancing the appearance of commercial, residential, and industrial buildings and by preserving and enhancing the appearance of public streets, parks and other public properties, while minimizing sign clutter and excessive illumination.
2. The regulation of signs will improve the town's appearance; make the town's commercial, residential, and industrial areas more attractive for development; and by doing so enhance the economic climate of the town.
3. The regulations set forth herein will directly advance public safety by protecting driver's sightlines, reducing glare and reducing driver distractions.
4. The public interest is served by signs that identify the products or services provided at that specific location.
B. **Purpose**
The purpose of this bylaw is to regulate the quantity, size, location and illumination of signs. Signs must be regulated to:
1. Preserve the historical ambiance and established aesthetic character of the town, including the unique aesthetic character of every neighborhood;
2. Prevent conditions which could contribute to visual clutter and blight;

3. Restrict signs and illumination which overload the public's capacity to receive information or which increase the probability of accidents by distracting attention or obstructing visibility;
4. Require accurate communication that informs the public;
5. Minimize adverse effects on nearby public and private property;
6. Prevent excessive illumination and light pollution to help conserve energy and foster an equitable aesthetic environment where every business, large or small will be noticed;
7. Promote a desirable aesthetic environment to attract new business.

5.2.2 Definitions. In this bylaw, the following terms shall apply:
1. **Attached Sign**: A sign that is either attached parallel to the facade of a building facing in the same direction as the facade, or displayed on an awning or fixed canopy of a building.
2. **Awning or Fixed Canopy**: A fixed or retractable structure, whether made of canvas, plastic, metal or other material, placed over a door or window. Awnings and fixed canopies themselves shall not be considered signs, but lettering, symbols or graphic elements appearing on the body of awnings and fixed canopies shall constitute an Attached Sign. The sign area of an awning or fixed canopy shall consist of the area encompassed by any lettering, symbols or graphic elements distinct from the background.
3. **Double-sided Sign**: A freestanding or projecting sign having two parallel opposite faces separated by a distance of not more than 12 inches. A sign with two opposite faces that are not parallel shall be considered a double-sided sign if the two faces are joined to each other, or to a common support structure, at one end, and the angle of separation between the two faces does not exceed 30°.
4. **Freestanding Sign**: A sign that is supported by its own support structure and is not attached to a building or other structure.
5. **Internally Illuminated Sign**: A sign that is illuminated by a light source internal to the sign utilizing translucent panels, canvas, fabric or other similar components to create an image by allowing light to pass through.
6. **Monument Sign**: A type of freestanding sign integrated into an ornamental base usually made of stone or brick oriented toward pedestrians and vehicles.
7. **Municipal Property**: Land owned by the Town of Andover whether developed or open space including parks, play fields and schools.
8. **Municipal Sign**: A sign on Municipal Property.
9. **Nonconforming Sign**: A sign, including its support structure, that does not conform to the regulations prescribed in this bylaw, but which was in existence at the time the regulations became effective and was lawful at the time it was installed or erected.
10. **Open Space**: Public or Private lands accessible to the public at no cost, for passive recreation such as hiking, bird watching, fishing, photography, cross country skiing, biking or other activities which do not alter or disturb the terrain and which conserve natural and scenic resources, protect air, streams or water supply, and enhance the value of the land to the public.
11. **Projecting Sign**: A sign attached to and mounted perpendicular to the façade of a building.
12. **Reverse lit/back lit/halo Sign**: An illuminated sign in which the illumination emanates from behind or at the perimeter of the graphic elements or lettering of the sign message, so as to form a halo-like effect around the graphics and/or lettering of the sign.
13. **Sign**: A sign shall consist of any of the following elements:
a. Lettering, words, numerals, emblems, trademarks, logos, images, drawings, pictures, graphics, pennants, streamers, or other devices of any material or construction, however displayed, whether as an independent structure or as part of a building or other structure;

