

TOWN OF HINGHAM



WARRANT

for the
ANNUAL TOWN MEETING

**Wednesday, April 24, 2024
at 7:00 P.M.**

**Hingham High School
17 Union Street, Hingham, MA**

and

**REPORTS
of the**

**Advisory Committee
Capital Outlay Committee
Planning Board**

**Select Board
Personnel Board
School Committee**

Please bring this report to the meeting for use in the proceedings

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**MODERATOR'S MESSAGE
ON
TOWN MEETING PROCEDURES**

Welcome to the 2024 Hingham Town Meeting. In our commitment to open town meeting, Hingham remains true to a wonderful tradition – of vesting in each citizen both voice and vote, enabling all of us to play a pivotal part in the work of our town and in shaping its future. Town meeting is not only a gathering of citizens to consider matters of common concern; it is the legislative body of the town. As such, the meeting must be conducted in a fair and open manner and in accordance with the Town By-laws, as well as traditions that we have followed in Hingham town meetings for many years. Several matters of procedure are summarized below.

- An **article** in the warrant states a question for the town meeting to answer. A **motion** is a proposed answer to the question and must be within the scope of the article. An article (once published in the warrant) may not be amended, but a motion may be amended by vote of the meeting. All motions must be seconded.
- If the Advisory Committee is recommending an **affirmative motion** under an article, its motion will be received as the main motion under the article. A voter may propose to amend this motion, either to change it in part or to substitute a whole new motion (sometimes called a "substitute motion"). In any such case, the proposed amendment will be taken up and voted on first and then the main motion, as it may have been amended, will be acted upon.
- If the Advisory Committee is recommending **no action** under an article and a voter offers an affirmative motion, the voter's motion will be received as the main motion under the article. Such a motion is likewise subject to amendment.
- All **motions and proposed amendments** involving the expenditure of money must be **in writing**. So must all other motions and proposed amendments unless they are so brief and simple as to be easily understood when stated orally (e.g., motion for the previous question, motion to adjourn). Voters are welcome to seek the assistance of counsel for the Town in preparing motions or proposed amendments.
- **Limits on speaking:** No one may speak on any subject for more than six (6) minutes for the first time or for more than three (3) minutes for the second time. No one may speak more than twice on any question unless all others who have not spoken on the question shall have spoken if they desire to do so and unless leave of the meeting is first obtained. A person may speak more than twice, but only to make a brief correction of an error in or misunderstanding of his or her previous statement, including brief answers to questions from the floor (addressed through the Moderator).
- In addressing the meeting, a speaker shall confine his or her remarks to the matter before the meeting.
- Persons who are not registered voters of the Town may be admitted to the meeting as **guests** by the Moderator. A guest of the meeting may be granted permission to address the meeting by majority vote.
- The purpose of the **motion for the previous question** is to end discussion and have an immediate vote on the pending question. The motion is not debatable and requires a majority vote for adoption. The Moderator will decline to accept a motion for the previous question if

other voters are seeking recognition and if both sides have not had a fair opportunity to be heard. The Moderator will accept the motion for the previous question if it appears that both sides have been heard and the discussion is becoming repetitious.

- **Voting procedures:** All votes are taken in the first instance by voice vote. If the Moderator is in doubt as to the results or if seven (7) voters rise and express doubt as to the result declared by the Moderator, a standing vote is taken, **except** that a ballot vote is taken (instead of a standing vote) if either the Advisory Committee or fifty (50) voters promptly call for a ballot vote. As a ballot vote takes considerable time, our practice has been not to request a ballot vote in the absence of compelling reasons.
- At a **Special Town Meeting**, no money may be appropriated for any purpose if the Advisory Committee recommends against the appropriation, except by a **two-thirds vote** of the meeting.
- No vote may be **reconsidered** except after a **two-thirds vote** on a motion to reconsider such vote. A vote may not be reconsidered a second time or after a motion to reconsider it has failed to pass.
- A vote adopted at one session of the town meeting may not be **reconsidered at a later (adjourned) session** of the meeting unless the mover has given notice of the mover's intention to make such a motion either at the session of the meeting at which the vote was passed or by written notice to the Town Clerk not less than 12 hours before the hour to which adjournment has been voted and not more than 48 hours after the hour of adjournment of such session. Any motion for reconsideration pursuant to such notice of intention will be taken up at the beginning of the adjourned session.
- **Articles** in the warrant are to be acted upon **in their order** unless the meeting otherwise determines by majority vote.
- A **motion to adjourn** the meeting to a later time is a privileged motion and is decided by majority vote without debate. When the warrant is completed, a **motion to dissolve** the meeting is in order.
- The number of voters constituting a **quorum** in order to convene the first session of a Regular or Special Town Meeting is 300. The number of voters necessary to convene the second or any subsequent session of a Regular or Special Town Meeting is 200. Once convened, the quorum to transaction business at any Regular or Special Town Meeting is 200; provided, however, that a number of less than 200 may from time to time adjourn the same. Once a quorum is determined at the start of the meeting (or adjourned session), the presence of a quorum is presumed to continue unless a point of no quorum is raised and a count of the meeting shows that a quorum is not present. In that event, the meeting may be adjourned to a later date.
- **If you wish to speak**, please rise and seek the attention of the Moderator or the Assistant Moderator. When recognized by the Moderator, you should come to a microphone. Please state your name and address at the outset each time you speak.

April 2024

Michael J. Puzo
Moderator

REPORT OF THE ADVISORY COMMITTEE

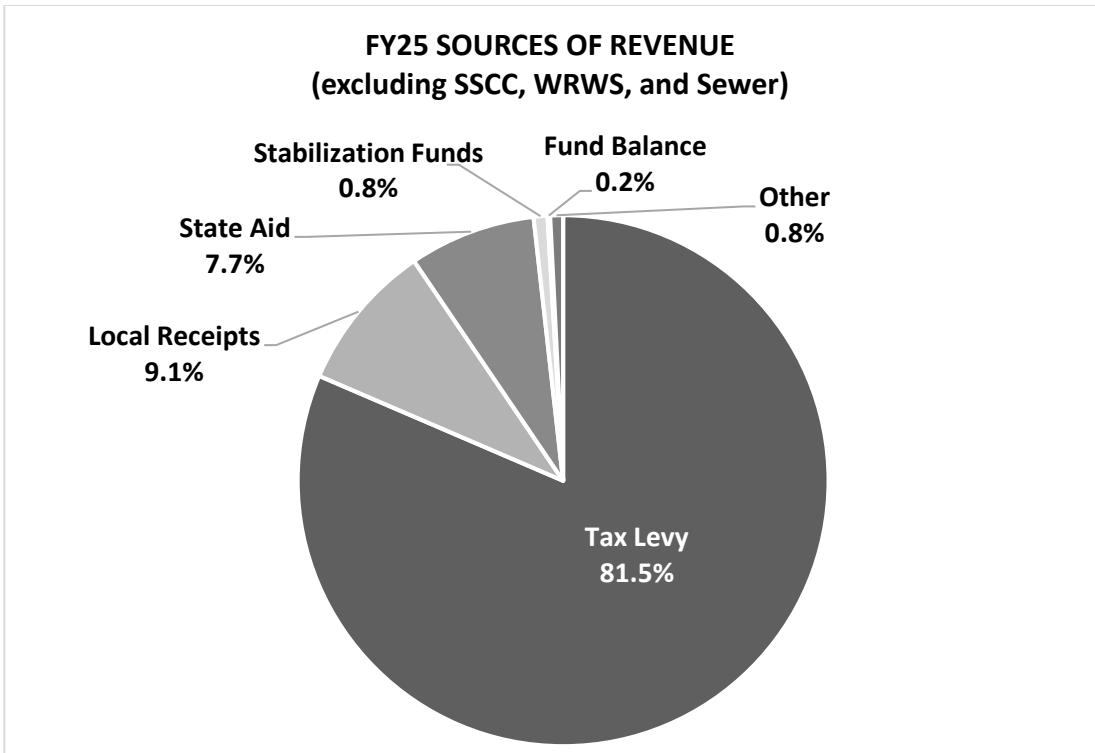
The Advisory Committee recommends the proposed Fiscal Year (“FY”) 2025 budget (Articles 4 and 6) for Town Meeting approval.

The Town’s financial position is solid as we remain committed to the sound financial practices outlined in our Financial Policy. Throughout the budget process, the Advisory Committee has been guided by key considerations and guiding principles in that policy. The Committee’s goal is to develop a budget that provides the level of services expected by residents, provides a funding source for those services, ensures that current assets are maintained while planning for the future, and maintains the Town’s Aaa bond rating. The Advisory Committee believes that the proposed budgets are fair and equitable and represent a level of service consistent with the expectations of the Town’s residents.

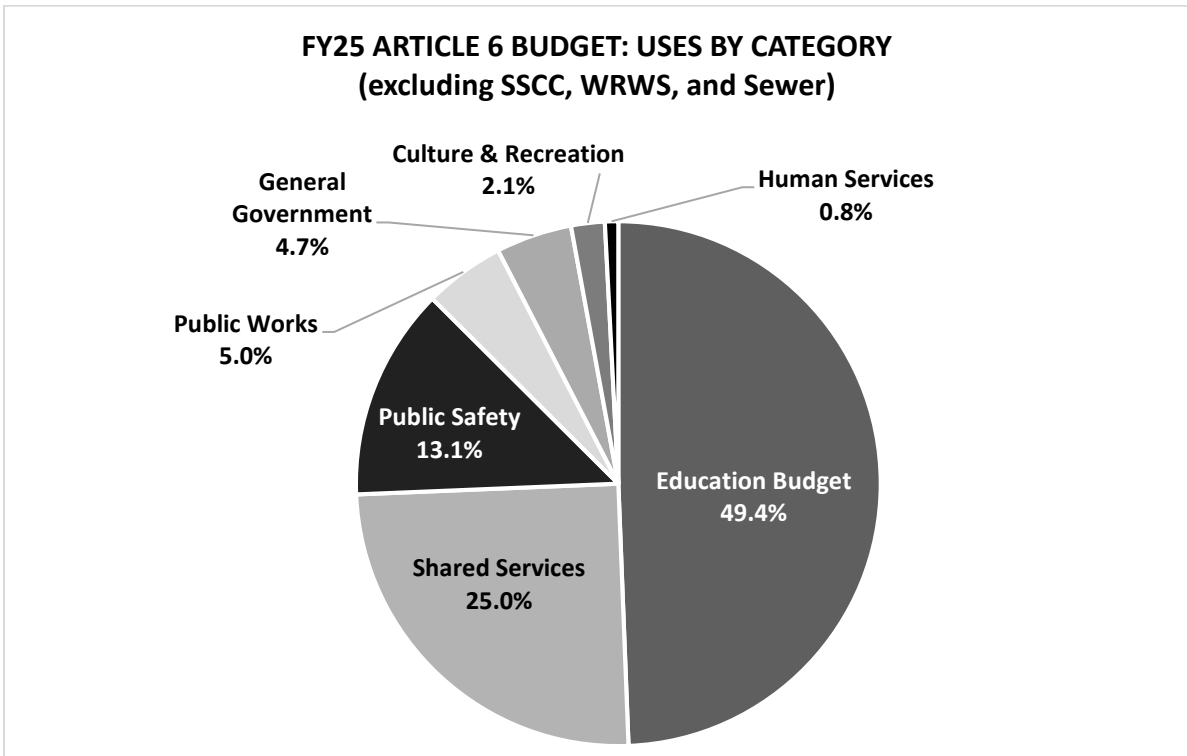
The Advisory Committee continues to monitor the ratio of the Town’s Unassigned Fund Balance to the Town’s Total Annual Expenditures. This is a key metric of fiscal health and effective management in evaluations by credit rating agencies. The Town’s Aaa bond rating provides the Town access to debt markets when other potential borrowers (with lower bond ratings) are unable to find purchasers for their riskier debt. The Aaa bond rating also means the Town can secure the lowest possible interest rates for its bond offerings, resulting in lower debt service costs funded by property taxes. The availability of debt at reasonable rates is a key component of the Town’s financial assumptions. The resulting debt service costs at lower-than-projected levels also reduces the tax burden for Hingham taxpayers. This benefit will become increasingly important as we bond the full costs of the ongoing elementary school and public safety facility projects, as well as look ahead to the additional capital projects before the Town. These include the Center for Active Living, the Harbor Wharf Walls, the High School Roof Replacement, the 3A Sewer replacement project, the Harbor Dredging, as well as the South Fire Station project. The Advisory Committee is mindful of the impact of future borrowings on the taxpayer and rating agencies.

The Town’s revenue sources for FY25 include a 2.5% increase in the tax levy, new growth of \$740,000, modest increases in State aid and local receipts, use of the Municipal Waterways Improvement and Maintenance Fund and State Per-ride Assessment Funds, as well as \$1,000,000 from the Capital Project Cost and Debt Service (CPCDS) Stabilization Fund. The CPCDS Stabilization Fund was created in 2022 by Special Town Meeting specifically to help mitigate the tax impact of the new elementary school and public safety facility projects.

Here is a breakdown of revenue by category, excluding self-supporting operations (South Shore Country Club, Weir River Water System, and Sewer).



All budgets have been closely scrutinized by each department head, the Town Administrator, the Town Accountant, the Select Board, and the Advisory Committee. Here is a breakdown of spending by category, excluding self-supporting operations (South Shore Country Club, Weir River Water System, and Sewer).



Overall, budgets have grown from FY24 to FY25 by a total of 5.64%. This includes Articles 4 and 6, excluding self-supporting operations. Note that the FY25 School Department budget does not include out-of-district costs that exceed the 2% as defined in the Financial Management Plan. Costs in excess of 2% that cannot be covered by grants and/or applicable school revolving funds will be paid for out of Unassigned Fund Balance through the Reserve Fund process at the end of the fiscal year.

	FY24	FY25	% CHANGE
Municipal Departments:	\$ 34,731,577.00	\$ 35,947,182.00	3.50%
School Department:	\$ 65,703,985.00	\$ 68,003,625.00	3.50%
Capital Outlay (tax levy):	\$ 3,297,477.00	\$ 3,400,000.00	3.11%
Employee Benefits:	\$ 16,584,348.00	\$ 17,489,526.00	5.46%
Debt Service:	\$ 8,783,730.00	\$ 11,357,273.00	29.30%
Insurance and Incidentals:	\$ 1,225,910.00	\$ 1,700,527.00	38.72%
TOTAL	\$ 130,327,027.00	\$ 137,898,133.00	5.64%

In developing the FY25 budget, the Advisory Committee held 17 public meetings with Town and School leaders and with individual Department heads. The goal of these hearings was to understand the key budget drivers, the current and projected workload within the department, the staffing and related services necessary to address the workload while still maintaining the current quality of services provided, and the immediate and long-term effects of budget-related decisions.

The budget presented in this Warrant is based on the FY24 Override Framework and FY24-28 Financial Management Plan (the “Financial Plan” or “Plan”). This Plan was developed as part of the FY24 budget development process and was signed by the Select Board, the School Committee, the Advisory Committee, the School Superintendent, and the Town Administrator. The FY24 budget presented and passed at the 2023 Annual Town Meeting included a \$7.9MM operational override, resulting in a 7.8% tax increase for the median assessed house in the Town. This is in addition to the estimated 6.5% tax increase as a result of the debt exclusions approved at the 2022 Special Town Meeting to support the new elementary school and public safety facility buildings.

The Financial Plan was created as a public commitment to the taxpayers to hold budget increases for the municipal and school departments to 3.5%, year-over-year, through FY27 (excluding out-of-district special education costs incurred by the schools, as defined in the document). In 2022, the Sustainable Budget Task Force recommended 3.5% as the target for budget increases given the constraints of Massachusetts’ Proposition 2 ½, which limits the Town’s increase in the annual tax levy. The tax levy provides 75% of the revenue for the Town. The 2023 Annual Town Meeting also created a Tax Mitigation Stabilization Fund to allow the Town to earmark a portion of excess Unassigned Fund Balance to delay the need for future overrides through at least FY27. The School Department remains concerned about the volatile increases in special education out-of-district tuition and transportation costs, which is why the Financial Plan contemplates these budgets outside of the 3.5% constraint on the rest of that budget.

The Financial Plan is prescriptive in the budget amounts for the four years under consideration. Budgets are capped at the following amounts:

Maximum Operating Budgets	2024	2025	2026	2027
Municipal Budget (3.5%)	\$ 34,731,577	\$ 35,947,182	\$ 37,205,334	\$ 38,507,520
OOD tuition and special education contracts (2% fixed annual growth rate - see Section 1d above)	\$ 3,194,702	\$ 3,258,596	\$ 3,323,768	\$ 3,390,243
Other School expenses	\$ 62,509,283	\$ 64,745,028	\$ 67,059,983	\$ 69,456,939
School Budget (3.5%)	\$ 65,703,985	\$ 68,003,624	\$ 70,383,751	\$ 72,847,183

As noted above, even with the constraints of the municipal and school budgets, the Town’s FY25 Total Annual Expenditures (“TAE”) (Articles 4 and 6) will increase 5.8% over FY24 TAE. This increase is primarily due to wage inflation, as personnel expenses represent 77% of the Town’s Operating Budget. The Select Board, School Committee, and Personnel Board continue to work diligently to ensure that Town employees are compensated fairly and in line with benchmark communities. The Town continues to fund its Other Post-Employment Benefits (“OPEB”) liability and has budgeted an additional \$1,412,523 for this item in FY25. Budgeted debt service has increased by \$2,573,544 as a result of the new elementary school and public safety facility projects. While some existing debt will be retired starting in 2025, the Town has additional capital needs that will most likely require additional excluded debt borrowing in the near future.

FINANCIAL POLICY CONFORMANCE

Expenditures in the proposed FY25 budget conform to the Town’s Financial Policy guidelines as follows:

	Target	Actual
Unassigned Fund Balance	16-20% Total Annual Expenditures	27.9% (6/30/23) 31.71% (6/30/22)
Capital Outlay	3.0-6.0% of Operating Budget	3.12% (FY25) 3.14% (FY24) 2.75% (FY23)
Debt Service	5.0-10% Total Annual Expenditures	8.24% (FY25) 6.74% (FY24) 4.88% (FY23)

Unassigned Fund Balance between 16% and 20% of Total Annual Expenditures (“TAE”)

- Fund Balance is the accumulation of each year's actual surpluses and deficits. In accordance with the implementation of GASB 54, Fund Balance is classified into five categories: Nonspendable, Restricted, Committed, Assigned, and Unassigned.
- Total General Fund Balance was 41.9% of TAE at the end of FY23 (the most recently completed Fiscal Year), equaling \$49,850,735. The amount reserved for particular future uses (per GASB 54) is \$16,576,649 (33.3%).
- As of the end of FY23, Unassigned Fund Balance equaled \$33,274,086 or 27.9% of TAE. Excess Unassigned Fund Balance (unassigned fund balance above 20% of TAE) was \$9,458,865. The Advisory Committee recommends putting \$2,500,000 into the Tax Mitigation Stabilization Fund to be used in FY26 and FY27 to close projected gaps between anticipated revenue and expenses with the goal of delaying the need for an operational override.