b. Any visual device that informs, attracts or draws the attention of persons outside the premises on which the device is located, including messages within or attached to windows and doors;
c. Any lighting device or fixture, whether integral to the building façade or attached to it, which attracts or draws attention to the building or structure on which it is located; also, lighting of a building façade or its architectural elements. Sconces, attached to a ground floor of a building, which comply with all of the lighting regulations of this bylaw, shall not be considered a sign.
14. **Sign Area**: The area of the smallest horizontal or vertical rectangle enclosing the entire display area of the sign. The display area of a sign is the entire area, different in color and/or composition from the facade or common trim of the building, used to frame or provide a background for the sign. The measurable display area shall also include decoratively lighted sign support structures if such elements are present. The area of double-sided signs shall be calculated using the area of only one face of the sign.
15. **Sign Height**: The distance measured from the ground level at the base of the sign to the top of the sign or top of the support structure, whichever is higher. For freestanding signs, the land under or surrounding the sign may not be built up or elevated to reduce the calculated height of the sign.
16. **Sign Support Structure**: Any device, such as a pole, bracket or post, used to support a sign. The sign support structure shall be excluded from the calculation of the sign area if it a.) contains none of the elements described in § 5.2.2.13 above, and b.), for freestanding signs, the total width of the support structure is less than twenty-five percent (25%) of the width of the sign.
17. **Temporary Sign:** A non-permanent sign of any shape or configuration that is self-supporting and not permanently fixed to the ground or to another structure that is displayed for a limited duration. Temporary signs may be exterior (displayed on the exterior or outside of a structure) or interior (displayed from the inside of a structure, viewed from the outside through a window or other opening). Exterior signs shall be securely anchored so as not to be dislodged or blow over.

5.2.3 General Provisions.
1. *Exemptions.* The following signs shall be exempt from the provisions of this bylaw:
a. Flags of any government, except when they are displayed in connection with the advertising or promotion of a commercial product or service.
b. Legal notices required by the town, state or federal government.
c. Integral decorative and architectural features of buildings, historic lettering/trademarks and historic plaques.
d. On-premises signs, having an area not to exceed two (2) square feet, and a height not to exceed four (4) feet, and intended only to direct traffic and parking or warn of a safety hazard.
e. On valances of awnings or fixed canopies, lettering, symbols, or graphic elements not exceeding six (6) inches in height and not exceeding seventy-five percent (75%) of the height of the valance.
f. On awnings or fixed canopies, one (1) symbol or graphic element, without text, not exceeding five (5) square feet per awning.
g. Signs located on facilities or land under the care and control of the Massachusetts Bay Transportation Authority (MBTA).
h. Banners installed subject to the provisions of the Andover General Bylaw, Article XII § 44.
2. *Maintenance.* All signs shall be maintained in a safe and well maintained condition to the satisfaction of the Inspector of Buildings and in accordance with the Commonwealth of Massachusetts State Building Code, 780 CMR.
3. *Nonconforming Signs.*
a. Any nonconforming sign and/or support structure if legally permitted and installed or erected prior to the adoption of this bylaw, or any amendments thereto, which remains un-altered in any way, may be continued and maintained, subject to the provisions of Section 3.3.6. of this bylaw.

b. Nonconforming signs shall not be enlarged, rebuilt, restored or altered except in conformity with this bylaw.
c. Any nonconforming sign which has been destroyed or damaged to the extent that the cost of repair or restoration will exceed 1/3 of the replacement value as of the date of such damage or destruction shall not be repaired, rebuilt, restored or altered except in conformity with this bylaw.
4. *Liability.* No sign shall project more than five feet over any public right-of-way or other municipal property. Any sign projecting over a public right-of-way shall be covered by liability insurance in the amount of $2,000,000 as verified by a certificate of insurance filed with the Town Clerk naming the Town of Andover as additional insured.
5. *Enforcement*: The Building Inspector shall give written notice of violations. Failure to conform to the sign regulations within 30 days of the notice of violations may result in fines in accordance with Section 9.1 of this Bylaw. Signs on the public right-of-way or public property may be removed immediately by the Inspector of Buildings or his representative.
6. *Special Permits*: The Board of Appeals may grant special permits to allow signs not in conformity with this bylaw in specific cases where necessary to comply with other applicable laws; and/or where unnecessary hardship will result to the owner of the sign provided that the requested relief will not substantially derogate from the intent and purpose of this bylaw.

7. *Criteria for a Special Permit.* The Special Permit Granting Authority shall be the Board of Appeals. When acting upon an application for a special permit, the Board of Appeals shall consider the following:
a. The character of the proposed sign and its suitability to the building or structure and the surrounding neighborhood.
b. Its relationship to the architectural style, size and scale of the building or structure and the surrounding neighborhood.
c. The impact of the size and illumination of the sign on other establishments and properties in the surrounding neighborhood.
d. The recommendations of the Design Review Board and such other factors as the Board of Appeals deems appropriate in order to assure that the public interest is protected.

5.2.4 Sign Permit.
1. Unless specifically exempt or provided for elsewhere in this section, no sign, including municipal signs, shall be installed, erected, enlarged, redesigned or structurally altered without a sign permit issued by the Inspector of Buildings.
2. A completed sign permit application, fulfilling all requirements for requested materials and documents and specifying all pertinent dimensions and materials, shall be submitted to the Inspector of Buildings prior to installation or alteration of any sign.
3. Review by the Design Review Board (DRB). Pursuant to Section 9.6.2. and 9.6.3., the DRB shall review an application for: (a) a municipal sign in any district; (b) in non-residential districts, permanent signs greater than four (4) square feet, including but not limited to signage associated with uses requiring a building permit, a special permit, or a variance; (c) in SRA, SRB and SRC Districts, signage requiring a special permit or variance or associated with uses subject to DRB review (see 9.6.3.); (d) and in APT Districts, all permanent signs over four (4) square feet. The DRB shall submit its recommendations, if any, to the Inspector of Buildings. Applications for review by the DRB shall be submitted on an application form specified by the DRB.

5.2.5 Prohibited Signs and Devices. Any sign not explicitly allowed in this bylaw shall be prohibited. In addition:

1. No sign shall be lighted, except by a steady external and stationary light source which is fully shielded, and directed solely at the sign, and which has a CCT (Color Control Temperature) not exceeding three thousand (3,000k) Kelvins.
2. No illumination shall be allowed which casts glare onto any premises or onto any portion of a way so as to create a hazard.
3. No signs shall be illuminated between the hours of 11:00 p.m. and 7:00 a.m. unless the establishment is open to the public or unless authorized by a special permit. Public safety signs are excluded (e.g. street numbers, hazard signs) as are ATM machines and gas pumps.
4. No sign shall be illuminated by any color other than colorless or white light except for temporary holiday lighting. The CCT shall not exceed three thousand (3,000k) Kelvins.
5. No animated, revolving, flashing, audible, changing copy, video, inflatable, laser-projected, moving, feather style, changing light intensity, reverse lit/back lit/halo, exposed neon or similar exposed gaseous, tube illuminated signs shall be allowed (excluding holiday decorations).
6. Off-premises signs. Signs which advertise a commercial activity, business, product or service not produced or conducted on the premises upon which the sign is located shall be-prohibited.
7. No permanent or temporary sign shall be installed which obstructs visibility for pedestrians or motorists at any intersection, driveway, sidewalk or crosswalk.
8. No exterior attached sign shall cover any portion of a window or door including the casing.
9. No sign shall be allowed on the roof of any building and no portion of a sign shall extend above the lowest point of the roof or above the parapet of the building to which it is attached.
10. No sign owned by an entity other than the Town of Andover (permanent or temporary) shall be installed on public Open Space, Municipal Property or on public rights-of-way, unless otherwise approved by the Board of Selectmen upon demonstration of a hardship.

5.2.6 Permanent Signs allowed in all zoning districts.

The following signs are allowed in all zoning districts and do not require a permit. (See specific permit requirements for each zoning district in § 5.2.8 through § 5.2.12):

1. Signs identifying the street address of a building shall not require a sign permit if they do not exceed two square feet in total area.
2. Open Space signs. The owners or stewards of Open Space land may install non-illuminated signs on Open Space. Signs with an area not exceeding thirty-five (35) square feet with no commercial speech shall not require a sign permit.

5.2.7 Temporary Signs allowed in all zoning districts.

1. Temporary signs shall not require a sign permit.

a. Temporary signs shall conform to all regulations within the zone where they are located (e.g. size, height, setbacks) unless otherwise specified in this section.

b. Signs shall be located on private property and shall not be illuminated.

c. Permanently installed sign support structures erected solely for the display of temporary signs are prohibited.

2. Open Space, Municipal Properties and Conservation land: only the owners or stewards of the land may install temporary signs.
3. Residential Districts

a. Signs shall be located a minimum of three (3) feet from the property line.

b. One (1) temporary sign shall be allowed for each commercial or construction activity (including associated sub-contractors) while such activity is occurring on the residential property (e.g. real

estate, building contractors and sub-contractors). Additional commercial signs shall not be allowed.
4. Business and Industrial Districts
a. Interior temporary signs shall not exceed thirty percent (30%) of the transparent area of the windows and/or doors on which they are displayed.
b. The maximum allowed exterior signage shall be no greater than one (1) square foot per twenty feet of street frontage. For buildings with more than one occupant, the sign area for each occupant shall be proportional to the facade associated with each occupant's use.