Capital Expenditures between 3% and 6% of the Operating Budget

- Per the Town Financial Policy, the Capital Plan for any Fiscal Year should budget between 3% and 6% of the Town's Operating Budget for that Fiscal Year.
- For FY25, the Capital Outlay tax levy budget is \$3,400,000, or 3.12% of the FY25 Operating Budget.
- The COC recommended a FY25 total capital budget of \$27,252,000, of which \$3,400,000 will be funded from the tax levy. The total capital budget includes \$13,625,000 for sewer-related projects to be paid by sewer ratepayers; \$7,930,000 for the Weir River Water System to be paid by ratepayers; and \$634,000 for the South Shore Country Club, to be paid for by user fees. Additional Funding sources include an authorization to borrow \$1,200,000 for a fire truck (see Article 24), \$435,000 from the Municipal Waterways Improvement and Maintenance Fund, and \$28,000 from the Capital Stabilization Fund.
- In a separate Warrant Article, the Advisory Committee recommends spending \$1,055,229 from the Community Preservation General Fund for open space/recreational use purposes to be used by Town of Hingham Recreation Commission for the Community Playground Project.
- The Advisory Committee recommends continued monitoring of the Capital Outlay Budget and maintaining funding levels as prescribed by the Town's Financial Policy. The Town should continue to be mindful of major upcoming capital projects needed in the Town and the impact on the Capital Outlay Plan, taxpayer rates, debt service, and fund balance.
- All of this spending and borrowing is subject to approval at Annual Town Meeting.

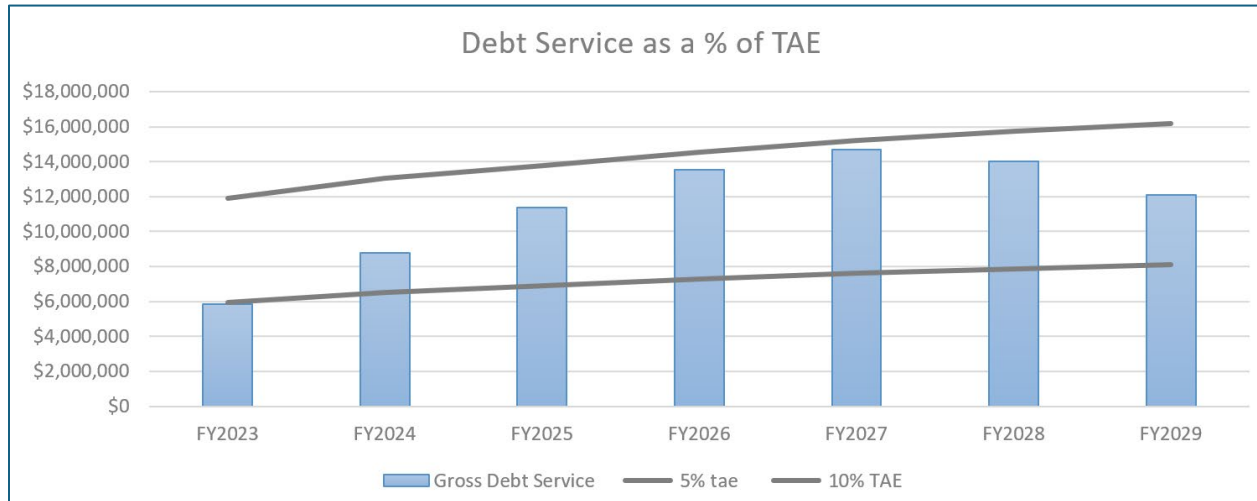
Reserve Fund of Approximately 0.75% of the Operating Budget

- Massachusetts General Laws provide for annual appropriations to a Reserve Fund from which transfers for extraordinary or unforeseen expenditures may be made from time to time, with the advice of the Select Board and the approval of the Advisory Committee. The Reserve Fund is used to save the time and expense of a Special Town Meeting for relatively low-cost items.
- Per the Town's Financial Policy, the annual appropriation amount for the Reserve Fund should be approximately 0.75% of the Operating Budget.
- In FY23, a total of \$1,363,333 in Reserve Fund transfers were made.
- Unexpended funds (if any) in the Reserve Fund for a Fiscal Year are returned to Fund Balance effective at the end of that Fiscal Year.
- The proposed amount for the FY25 Reserve Fund is \$791,302. This represents 0.75% of the FY24 Operating Budget.

Average Annual Debt Service between 5% and 10% of Total Annual Expenditures ("TAE")

- Per the Town's Financial Policy, the Town should maintain average annual debt service (repayment of principal and current interest for borrowings) between 5% and 10% of TAE.

- FY25 debt service of \$11,357,270 represents 8.2% of FY25 TAE – an increase from FY24 (6.7%).
- The graph below shows currently issued debt only.



- The Advisory Committee notes that the Town has before it several projects that could be financed through the issuance of additional debt. These include the Center for Active Living, the Harbor Wharf Walls (~\$7-8MM), the High School Roof Replacement (~\$15MM), the 3A Sewer replacement project (~\$10MM), the Harbor Dredging (~\$10MM), as well as the South Fire Station project. The Advisory Committee is mindful of the impact of future borrowings on the taxpayer and rating agencies.

FY25 PROPERTY TAX RELIEF

- As in previous years, the FY25 budget includes tax relief for the benefit of all taxpayers. Property taxes for FY25 will be higher than in FY24, but the amount of increase will be less than it would be without certain tax relief measures, most notably the Capital Project Cost and Debt Service Stabilization Fund created by the 2022 Special Town Meeting. The Advisory Committee recommends using \$1,000,000 from this Fund to help mitigate the FY25 tax impact of the debt service for the new elementary school and public safety facility projects.
- In addition, the Town offers over twelve tax relief programs to eligible citizens and Town Meeting took action in 2023 to double the benefit of many of the exemptions offered. Information regarding these programs can be found on the Assessing page of the Town’s website.

LONG-TERM FINANCIAL OBLIGATION AND LIABILITY FUNDING

- The FY25 budget recommends funding Contributory Retirement and Other Post-Employment Benefits (“OPEB”) (retiree health care benefits) so as not to burden future generations with unsustainable or disproportionate financial obligations. The FY25 budget includes a Contributory Retirement funding amount of \$7,727,318 and an OPEB contribution of \$1,412,523.
- Frequent analysis of the OPEB funding level is necessary due to the continual changes in the actuarial assumptions that determine the contribution amount. These include the impact of future health insurance premiums, the updating of actuarial assumptions related to lifespans, and the

assumed future rate of return on the set-aside funds. The Town does a full actuarial valuation of OPEB every two years. As of June 30, 2023, Hingham had funded its OPEB trust with \$23,633,903. Assets are projected to be available to make all projected future benefit payments for current plan members. The next valuation will be done in the fall of 2024.

REVENUE SOURCES AND USES (5 YEAR FORECAST)

- For FY25, total budgeted revenue Uses include Article 4 and 6 appropriations of \$161,344,501 and amounts reserved for State Assessments, Overlay and Other Expenses totaling \$1,708,231. The aggregate budget Uses for FY25 of \$161,344,501 balances to the forecasted revenue sources of \$161,344,501.
- New Growth is the amount by which the property tax base increases due to new development and improvement to existing properties. The projection of New Growth revenue for FY25 and beyond is based on the extrapolation of building permit activity and other indicators of the local economic outlook. The Town is currently forecasting New Growth to increase modestly from FY24 to FY25. This trend is expected to continue for the next few years as there are no large development projects before the Town in the near term.
- With regard to particular FY25 Other Revenue line items:
 - South Shore Country Club (“SSCC”) and Weir River Water System (“WRWS”) are enterprise funds and as such their revenues are fully offset by their operating expenses, capital expenses, and employee benefit costs, as detailed in Article 6 Uses total.
 - Likewise, Sewer revenues are fully offset by sewer operating expenses, debt, capital expenses, and employee benefit costs, all of which are included in the Article 6 Uses total.
 - Estimated Light Plant revenue of \$500,000 is a payment in lieu of taxes (“PILOT”).

The Advisory Committee notes that the impact of reduced growth in the future will make it increasingly difficult to fund new services or initiatives from the tax levy. Additionally, Debt Service is likely to be higher than forecasted if new debt is issued to fund new projects. Accordingly, the 5-year Forecast potentially understates the deficits of the future.

FIVE-YEAR FORECAST

	ACTUALS FY2023	ESTIMATE FY2024	FORECAST FY2025	FORECAST FY2026	FORECAST FY2027	FORECAST FY2028	FORECAST FY2029
SOURCES							
Tax Levy							
Prior Year Levy (before excluded debt)	89,363,478	92,360,198	103,368,500	106,692,712	110,140,030	113,543,531	117,032,119
2.5% increase	2,234,087	2,309,005	2,584,212	2,667,318	2,753,501	2,838,588	2,925,803
New growth	762,633	808,830	740,000	780,000	650,000	650,000	650,000
Override	0	7,890,467	0	0	0	0	0
Debt exclusions (net of Stab + CPCDS)	3,506,882	5,910,437	7,514,266	8,717,383	9,680,198	10,361,133	10,737,936
Total Tax Levy	95,867,080	109,278,937	114,206,978	118,857,413	123,223,729	127,393,252	131,345,858
Other Revenue							
State Aid (1.5% FY26-29)	10,475,993	10,699,148	10,810,653	10,972,813	11,137,405	11,304,466	11,474,033
Local Receipts (2.5% FY26-29)	13,643,507	11,963,849	12,690,332	13,007,591	13,332,781	13,666,100	14,007,753
Fund Balance/Federal Funds	3,785,882	404,000	219,564	0	0	0	0
SSCC	2,279,692	2,754,998	2,775,026	2,775,026	2,775,026	2,775,026	2,775,026
Weir River Water System	14,774,444	14,154,255	14,027,558	14,027,558	14,027,558	14,027,558	14,027,558
Sewer	4,105,914	4,084,483	4,339,400	3,900,120	4,095,126	4,299,882	4,514,876
Light Plant (\$450K Min.)	476,957	500,000	500,000	500,000	500,000	500,000	500,000
Stabilization Fund	178,836	178,836	178,836	178,836	178,836	178,836	178,836
CPCDS Stabilization Fund (for Foster/PSF)	0	0	1,000,000	2,000,000	2,500,000	1,500,000	0
Tax Mitigation Stabilization Fund	0	0	0	0	0	0	0
Excess Overlay	620,000	150,000	0	0	0	0	0
Municipal Waterways Fund	125,000	144,000	571,143	140,908	145,840	150,944	156,227
Per-ride Assessment Funds	0	0	25,010	0	0	0	0
Total Other Revenue	50,466,225	45,033,569	47,137,522	47,502,852	48,692,571	48,402,813	47,634,309
Total Sources	146,333,305	154,312,506	161,344,501	166,360,265	171,916,300	175,796,065	178,980,167
USES							
State Assessments (5% FY26-29)	1,209,365	1,170,095	1,108,231	1,163,643	1,221,825	1,282,916	1,347,062
Overlay	301,101	850,000	600,000	600,000	600,000	600,000	600,000
Other expenses / deficits	0	100,000	0	0	0	0	0
Total	1,510,466	2,120,095	1,708,231	1,763,643	1,821,825	1,882,916	1,947,062
Appropriations							
Capital Outlay (+\$100k FY26-29)	2,779,378	4,282,477	4,460,000	3,500,000	3,600,000	3,700,000	3,800,000
Article 6	135,109,506	147,283,788	154,394,599	162,044,513	168,902,606	174,286,489	178,684,061
Article 4	0	302,497	781,671	809,029	837,346	866,653	896,985
Total appropriation	137,888,883	151,868,762	159,636,270	166,353,542	173,339,952	178,853,141	183,381,046
Total Uses	139,399,350	153,988,857	161,344,501	168,117,185	175,161,777	180,736,057	185,328,108
EXCESS (Shortfall)	6,933,956	323,650	(0)	(1,756,920)	(3,245,476)	(4,939,992)	(6,347,941)

ADVISORY COMMITTEE RECOMMENDATIONS

The Advisory Committee has voted unanimously to recommend the budget amounts presented in Articles 4 and 6 for approval by Town Meeting. In addition, the Advisory Committee has reviewed each of the other Articles in the Warrant and, after public discussion with sponsors, petitioners, proponents, and other interested citizens, has provided comments and recommended motions that reflect the relevant points made during the Committee's deliberations.

ACKNOWLEDGEMENTS

The Advisory Committee is most grateful for the assistance and support of Town Administrator Tom Mayo, Assistant Town Administrators Michelle Monsegur and Arthur Robert, Town Accountant Ann MacNaughton, Office Manager Sharon Perfetti, and Executive Assistant Heidi Gaul. Their diligence and timely support have enabled the Advisory Committee to better represent and serve the Town.

As in past years, the Advisory Committee benefited from strong working relationships with the Select Board, the School Committee and Administration, Town Department heads, the Capital Outlay Committee, the Community Preservation Committee, the Planning Board, and the numerous other Town Boards, Commissions, and Committees with which the Advisory Committee and its liaisons routinely interface. Developing a budget is always challenging and the Advisory Committee could not have completed its work without the support of so many of our Town leaders. Continued collaboration, mutual respect, and teamwork benefit everyone.

Hingham continues to be well served by the extraordinary efforts of its many capable and responsible employees and volunteers. The Advisory Committee thanks them all for their contributions.

THE ADVISORY COMMITTEE

Nancy MacDonald, Chair
Tina Sherwood, Vice-Chair
Caitlyn Kirk, Secretary
Alan Macdonald
Sarah Melia
Brenda Black
Carol Tully
Kathy Curley
Joe Griffin
Jason Price
Brian Stack
Judd Caplain
Steven Pohl
Kevin Freytag
Ted Ciolkosz

REPORT OF THE SELECT BOARD

As a result of the hard work and dedication of municipal leaders, employees, volunteers, and residents, our community experienced many milestones. Hingham emerged from the COVID-19 pandemic with a focus on capital improvements, achieving a sustainable budget, expanding tax relief programs, and focusing on climate action goals. The Town continued to maintain its Aaa/AAA rating, the highest rating of credit worthiness from all three major credit rating agencies, assuring that Hingham has access to capital markets at the lowest possible rates.

The Select Board ("Board") set a number of goals for Fiscal Year 2024 ("FY24") that focused on five areas: 1) building the team and filling key vacancies, 2) driving process improvement in areas such as technology and communications, 3) identifying revenue opportunities by pursuing economic development and recommendations from the Sustainable Budget Task Force, 4) implementing the Master Plan with a focus on climate resiliency and mental health and wellness, and 5) managing the large capital projects within Hingham. We are proud of the progress we've made in all of these areas and highlight initiatives of note below.

Budget

As signaled by the Board and the Advisory Committee at Annual Town Meetings 2021 and 2022, an override would be needed for FY24 to maintain services. The Board and Advisory Committee unanimously voted to support a \$7.89M override which was subsequently approved at Annual Town Meeting and at the ballot in April 2023. The Board wishes to thank the citizens of Hingham for supporting this critical investment in our Town's people and infrastructure.

At the center of the Select Board and Advisory Committee recommendations to support the override was the FY24-28 Financial Management Plan that ensured ongoing fiscal responsibility by controlling budget growth for the municipal and school budgets at 3.5% through FY28. The Board remains steadfast in upholding this financial commitment to citizens with a 3.5% growth rate of the FY25 municipal and school budgets being presented to Town Meeting while also upholding our commitment to our most vulnerable learners. The Board continues to support and value educational excellence across the district. Unassigned Fund Balance will be used for unpredictable out-of-district special education costs to ensure all students receive the support they need and education they deserve.

The Select Board continues to seek additional revenue sources, including exploring commercial and residential development opportunities and expanding private/public partnerships as a strategic component to support future large capital projects. We will continue to work to structure a budget where recurring expenditures such as wages and salaries are supported by recurring sources of matching revenue. Equally as important, we must continue to strive to keep Hingham affordable for all residents and grow our stock of affordable housing. Promoting diversity, equity, and inclusion is a major priority. The Board is grateful to the Hingham Human Rights Commission for their efforts to create a community in which everyone feels welcome and safe.

Tax Relief Programs

The Town of Hingham offers a number of different property tax relief programs for residents based on age, income, and veteran or disability status. In the past year, the Board and Town Meeting voted to expand existing programs, doubling the tax benefit, and offered residents the maximum amounts possible under state law. The Board also worked with the Board of Assessors to increase publicity of existing programs and saw applications grow significantly as a result of an increased awareness campaign. Current programs include a Hingham-specific Senior Means-Tested Tax Exemption, exemptions for residents who experience financial hardship who are over 65 years old, surviving spouses or persons over 70, an Elderly and Disabled Taxation Aid Fund, as well as programs for disabled veterans and Gold

Star Families. The Board reaffirms its commitment to ensuring residents are able to benefit from all existing tax relief programs available to Massachusetts residents.

Major Capital Improvements

The Board wishes to thank the dedicated work of the School Building Committee and School Committee for all their efforts as we work collectively towards an on-time and on-budget opening of the new elementary school in September 2024.

The Board also wishes to thank the Public Safety Facility Building Committee for its diligence as we look forward to opening the new public safety facility on Route 3A in the spring of 2025.

The Board now turns its focus to the development of a new Center for Active Living (formerly known as the Senior Center). The Board unanimously voted in 2023 to ask the Center for Active Living Building Committee to look at additional locations for a new Center while also exploring the potential to expand the existing Center at Town Hall. The Board wishes to thank the Center for Active Living Building Committee for its commitment to this project as they select an architect and evaluate Town Hall and Bare Cove Park as the two proposed sites. As we look to 2024 and beyond, the Board remains committed to developing a state-of-the-art Center for Active Living.

Environment and Sustainability

The Town continued to work towards achieving its environmental goals. The Board wishes to thank the Climate Action Committee on the completion of a thorough and innovative Climate Action Plan. We have included funding in the FY25 budget to hire a full-time Sustainability Coordinator that will help the Town execute the Climate Action Plan and to combat changes in the environment threatened by the continued release of carbon and other climate changing gases. The Board is also exploring the need for a Resiliency Committee to work in conjunction with the Harbor Development Committee and Climate Action Commission as climate change continues to threaten our coastal areas and downtown.

Public Health

The Town has developed an Opioid Action Plan to help our community members struggling with substance abuse disorders. In addition to the opioid plan, we are working on an overall strategy to combat the mental health crisis facing us. Municipal and School staff have formed a Mental Health Coalition to help reduce the stigma associated with mental health and provide the necessary resources to improve overall wellness. The Town has invested in a full-time social worker in the Health Department in addition to the Crisis Clinician in the Police Department funded last year. Following the Command Group model implemented during the COVID-19 pandemic, we will continue to work to keep residents safe and healthy. Critical infrastructure doesn't just mean roads and buildings, but also building a workforce that cares for people's mental health within our schools and community.

Conclusion

The Select Board wishes to thank all Town employees and residents who assist us in carrying out our mission. Our beloved Town is a success because of you. We also want to acknowledge and thank all the members of our volunteer boards and committees who give their time and expertise to our Town. We are honored to serve with you.

We extend our sincere appreciation for the employees of the Select Board Office, specifically, Tom Mayo, Michelle Monsegur, Art Robert, Kathy Reilly, Sharon Perfetti, and Heidi Gaul, for their hard work and dedication to our community.

HINGHAM SELECT BOARD

Elizabeth F. Klein, Chair

Joseph M. Fisher

William C. Ramsey

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

To the Constables of the Town of Hingham in the County of Plymouth, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hingham qualified to vote in Town affairs to meet at Hingham High School, 17 Union Street, in said Hingham, on Wednesday, April 24, 2024 at 7:00 pm, then and there to act on the Warrant Articles listed below.

You are hereby also directed to notify and warn the inhabitants of the Town of Hingham qualified to vote in Town affairs to meet at three designated polling places in said Town of Hingham according to their precinct, to wit: Precinct 1, 2, 3, and 4: High School, 17 Union Street; Precincts 5, 6, and 7: Middle School, 1103 Main Street; and Precinct 7A: Willard Square at Linden Ponds on Saturday, April 27, 2024 from 8:00 am until 8:00 pm, then and there to give their votes on the official ballot for:

- A Moderator to serve one year;
- One member of the Select Board to serve three years;
- One member of the Board of Assessors to serve three years;
- A Town Clerk to serve three years;
- One member of the Board of Health to serve three years;
- One member of the Municipal Light Board to serve three years;
- One member of the Housing Authority to serve five years.
- Two members of the School Committee to serve three years;
- One member of the Planning Board to serve five years;
- One member of the Sewer Commission to serve three years; and
- One member of the Recreation Commission to serve five years.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before April 10, 2024.

Given under our hands at Hingham this twenty-sixth day of March 2024.

Elizabeth F. Klein, Chair
 Joseph M. Fisher
 William C. Ramsey
 SELECT BOARD

A true copy

Attest:

By virtue of the within warrant I hereby certify that I have noticed and warned the inhabitants of the Town of Hingham, qualified to vote in Town affairs to meet at the time and place indicated in the above warrant by causing a notice thereof to be published in The Hingham Journal seven days at least before the day appointed for said meeting. An attested copy was presented and posted by the Town Clerk in the Town Hall as of this date.

Kathleen A. Peloquin
 Constable of Hingham
 March 28, 2024

**ARTICLE 1
HANNAH LINCOLN WHITING FUND**

Will the Town choose all necessary Town Officers, other than those to be elected by ballot, including the following:

One member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years and one member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of one year, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Hannah Lincoln Whiting Fund was established in 1915 pursuant to the will of Ada B.W. Bacon in memory of her mother, "...to be expended in relieving the necessities of the deserving poor or unfortunate of South Hingham..." Grants from the income of the fund are made at the discretion of a committee of three members, one of whom is elected each year by the Town. As of December 31, 2023, the fund assets totaled \$15,398.45, of which \$398.45 was available for distribution. The principal of \$15,000 is held in trust and is not available for distribution.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That Laurel Cosman, 16 Queen Anne Lane, be re-elected a member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years and Karen Sadlon, 33 South Pleasant Street, be re-elected as a member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of one year.

**ARTICLE 2
ASSUME LIABILITY FOR DCR**

Will the Town, in accordance with, and only to the extent permitted by, Massachusetts General Laws (M.G.L.) Chapter 91, Section 29, as amended, assume liability for all damages that may be incurred by work to be performed by the Department of Conservation and Recreation of the Commonwealth of Massachusetts for the improvement, development, maintenance, and protection of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores, and shores along a public beach within the Town, in accordance with Section 11 of said Chapter 91, and authorize the Select Board to execute and deliver a bond of indemnity to the Commonwealth assuming such liability, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The MA Department of Conservation and Recreation (DCR), as a matter of policy, requires the Town to assume liability if the DCR is to perform any of this type of work within the Town. In accordance with this statute, the Town would assume liability for all damages to property sustained by any person as a result of such work performed by the DCR.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town, in accordance with, and only to the extent permitted by, Massachusetts General Laws Chapter 91, Section 29, as amended, assume liability for all damages that may be incurred by work to be performed by the Department of Conservation and Recreation of the Commonwealth of Massachusetts for the improvement, development, maintenance, and protection of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores, and shores along a public beach within the Town, in accordance with Section 11 of said Chapter 91, and authorize the Select Board to execute and deliver a bond of such indemnity to the Commonwealth assuming such liability.

**ARTICLE 3
REPORTS OF VARIOUS TOWN COMMITTEES**

To receive the reports, if any, of the following: Accessory Dwelling Unit Study Committee, Affordable Housing Trust; Audit Committee; Capital Outlay Committee; Climate Action Commission, Climate Action Planning Committee, Commission on Disabilities; Community Preservation Committee; Conservation Commission; Country Club Management Committee; Council on Aging; Energy Action Committee; GAR Hall Trustees; Harbor Development Committee; Historic Districts Commission; Historical Commission; Board of Managers of Lincoln Apartments LLC; Long Range Waste and Recycling Committee, Master Plan Committee; Memorial Bell Tower Committee; Open Space Acquisition Committee; Public Safety Facility Building Committee; Scholarship Fund Committee; 2017 School Building Committee; Senior Center Building Committee; Town Historian; Tree Preservation Study Committee; Wastewater Master Planning Committee; Weir River Water System Citizens Advisory Board; and Weir River Water System Transition and Evaluation Committee; or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Town is indeed fortunate to have many public-spirited citizens willing to work in these capacities. The quality of life and quality of governance of our community is greatly strengthened by the contributions of these citizens and their work on these committees. We thank all these committees and their members for their excellent service. We recommend that all these posts and committees be continued except that the following committees shall be discharged with thanks: Accessory Dwelling Unit Study Committee, Climate Action Planning Committee, Master Plan Committee, and Tree Preservation Study Committee.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the reports, if any, of the existing Town Committees and Commissions and the Town Historian be received; and that all of said bodies and posts of government be continued, except that the following committees shall be discharged with thanks: Accessory Dwelling Unit Study Committee, Climate Action Planning Committee, Master Plan Committee, and Tree Preservation Study Committee.

**ARTICLE 4
PERSONNEL BOARD REPORT**

Will the Town accept the report of the Personnel Board appointed under the Classification and Salary Plan, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Personnel Board was established to administer the Personnel By-law of the Town and consists of five (5) volunteer members appointed by the Moderator to serve three-year terms. The basic duties of the Personnel Board are set out in Section 5 of the Personnel By-law and include oversight of the Town's Classification and Salary Plan, maintenance and review of job descriptions, review of pay rates, and establishment of policies and procedures required to implement the Plan – all in collaboration with the Human Resources Department and Town Administration. The Board also conducts collective bargaining negotiations on behalf of the Town Administrator and Select Board.

This Article seeks funds to pay for as yet undetermined financial obligations of the Town relating to salary increases, fringe benefit changes, and job reclassifications for non-School Department employees who either are not in a collective bargaining unit or who are covered by a collective bargaining agreement not yet concluded. The Personnel Board voted unanimously in support of this Article.

The major actions in this year's report include the collective bargaining contract with the International Brotherhood of Teamsters, Local 25, Department of Public Works Supervisors Unit, whose agreement expired on June 30, 2023. This agreement provides for a general wage increase of 3% each year, retroactive to July 1, 2023. It also includes: an increase in the payout for accumulated, unused sick leave; inclusion of Juneteenth Independence Day in the holiday list; an increase to five (5) weeks of vacation for employees with twenty (20) years of service or more; modifications to double time pay and longevity; the provision of phone stipends; and the allowance of the accrual

of personal days and vacation days by supervisors during the first twelve (12) months of approved leave in connection with a workers' compensation claim.

This Article recommends that employees not covered by collective bargaining agreements receive a general wage increase of 3%, effective July 1, 2024.

This Article also seeks to make an amendment to the Town's Personnel By-law, which is described in the report of the Personnel Board. The amendment modifies the manner in which vacation time will be credited to full and part-time employees. The changes include that new employees will now start with three (3) weeks of vacation as opposed to two (2) weeks.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the report and recommendations of the Personnel Board, a copy of which is on file in the Town Clerk's Office, be accepted; that the amendments of the Personnel By-law, including the Classification and Salary Plan, and any cost item agreements reached by the Personnel Board in collective bargaining, which may be embodied or referred to in said report, be approved and adopted in their entirety, such approval and adoption to become effective July 1, 2024 or as otherwise specified in said report or agreements; that the Town raise and appropriate the sum of \$781,671 for the purpose of this vote; and that the Town Accountant is hereby authorized and instructed to allocate said sum to and among the several Personnel Services and Expense Accounts in such amounts, respectively, as are proper and required to meet such amendments and to comply with such collective bargaining agreements as may be entered into by the Select Board on behalf of the Town.

ARTICLE 5 SALARIES OF CERTAIN TOWN OFFICERS

Will the Town fix the salaries of the following Town Officers:

1. Members of the Select Board
2. Members of the Board of Assessors
3. Town Clerk
4. Members of the Municipal Light Board;

or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: This Article fixes the salaries of the elected Town Officers listed above.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the salary from July 1, 2024, through June 30, 2025, for each of the following officers shall be at the rates below stated or provided after the name of the office.

Select Board: at the annual rate of \$2,000 each, except that the Chair shall receive an annual rate of \$2,500 for the period of incumbency.

Board of Assessors: at the annual rate of \$1,800 each, except that the Chair shall receive an annual rate of \$2,000 for the period of incumbency.

Town Clerk¹: in accordance with the compensation rates established in Grade 10 of the Town of Hingham Classification and Salary Plan of the Personnel By-law.

Municipal Light Board: at the annual rate of \$214 each (to be paid from the receipts of the Hingham Municipal Light Department).

¹ The Town Clerk, when serving as a member of the Board of Registrars of Voters, shall be paid for such duties in accordance with M.G.L. c. 41, § 19G.

**ARTICLE 6
BUDGETS**

Will the Town raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Town for the 12-month period beginning July 1, 2024, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Town’s FY25 budget is the first budget that has been governed by the FY24-28 Financial Management Plan, also known as the Memorandum of Understanding (MOU), which was approved at the 2023 Annual Town Meeting. At that meeting, Hingham’s citizens voted affirmative action on a \$7.9M override to support the Town’s operating budget. The MOU serves as an agreement between taxpayers and Town leaders which pledges to limit the future growth of operating budgets to 3.5% and not to propose another override before FY28. The MOU was signed by the Select Board, the School Committee, the School Superintendent, the Advisory Committee, and the Town Administrator.

Municipal departments including General Government, Public Safety, Public Works, Human Services, and Culture and Recreation, as well as the School Department, will be held to the 3.5% growth rate as stipulated by the MOU. Within the School budget, out-of-district (OOD) special education tuitions and special education contracts (transportation, specialized services) are considered separately for growth calculation due to the unknown/uncontrollable nature of these expenditures. If the projected annual increase for OOD tuition and special education contracts is above 2%, the referenced SPED items will be budgeted at 2% within the School budget and any variance in costs above that amount will be paid through the Reserve Fund process at the end of the fiscal year. Separately, self-supporting departments (water, sewer, South Shore Country Club) and Shared Services (employee benefits, debt service, capital outlay, property/liability insurance) are not subject to the 3.5% cap.

The MOU document outlines the maximum operating budgets for the Municipal and School Departments assuming the full amount is budgeted each year. Given the limitations in adhering to a 3.5% growth rate, certain programs and services may be required to be funded at lower levels than desired, or not funded at all.

Maximum Operating Budgets	2024	2025	2026	2027
Municipal	\$ 34,731,577	\$ 35,947,182	\$ 37,205,334	\$ 38,507,520
School	\$ 65,703,985	\$ 68,003,624	\$ 70,383,751	\$ 72,847,183

FY25 budget season began with both municipal and school departments submitting level-service budget requests. Revenue sources of note include transferring \$1,804,237 from Ambulance Receipts for Fire Department payroll to support provision of ambulance services; transferring \$571,143 from the Municipal Waterways Improvement and Maintenance Fund for Harbormaster payroll and capital outlay; transferring \$25,010 from State per-ride assessment funds (established by the Chapter 187, section 8(c)(i) of the Acts of 2016) for Road Maintenance in the DPW budget; using \$4,339,400 in sewer rates to support the Sewer budget; using \$2,775,026 in South Shore Country Club (SSCC) revenue to support the South Shore Country Club budget; and using \$14,027,558 in water rates to support the Weir River Water System budget.

The Municipal level-services budget request was \$36,314,311, which resulted in a requirement to reduce \$367,129 in expenses, as outlined by the commitment in the MOU. Actions taken to meet that commitment happened through reductions and reallocations to the Municipal budgets by the Town Administrator.

Under M.G.L. c. 71, § 34, Town Meeting establishes the total School Department budget, but may not limit the authority of the School Committee to determine expenditures within that total appropriation. The School level-services budget request was \$75,919,148. This figure was offset by \$5,482,032 in Grants and Revolving funds, and \$1,438,355 in estimated Special Education costs to be paid by the Town in accordance with the MOU. Notwithstanding these items, as of the Warrant publication date, the level services request resulted in a requirement to reduce \$995,137 in expenses, as outlined by the commitment in the MOU.

The Select Board and Advisory Committee voted unanimously in favor of this Article.

RECOMMENDED: That the Town raise, appropriate and/or transfer for each of the following purposes, for the Fiscal Year beginning July 1, 2024 (FY25), the sum of money stated therefor including any appropriations or transfers from specified funds; also that authority is hereby given to turn in vehicles and equipment in partial payment for vehicles and equipment purchased in those cases where a turn-in is stated; provided that any amount or portion thereof appropriated to a sub-account and included in a numbered account as set forth below may be transferred to another sub-account under the same numbered account with the approval of the Select Board and the Advisory Committee; and authorize the Select Board to expend up to \$10,000 from the Shellfish Mitigation Fund for the purpose of matching grant funds to conduct a shellfish resource study.

	<u>Fiscal 2023 Expended</u>	<u>Fiscal 2024 Appropriated</u>	<u>Advisory Fiscal 2025 Recommended</u>
GENERAL GOVERNMENT			
122 SELECT BOARD			
Payroll	710,378	761,553	814,386
Expenses	105,913	116,575	112,475
Capital Outlay	0	0	50,000
Total	816,291	878,128	976,861
131 HUMAN RESOURCES			
Payroll	169,419	174,474	201,496
Expenses	3,069	3,925	8,925
Total	172,488	178,399	210,421
132 RESERVE FUND			
	0	734,184	791,302
135 ACCOUNTING			
Payroll	325,011	329,824	324,547
Expenses	6,758	10,150	12,100
Audit	84,350	76,500	93,450
Total	416,119	416,474	430,097
137 INFORMATION TECHNOLOGY			
Payroll	267,197	322,114	319,248
Expenses	335,961	534,465	640,207
Capital Outlay	171,048	116,000	375,000
Total	774,206	972,579	1,334,455
141 ASSESSING			
Payroll	301,026	321,201	348,469
Expenses	9,695	11,358	11,358
Consulting	129,019	52,000	45,000
Map Maintenance	0	300	300
Total	439,739	384,859	405,127

	Fiscal 2023 <u>Expended</u>	Fiscal 2024 <u>Appropriated</u>	Advisory Fiscal 2025 <u>Recommended</u>
145 TREASURER/COLLECTOR			
Payroll	337,499	372,050	392,848
Expenses	55,303	56,535	59,032
Tax Titles	793	10,000	10,000
Total	393,596	438,585	461,880
151 LEGAL SERVICES	587,980	395,372	395,372
159 TOWN MEETING			
Payroll	6,519	3,230	2,800
Expenses	181,707	57,050	77,700
Total	188,226	60,280	80,500
161 TOWN CLERK			
Payroll	193,031	208,474	225,525
Expenses	24,526	17,720	19,950
Total	217,558	226,194	245,475
162 ELECTIONS			
Payroll	26,728	27,545	34,930
Expenses	23,403	20,632	27,200
Capital Outlay	0	0	16,800
Total	50,131	48,177	78,930
171 CONSERVATION			
Payroll	165,596	209,395	235,908
Expenses	14,376	38,747	38,947
Total	179,972	248,142	274,855
175 COMMUNITY PLANNING			
Payroll	212,088	258,976	240,670
Expenses	9,740	24,205	22,705
Total	221,828	283,181	263,375
176 LAND USE & DEVELOPMENT			
Payroll	157,887	169,540	166,683
Expenses	2,109	7,375	7,375
Total	159,996	176,915	174,058

	Fiscal 2023 <u>Expended</u>	Fiscal 2024 <u>Appropriated</u>	Advisory Fiscal 2025 <u>Recommended</u>
177 BARE COVE PARK			
Payroll	22,956	24,757	25,597
Expenses	8,320	9,390	15,100
Total	31,277	34,147	40,697
192 TOWN HALL			
Payroll (including overtime of \$15,000)	292,159	310,673	330,064
Expenses	413,034	339,800	377,739
Capital Outlay	110,679	104,000	80,000
Total	815,871	754,473	787,803
193 GAR HALL			
Expenses	24,815	17,055	18,584
Capital Outlay	0	94,000	0
Total	24,815	111,055	18,584
TOTAL GENERAL GOVERNMENT	<u>5,490,093</u>	<u>6,341,144</u>	<u>6,969,792</u>
PUBLIC SAFETY			
210 POLICE			
Payroll (including overtime of \$507,329)	6,467,845	6,873,921	6,891,568
Expenses	404,722	495,750	505,950
Capital Outlay	618,187	222,658	418,155
Total	7,490,754	7,592,329	7,815,673
220 FIRE			
Payroll (including overtime of \$837,473) (\$1,804,237 from Ambulance Receipts)	6,932,525	7,380,856	7,416,927
Expenses	596,125	712,028	735,937
Capital Outlay	98,663	637,957	410,000
Total	7,627,313	8,730,841	8,562,864
240 DISPATCH SERVICES	991,419	1,085,127	1,114,465
241 BUILDING			
Payroll	250,654	271,342	329,883
Expenses	10,575	14,910	14,910
Total	261,229	286,252	344,793