5.2.8 Signs in Residential Districts (SRA, SRB, SRC, APT).
1. Single Family Residential Districts (SRA, SRB, and SRC). In addition to the signs allowed in §5.2.6 and §5.2.7 the following signs are allowed:
a. One permanent sign with an area not to exceed two (2) square feet, either attached or freestanding, shall not require a sign permit.
b. A permanent sign, either attached or freestanding, that exceeds two (2) square feet in area may be allowed by special permit. In no case, however, shall the sign area exceed six (6) square feet, or the sign height exceed three (3) feet.
c. Monument signs shall require a special permit.
2. Apartment Districts (APT). In addition to the signs allowed in § 5.2.6, the following signs are allowed:
a. One freestanding sign on each street on which the complex has street frontage, provided that the frontage also provides vehicular or pedestrian access to the complex. The sign area shall not exceed fifteen (15) square feet and the sign height shall not exceed six (6) feet.

5.2.9 Signs in General Business (GB) and Mixed Use (MU) Districts
In addition to the signs allowed in § 5.2.6 the following signs are allowed for commercial or business uses with a permit:
1. One (1) attached sign shall be allowed, oriented to each street, courtyard, and parking lot on which the commercial or business use has a facade, providing that such facade has either a window or a direct entryway into the use's space.
a. The sign may be either attached flat against the building or placed on an awning or fixed canopy.
b. The sign area of a flat attached sign for each individual business use shall not exceed fifteen percent (15%) in the GB District or ten percent (10%) in the MU District of the portion of the facade associated with that business.
c. Flat attached signs oriented to the street shall not exceed fifty (50) square feet in the GB District or eighty (80) square feet in the MU District.
d. In the GB District only, flat attached signs oriented to a parking lot or a courtyard shall not exceed twenty-five (25) square feet in area unless they mark the primary entrance to a building or establishment, in which case the sign area shall not exceed fifty (50) square feet.
e. Attached signs displayed on the body of awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning, and in no case shall they exceed twenty-five (25) square feet.
2. In addition to the above, each building that is set back a minimum of five (5) feet from the property line may install one freestanding sign, with a sign area not to exceed twelve (12) square feet in GB or twenty-five (25) square feet in MU. The sign height shall not exceed five (5) feet above ground level in GB or eight (8) feet above ground level in MU.

3. In addition to the above, each business may install one (1) projecting sign on each facade providing that such facade has either a window or a direct entryway into the use's space, subject to the following conditions:
a. The sign area shall not exceed nine (9) square feet, excluding the sign support structure.
b. The bottom of a projecting sign shall be at least eight (8) feet above the ground or public way. The top of the sign shall be no more than twenty-five (25) feet above the ground or public way.
c. No sign shall project more than five (5) feet from the facade to which it is attached.
d. A larger sign may be allowed by special permit, but in no case shall a sign area exceed fifteen (15) square feet.
4. A building occupied by multiple commercial or business uses may install a single directory sign on each façade with street frontage or parking lot, either attached to the façade of the building or projecting from the building, which identifies those occupants. The total area of such a directory sign shall not exceed one (1) square foot per occupant.
5. Unlighted graphics, lettering or symbols with transparent background mounted on the inside of windows or transparent entry doors shall not exceed thirty percent (30%) of the glass or transparent area; letters and numbers shall not exceed three (3) inches in height. Such signage does not require a sign permit.

5.2.10 Signs in Office Park Districts (OP) and Limited Service Districts (LS).
In addition to the signs allowed in § 5.2.6 the following signs are allowed with a permit:
1. One (1) freestanding sign shall be allowed for each street upon which a building or complex has frontage:
a. The sign area shall not exceed twenty-five (25) square feet and the sign height shall not exceed eight (8) feet.
b. Properties along route 93 and route 495, with a special permit, may have a larger sign if required for legibility but under no circumstances shall it exceed twelve (12) feet in height. (See 5.2.5. Prohibited Signs and Devices.)
2. In addition to the above, one (1) attached sign is allowed for each street upon which a building or complex has frontage. The sign may be either attached flat against the wall or placed on an awning or fixed canopy. The sign area of a flat attached sign shall not exceed twenty-five (25) square feet. Signs displayed on the body of awnings or fixed canopies shall not exceed twenty (20%) percent of the area of the awning, and in no case shall they exceed twenty-five (25) square feet.
3. In addition to the above, each business shall be limited to one (1) sign (attached or projecting) for each street and parking lot on which the business has an entryway. The sign area shall not exceed four (4) square feet.
4. The Board of Appeals may grant, subject to the criteria of 5.2.3.7., a special permit for a second sign on a building facing a limited access, high-speed highway.