	Fiscal 2023	Fiscal 2024	Advisory
	<u>Expended</u>	<u>Appropriated</u>	Fiscal 2025
			<u>Recommended</u>
292 ANIMAL CONTROL			
Payroll (Overtime \$7,059)	66,949	81,858	94,720
Expenses	1,619	6,200	6,200
Total	68,569	88,058	100,920
295 HARBORMASTER			
Payroll (including overtime of \$15,480) (\$136,143 from Municipal Waterways Improvement and Maintenance Fund)	224,993	249,997	297,608
Expenses	80,787	85,343	90,235
Capital Outlay (\$435,000 from Municipal Waterways Improvement and Maintenance Fund)	25,120	144,000	435,000
Total	330,900	479,340	822,843
299 PUBLIC SAFETY UTILITIES			
Emergency Water	443,251	453,250	443,250
Street Lighting	105,000	107,100	117,109
Total	548,251	560,350	560,359
TOTAL PUBLIC SAFETY	17,318,433	18,822,297	19,321,917
EDUCATION			
300 SCHOOL DEPARTMENT			
Payroll/Expenses	61,870,903	65,703,985	68,003,625
Capital Outlay	883,871	1,268,362	921,714
Total	62,754,774	66,972,347	68,925,339
TOTAL EDUCATION	62,754,774	66,972,347	68,925,339
PUBLIC WORKS			
420 DPW/HIGHWAY/TREE & PARK			
Payroll (including overtime of \$110,035)	2,379,648	2,967,811	2,989,030
Expenses	560,916	836,130	856,870
Snow Removal (including overtime of \$122,725)	363,230	630,286	630,286
Road Maintenance (\$25,010 from State per-ride assessment funds)	238,818	387,000	420,510
Capital Outlay	220,364	1,132,000	826,090
Total	3,762,976	5,953,227	5,722,786

	Fiscal 2023 Expended	Fiscal 2024 Appropriated	Advisory Fiscal 2025 Recommended
430 TRANSFER STATION			
Payroll (including overtime of \$44,630)	687,497	717,441	633,940
Expenses	1,158,331	1,191,460	1,304,641
Capital Outlay	26,630	60,000	210,000
Total	1,872,458	1,968,901	2,148,581
440 SEWER			
Payroll (including overtime of \$35,900)	384,997	429,194	462,590
Expenses	276,111	327,007	381,781
Engineering	48,725	10,000	13,500
Debt Service	9,600	68,848	44,095
MWRA Charges	2,132,148	2,366,565	2,366,565
Hull Intermunicipal Agreement	382,825	445,869	445,869
Capital Outlay	527,952	437,000	625,000
Total (\$4,339,400 from Sewer revenue)	3,762,358	4,084,483	4,339,400
TOTAL PUBLIC WORKS	9,397,793	12,006,611	12,210,767
HUMAN SERVICES			
510 HEALTH			
Payroll	337,793	385,176	393,544
Expenses	20,159	18,862	13,962
Total	357,952	404,038	407,506
541 CENTER FOR ACTIVE LIVING			
Payroll	263,214	348,381	385,651
Expenses	12,441	28,310	22,310
Total	275,656	376,691	407,961
543 VETERANS' SERVICES			
Payroll	94,310	142,663	155,744
Expenses	5,451	8,597	7,902
Benefits	125,223	150,533	145,316
Total	224,983	301,793	308,962
545 HEALTH IMPERATIVES	2,700	2,700	2,700
546 SOUTH SHORE RESOURCE & ADVOCACY CTR.	3,700	3,700	3,700
TOTAL HUMAN SERVICES	864,990	1,088,922	1,130,829

	Fiscal 2023	Fiscal 2024	Advisory
	<u>Expended</u>	<u>Appropriated</u>	Fiscal 2025
			<u>Recommended</u>
CULTURE AND RECREATION			
610 LIBRARY			
Payroll (including overtime of \$71,626)	1,632,082	1,806,243	1,824,690
Expenses	382,524	418,147	473,993
Capital Outlay	96,864	66,500	40,000
Total	2,111,470	2,290,890	2,338,683
630 RECREATION			
Payroll	178,567	195,116	201,431
Expenses	198,319	192,445	198,218
Capital Outlay	0	0	52,241
Total	376,886	387,561	451,890
650 BATHING BEACH			
Payroll	19,925	27,372	30,293
Expenses	2,706	11,750	8,800
Total	22,631	39,122	39,093
691 HISTORIC PRESERVATION			
Payroll	86,207	85,796	88,890
Expenses	2,134	9,713	9,363
Total	88,341	95,509	98,253
692 CELEBRATIONS			
	13,163	18,621	18,126
TOTAL CULTURE & RECREATION	<u>2,612,491</u>	<u>2,831,703</u>	<u>2,946,045</u>
ENTERPRISE FUNDS			
720 SOUTH SHORE COUNTRY CLUB			
Payroll	1,034,067	1,045,198	1,124,316
Expenses	888,431	902,300	680,184
Debt Service	53,143	357,500	336,526
Capital Outlay	0	450,000	634,000
Total (\$2,411,000 from South Shore Country Club revenue and \$364,026 from SSCC Retained Earnings)	1,975,641	2,754,998	2,775,026

	Fiscal 2023 Expended	Fiscal 2024 Appropriated	Advisory Fiscal 2025 Recommended
730 WEIR RIVER WATER SYSTEM			
Payroll	142,169	274,503	296,051
Expenses	5,647,435	7,729,752	7,802,712
Debt Service	5,589,469	6,150,000	5,928,795
Total (\$14,027,558 from Weir River Water System revenue)	<u>11,379,072</u>	<u>14,154,255</u>	<u>14,027,558</u>
TOTAL ENTERPRISE FUNDS	<u>13,354,714</u>	<u>16,909,253</u>	<u>16,802,584</u>
DEBT SERVICE			
DEBT SERVICE	<u>5,372,579</u>	<u>8,783,729</u>	<u>11,357,273</u>
TOTAL DEBT SERVICE	<u>5,372,579</u>	<u>8,783,729</u>	<u>11,357,273</u>
EMPLOYEE BENEFITS			
900 GROUP INSURANCE	6,844,558	7,439,200	7,727,318
903 OPEB	1,289,173	1,313,773	1,412,523
910 CONTRIBUTORY RETIREMENT	5,837,513	6,303,180	6,759,093
912 WORKER'S COMPENSATION	652,000	330,000	330,000
913 UNEMPLOYMENT	53,746	30,000	40,000
914 MANDATORY MEDICARE	<u>1,094,275</u>	<u>1,168,195</u>	<u>1,220,592</u>
TOTAL EMPLOYEE BENEFITS	<u>15,771,265</u>	<u>16,584,348</u>	<u>17,489,526</u>
UNCLASSIFIED			
915 PROPERTY & LIABILITY INSURANCE	<u>1,121,964</u>	<u>1,225,910</u>	<u>1,700,527</u>
TOTAL UNCLASSIFIED	<u>1,121,964</u>	<u>1,225,910</u>	<u>1,700,527</u>
GRAND TOTAL	<u>134,059,096</u>	<u>151,566,264</u>	<u>158,854,599</u>

**ARTICLE 7
TRANSFER FROM THE STABILIZATION FUND**

Will the Town transfer a sum of money from the Stabilization Fund and/or from available reserves for the purpose of paying debt service for excluded debt in order to reduce the need to raise said funds through the FY25 tax rate, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Stabilization Fund, with a balance of approximately \$1.9 million as of December 31, 2023, contains premiums related to the issuance of excluded debt bonds for multiple school capital projects approved in prior fiscal years. These bond premiums were transferred into the Stabilization Fund per Article 12 of the 2011 Annual Town Meeting, and Article 7 of the 2016 Annual Town Meeting, to be used to offset the bonds' future debt service costs. Annually, an amortized portion is withdrawn from the Stabilization Fund to offset the Fiscal Year interest payments due on the bonds, which results in a reduction in the annual cost to the taxpayers.

Under the version of M.G.L. c. 44, § 20 in effect at the time these bond premiums were deposited into the Stabilization Fund, the funds were considered general revenue of the Town that could have been used for any lawful purpose under M.G.L. c. 40, § 5B. However, that statute has since been amended and the Massachusetts Department of Revenue (DOR) Division of Local Services has issued a new guideline in February of 2022 limiting the future use of such bond premiums (IGR No. 22-01). Under that new DOR guideline, the bond premiums presently in the Stabilization Fund must be used to offset interest paid in future years on the original excluded debt. The below recommended motion would follow the DOR guideline to transfer a portion of the Stabilization Fund to offset the interest on said excluded debt in order to reduce the need to raise these funds through the FY25 tax rate.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town transfer the sum of \$178,836 from the Stabilization Fund for the purpose of paying interest on outstanding excluded debt bonds in order to reduce the need to raise these funds through the FY25 tax rate.

**ARTICLE 8
DISBURSEMENT OF ELECTRIC LIGHT DEPARTMENT RECEIPTS**

Will the Town appropriate, from the receipts of the Hingham Municipal Lighting Plant, money for the maintenance and operation of the Plant for the 12-month period commencing July 1, 2024, pursuant to Sections 57 and 57A of Chapter 164 of the Massachusetts General Laws, and provide for the disposition of any surplus receipts, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Hingham Municipal Lighting Plant (HMLP) is self-funding; funds collected from billing customers are used to pay all expenses incurred by the Plant. The HMLP Board has an agreement with the Town whereby HMLP makes a payment in lieu of taxes (PILOT) to the Town. The PILOT amount is calculated by multiplying the number of kilowatt hours sold by HMLP in the prior year by \$0.0025, with a minimum payment to the Town of \$450,000. Based on sales for the last several years, it is estimated that this year's payment will be approximately \$500,000. The Plant's PILOT to the Town has the effect of reducing the Town's tax rate.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That, with the exception of the Hingham Municipal Lighting Plant's (HMLP) PILOT, to which no less than \$450,000 is hereby transferred to the Town's General Fund to reduce the FY25 tax rate, all funds received by the HMLP during the 12-month period commencing July 1, 2024, be appropriated to said HMLP, the same to be expended by the Manager of said HMLP under the control and direction of the Municipal Light Board, for the expenses of the Plant during said period, as defined in sections 57 and 57A of chapter 164 of the Massachusetts General Laws, and, if there should be any surplus receipts at the end of said period, such amount as is deemed necessary shall be transferred to the Plant's net investment in

capital assets and appropriated and used for such additions to the Plant as may be authorized by the Municipal Light Board during said period.

**ARTICLE 9
BUILDING DEPARTMENT REVOLVING FUND**

Will the Town limit the total amount that may be spent from the Building Department Revolving Fund, established under Article 18 of the General By-laws, to \$350,000 during FY25, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Building Department Revolving Fund is credited with all fees from plumbing, gas, and electrical inspections performed by Inspectors. This fund is used to pay wages, salaries, and fringe benefits (as applicable) to these Building Department staff members. This revolving fund was previously created by Town Meeting under Article 18 of the Hingham General By-laws and is compliant with M.G.L. c. 44, § 53E1/2. Each year, Town Meeting must vote to limit the total amount that may be spent from this revolving fund. In recent years the total spending cap was \$350,000 and this Warrant Article originally proposed that amount for FY25. However, a determination has since been made to lower the spending cap through the below recommended motion to \$280,000 for FY25 in order to bring the revolving fund more in line with its revenue and to maintain a positive balance in the revolving fund.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town limit the total amount that may be spent from the Building Department Revolving Fund, established under Article 18 of the Town of Hingham General By-laws, to \$280,000 during FY25.

**ARTICLE 10
CENTER FOR ACTIVE LIVING REVOLVING FUND**

Will the Town amend the General By-laws of the Town of Hingham by amending Article 16 of the General By-laws by deleting Section 7 of said Article 16 and replacing it with the following new Section 7 at the end of said Article 16:

SECTION 7 - In accordance with M.G.L. c. 44, § 53E½, there is hereby established a Center for Active Living Revolving Fund for the following purposes:

1. For the receipt of all fees and charges received from the Center for Active Living Programs.
2. For expenditures to pay the costs and expenses of said Center for Active Living Programs.
3. The Director of Center for Active Living shall be authorized to expend from said Revolving Fund for said purposes in accordance with the provisions of M.G.L. c. 44, § 53E½.
4. The Director of the Center for Active Living shall report all receipts and expenditures of said Revolving Fund to the Select Board at the end of each fiscal year.

And further, will the Town vote to establish said Center for Active Living Revolving Fund for FY25 in accordance with the above provisions and limit the total amount that may be spent from said Center for Active Living Revolving Fund to \$80,000 during FY25;

And further, will the Town vote to change the name of the Senior Center Building Committee established under Article 15 of the 2020 Annual Town Meeting to the Center for Active Living Building Committee and to amend any and all prior appropriations or votes to replace the term Senior Center with the term Center for Active Living;

or act on anything related thereto?

COMMENT: On November 7, 2023, the Select Board unanimously voted to rename the Senior Center to the Center for Active Living. This Article seeks to update the Town of Hingham General By-laws by replacing the terms Elder Services and Senior Center with the Center for Active Living. The Article also seeks to change the name of the

Senior Center Building Committee and amend all prior appropriations and votes by substituting the Center for Active Living for Senior Center.

The Article also seeks to rename the Department of Elder Services Revolving Fund as the Center for Active Living Revolving Fund. The re-named fund will be credited with all fees and charges received from the Center's programs and will be used to pay expenses associated with providing these services and activities for the Town's senior residents. This Article seeks to limit the total amount that may be spent from the Fund to \$80,000 in FY25.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town vote to amend the General By-laws of the Town of Hingham by amending Article 16 of the General By-laws by deleting Section 7 of said Article 16 and replacing it with the following new Section 7 at the end of said Article 16:

SECTION 7 - In accordance with M.G.L. c. 44, § 53E^{1/2}, there is hereby established a Center for Active Living Revolving Fund for the following purposes:

- 1. For the receipt of all fees and charges received from the Center for Active Living Programs.**
- 2. For expenditures to pay the costs and expenses of said Center for Active Living Programs.**
- 3. The Director of Center for Active Living shall be authorized to expend from said Revolving Fund for said purposes in accordance with the provisions of M.G.L. c. 44, § 53E^{1/2}.**
- 4. The Director of the Center for Active Living shall report all receipts and expenditures of said Revolving Fund to the Select Board at the end of each fiscal year.**

And further, that the Town vote to establish said Center for Active Living Revolving Fund for FY25 in accordance with the above provisions and limit the total amount that may be spent from said Center for Active Living Revolving Fund to \$80,000 during FY25;

And further, that the Town vote to change the name of the Senior Center Building Committee established under Article 15 of the 2020 Annual Town Meeting to the Center for Active Living Building Committee and vote to amend any and all prior appropriations or votes to replace the term Senior Center with the term Center for Active Living.

ARTICLE 11 TRANSFER OF FUNDS TO THE RESERVE FUND

Will the Town raise and appropriate, or transfer from available funds, a sum of money to the Town's Reserve Fund for use during FY24 or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: This Article is included each year in case the existing Reserve Fund is not adequate to cover unbudgeted and unanticipated expenses for the balance of the current Fiscal Year (FY24). The specific amount will be reported at Town Meeting.

RECOMMENDED: The Advisory Committee will make its recommendation at Town Meeting.

ARTICLE 12 TRANSFER FY24 HARBOR REVENUES TO MUNICIPAL WATERWAYS IMPROVEMENT AND MAINTENANCE FUND

Will the Town vote to appropriate or transfer from available funds a sum of money, which sum was generated from fees paid to the Town of Hingham during FY24, from any parking license for the purpose of accessing slips or moorings, and revenues generated by the Harbormaster's Office and/or boat excise taxes, for deposit to the Town's Municipal Waterways Improvement and Maintenance Fund, to be used in accordance with M.G.L. c. 40, § 5G, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: Massachusetts law requires that towns establish and maintain a Municipal Waterways Improvement and Maintenance Fund (Waterways Fund) to be eligible to apply for any available State harbor/coastal grants. Hingham established this local Waterways Fund at the 2019 Annual Town Meeting.

Under the State law, this Waterways Fund receives revenue of approximately \$350,000 per year from the following sources: 50% of boat excise taxes, all mooring permit fees, fines enforced by the Harbormaster, and any additional related sums from the Commonwealth of Massachusetts or the Federal Government. All appropriations from this Fund are limited to the following: (1) maintenance, dredging, cleaning and improvement of harbors, inland waters and great ponds of the Commonwealth located in the Town of Hingham, (2) the public access thereto, (3) the breakwaters, retaining walls, piers, wharves, and moorings thereof, and (4) law enforcement and fire prevention associated therewith.

The primary utilization of the Waterways Fund is to mitigate the cost of the approximately once per decade project of dredging Hingham Harbor. The total cost of this periodic dredging is estimated at \$10 million and is funded through the combination of funds from this account, public grants received from various sources, and any remaining amounts through Town general obligation borrowing.

The purpose of this motion is to authorize the transfer of funds received to the Town General Fund from the sources identified into the designated Waterways Fund. The current balance of the Fund is \$1,188,064.

The Advisory Committee and the Select Board voted unanimously in favor of this Waterways Article.

RECOMMENDED: That the Town vote to appropriate or transfer from available funds a sum of money, which sum was generated from fees paid to the Town of Hingham during FY24, including all revenue from any parking license for the purpose of accessing slips or moorings (approximately \$40,000), all revenues generated by the Harbormaster’s Office including mooring/docking permit late fees and boating fines (approximately \$10,000), and the remaining 50% of boat excise taxes (approximately \$35,000) from Local Receipts, for deposit into the Town’s Municipal Waterways Improvement and Maintenance Fund, to be used in accordance with M.G.L. c. 40, § 5G.

ARTICLE 13 TRANSFER TO TAX MITIGATION STABILIZATION FUND

Will the Town transfer an amount of money from available reserves (Free Cash) into the Tax Mitigation Stabilization Fund established under Article 12 of the 2023 Annual Town Meeting to set aside said funds for future appropriation by Town Meeting in order to reduce the need to raise these funds through the annual tax rate, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: This warrant article is proposing to transfer \$2,500,000 from excess Unassigned Fund Balance (“EUFB”) to the Tax Mitigation Stabilization Fund (the “Fund”). The Fund was created under Article 12 of the 2023 Annual Town Meeting; under that same Article, Town Meeting also voted to add \$1,000,000 from EUFB. Transfer of currently available EUFB into the Tax Mitigation Stabilization Fund is consistent with the Town’s financial policy.

Under Article 6 of 2023 Annual Town Meeting, a \$7,890,467 operational override was approved for FY24. Even with this override, the Town’s financial forecasting continues to estimate that new revenue growth is unlikely to keep pace with pressures in expense growth. The coming lag in new revenue growth is largely due to a slowdown in major development projects within the Town. With the tax growth restrictions dictated by Proposition 2½ and a slowdown in major development projects, the Town forecast shows a deficit in the out years.

In conjunction with the FY24 operational override, a 2024-2028 Financial Management Plan (the “Plan”) was implemented. The Select Board, School Committee, School Superintendent, Town Administrator, and Advisory Committee committed to work within the parameters of the Plan to stave off the need for a potential operational override for FY25 to FY27. The Plan outlined guidelines and tools to be utilized to achieve balanced budgets with current revenue constraints of 2.5% under Proposition 2½. These included the use of annual operating budget

growth rate caps of 3.5% to manage expense growth for both Municipal and School budgets (excluding Out of District Special Education costs) and the utilization of the Tax Mitigation Stabilization Fund to help bridge the approximately 1% annual difference between the 2.5% in revenue growth and 3.5% in operating expenses.

Prior to the creation of the Tax Mitigation Stabilization Fund, surplus funds realized at the end of a fiscal year – through departmental turnbacks, revenue in excess of projections, or other unanticipated means – were held in the Town’s core reserve fund, known as Unassigned Fund Balance (“UFB”). Maintaining Unassigned Fund Balance is a sound fiscal measure to ensure emergency reserves are available for the Town. The maintenance of a healthy UFB is consistent with established fiscal policy and is a central criterion for the Town’s Aaa bond rating.

The Tax Mitigation Stabilization Fund is intended to use a portion of these surplus funds, transferred into this account through a majority approval at Town Meeting, to subsidize the operating budget, under the parameters outlined in the 2024-2028 Financial Management Plan, to provide a temporary delay in the need for overrides. According to the latest financial forecast, we anticipate needing to utilize this fund within the next two years to close budget gaps related to setting expenditure growth up to 3.5%.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town transfer the sum of \$2,500,000 from Unassigned Fund Balance into the “Tax Mitigation Stabilization Fund” that was established under Article 12 of the 2023 Annual Town Meeting under M.G.L. c. 40, § 5B for the purpose of setting aside funds for future appropriation by Town Meeting in order to reduce the need to raise these funds through the annual tax rate.

**ARTICLE 14
TRANSFER FROM THE CAPITAL PROJECT COST AND DEBT SERVICE
STABILIZATION FUND**

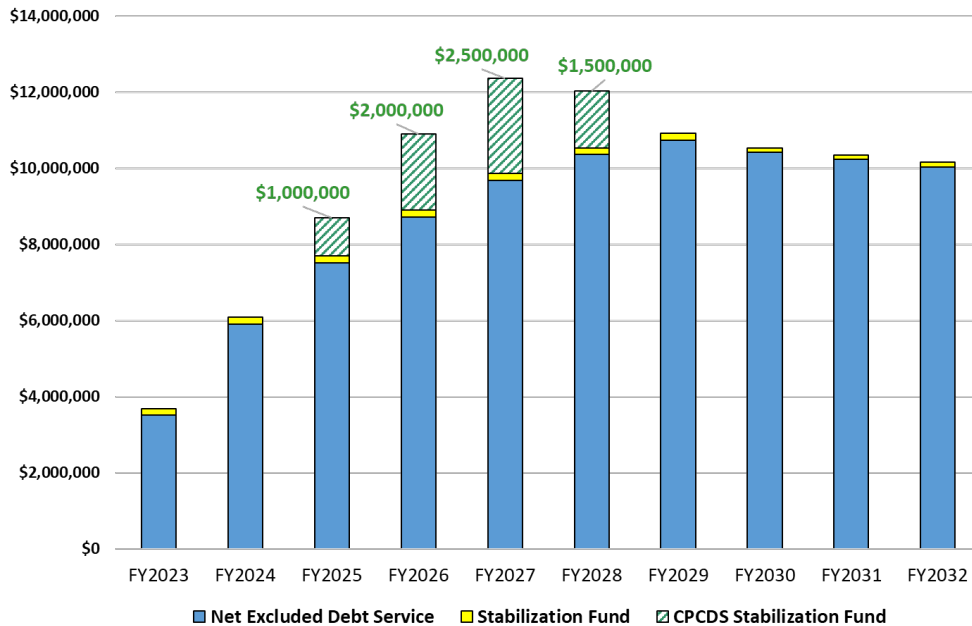
Will the Town transfer a sum of money from the “Capital Project Cost and Debt Service Stabilization Fund” established under Article 3 of the 2022 Special Town Meeting to be expended by the Select Board for the purpose of the payment of debt service on outstanding excluded debt bond anticipation notes and/or bonds related to the new elementary school at 55 Downer Avenue, Hingham, MA and the new public safety facility at 335 Lincoln Street, Hingham, MA, which vote shall serve as a change in purpose of said funds to the extent of said appropriation, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: The Capital Project Cost and Debt Service (“CPCDS”) Stabilization Fund’s general but not sole purpose is to pay capital costs of and/or to offset a portion of the annual debt service related to the construction of the Public Safety Facility (“PSF”) and/or the new elementary school (“NES”) which will replace the existing Foster School. In addition to its establishment at the Special Town Meeting in 2022, the CPCDS Stabilization Fund was also funded with \$7,000,000 from excess Unassigned Fund Balance. Annual appropriations made from the CPCDS Stabilization Fund are intended to help mitigate tax increases to pay the debt service on these projects or to be used for any other lawful purpose as determined by a future Town Meeting.

Due in large part to the incurred and expected borrowings by the Town to fund the construction of both the PSF and NES, the Town’s excluded debt service requirements have begun to grow and will continue to increase over the next several years. The table below is an estimate of the Town’s future potential excluded debt service along with one possibility of how annual appropriations of the \$7,000,000 CPCDS Stabilization Fund may be applied over the course of the next few years to help mitigate overall property tax increases. Based on these current estimated considerations regarding the pace and amount of the future excluded debt service needs, it is recommended that the Town appropriate \$1,000,000 from the CPCDS Stabilization Fund to pay a portion of the expected excluded debt service needs in FY25. This use of funds is within the scope of the purpose of the CPCDS Stabilization Fund. The level and timing of future appropriations for FY26 and beyond will be reassessed annually in conjunction with the available information at that time and may be materially different than what is indicated in the table below.

Tax Impact Reduction: Proposed Use of CPCDS Stabilization Fund



The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town transfer the sum of \$1,000,000 from the “Capital Project Cost and Debt Service Stabilization Fund” established under Article 3 of the 2022 Town of Hingham Special Town Meeting for the purpose of making debt service payments on the excluded debt notes/bonds issued by the Town for the Public Safety Facility and New Elementary School projects in order to reduce the need to raise these funds through the FY25 tax rate.

**ARTICLE 15
TRANSFER FROM THE CAPITAL STABILIZATION FUND**

Will the Town transfer a sum of money from the “Capital Stabilization Fund” established under Article 13 of the 2023 Town of Hingham Annual Town Meeting to be expended by the Select Board for the purpose of making repairs, improvements and/or other capital expenditures at the newly acquired property and building located at 30 Summer Street, Hingham, MA, which vote shall serve as a change in purpose of said funds to the extent of said appropriation, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Capital Stabilization Fund (the “CSF”) was established at the 2023 Annual Town Meeting and is funded annually with the proceeds received from the Town’s sale of certain surplus property and equipment. The purpose of the CSF is to pay for capital equipment and/or capital projects. As of January 8, 2024, the CSF had a balance of approximately \$28,450.

On January 30, 2024, the Select Board unanimously voted to recommend appropriating \$28,000 from the CSF for the purposes of making minor repairs and upgrades to the newly acquired Town property at 30 Summer Street. The repairs and upgrades are needed to meet the Americans with Disabilities Act accessibility requirements and to ensure the space is usable by the Town for municipal, recreation, and other potential uses. The repairs include new flooring in the main function space, new plumbing fixtures, repairs to the roof, various wall repairs, and fixes to the concrete walkway and railing along the back deck. All proposed uses of these proceeds are within the scope of the purpose of the CSF.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town transfer the sum of \$28,000 from the “Capital Stabilization Fund” established under Article 13 of the 2023 Town of Hingham Annual Town Meeting to be expended by the Select Board for the purposes of making repairs, improvements and/or other capital expenditures at the newly acquired property and building located at 30 Summer Street, Hingham, MA.

**ARTICLE 16
COMMUNITY PRESERVATION COMMITTEE RECOMMENDATIONS**

Will the Town appropriate, borrow and/or set aside for future appropriation a sum of money from the available Community Preservation Funds remaining after payment of debt service for bonds and/or notes issued under M.G.L. c. 44B for the following items recommended by the Community Preservation Committee for the fiscal year beginning July 1, 2024:

- 1) Appropriate a sum of money in the amount of \$40,000 from the Community Preservation General Fund to be used by the Community Preservation Committee for its administrative and operating expenses;
- 2) Appropriate a sum of money in the amount of \$1,055,229 from the Community Preservation General Fund for open space/recreational use purposes to be used by Town of Hingham Recreation Commission for the Community Playground Project;
- 3) Appropriate a sum of money in the amount of \$237,397 from the Community Preservation General Fund to be available for expenditure by the Select Board for the payment of bonds or notes borrowed for Community Preservation projects under the provisions of M.G.L. c. 44B, § 11;
- 4) Set aside for future appropriation a sum of money in the amount of \$185,783 from the Community Preservation General Fund for community housing purposes in order to meet the Town’s obligations to spend or set aside for spending not less than 10 percent of the annual revenues in the Community Preservation Fund for community housing;
- 5) Set aside for future appropriation a sum of money in the amount of \$185,783 from the Community Preservation General Fund for historic resources purposes in order to meet the Town’s obligations to spend or set aside for spending not less than 10 percent of the annual revenues in the Community Preservation Fund for historic resources;
- 6) Appropriate from the Community Preservation General Fund the net sale proceeds received by the Hingham Affordable Housing Trust from the sale of 29 Rhodes Circle, 31 Rhodes Circle, 23 Ridgewood Crossing (Unit 24), 270 Central Street and 18K Beal’s Cove Road, in Hingham, MA, during FY24, to the extent that the acquisition of said property was made using Community Preservation Funds, to the Hingham Affordable Housing Trust Opportunity Fund to be used by the Hingham Affordable Housing Trust for community housing purposes and that these funds shall remain in said Opportunity Fund for future use for said purposes;

or act on anything relating thereto?

(Inserted at the request of the Community Preservation Committee)

COMMENT: The Community Preservation Act (M.G.L. c. 44B) (CPA), is a local option statute enacted by the State Legislature in 2000 and adopted by the Town in 2001. It enables towns to collect and expend funds (including funds from the Commonwealth) to maintain their character by supporting open space, affordable housing, historic preservation, and recreation initiatives specifically defined by the CPA. The current Hingham CPA surcharge rate is 1.5% of real property taxes. CPA funds are not part of the operating budget and are maintained separately for use only through CPA grants and administrative expenses.

The Community Preservation Committee (CPC) started the deliberation process this year with a budget of \$1,857,830. That includes local tax revenue of \$1,489,536, plus an annual distribution from the Commonwealth's Community Preservation Trust Fund (based on a formula) of \$268,169. An additional \$100,125 was distributed from the Community Preservation Trust Fund last year, which became available as of July 1, 2023. Additional funds of \$35,316 were held over from the CPA budget of FY24. Other funds available include \$8,430 in funds left unspent from the Administrative Fund from 2022, and \$12,020 unspent funds from the 2020 Canterbury Street Cemetery project.

The CPC recommendations total \$1,704,192, leaving a surplus of \$209,404, which will be held in reserve for next year's budget.

The comments of the Advisory Committee are set forth below and correspond to the numbered sections of this Article.

- *Section 1: Administrative Fund:* The CPA allows up to 5% of annual CPA revenues to be reserved for operational and administrative expenses, including engineering, legal, and consulting costs associated with the review of proposed projects, the administration of projects approved by Town Meeting, and the salaries of staff. In the past, Hingham's administrative appropriations have averaged amounts below the 5% allowed by the CPA. This year's contribution to the CPC Administrative Fund equals \$40,000 and represents 2.15% of the annual CPA revenues.

The Advisory Committee and the Community Preservation Committee voted unanimously in favor of this project.

- *Section 2: Community Playground Project.* Appropriate a sum of money in the amount of \$1,055,229 from the Community Preservation General Fund for open space/recreational use purposes to be used by Town of Hingham Recreation Commission for the Community Playground Project; the current playground behind Town Hall is 25 years old and is now not in compliance with current safety standards. The surfacing is not accessible, the slides are cracking, the broken monkey bars have been removed, and the broken tunnel slide has been removed and replaced with plywood. This appropriation would create a new playground of poured rubber foundation, replace existing playground equipment with state-of-the-art playground equipment and include the placement of new benches, and shade areas. The formal quote for this project totals \$1,376,386, so in addition to the CPA grant, the Recreation Department plans to fundraise the balance of \$321,157. This was the only eligible project application that CPC received this year.

The Advisory Committee and the Community Preservation Committee voted unanimously in favor of this project.

- *Section 3: Debt Payments.* This section requests payment of debt in the amount of \$237,397 for the annual debt payment due for the purchase of the Lehner Property off South Pleasant Street, authorized by 2016 Annual Town Meeting. This is a required payment of the Town. This payment will exhaust the amount required to be spent from the Community Preservation Open Space reserve.

The Advisory Committee voted unanimously in favor of this recommendation while the Community Preservation Committee voted 5 to 3 in favor. The minority of the CPC supported the payment of this amount plus the surplus funds from this year's CPA budget to accelerate the retirement of the debt. The majority supported holding over the surplus towards anticipated numerous project requests next year given the single application this year.

- *Sections 4 and 5 Community Housing and Historic Preservation.* M.G.L. c. 44B, § 6 requires Town Meeting to spend or to set aside not less than 10% of the annual revenues of the Community Preservation Fund for each of the stated purposes of the Community Preservation Act, namely, Open Space, Historic Preservation and Community Housing. This year, the Open Space reserve will be exhausted by debt payments for the Lehner Property. Sections 4 and 5 address the mandatory requirement to set aside the required amounts for Historic Preservation and Community Housing which will then be available for future appropriations for those purposes.

The Advisory Committee and the Community Preservation Committee voted unanimously in favor of these appropriations.

- *Section 6: Proceeds from the sales of housing purchased with CPA Funds.* Town counsel has determined that the Community Preservation Act as currently written requires that proceeds from the sale of these specific properties, funded by CPA, be returned to the Community Preservation Fund. This article asks Town Meeting to vote that funds received from the sale of these properties be appropriated from the Community Preservation Fund to the Hingham Affordable Housing Trust (“HAHT”) for community housing purposes and that these funds shall remain in the HAHT Opportunity Fund for future use for said purposes.

The Advisory Committee and the Community Preservation Committee voted unanimously in favor of this project.

The Advisory Committee and Select Board unanimously voted in favor of this Article.

RECOMMENDED: That the Town appropriate, borrow and/or set aside for later spending a sum of money from the available Community Preservation Funds remaining after payment of debt service for bonds and/or notes issued under M.G.L. c. 44B for the following items recommended by the Community Preservation Committee for the fiscal year beginning July 1, 2024.

- 1) **Appropriate a sum of money in the amount of \$40,000 from the Community Preservation General Fund to be used by the Community Preservation Committee for its administrative and operating expenses.**
- 2) **Appropriate a sum of money in the amount of \$1,055,229 from the Community Preservation General Fund for open space/recreational use purposes to be used by Town of Hingham Recreation Commission for the Community Playground Project.**
- 3) **Appropriate a sum of money in the amount of \$237,397 from the Community Preservation General Fund to be available for expenditure by the Select Board for the payment of bonds or notes borrowed for Community Preservation projects under the provisions of M.G.L. c. 44B, § 11.**
- 4) **Set aside for future appropriation a sum of money in the amount of \$185,783 from the Community Preservation General Fund for community housing purposes in order to meet the Town’s obligations to spend or set aside for spending not less than 10 percent of the annual revenues in the Community Preservation Fund for community housing.**
- 5) **Set aside for future appropriation a sum of money in the amount of \$185,783 from the Community Preservation General Fund for historic resource purposes in order to meet the Town’s obligations to spend or set aside for spending not less than 10 percent of the annual revenues in the Community Preservation Fund for historic resources.**
- 6) **Appropriate from the Community Preservation General Fund the net sale proceeds received by the Hingham Affordable Housing Trust from the sale of 29 Rhodes Circle, 31 Rhodes Circle, 23 Ridgewood Crossing (Unit 24), 270 Central Street and 18K Beal’s Cove Road, in Hingham, MA, during FY 24, to the extent that the acquisition of said property was made using Community Preservation Funds, to the Hingham Affordable Housing Trust Opportunity Fund to be used by the Hingham Affordable Housing Trust for community housing purposes and that these funds shall remain in said Opportunity Fund for future use for said purposes.**

**ARTICLE 17
MUNICIPAL PROPERTY LEASES FOR SOLAR PROJECTS**

Will the Town authorize, but not require, pursuant to M.G.L. c. 40 § 3, c. 40 § 15A and all other applicable laws, the Select Board and/or the School Committee to enter into long-term leases, licenses, agreements for payment in lieu of taxes and/or other contractual agreements, on such terms and conditions as the Select Board and/or School Committee deems in the best interest of the Town and only within their respective authority, for all or portions of the following municipal and school properties:

Hingham High School (17 Union Street), Plymouth River School (200 High Street), Hingham Middle School (1073 Main Street), East School (2 Collins Road), South School (831 Main Street), the elementary school at 55 Downer Avenue (55 Downer Avenue), Town Hall (210 Central Street), Central Fire Station (339 Main Street), South Fire Station (847 Main Street), Public Safety Facility (335 Lincoln Street), Weir River Water System (900 Main Street), Weir River Water System Fulling Mill station (93 South Pleasant Street), South Shore Country Club (274 South Street), Hingham Public Library (66 Leavitt Street), Transfer Station (1 Sam Ryder Road), Department of Public Works (25 Bare Cove Park Road), former Department of Public Works building (101 and 101R Hersey Street), School Maintenance Building (28 Bare Cove Park Road), School bus dispatch building (25 Fort Hill Street) and/or School storage building (25 Fort Hill Street)

for the purposes of installing and operating solar energy generation and/or energy storage facilities, including rooftop, ground-mounted and other solar facilities, and further to authorize the Select Board and/or School Committee to take such action as may be necessary under State law to effectuate said agreements, or act on anything relating thereto?

(Inserted by the Hingham Municipal Light Board)

COMMENT: This article asks if the Town will authorize the Select Board to enter into long-term leases or other contracts with third party companies to install and maintain solar arrays and /or batteries on Town owned buildings and land.

Authorizing the Select Board to enter into long-term leases, licenses, agreements for payment in lieu of taxes, and/or other contractual agreements would provide a path for the Town to initiate the use of solar arrays to generate electricity on land and/or buildings the town owns. This path allows the town to do so without a near term investment in the infrastructure or maintenance required for solar energy generation capacity. The Town of Hingham can use a third party ownership model to develop this solar electrical generating capacity.

A Request for Proposals (RFP) will announce the project, describe it, and solicit bids from qualified contractors to complete it. Hingham Select Board (in collaboration with the School Committee and other applicable Town Boards and the Hingham Municipal Lighting Plant) will evaluate the feasibility of the bids submitted, the financial health of the bidding companies, and each bidder's ability to undertake and complete the project.

Twenty locations have been identified as possible installation sites. It is not the intention to implement solar generating capacity at all of these sites immediately. It is expected that the third parties responding to the RFP will select several but not all of these sites to achieve a scale of generating capacity justifying their investment. The opportunity for a third party to select from this broad inventory of sites should attract multiple solicitations to the RFP.

The selected third party will inspect the condition of the possible sites, make the necessary modifications according to all Town and State building codes, install, monitor, and maintain these solar arrays and their anchoring apparatus. Development of these sites would go through the standard permitting process, which provides for public input on the proposals.