5.2.11 Signs in Industrial G (IG) Districts. In addition to the signs allowed in 5.2.3.7., the following signs are allowed:
1. One (1) or more signs attached flat against the wall or placed on an awning or fixed canopy of a building for each façade that provides direct entry into the building, subject to the following conditions:
a. The sign area of a flat attached sign shall not exceed twenty percent (20%) of the area of the side of the building to which it is attached or eighty (80) square feet, whichever is less. Attached signs displayed on the body of awnings or fixed canopies shall not exceed twenty percent (20%)

of the area of the awning or fixed canopy, and in no case shall they exceed twenty-five (25) square feet.
b. No portion of a sign shall extend above the lowest point of the roof or above the parapet of the building to which it is attached. Signs displayed on awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning, and in no case shall they exceed twenty-five (25) square feet.
2. In addition to the above, one (1) freestanding sign for each street on which the property has frontage, subject to the following conditions:
a. The area of each sign shall not exceed fifty (50) square feet.
b. No part of any such sign shall be more than eight (8) feet above ground level.
c. No sign shall be located closer than five (5) feet to any property line.
3. The Board of Appeals may grant, subject to the criteria of 5.2.4.2, a special permit for a larger sign. (See 5.2.5. Prohibited Signs and Devices.)

5.2.12 Signs in Industrial A (IA) Districts. In addition to signs allowed in 5.2.6, the following signs are allowed:
1. One (1) or more signs attached flat against the wall or placed on an awning or fixed canopy of a building for each façade that provides direct entry into the building, subject to the following conditions:
a. The total area of all such signs on a building shall not exceed twenty percent (20%) of the area of the side of the building to which they are attached, or two hundred (200) square feet, whichever is less. Attached signs displayed on the body of awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning or fixed canopy, and in no case shall they exceed twenty-five (25) square feet.
b. No portion of the sign shall extend above the lowest point of the roof or above the parapet of the building to which it is attached.
2. One (1) freestanding sign for each street on which the property fronts, subject to the following conditions:
a. The area of each sign shall not exceed one hundred (100) square feet.
b. No part of any such sign shall be more than fifteen (15) feet above ground level.
c. No such sign shall be located closer than five (5) feet to the property line.

5.2.13 Signs in Industrial D (ID) Districts. In addition to the signs allowed in 5.2.6, the following signs are allowed:
1. One (1) or more signs attached flat against the wall or placed on an awning or fixed canopy of a building, subject to the following conditions:
a. The total area of all such signs on a building shall not exceed ten percent (10%) of the area of the side of the building to which they are attached, or two hundred (200) square feet, whichever is less. Attached signs displayed the body of awnings or canopies shall not exceed twenty percent (20%) of the area of the awning or fixed canopy, and in no case shall they exceed twenty-five (25) square feet.
b. No portion of the sign shall extend above the lowest point of the roof or above the parapet of the building to which it is attached.
2. In addition to the above, one (1) freestanding sign for each street on which the property fronts, subject to the following conditions:
a. The area of each sign shall not exceed one hundred (100) square feet.
b. No part of any such sign shall be more than twelve (12) feet above ground level.

c. No such sign shall be located closer than five (5) feet to any property line or the line of any street or way.

5.2.14 Signs in Industrial Two (ID2) District. In addition to the signs allowed in 5.2.6, the following signs are allowed:
1. One (1) attached sign shall be allowed, oriented to each street, courtyard, and parking lot on which the commercial or business use has a façade, providing that such façade has either a window or a direct entryway into the use's space.
a. The sign may be either attached flat against the building or placed on an awning or fixed canopy.
b. The sign area of a flat attached sign for each individual business use shall not exceed ten percent (10%) of the portion of the façade associated with that use.
c. Flat attached signs oriented to the street shall not exceed eighty (80) square feet.
d. Attached signs displayed on the body of awnings or fixed canopies shall not exceed twenty percent (20%) of the area of the awning or fixed canopy, and in no case shall they exceed twenty-five (25) square feet.
2. In addition to the above, each business may install one (1) projecting sign on each façade providing that such façade has either a window or a direct entryway into the use's space, subject to the following conditions:
a. The sign area shall not exceed nine (9) square feet, excluding the sign support structure.
b. The bottom of a projecting sign shall be at least eight (8) feet above the ground or public way, and the top of the sign shall be no more than twenty-five (25) feet from the ground or public way.
c. No sign shall project more than five (5) feet from the façade to which it is attached.
d. A larger sign may be allowed by special permit, but in no case shall a sign area exceed fifteen (15) square feet.
3. A building occupied by multiple commercial or business uses may install one (1) directory sign on each façade with street frontage or parking lot, either attached flat against the façade of a building or projecting from the façade of the building, identifying those occupants. The total area of such a directory sign shall not exceed one square foot per occupant.
4. Unlighted graphics, lettering or symbols with transparent background mounted on the inside of windows or transparent entry doors shall not exceed thirty percent (30%) of the glass or transparent area; letters and numbers shall not exceed three inches in height. Such signage does not require a sign permit.

5.2.15 Design Guidelines for Signs.
The following are further means by which the objectives stated in Section 5.2.1 can be served. These guidelines are not mandatory, but the degree of compliance with them shall be considered by the Special Permit Granting Authority in acting upon special permits, and by the Design Review Board as authorized hereunder.
1. Efficient Communication.
a. Sign content normally should not occupy more than forty percent (40%) of the sign background, whether displayed on a sign board or displayed on an architectural element of a building.
b. Non-verbal devices should be considered, in addition to text, as such graphic images can provide rapid and effective communication as well as character and enhance the owner's brand.
2. Environmental Relationship.
a. Sign brightness should not be excessive in relation to ambient lighting levels and the CCT shall not exceed 3000k. (See 5.2.5.4)
3. Relationship to Buildings.

a. Signs should be sized and located so as to not interrupt, obscure or hide the continuity of columns, cornices, eaves, sill lines or other architectural elements of a building, and wherever possible should reflect and emphasize the building's architectural form.
b. Sign materials, colors and lettering should be representative of and appropriate to the character of the building to which it is attached.

5.2.16 Severability.
The provisions in this bylaw are severable. If any part of this bylaw is declared to be unconstitutional or invalid by any court, the remaining parts of this bylaw will remain in full force and effect.

And further that non-substantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Andover Code of By-laws, or take any other action related thereto.

On request of the Planning Director

ARTICLE 53	COLUMBIA GAS REIMBURSEMENT OF COSTS INCURRED

To see if the Town will vote to transfer a sum of money from the Insurance Proceeds in Excess of $150,000 account and appropriate it to fund various general fund operating account deficits due to the Columbia Gas Disaster, or take any other action related thereto.

On request of the Finance Director

ARTICLE 54	SPECIAL PERMIT LAPSE

To see if the Town will vote to amend Section 9.4.7 of the Town's Zoning Bylaw, Special Permit Lapse by deleting "24 months" and replacing it with "36 months" and to add after the word "construction" "pursuant to permit", to read:
9.4.7 Lapse
Special permits shall lapse if a substantial use thereof or construction pursuant to permit thereunder has not begun, except for good cause, within 36 months following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

And further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Andover Code of Bylaws, or take any other action related thereto.

On request of the Planning Director

ARTICLE 55	ANDOVER HIGH SCHOOL FEASIBILITY STUDY COMMITTEE

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $210,000 for the purpose of purchasing services and materials related to the Andover High School Feasibility Study, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of the Andover School Committee

ARTICLE 56	AMEND SECTION 51 OF BYLAW ARTICLE XII – BAN POLYSTYRENE ONLY

To see if the Town will amend Article Xll §51 of the Town By-Laws for Polystyrene - Food, Beverage Ware, & Packaging Reduction as listed below; and to see if the Town will vote to appropriate and raise by taxation or available funds the amount of $2,500 to provide education and outreach on this amended By-Law to the affected establishments before its new effective date:

- Delete entire first paragraph prior to Subsections 1-6
- In Subsection 1: delete "through the use of reusable, recyclable, biodegradable and/or compostable materials" at end of the 10th point; and delete "and require the use and distribution of biodegradable, compostable, reusable, or recyclable products or materials in their place" at the end of the 12th point.
- In Subsection 2: delete definitions for "ASTM Standard", "Biodegradable", "Compostable, "Recyclable", and "Reusable".
- In Subsection 3: delete "and distribution" in first line; delete existing subparagraph b. and replace with "b. All food establishments using any disposable food service ware are prohibited from using any such ware containing Polystyrene"
- In Subsection 4: delete "person" and replace with "food or retail establishment" in the first sentence; delete "six" and replace with "twelve" in the second sentence; delete in their entirety the third and fourth sentences; add subparagraph c "c. Any disposable food service ware in inventory prior to the effective date in Subsection 6 (b) shall be exempt from this bylaw"
- In Subsection 6: delete "January 1, 2019" and replace with "May 1, 2020" in subparagraph b.