If the Town issues an RFP for bidders to make proposals on any or all of a list of projects, it is advantageous to authorize but not require the Select Board to sign leases for the approved proposals. Otherwise, approval for signing such a lease would have to wait for the next Town Meeting, significantly slowing the projects' completion.

Hingham Municipal Lighting Plant will purchase electricity from the third party at an agreed upon rate.

The use of a third party ownership model can provide multiple benefits:

- Hingham will avoid the upfront capital costs
- Third-party ownership models will accelerate solar deployment
- Move the Town towards its carbon reduction goals
- Adding resiliency to our Town's energy supply as generating more electricity in Town makes us less dependent on the power grid at large

Deploying solar capacity initially to a subgroup of Town buildings capable of supporting solar arrays using a third party model allows the Town the freedom to adapt its future solar electricity generating strategies to future economic conditions. In the future, the Town may want to invest in owning and operating our own solar arrays on buildings we do not select for this project.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town authorize, but not require, pursuant to M.G.L. c. 40 § 3, c. 40 § 15A and all other applicable laws, the Select Board to enter into long-term leases, licenses, agreements for payment in lieu of taxes, and/or other contractual agreements, on such terms and conditions as the Select Board deems in the best interest of the Town, and to authorize any Town board with care, custody and control of said properties to take all actions necessary to consent to said leases under M.G.L. c. 40 § 15A, for all or portions of the following municipal and school properties:

Hingham High School (17 Union Street), Plymouth River School (200 High Street), Hingham Middle School (1073 Main Street), East School (2 Collins Road), South School (831 Main Street), the elementary school at 55 Downer Avenue (55 Downer Avenue), Town Hall (210 Central Street), Central Fire Station (339 Main Street), South Fire Station (847 Main Street), Public Safety Facility (335 Lincoln Street), Weir River Water System (900 Main Street), Weir River Water System Fulling Mill Station (93 South Pleasant Street), South Shore Country Club (274 South Street), Hingham Public Library (66 Leavitt Street), Transfer Station (1 Sam Ryder Road), Department of Public Works (25 Bare Cove Park Drive), former Department of Public Works Building (101 and 101R Hersey Street), School Maintenance Building and Carlson Field (28 Bare Cove Park Drive), School Bus Dispatch Building (25 Fort Hill Street), and/or School Storage Building (25 Fort Hill Street),

For the purposes of installing and operating solar energy generation and/or energy storage facilities, including rooftop, ground-mounted and other solar facilities, and further to authorize the Select Board to take such action as may be necessary under State law to effectuate said agreements.

ARTICLE 18

SEWER: AUTHORIZATION TO BORROW FOR ROUTE 3A SEWER CONSTRUCTION

Will the Town vote to raise and appropriate, borrow or transfer from available funds, a sum of money to pay for the costs of designing, engineering, permitting and/or constructing replacement sewer mains and appurtenances thereto located in the Route 3A highway, or act on anything relating thereto?

(Inserted at the request of the Sewer Commission)

COMMENT: This article requests \$13,000,000 for the purpose of upgrading and replacing the sewer mains and appurtenances serving the northern part of Hingham known as Sewer District A. The mains follow Route 3A from Broad Cove Pump Station at Downer Avenue and Lincoln Street and connect to the Massachusetts Water Resources Authority (MWRA) pump station at Stodder's Neck. The mains are about 70 years old and are experiencing ongoing deterioration from hydrogen sulfide gas in the wastewater being conveyed through the system. The 18-inch gravity main portion of the system in the vicinity of Stodder's Neck is insufficient to handle peak flows, and it is incurring MWRA surcharges when overflows occur. Over the past two decades, the system has experienced about one main break every two years, costing the Town \$80,000 to \$100,000 each to repair. Such costs will continue to rise as the frequency of breaks increases. Replacement of the worn-out concrete mains with higher capacity high density polyethylene pipes will avoid future incidents and could provide additional capacity and resiliency to accommodate increased demands on the system arising from expanded future development in the sewer district.

This Article would fund the construction of the upgraded system. Total project construction cost would be approximately \$13,000,000. The Town will seek to secure federal American Rescue Plan Act (ARPA) funding and grants that might reduce the eventual net costs of the project.

The combined cost of the project would be funded by the issuance of notes and/or bonds by the Town. While any debt issued by the Town would be general obligations of the Town payable from any and all sources of revenues, the Town anticipates that these obligations would be repaid in the first instance by sewer ratepayers in accordance with an amortization schedule determined by the Select Board. If the construction phase of the project is approved at the 2024 Annual Town Meeting, it is estimated that the impact on user rates would rise by an average of \$200 per year, or 10.6%.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee, the Select Board, and the Sewer Commission voted unanimously in favor of this Article.

RECOMMENDED: That the Town appropriate up to (and including) \$13,000,000 for the costs of designing, engineering, permitting and/or constructing upgrades and replacement sewer mains and appurtenances thereto located in the Route 3A highway, including the payment of costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Select Board, is authorized to borrow up to (and including) said amount under M.G.L. c. 44, or any other enabling authority and to issue bonds or notes of the Town therefore.

ARTICLE 19 EXPAND THE SIZE OF THE DEVELOPMENT AND INDUSTRIAL COMMISSION

Will the Town vote to fix the membership of the Hingham Development and Industrial Commission at no less than five nor more than fifteen members to be determined by and appointed by the Select Board in its discretion under the provisions of M.G.L. c. 40, § 8A, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: This Article seeks to provide the Select Board with the flexibility to increase the number of members on the Hingham Development and Industrial Commission given the expected increase in the workload of the Commission as it focuses on the Town's economic development. The current membership size established by Town Meeting is seven. The proposed change would bring the Commission's membership to the maximum and minimum permitted by state law.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town fix the membership of the Hingham Development and Industrial Commission at no less than five nor more than fifteen members to be determined by and appointed by the Select Board in its discretion under the provisions of M.G.L. c. 40, § 8A.

ARTICLE 20 RETIREMENT: INCREASE COLA BASE

Will the Town vote to approve an increase in the maximum base amount upon which cost of living adjustments are calculated for retirees from \$14,000 to \$15,000 as authorized by Massachusetts General Laws Chapter 32, Section 103(j), or act on anything relating thereto?

(Inserted at the request of the Retirement Board)

COMMENT: Cost-of-living adjustments ("COLA"s) are granted to Hingham benefit recipients by vote of the Hingham Retirement Board ("HRB"). A COLA is calculated by applying an approved percentage to a base amount. Pursuant to An Act Relative to Cost of Living Adjustments to Retirees in the Town of Hingham, Chapter 286 of the Acts of 2000 (retroactive to 1998 and approved September 28, 2000), the HRB may vote to grant cost of living increases greater than the percentage increase recommended by the Public Employees Retirement Administration Commission, but not greater than 3%. From 2020 to 2024, the COLA base amount for Hingham has remained at \$14,000, thereby allowing a maximum annual 3% COLA payment of \$420 per beneficiary.

A local option is available to raise the maximum base amount on which the COLA is calculated. The HRB may increase (subject to Town Meeting approval) the maximum base amount in multiples of \$1,000. A survey of 104 Massachusetts retirement systems reporting on their respective FY24 COLA bases shows that Hingham's base is below the mid-point. If the HRB grants a 3% COLA effective July 1, 2024, with a new base of \$15,000, the allowance for a benefit recipient will increase to a maximum of \$450 per year, or \$37.50 per month. Referencing the Annual Retirement Allowances for Hingham (using the October 2024 monthly allowance), the total number of beneficiaries in the Hingham Retirement System subject to this Article is 374. The amount of actual benefit increase due to the COLA for each beneficiary varies according to the beneficiary's retirement benefit amount. For example, with a COLA base of \$15,000, approximately 274 recipients will receive an effective raise of \$37.50 per month, as their retirement benefit is greater than or equal to \$15,000. Recipients with a retirement benefit less than \$15,000 will receive proportionally smaller raises.

The Town's actuarial consultants (KMS Actuaries of Manchester, NH) have analyzed the impact on the Hingham Retirement System's liabilities and funding if an increase in the base to \$15,000 is approved by Town Meeting. Using the most recently completed fund valuation (January 1, 2022), the change in the accrued liability is expected to increase by \$763,600. The impact in the appropriations for FY25 is an increase of \$144,600. If the new COLA base of \$15,000 is approved by Town Meeting, the appropriations increase of \$144,600 for FY25 will be paid for by funds controlled by the Retirement Board. The FY26 obligation of \$150,165 would be appropriately accounted for in the budget for FY26. The Retirement Board voted unanimously in support of this Article.

The Advisory Committee the Select Board, and the Retirement Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town vote to approve an increase in the maximum base amount upon which cost of living adjustments are calculated for retirees from \$14,000 to \$15,000 as authorized by M.G.L. c. 32, § 103(j).

**ARTICLE 21
RETIREMENT: ACCEPTANCE OF M.G.L. C. 32, § 20(4)(d)½
FOR RETIREMENT BOARD ADMINISTRATIVE STIPEND**

Will the Town vote to accept the provisions of the paragraph contained in M.G.L. c. 32, § 20(4)(d)½ which authorizes compensation to the Town Accountant for services rendered in the active administration of the Town of Hingham retirement system in an amount not to exceed \$3,000, or act on anything relating thereto?
(Inserted at the request of the Retirement Board)

COMMENT: There are several statues that can be used to set a stipend amount to be paid to the Town Accountant or other officer having similar powers and duties who serves the Retirement Board by the nature of their office, or ex officio. M.G.L. c. 32, § 20(4)(d) authorizes retirement systems to pay up to a \$1,500 stipend annually for ex-officio service on a retirement board. M.G.L. c. 32, § 20(4)(d)½, which was passed in 1982, authorizes retirement systems to pay up to a \$3,000 stipend, but this section is a local option that must be adopted by the legislative body, in our case Town Meeting. M.G.L. c. 32, § 20(6) allows for a higher payment for ex-officio services as well as compensation for retirement board members, also by local option, but that is not relevant here.

The Retirement Board has been paying the Town Accountant a stipend of \$3,000 for over 30 years (except when it was reduced to \$2,000 for one year when a new Town Accountant was first hired by the Town). However, when the Retirement Board Assistant inquired of the Public Employee Retirement Administration Commission about the stipend, they informed her they had no record that the Town had adopted § 20(4)(d)½. A subsequent review of Annual Town Meeting warrants by the Town Clerk's Office confirmed that an Article to increase the stipend was never brought to Town Meeting.

In Hingham, the Town Accountant, among other duties, is the direct supervisor of the Retirement Board Assistant and has historically chaired the Retirement Board. At its January meeting, the Retirement Board voted to approve a \$1,500 stipend for the new Town Accountant as allowed under § 20(4)(d). The Retirement Board would like to continue paying a \$3,000 stipend and has submitted this Article, which should have been submitted over 30 years ago, for that purpose.

The Retirement Board, Advisory Committee, and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town vote to accept the provisions contained in M.G.L. c. 32, § 20(4)(d^{1/2}) which authorizes compensation to the Town Accountant for services rendered in the active administration of the Town of Hingham retirement system in an amount not to exceed \$3,000.

**ARTICLE 22
WEIR RIVER WATER SYSTEM: AUTHORIZATION TO BORROW FOR
WATER CAPITAL IMPROVEMENTS**

Will the Town vote to raise and appropriate, borrow, or transfer from available funds, a sum of money to pay for the costs of designing, engineering, constructing, reconstructing, repairing and improving the Weir River Water System, including the payment of all costs incidental and related thereto, or act on anything relating thereto?
(Inserted at the request of the Board of Water Commissioners)

COMMENT: This Article requests up to \$21,005,000 which includes: a) \$12,755,000 for the design, permitting and construction of a new water storage tank at Strawberry Hill in Hull; b) \$2,250,000 for a new Booster Pump Station; c) \$3,000,000 for rehabilitation of the corroding Turkey Hill water tank, and d) \$3,000,000 for ongoing maintenance of the Weir River Water System (WRWS).

Strawberry Hill Tank: The need for a new Strawberry Hill water storage tank was “Priority 1” in the WRWS Master Plan, developed in October 2022. The new tank is expected to stabilize pressure throughout the WRWS system, improve public safety/fire-fighting capability and improve water quality.

Booster Pumping Station: This station (to be located on WRWS-owned land on Kilby Street) will enable the storage tank to operate most efficiently, by stabilizing pressure throughout the system and relieving the backend/water treatment facility of the need to normalize system-wide pressure. The booster pump station could also potentially reduce chlorine levels at the plant, improving water taste and odor, thus reducing aesthetic complaints about the water supply.

Turkey Hill Tank Rehabilitation: MassDEP Sanitary Surveys have indicated the need to rehabilitate the Turkey Hill tank to protect the integrity of the tank and maintain overall system redundancy. Increased redundancy boosts water storage capacity and boosts firefighting capability as compared to a single-tank system design. Inspection reports by a certified outside contractor have confirmed the need for this work.

Ongoing Maintenance: This final piece of the requested appropriation would help fund ongoing capital maintenance expenses throughout the system. The Town purchased WRWS in 2020 with the commitment to invest in the aging system on an annual basis. Recent projects have included the replacement/upgrade of over 17,000 linear feet of water mains and 109 new hydrants. These improvements have resulted in significant ongoing improvements in “lost water”, which has decreased from 23% to 18%, translating to some 72 MG of water saved (and billed for) since the acquisition.

The costs of the projects would be funded via the issuance of notes and/or bonds by the Town. These obligations would be repaid by a “capital charge” to WRWS users during the term of the indebtedness. The estimated capital charge of \$64 per account would increase current residential user bills by approximately 7 percent per year.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee, the Select Board, and the Board of Water Commissioners voted unanimously in favor of this Article.

RECOMMENDED: That the Town appropriate an amount up to \$21,005,000 for the costs of designing, engineering, constructing, reconstructing, repairing, and improving the Weir River Water System, including the payment of all costs incidental and related thereto. To meet this appropriation the Treasurer, with the

approval of the Select Board, is authorized to borrow said amount under M.G.L. c. 44, or pursuant to any other enabling authority and to issue bonds or notes of the Town.

**ARTICLE 23
ACCEPTANCE OF M.G.L. C. 31, § 58A FOR VETERANS' CIVIL SERVICE APPOINTMENT**

Will the Town vote to accept the provisions of M.G.L. c. 31, § 58A which allows veterans to exceed the maximum age limit under the civil service laws for original appointment as a firefighter or police officer by the number of years served on active military duty, but in no case shall said candidate for appointment be credited more than four years of active military duty in accordance with said statute, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Article asks the Town to accept the provisions of M.G.L. c. 31, § 58A which will allow municipal police and fire departments to interview and hire military veterans with up to four years of active duty up to age 36. Such applicants would continue to be required to take the Civil Service Exam. Municipalities which have not accepted this provision cannot hire applicants older than 32 years of age. Acceptance of this provision would expand the universe of potential applicants for Hingham firefighter and police officer positions.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town accept the provisions of M.G.L. c. 31, § 58A, which allows veterans to exceed the maximum age limit under the civil service laws for original appointment as a firefighter or police officer by the number of years served on active military duty, but in no case shall said candidate for appointment be credited more than four years of active military duty in accordance with said statute.

**ARTICLE 24
AUTHORIZATION TO BORROW TO PURCHASE A FIRE ENGINE**

Will the Town vote to raise and appropriate, borrow or transfer from available funds, a sum of money to be expended by the Select Board to pay for the purchase of a new fire engine or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: This Article requests that the Town appropriate funds in advance of the purchase of a new fire engine which is estimated to be delivered in three years. The manufacturer requires that the Town commit the necessary funds before the production process can begin. This new fire engine would replace a 2006 engine. Typically, the life span of a fire engine is 16 years. Currently Hingham has four fire engines; two of these are staffed in service as primary and two engines are in reserve status. The current lead time for a fire engine to be built is upwards of three years. As our fleet becomes older it is subject to increased wear and tear and more mechanical failures. Two of the Town's newest fire engines, both from 2016, have each required complete motor rebuilds and one has been out of service for several months. Each year our emergency responses and calls for service have increased. All of these factors support the purchase of a new fire engine and the necessity for the Town to commit these funds in advance of the purchase order.

Approval of this Article requires a two-thirds vote at Town Meeting.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town appropriate \$1,200,000 for the purchase of a new fire engine, including the payment of costs incidental or related thereto. To meet said appropriation the Treasurer with the approval of the Select Board is authorized to borrow up to (and including) said sum under M.G.L. c. 44, or any other enabling authority, and to issue bonds or notes of the Town therefore.

**ARTICLE 25
SALE OF 8 SHORT STREET**

Will the Town authorize, but not require, pursuant to M.G.L. c. 40, § 3, c. 40, § 15A and Article 5, Section 4A of the Town of Hingham General By-laws and all other applicable laws, the Select Board to sell the property, with all buildings thereon, located at 8 Short Street, Hingham, MA, for any use allowed or permitted in the applicable zoning district under the Town of Hingham Zoning By-laws and subject to a Preservation Restriction under M.G.L. c. 184, §§ 31-33 to be held by a qualified governmental body or by a qualified charitable corporation or trust and which the Select Board is hereby authorized to approve and/or accept, all on such terms and conditions as the Select Board deems in the best interest of the Town, and provided further that the proceeds from any such sale shall be deposited into the “Capital Stabilization Fund”, or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: The Article asks Town Meeting to authorize but not require the Select Board to sell the property and buildings at 8 Short Street, also known as the Tree and Park Barn. Pursuant to Hingham General By-laws Article 5A, Section 4A, the Town Meeting must approve the use intended for the property upon its disposition. The use of the property will be restricted to uses permitted under the Town of Hingham’s Zoning By-laws. The parcel is in the Business A zoning district which allows various retail, office, and other business uses.

The main building was built in 1857 on a different site in Hingham and moved to its present location. It began operation as the Central Fire Station in 1896. The building has served as a schoolhouse, as the Central Fire Station, as home to the Tree & Park Department and since 1999 has been leased to a cabinet and furniture fabrication business.

The main building is listed on the inventories of historic assets of both the Town of Hingham and the Commonwealth of Massachusetts. The property would be sold subject to a recorded Preservation Restriction as described in M.G.L. c.184, §§ 31, 32, and 33 protecting the property from changes to the exterior of the main building. At its meeting on January 8, 2024, the Town of Hingham Historical Commission voted unanimously to support the Town placing a perpetual Preservation Restriction on the Tree and Park Barn located at 8 Short Street.

There is a process to place a perpetual Preservation Restriction on land or buildings and the Preservation Restriction document must be executed by the buyer and approved by the Massachusetts Historical Commission (MHC) and Select Board before it can be recorded. The Preservation Restriction Agreement would be drafted by Town Counsel and recorded at the Plymouth County Registry of Deeds as part of the sale of the property. The Hingham Historical Commission, as a qualified governmental body, will be the holder of the Preservation Restriction. The details of the Preservation Restriction will contain the information regarding the purpose, detailed description of the restrictions, rights, and responsibilities of the parties. The architectural, historic, and cultural values (“preservation values”) and significance of the building provides the parties with a common purpose of preserving the preservation values and significance of the exterior of the Building and the Property. The preservation of the building is important to the public for the enjoyment and appreciation of its architectural and historical heritage and serves the public interest in a manner consistent with the purposes of M.G.L. c.184, §§ 31, 32, and 33. The Town of Hingham, acting by and through its Historical Commission, will be responsible for monitoring and enforcing the terms and conditions of the Preservation Restriction.

The proceeds from any such sale shall be deposited into the Capital Stabilization Fund (the “CSF”). The CSF was established at the 2023 Annual Town Meeting and is funded annually with the proceeds received from the Town’s sale of certain surplus property. The purpose of the CSF is to pay for capital equipment and/or capital projects.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town authorize, but not require, pursuant to M.G.L. c. 40, § 3, c. 40, § 15A and Article 5A, Section 4A of the Town of Hingham General By-laws and all other applicable laws, the Select Board to sell the property, with all buildings thereon, located at 8 Short Street, Hingham, MA, for any use allowed or permitted in the applicable zoning district under the Town of Hingham Zoning By-laws and

subject to a Preservation Restriction under M.G.L. c. 184, §§ 31-33 to be held by a qualified governmental body or by a qualified charitable corporation or trust and which the Select Board is hereby authorized to approve and/or accept, all on such terms and conditions as the Select Board deems in the best interest of the Town, and provided further that the proceeds from any such sale shall be deposited into the “Capital Stabilization Fund”.

**ARTICLE 26
GRANT OF EASEMENTS FOR NEW ELEMENTARY SCHOOL**

Will the Town authorize, but not require, the School Committee and/or Select Board to grant any and all utility easements necessary in connection with the construction of the new elementary school at 55 Downer Avenue, Hingham, MA, on such terms and conditions as the School Committee and/or Select Board deems in the best interest of the Town, or act on anything relating thereto?
(Inserted at the request of the School Committee)

COMMENT: Under Massachusetts law, Town Meeting approval is required for any board, including the School Committee and/or the Select Board to grant utility easements. This Article would allow the School Committee and/or the Select Board to grant such easements to utility providers such as Verizon and others as they deem necessary for the construction of the new elementary school during the coming year and thus avoid potentially expensive delays and inconvenience to this project that benefits the Town.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town authorize, but not require, the School Committee and/or Select Board to grant any and all utility easements necessary in connection with the construction of the new elementary school at 55 Downer Avenue, Hingham, MA, on such terms and conditions as the School Committee and/or Select Board deems in the best interest of the Town.

**ARTICLE 27
NAMING OF NEW ELEMENTARY SCHOOL**

Will the Town vote Name or Rename the new elementary school being constructed on Downer Avenue, Hingham, MA as the “Foster Elementary School” or other Name or Rename as determined by Town Meeting pursuant to Town of Hingham General By-laws Article 40, Section 3.1., or act on anything relating thereto?
(Inserted at the request of the Hingham School Committee)

COMMENT: At Hingham’s Special Town Meeting on November 1, 2022, the Town approved Article 1, borrowing to fund the construction of a new elementary school building at the site of the existing William L. Foster Elementary School, and the construction of that building is now well underway. Additionally, at Hingham’s Annual Town Meeting on April 24, 2023, Article 40, Section 3.1 of Hingham’s General By-laws, more commonly known as the “naming by-law”, was updated by the passing of Article 22 to require that the naming of a Town-owned public building such as the newly constructed elementary school be widely advertised and approved by Town Meeting. The By-law stresses it is important that the decision to name a public building is achieved through a process that is transparent, collaborative, inclusive, and based on a public process. To that end, the School Committee undertook two community surveys encouraging the participation of current and former Foster School students, families, alumni, and members of the Hingham community at large, one survey to solicit all naming suggestions, and the second survey to vote on the top four choices of the first survey. By a large margin, members of the community have voted for “Foster Elementary School” as their chosen name for the new elementary school building. The Select Board widely advertised their meeting to discuss the recommended name as provided by the By-law and in accordance with CMR 29.03(2)(b). Per the By-law, the final decision rests with Town Meeting.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town vote to name the new elementary school being constructed on Downer Avenue, Hingham, MA as the “Foster Elementary School” pursuant to the Town of Hingham General By-laws Article 40, Section 3.1.

**ARTICLE 28
AMEND ZONING BY-LAW: PERSONAL WIRELESS SERVICE FACILITIES**

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 Insert in Section V-E.3. the following definition:

Small Cell Facility

A compact wireless base stations containing their own transceiver equipment and function like cells in a mobile network but provide a smaller coverage area than traditional macrocells. Small cells will meet the two parameters in subsections (1) and (2). For purposes of these definitions, volume is a measure of the exterior displacement, not the interior volume of the enclosures. Antennas or equipment concealed from public view in or behind an otherwise approved structure or concealment are not included in calculating volume.

1. Small Cell Antenna: Each antenna shall be no more than three (3) cubic feet in volume.
2. Small Cell Equipment: Each equipment enclosure shall be no larger than seventeen (17) cubic feet in volume. Associated conduit, mounting bracket or extension arm, electric meter, concealment, telecommunications demarcation box, ground-based enclosures, battery back-up power systems, grounding equipment, power transfer switch, and cut-off switch may be located outside the primary equipment enclosure(s) and are not included in the calculation of equipment volume.

Item 2 Replace Section V-E.4 in its entirety as follows:

4. Location
Personal Wireless Services Facilities may be permitted in specific districts upon issuance of a Special Permit A2 by the Board of Appeals as follows:
 - a. Tower. A Tower may be permitted in the Industrial, Industrial Park, Limited Industrial, Official and Open Space, and Personal Wireless Services Overlay zoning districts upon a finding that a DAS cannot provide adequate coverage or service. \
 - b. Personal Wireless Services Facilities other than a Tower. All other Personal Wireless Services Facilities may be permitted in all zoning districts upon issuance of a Special Permit A2 by the Board of Appeals, provided the Facility is either completely concealed within or installed on a non-residential Host Structure.

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: This Article proposes to amend the Zoning By-laws to (i) create a definition and allowances for small cell wireless facilities to be located within or on non-residential host structures; and (ii) permit cell towers to be located in the Official and Open Space District and clarify that cell towers are permitted in the Personal Wireless Services Overlay District. The intent of this article is to encourage improved wireless connectivity, particularly on the 5G network, throughout the Town by expanding the allowed types and locations of Personal Wireless Services Facilities. Given changes in technology, it is anticipated that allowing the use of Small Cell Facilities will encourage carriers to install high frequency facilities that will continue to narrow the coverage gaps in specific portions of the

Town. Second, permitting cell towers in the Official and Open Space District will facilitate low frequency coverage in broader portions of Town.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Planning Board voted unanimously to recommend adoption of the Article with a minor clarification. After close of the Planning Board hearings, further changes were considered by the Advisory Committee after consultation with Town counsel to further streamline permitting for Small Cell Facilities (from a special permit A2 to a special permit A1) and to allow for the adoption of specific guidelines governing the installation of Small Cell Facilities which changes are incorporated into the Recommended Motion.

The Advisory Committee voted unanimously to recommend adoption of this Article as modified by the Advisory Committee and the Planning Board described in the Comment above.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 Insert in Section V-E.3. the following definition before the definition of “Tower”:

Small Cell Facility

A compact wireless base station or base stations containing their own transceiver equipment and function like cells in a mobile network, but provide a smaller subsection area than traditional macrocells. Small cell Facilities shall meet the conditions set forth in 47 CFR § 1.6002(l), subject to such regulations or guidelines consistent with applicable law adopted by the special permit granting authority relative to the installation of Small Wireless Facilities including, but not be limited, to application, siting and aesthetic criteria (“Small Cell Facility Guidelines”).

Item 2 Replace Section V-E.4 in its entirety as follows:

4. Location

Personal Wireless Services Facilities may be permitted in specific districts as follows:

- a. Tower. A Tower may be permitted upon issuance of a Special Permit A2 by the Board of Appeals in the Industrial, Industrial Park, Limited Industrial, Official and Open Space, and Personal Wireless Services Overlay zoning districts upon a finding that a DAS cannot provide adequate coverage or service.**
- b. Personal Wireless Services Facilities other than a Tower. All other Personal Wireless Services Facilities may be permitted in all zoning districts upon issuance of a Special Permit A1 by the Board of Appeals, provided the Facility is either completely concealed within or installed on a non-residential Host Structure.**

Item 3 Amend Section V-E.8 to insert a new subsection f.

- f. The installation of a Small Cell Facility on a utility pole or similar Host Structure that is or may be used in whole or in part for communications, electric transmission or distribution, lighting, signage, or a similar function, shall be governed by the Small Cell Facility Guidelines.**

**ARTICLE 29
CELL TOWER LEASE AT DPW PROPERTY**

Will the Town authorize, but not require, pursuant to M.G.L. c. 40, § 3, c. 40, § 15A and all other applicable laws, the Select Board to lease a portion of the Department of Public Works facility site located at 25 Bare Cove Park Drive, Hingham, MA, for the purpose of locating a cell tower and appurtenances, subject to all applicable zoning

and permitting requirements and on such terms and conditions as the Select Board deems in the best interest of the Town, and provided further, will the Town accept the provisions of the fourth paragraph of M.G.L. c. 40, § 5B for the purpose of dedicating all the rent from said cell tower lease to the "Capital Stabilization Fund", or act on anything relating thereto?
(Inserted by the Select Board)

COMMENT: This Article seeks to authorize the Select Board to lease a portion of the Department of Public Works ("DPW") site on Bare Cove Park Drive, subject to zoning requirements, for the purpose of placing a cell tower at the location. This would be done through a Request for Proposal and is conditioned on the Town's approval at Town Meeting of a Zoning By-law amendment as the proposed use is not currently permitted at the site. The article also provides that rents received from the lease would go to the Capital Stabilization Fund.

This Article is part of the continued efforts of the Town to improve cell services throughout the Town. Numerous sections of the Town are in need of better cell service and the Town will continue efforts to improve service. This site was chosen at this stage since it is Town controlled in one of the areas (Bare Cove Park) where improved service is needed and with a Town owned property rents can be used to benefit the Capital Stabilization Fund. The selection of this location and the proposal of this article is based on many months of work by Town officials and residents studying the Town's cell service needs all toward a longer-term goal of working with carriers and other stakeholders to expand cell coverage in the Town.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town authorize, but not require, pursuant to M.G.L. c. 40, § 3, c. 40, § 15A and all other applicable laws, the Select Board to lease a portion of the Department of Public Works facility site located at 25 Bare Cove Park Drive, Hingham, MA, for the purpose of locating a cell tower and appurtenances, subject to all applicable zoning and permitting requirements and on such terms and conditions as the Select Board deems in the best interest of the Town, and provided further, that the Town accept the provisions of the fourth paragraph of M.G.L. c. 40, § 5B for the purpose of dedicating all the rent from said cell tower lease to the "Capital Stabilization Fund."

**ARTICLE 30
AMEND ZONING BY-LAW: UPDATE OF FLOODPLAIN MAP REFERENCES AND REGULATIONS**

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 By replacing the current map "Zoning Part B: Floodplain Protection Overlay District" with an updated map with the same title that (1) shows the updated floodplain information on the following panels: 25023C0038K, 25023C0081K, 25023C0082K, 25023C0083K, 25023C0084K, 25023C0091L, 25023C0092L, 25023C0101L, 25023C0103L, and 25023C0111L; (2) replaces the date with May 2021; and (3) in the footnote, replaces the phrase "Flood zone designations are based on 2012 and 2021 Flood Insurance Rate Maps", with the phrase "Flood zone designations are based on 2012, 2021, and 2024 Flood Insurance Rate Maps".

Item 2 By replacing in its entirety Section III-C with the following:

III-C. Floodplain Protection Overlay District

1. Purpose

The Floodplain Protection Overlay District is established as an overlay district to all other districts for the following purposes:

- a. to protect public health, safety and general welfare;
- b. to protect human life and property from hazards of periodic flooding;

- c. to prevent the occurrence of public health emergencies resulting from water quality contamination and pollution due to flooding;
- d. to preserve natural flood control characteristics and the flood storage capacity of the floodplain;
- e. to regulate development in floodplains in a manner that, at a minimum, meets the requirements of FEMA for participation in the NFIP.
- f. to avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding; and
- g. to eliminate costs associated with the response and cleanup of flooding conditions.

2. Location

The Floodplain Protection Overlay District shall be shown on a map entitled “Zoning Map Part B Floodplain Protection Overlay District.” The district includes:

- a. All special flood hazard areas within the Town of Hingham designated as Zone A, AE, or VE on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). The exact boundaries of the District shall be defined by the 1%-chance base flood elevations (BFE) shown on the Plymouth County FIRM and further defined by Flood Insurance Studies. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Hingham are panel numbers 25023C0016J, 25023C0017J, 25023C0018J, 25023C0019J, and 25023C0102J, dated July 17, 2012; 25023C0104K, dated July 6, 2021; and 25023C0038K, 25023C0081K, 25023C0082K, 25023C0083K, 25023C0084K, 25023C0091L, 25023C0092L, 25023C0101L, 25023C0103L, and 25023C0111L, dated [Month XX,] 2024. The applicable FIRM and Flood Insurance Study (FIS) reports are incorporated herein by reference and are on file with the Town Clerk, Building Department, and Conservation Commission. The Letters of Map Revision are on file with the Conservation Commission.
- b. All salt water areas within the limits of the Town including Hingham Harbor, Hingham Bay, Weir River and Back River and all other water bodies encircled by the Floodplain Protection Overlay District are hereby included within said District.
- c. All those lands along the following named streams and their tributaries: Weir River, Accord Brook, Back River, Eel River, Plymouth River, Crooked Meadow River, Fresh River, Tower Brook, Fulling Mill Brook and by other brooks and streams that lie within a horizontal distance of twenty-five (25) feet from the mean high water line along each bank thereof except as otherwise defined on said Part B of the Zoning Map are hereby included within the Floodplain Protection Overlay District.

3. Applicability

All regulations in the Hingham Zoning By-law applicable to such underlying districts shall remain in effect; except that, where the provisions of this Section III-C impose additional regulations, those additional regulations shall govern. The floodplain management regulations found in this By-Law shall take precedence over any less restrictive conflicting local bylaws or regulations. The degree of flood protection required by this By-law is considered reasonable but does not imply total flood protection.

4. Definitions

In accordance with NFIP requirements, for the purposes of this Section III-C, the following terms shall have the meaning set forth herein.

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

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

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

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

Historic Structure means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

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

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

Recreational Vehicle means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

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

Regulatory Floodway - see FLOODWAY.

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

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

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

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

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

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

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

5. Prohibited Uses and Development

- a. No building, wall dam, or other structure shall be created, constructed, altered, enlarged or otherwise created or moved for any living or other purposes provided that fences, wildlife management shelters, footpaths, bicycle paths, horse paths and footbridges are permitted if they do not affect the natural flow patterns of any water course.
- b. Dumping, filling, excavating or transferring of any material which will reduce the natural flood-water storage capacity or interfere with the natural flow patterns of any water course within this District is prohibited.
- c. Alteration of sand dunes is prohibited when the alteration would increase potential flood damage.

6. Permitted Uses and Development

- a. The following uses are permitted as a matter of right provided that said uses comply with the standards and requirements of Sections 60.3(d) and (e) of the National Flood Insurance Program (Title 44, Code of Federal Regulations):
 - (i) Conservation of soil water, plants and wildlife;
 - (ii) Outdoor recreation including play and sporting areas, nature study, boating, fishing and hunting where otherwise legally permitted;
 - (iii) Proper operation and maintenance of dams and other water control devices, including temporary alteration of water level for emergency or maintenance purposes;
 - (iv) Forestry, grazing, farming, nurseries, truck gardening and harvesting of crops;

- (v) Accessory uses, such as flower or vegetable gardens, lawns, pasture or forestry areas; and
 - (vi) Repair, rebuilding, modification or enlargement of buildings or other structures existing in the Floodplain Protection Overlay District on January 1, 1969, including the addition of accessory structures, together with the Buildings or other structures referred to in this subsection also filling, diking, and/or draining as may be necessary therefor or for the protection of said structures from flood water inundation, consistent with the laws of the Commonwealth of Massachusetts, and compliance with all other zoning requirements, and provided such construction does not affect the natural flow patterns of any water course.
- b. The following uses and development are allowed by Special Permit A1 and subject to such special conditions and safeguards as the Board of Appeals deems necessary to fulfill the purposes of this Section:
- (i) Docks, piers, duck walks and boat landings;
 - (ii) Appropriate municipal uses, such as water-works pumping stations and parks;
 - (iii) Temporary storage of materials or equipment;
 - (iv) Seawalls and other coastal defenses, dams, excavations, or changes in watercourses to create ponds or pools for swimming or other recreation or agriculture use, scenic features or for drainage improvements consistent with the purpose of this Section;
 - (v) Driveways and streets where alternative means of access are impractical; and
 - (vi) Recreational vehicles, provided the recreational vehicle to be placed on a site is elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

7. Exemption

Any alteration of a historic structure, provided that the alteration will not preclude the continued designation as a historic structure.

- 8.** If any land in the Floodplain Protection Overlay District is proven to the satisfaction of the Board of Appeals as being in fact not subject to the flooding or not unsuitable because of drainage conditions for development, use or structure which would otherwise be prohibited by the provisions of this Section and the Board of Appeals determines that the use of such land for such use will not interfere with the general purposes for which the Floodplain Protection Overlay District has been established and will not be detrimental to the public health, safety and/or welfare, the Board of Appeals may grant a Special Permit A1 for such use or structure which will comply in all respects with the provisions of this By-Law, provided that any and all necessary permits, orders or approvals required by local or state law, except for Massachusetts General Laws Chapter 131, Section 40, or federal law have first been obtained. The Board of Appeals shall refer each question to the Planning Board, Conservation Commission and Board of Health and shall not act until these agencies have reported their recommendations or 45 days have elapsed after such referral and no report has been received.

9. Administration

- a. Permits Required for All Proposed Development in the Floodplain Protection Overlay District.
The Town of Hingham requires certain permits for all proposed construction or other development in the floodplain protection overlay district, including new construction or

changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties. Those permits may include the Special Permit required under this By-Law, an order of conditions under the Hingham Wetland Regulations, and/or such other permits as may be required from time to time under any other local bylaw or regulation.

b. Permit Checklist.

The permit review process for work in the floodplain protection overlay district includes the use of a checklist of all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain protection overlay district in the form maintained by the Floodplain Administrator. The applicant must acquire all necessary permits and, prior to start of construction on the property, must submit the completed checklist to the Floodplain Administrator demonstrating that all necessary permits have been acquired.

c. Designation of Floodplain Administrator.

The Town of Hingham hereby designates the position of Building Commissioner to be the official floodplain administrator for the Town.

d. Unnumbered A Zones.