On request of Keith Saxon and others

ARTICLE 57	WATER COMMISSION

To see if the Town will vote to accept the provisions of Section 39A of Chapter 40 of Massachusetts General Laws to elect a Board of Water Commissioners in accordance with Section 69A of Chapter 41 of the Massachusetts General Laws at the next local election and cease having its Board of Selectmen act as such upon election of said Commissioners.

On request of Jose Albuquerque and others

ARTICLE 58	REPRESENTATIVE TOWN MEETING

To see if the Town will vote to have the Town Moderator appoint a special Governance Committee of nine residents, one from each precinct, to make a study and investigation of ways and means of establishing a Representative Town Meeting for the Town of Andover as the legislative branch of Town Government. Said Committee shall report its findings and recommendations to the Town at the 2020 Annual Town Meeting, or sooner.

On request of Jose Albuquerque and others

ARTICLE 59	FREE CASH

To see if the Town will transfer from Free Cash a sum of money, in the amount of 20% of the most recent certified Free Cash balance or if not Spring 2018 to reduce the tax rate for Fiscal Year 2019, from available funds, a sum of money to reduce the tax rate for FY19, or take any action in relation thereto.

On request of Jose Albuquerque and others

ARTICLE 60	SANBORN SCHOOL SITE IMPROVEMENTS

To see if the Town will vote to amend its action taken under Article 40 of the Warrant at the 2015 Annual Town Meeting, which vote authorized the borrowing of $319,000 for the purpose of paying for the design and engineering services for making school site safety, circulation, drainage and infrastructure improvements at the West Elementary School, including the payment of all costs incidental and related thereto, so that such funds may, instead, be borrowed and expended to pay costs of design, engineering and construction services for the Sanborn Elementary School, including the payment of all other costs incidental and related thereto, or to take any other action relative thereto.

On request of the Director of Facilities

ARTICLE 61	RIVER ROAD SENIOR RESIDENTIAL COMMUNITY OVERLAY DISTRICT CHANGE IN AGE RESTRICTIONS

To see if the Town will vote to amend the Zoning Bylaw, Article VIII, Section 8.8 in order to allow residents 55 and older to live in the Senior Residential Community Overlay District on River Road by deleting the age of "62" wherever it appears in Zoning Bylaw Section 8.8 and replacing it with the age of "55". The resulting Subsections of Section 8.8, as so amended, to read as follows:

8.8.1 Purpose.

The intent of this section is to allow flexibility in the development of parcels for housing and related services for persons 55 or older, with particular interest in meeting the needs of residents of Andover. The objectives of this section are to achieve the following purposes:

8.8.3 Definitions.
For the purpose of this section of the by-law, the following definitions shall apply:
Senior – Any person having reached the age of fifty-five (55) years.
Senior Household – Any household having at least one person 55 years or older.
Aging Population – Population having reached the age of 55 years or older.

8.8.5 Dimensional Requirements and Design Standards.
15. *Age Restrictions.* All dwelling units within the SRCOD shall require at least one resident to have attained the age of 55 and no resident shall be under the age of 18. Prior to issuance of the first building permit for a building, the applicant shall record a restriction, approved by Town Counsel, that all units shall require at least one resident to have attained the age of 55 and that no resident of a dwelling unit shall be under the age of 18.

8.8.8. Bonus.
Affordable Housing: The objective is to provide additional alternative affordable housing options for seniors in Andover having reached the age of fifty-five (55). The number of dwelling units (Independent Living, Congregate Care or Assisted Living Units) may be increased by two (2) market rate dwelling units for each one (1) additional affordable unit.

On request of Mark Johnson and others

ARTICLE 62	GREENWOOD ROAD SIDEWALK

To see if the Town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $888,000 for the purpose of constructing a sidewalk on Greenwood Road between Lowell Street and High Plain Road, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of Deepa Naik and others

ARTICLE 63	DASCOMB ROAD SIDEWALKS

To see if the town will vote to raise by taxation, borrowing, or transfer from available funds or by any combination thereof and appropriate the sum of $800,000 for the purpose of constructing a sidewalk on Dascomb Road between Clark Road and Andover Street, including any other costs incidental and related thereto, or to take any other action related thereto.

On request of Kelly Michaud and others

ARTICLE 64	SPRING GROVE CEMETERY TRANSFER OF PROPERTY

To see if the Town will vote to transfer the care, custody and control of the Property located on Spring Gove Road shown as "Area to be conveyed from the inhabitants of the Town of Andover to J&J Ball Realty Trust Area = 8,496 S.F." shown on a "Plan of Land in Andover, Massachusetts showing Land to be Conveyed from the Inhabitants of the Town of Andover to J&J Ball Realty Trust, 47 Spring Grove Road, Andover, Massachusetts dated January 13, 2017, Revised January 14, 2019" prepared by Merrimack Engineering Services (on file at the Clerk's Office) which is part of the Spring Grove Cemetery to the care, custody and control of the Selectmen for the purposes of conveying said parcel to J&J Realty Trust and to authorize the Selectmen to convey said parcel to J&J Realty Trust in consideration of the sum of at leaset $7,800; and to petition the Legislature to pass a Special Act in accordance with Mass. General Laws, ch. 114, §17, because the cemetery has been used as a burial place for more than one hundred years, and any other applicable law to authorize the above transfer, provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition, or take any action related thereto.

On request of Mark Johnson and others

ARTICLE 65	AMEND ANDOVER ZONING BYLAW ARTICLE XIII

To see if the Town will amend Article Xlll, Section 2.3, District Boundaries, of the Andover Zoning Bylaw and make the appropriate changes to the Zoning Map of Andover, Massachusetts, to rezone the following property from IA to SRC
The land known as 1320 South Street and 1322 South Street and 1323 South Street shown shown as Assessor Parcels 185-1, 184-3 and 184-3A, which plans are on file with Town Clerk and which is described as follows:

Beginning at the southeasterly corner of assessor's parcel 185-1 at the intersection of the westerly sideline of Interstate Route 93 and the Andover — Tewksbury town line; thence

Running in a northwesterly direction along the town line a distance of approximately 3,500' to a point in the centerline of the Shawsheen River, thence
Running in a generally northeasterly direction by the centerline of the Shawsheen River in a distance of approximately 1,100' to a point at the northerly corner of assessor's parcel 184-3A; thence

Running southeasterly by the northeasterly line of parcel 184-3A a distance of approximately 293' to a point in the centerline of the Shawsheen River, thence
Running in a southeasterly direction by the Shawsheen river a distance of approximately 195' to a point on the northeasterly line of assessor's parcel 184-3A; thence

Running in a southeasterly direction by the northeasterly line assessor's parcel 184-3A a distance of approximately 887' to a point; thence

Running southwesterly by the southeasterly line of assessor's parcel 184-3A a distance of approximately 250' to a point at the northerly corner of assessor's parcel 185-1; thence
Running southeasterly by the northeasterly line of assessor's parcel 185-1 a distance of approximately 1,350' to a point on the westerly sideline of Interstate Route 93; thence

Running southerly by Interstate Route 93 a distance of approximately 469' to the point of beginning or to take any action related thereto.

On request of Eliates Mercedat and others

ARTICLE 66	**PLANNING BOARD TERM**

To see if the Town will vote:to amend Article III, §3(b)(1) of the Town By-Laws by striking the phrase "terms of five years" and replacing it with "terms of three years" and to apply the foregoing amendment to (a) new Planning Board candidates and (b) incumbent Planning Board candidates at the expiration of their terms.

On request of Brad Weeden and others

And you are directed to serve this Warrant by posting attested copies and publication thereof, fourteen days, at least, before the time and place of said meeting as directed by the Bylaws of the Town.

Hereof fail not, and make return of this Warrant with your doings thereon, at the time and place of said meeting.

Given our hands this 25th day of February 2019.

Alexander J. Vispoli, Chair	)	
Laura M. Gregory, Vice Chair	)	SELECTMEN
Christian C. Huntress, Selectman	)	OF
Ann W. Gilbert, Selectwoman	)	ANDOVER
Paul J. Salafia, Selectman	)	

A true copy

A T T E S T

Ronald Bertheim, Constable

Andover, Massachusetts, 2-27-, 2019

Pursuant to the foregoing Warrant, I, the subscriber, one of the Constables of the Town of Andover, have notified the Inhabitants of said Town to meet at the time and place and for the purposes stated in said Warrant, by posting a true and attested copy of the same on the Town Hall, on each school house, and in no less than five other public places where bills and notices are usually posted and by publication in the *Eagle Tribune*. Said warrants have been posted and published fourteen days.

Ronald Bertheim, Constable