In A Zones, in the absence of FEMA BFE data and floodway data, the Building Commissioner will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways. The Building Commissioner can require that the applicant pay for resources (including a base flood elevation certificate) to determine the base flood elevation when a development is being proposed.

e. Whenever an application is made for a Building Permit on a lot of land which the Building Commissioner believes may contain a Floodplain Protection Overlay District boundary, said Commissioner shall require the applicant for such permit to provide as part of such application a plan, certified by a registered land surveyor, of the lot showing the exact location of the Floodplain Protection Overlay District boundary.

10. General Provisions Governing Floodplain Protection Overlay District

a. Requirement to Submit New Technical Data.

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

FEMA Region I Risk Analysis Branch Chief
99 High Street, 6th Floor
Boston, MA 02110
Or other current address

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

- b. Variances to Building Code Floodplain Standards.
If the Commonwealth of Massachusetts issues variances to the flood-resistant standards as found in the State Building Code, the Town of Hingham will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record on file with the Floodplain Administrator. The Town of Hingham shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering the property, in writing from the Floodplain Administrator that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rated for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variances for the referenced development in the protection overlay district.
- c. Variances to Zoning By-Law Related to Compliance with the National Flood Insurance Program (NFIP).
A Variance from this By-Law must meet the requirements set out by state law, provided, however, that such Variance may only be granted if the Board of Appeals also further finds: (i) good and sufficient cause and exceptional non-financial hardship exist; (ii) the Variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and (iii) the Variance is the minimum action necessary to afford relief.

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: This article asks if the Town will adopt revised map references and the associated zoning map for the Floodplain Protection Overlay District and related floodplain regulations to incorporate revisions on the Flood Insurance Rate Maps issued by Federal Emergency Management Agency (FEMA) for the Charles Watershed. The adoption of the new maps is required both by FEMA and the Commonwealth.

The article provides a restructured amendment to the Town's Zoning By-law related to floodplain regulations under Section III-C in order to be more consistent with other special regulations in the Zoning By-law, while maintaining all language required to participate in the National Flood Insurance Program (NFIP). Specifically, the language now follows this order: Purpose; Location; Applicability; Definitions; Prohibited Uses and Development; Permitted Uses and Development; Exemptions; Administration.

The Floodplain Overlay District, defined by Section III-C of the Town's Zoning By-law, provides floodplain management regulations related to development on properties within Floodways and Special Flood Hazards Areas. The intent of the regulations is to manage development on these properties to reduce negative impacts from periodic flooding, including protecting human life and property from hazards of periodic flooding, preserving natural flood control characteristics and flood storage capacity of the floodplain, and preventing the occurrence of public health emergencies resulting from water quality contamination and pollution due to flooding.

FEMA issued revisions to the Charles Watershed maps on 1/3/2024, which affect certain map panels of the Plymouth County Flood Insurance Rate Map (FIRM) that are wholly or partially in the Town of Hingham. The Town must adopt the revised maps and update the corresponding language in the Zoning By-law before 7/3/2024 in order to remain in compliance with the National Flood Insurance Program. The Floodplain Engineer from the State's Department of Conservation and Recreation (DCR) has reviewed this Zoning Article and determined that it is in compliance with the NFIP. If the map revisions and corresponding language changes are not adopted, all properties within the Town will become ineligible for the National Flood Insurance Program.

Currently 147 properties within Hingham are covered by flood insurance policies. With the adoption of this revised Floodplain Overlay District an additional 35 structures will be newly included, potentially requiring insurance coverage.

Approval of this Article requires a two-thirds vote by Town Meeting.

During the public hearing, the Planning Board modified the language as originally proposed to address certain map references and other concerns raised by the State Floodplain Manager with respect to compliance with the NFIP. The Planning Board then voted unanimously in favor of this Article.

The Advisory Committee voted unanimously in favor of this Article as recommended by the Planning Board.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 By replacing the current map "Zoning Part B: Floodplain Protection Overlay District" with an updated map with the same title that (1) shows the updated floodplain information on the following panels: 25023C0038K, 25023C0081K, 25023C0082K, 25023C0083K, 25023C0084K, 25023C0091L, 25023C0092L, 25023C0101L, 25023C0102K, 25023C0103L, and 25023C0111L; (2) replaces the date with April 2024; and (3) in the footnote, replaces the phrase "Flood zone designations are based on 2012 and 2021 Flood Insurance Rate Maps", with the phrase "Flood zone designations are based on 2012, 2021, and 2024 Flood Insurance Rate Maps".

Item 2 By replacing in its entirety Section III-C with the following:

I-B. III-C. Floodplain Protection Overlay District

1. Purpose

The Floodplain Protection Overlay District is established as an overlay district to all other districts for the following purposes:

- a. to protect public health, safety and general welfare;
- b. to protect human life and property from hazards of periodic flooding;
- c. to prevent the occurrence of public health emergencies resulting from water quality contamination and pollution due to flooding;
- d. to preserve natural flood control characteristics and the flood storage capacity of the floodplain;
- e. to regulate development in floodplains in a manner that, at a minimum, meets the requirements of FEMA for participation in the NFIP.
- f. to avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding; and
- g. to eliminate costs associated with the response and cleanup of flooding conditions.

2. Location

The Floodplain Protection Overlay District shall be shown on a map entitled "Zoning Map Part B Floodplain Protection Overlay District." The district includes all floodway and special flood hazard areas within the Town of Hingham designated as Zone A, AE, or VE on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NFIP). The exact boundaries of the District shall be defined by the 1%-chance base flood elevations (BFE) shown on the Plymouth County FIRM and further defined by Flood Insurance Studies. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Hingham are panel numbers 25023C0016J, 25023C0017J, 25023C0018J, and 25023C0019J, dated July 17, 2012; 25023C0104K, dated July 6, 2021; and 25023C0038K,

25023C0081K, 25023C0082K, 25023C0083K, 25023C0084K, 25023C0091L, 25023C0092L, 25023C0101L, 25023C0102K, 25023C0103L, and 25023C0111L, dated July 3, 2024. The applicable FIRM and Flood Insurance Study (FIS), dated July 3, 2024 are incorporated herein by reference and are on file with the Town Clerk, Building Department, and Conservation Commission.

3. Applicability

All regulations in the Hingham Zoning By-law applicable to such underlying districts shall remain in effect; except that, where the provisions of this Section III-C impose additional regulations, those additional regulations shall govern. The floodplain management regulations found in this Section of the By-law shall take precedence over any less restrictive conflicting local bylaws or regulations. The degree of flood protection required by this By-law is considered reasonable but does not imply total flood protection.

4. Definitions

In accordance with NFIP requirements, for the purposes of this Section III-C, the following terms shall have the meaning set forth herein.

Development means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

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

Functionally Dependent Use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

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

Recreational Vehicle means a vehicle which is:

- (a) Built on a single chassis;**
- (b) 400 square feet or less when measured at the largest horizontal projection;**
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and**
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.**

Regulatory Floodway - see FLOODWAY.

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

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

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

Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

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

Variance means a grant of relief by a community from the terms of a flood plain management regulation.

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

5. Prohibited Uses and Development

- a. No development, building, wall dam, or other structure shall be created, constructed, altered, enlarged or otherwise created or moved for any living or other purposes provided that fences, wildlife management shelters, footpaths, bicycle paths, horse paths and footbridges are permitted if they do not affect the natural flow patterns of any water course.**

- b. Dumping, filling, excavating or transferring of any material which will reduce the natural flood-water storage capacity or interfere with the natural flow patterns of any water course within this District is prohibited.
- c. Alteration of sand dunes is prohibited when the alteration would increase potential flood damage.

6. Permitted Uses and Development

- a. The following uses are permitted as a matter of right provided that said uses comply with the standards and requirements of Sections 60.3(d) and (e) of the National Flood Insurance Program (Title 44, Code of Federal Regulations):
 - (i) Conservation of soil water, plants and wildlife;
 - (ii) Outdoor recreation including play and sporting areas, nature study, boating, fishing and hunting where otherwise legally permitted;
 - (iii) Proper operation and maintenance of dams and other water control devices, including temporary alteration of water level for emergency or maintenance purposes;
 - (iv) Forestry, grazing, farming, nurseries, truck gardening and harvesting of crops;
 - (v) Accessory uses, such as flower or vegetable gardens, lawns, pasture or forestry areas; and
 - (vi) Repair, rebuilding, modification or enlargement of buildings or other structures existing in the Floodplain Protection Overlay District on January 1, 1969, including the addition of accessory structures, together with the Buildings or other structures referred to in this subsection also filling, diking, and/or draining as may be necessary therefor or for the protection of said structures from flood water inundation, consistent with the laws of the Commonwealth of Massachusetts, and compliance with all other zoning requirements, and provided such construction does not affect the natural flow patterns of any water course.
- b. The following uses and development are allowed by Special Permit A1 and subject to such special conditions and safeguards as the Board of Appeals deems necessary to fulfill the purposes of this Section:
 - (i) Docks, piers, duck walks and boat landings;
 - (ii) Appropriate municipal uses, such as water-works pumping stations and parks;
 - (iii) Temporary storage of materials or equipment;
 - (iv) Seawalls and other coastal defenses, dams, excavations, or changes in watercourses to create ponds or pools for swimming or other recreation or agriculture use, scenic features or for drainage improvements consistent with the purpose of this Section;
 - (v) Driveways and streets where alternative means of access are impractical;

- (vi) Recreational vehicles, provided the recreational vehicle to be placed on a site is elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready; and
- (vii) Any use or development which would otherwise be prohibited by the provisions of this Section provided that the use or development meets the requirements of the NFIP generally and 44 CFR 60.3 specifically, and the provisions of the Massachusetts Building Code that address construction in floodplains.

7. **Exemption**

Any alteration of a historic structure, provided that the alteration will not preclude the continued designation as a historic structure.

8. **Administration**

a. **Permits Required for All Proposed Development in the Floodplain Protection Overlay District.**

The Town of Hingham requires certain permits for all proposed construction or other development in the floodplain protection overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties. Those permits may include the Special Permit required under this Section of the By-law, an order of conditions under the Hingham Wetland Regulations, and/or such other permits as may be required from time to time under any other local bylaw or regulation.

b. **Permit Checklist.**

The permit review process for work in the floodplain protection overlay district includes the use of a checklist of all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain protection overlay district in the form maintained by the Floodplain Administrator. The applicant must acquire all necessary permits and, prior to start of construction on the property, must submit the completed checklist to the Floodplain Administrator demonstrating that all necessary permits have been acquired.

c. **Designation of Floodplain Administrator.**

The Town of Hingham hereby designates the position of Building Commissioner to be the official floodplain administrator for the Town.

d. **Unnumbered A Zones.**

In A Zones, in the absence of FEMA BFE data and floodway data, the Building Commissioner will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for flood proofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways. The Building Commissioner can require that the applicant pay for resources (including a base flood elevation certificate) to determine the base flood elevation when a development is being proposed.

e. **Whenever an application is made for a Building Permit on a lot of land which the Building Commissioner believes may contain a Floodplain Protection Overlay District boundary, said Commissioner shall require the applicant for such permit to**

provide as part of such application a plan, certified by a registered land surveyor, of the lot showing the exact location of the Floodplain Protection Overlay District boundary.

9. General Provisions Governing Floodplain Protection Overlay District

- a. **Requirement to Submit New Technical Data.**
If the Town of Hingham acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will, within 6 months, notify FEMA of these changes by submitting technical or scientific data that supports the change(s). Notification shall be submitted to the current addresses of the FEMA Region I Risk Analysis Branch Chief, Federal Emergency Management Agency, and the Massachusetts NFIP State Coordinator, MA Dept. of Conservation & Recreation.
- b. **Variances to Building Code Floodplain Standards.**
If the Commonwealth of Massachusetts issues variances to the flood-resistant standards as found in the State Building Code, the Town of Hingham will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record on file with the Floodplain Administrator. The Town of Hingham shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering the property, in writing from the Floodplain Administrator that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rated for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variances for the referenced development in the protection overlay district.
- c. **Variances to Zoning By-law Related to Compliance with the National Flood Insurance Program (NFIP).**
A Variance from this Section of the By-law must meet the requirements set out by state law, provided, however, that such Variance may only be granted if the Board of Appeals also further finds: (i) good and sufficient cause and exceptional non-financial hardship exist; (ii) the Variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and (iii) the Variance is the minimum action necessary to afford relief.

ARTICLE 31

AMEND ZONING BY-LAW: GROUNDWATER PROTECTION OVERLAY DISTRICT

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, and the Zoning Map of the Town of Hingham, as follows:

- Item 1 by (a) amending the current zoning map entitled "Zoning Parts A and C" as follows: (1) remove the bounds of the "Accord Pond and Hingham Aquifer Protection Overlay District" and replace therefor the bounds of a new "Groundwater Protection Overlay District" depicting the location of the MassDEP approved Zone II Wellhead Protection Area boundary as shown on a plan entitled "Hingham Public Water Supply Wells", with MassDEP Approval: 9/1998, ; (2) change the title of such map to "Zoning Map Part A", and (3) replace the date with "April 2024"; and (b) amending the references to the current title of such map to the amended title wherever it appears throughout the Zoning By-law.
- Item 2 by replacing Section II-B.2. in its entirety with "Groundwater Protection Overlay District"; and

Item 3 by replacing in its entirety Section II-C.1. as follows:

1. Zoning Districts

The Town of Hingham Massachusetts Zoning Map Part A, filed in the Office of the Town Clerk, is made a part of this Zoning By-law, and locations and boundaries of the several districts shall be as indicated, respectively, on said Zoning Map.

Item 4 by replacing in its entirety Section III-D as follows:

Section III-D Groundwater Protection Overlay District

1. Purpose

The purpose of this Groundwater Protection Overlay District is to:

- a. promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water;
- b. preserve and protect existing and potential sources of drinking water;
- c. conserve natural resources; and
- d. prevent temporary and permanent contamination of the environment.

2. Location

The Groundwater Protection Overlay District includes aquifer and recharge areas as shown on a map entitled "Zoning Map Part A."

3. Applicability

The Groundwater Protection Overlay District is an overlay district superimposed on the underlying zoning districts. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities and uses in a portion of one of the underlying zoning districts that fall within the Groundwater Protection Overlay District must additionally comply with the requirements of this bylaw. Uses prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection Overlay District.

4. Definitions

Automobile Graveyard

An establishment that is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or motor vehicle parts as defined in MGL c.140B, s.1.

Aquifer

A geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

CMR

Code of Massachusetts Regulations.

Commercial Fertilizer

Any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use, or claimed to have value in promoting plant growth, except un-manipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum, and other products exempted by state regulations.

Discharge

The accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, pouring, or placing

of toxic or hazardous material or hazardous waste upon or into any land or water such that it may enter the surface or ground waters.

Dry Well

A subsurface pit with open-jointed lining or holes through which storm-water drainage from roofs, basement floors, foundations or other areas seep into the surrounding soil.

Hazardous Material

Any substance in any form which because of its quantity, concentration, or its chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with one or more substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment, when improperly stored, treated, transported, disposed of, used, or otherwise managed. Hazardous material includes, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious materials, and all substances defined as toxic or hazardous under MGL c. 21E. This term shall not include hazardous waste or oil.

Historical High Groundwater Table Elevation

A groundwater elevation determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.

Hazardous Waste

Section II. A substance or combination of substances, which because of quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety, or welfare or to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed. This term shall include all substances identified as hazardous pursuant to the Hazardous Waste Regulations, 310 CMR 30.000.

Impervious Surface

Material or structure on, above, or below the ground that does not allow precipitation or surface water runoff to penetrate into the soil.

Interim Wellhead Protection Area (IWPA)

The MassDEP designated protection radius around a public water well that lacks a Zone **Junkyard**
An establishment that is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, as defined in MGL c.140B, § 1.

Landfill

A facility established in accordance with a valid site assignment for the purposes of disposing solid waste into or on the land, pursuant to the Solid Waste Regulations, 310 CMR 19.006.

MassDEP

Massachusetts Department of Environmental Protection.

MGL

Massachusetts General Law.

Petroleum Product

Includes, but not limited to, fuel oil; gasoline; diesel; kerosene; aviation jet fuel; aviation gasoline; lubricating oils; oily sludge; oil refuse; oil mixed with other wastes; crude oils; or other liquid hydrocarbons regardless of specific gravity. Petroleum product shall not include liquefied petroleum gas including, but not limited to, liquefied natural gas, propane or butane.

Non-Sanitary Wastewater

Wastewater discharges from industrial and commercial facilities containing wastes from any activity other than collection of sanitary sewage including, but not limited to, activities specified in 310 CMR 15.004(6).

Open Dump

A facility operated or maintained in violation of the Resource Conservation and Recovery Act 42 U.S.C. 4004(a)(b), or state regulations and criteria for solid waste disposal.

Recharge Areas

Land areas, such as a Zone II or Interim Wellhead Protection Area, where precipitation and surface water infiltrates into the ground to replenish groundwater and aquifers used for public drinking water supplies.

Septage

The liquid, solid, and semi-solid contents of privies, chemical toilets, cesspools, holding tanks, or other sewage waste receptacles. This term shall not include any material that is a hazardous waste, as defined by 310 CMR 30.000.

Sludge

The solid, semi-solid, and liquid residue that results from a process of wastewater treatment or drinking water treatment including wastewater residuals. This term shall not include grit, screening, or grease and oil which are removed at the head-works of a facility

Treatment Works

Any and all devices, processes and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation, or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage, or disposal.

Utility Works

Regulated activities providing for public services, including roads, water, sewer, electricity, gas, telephone, transportation and their associated maintenance activities. This term shall include the installation of detention and retention basins for the purpose of controlling storm water.

Very Small Quantity Generator

Any public or private entity, other than residential, which produces less than 27 gallons (100 kilograms) a month of hazardous waste or waste oil, but not including any acutely hazardous waste as defined in 310 CMR 30.136.

Waste Oil Retention Facility

A waste oil collection facility for automobile service stations, retail outlets, and marinas which is sheltered and has adequate protection to contain a spill, seepage, or discharge of petroleum waste products in accordance with MGL c.21. §.52A.

Zone II

The delineated recharge area to a public drinking water well as approved by MassDEP and defined under the Massachusetts Drinking Water Regulations 310 CMR 22.00.

5. Permitted Uses

The following uses are permitted within the Groundwater Protection District, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained:

- a. conservation of soil, water, plants, and wildlife;
- b. outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
- c. foot, bicycle and/or horse paths, and bridges;
- d. normal operation and maintenance of existing water bodies and dams, splash boards, and other

water control, supply and conservation devices;

- e. maintenance, repair, and enlargement of any existing structure, subject to Section 6 and Section 7 of this by-law;
- f. residential development, subject to Section 6 and 7 of this by-law;
- g. farming, gardening, nursery, conservation, forestry, harvesting, and grazing, subject to Section 6 and Section 7 of this by-law;
- h. construction, maintenance, repair, and enlargement of drinking water supply related facilities such as, but not limited to, wells, pipelines, aqueducts, and tunnels; and
- i. any use permitted in the underlying zoning except for those uses specifically prohibited in Section 6 and Section 7 of this bylaw.

6. Prohibited Uses

The following land uses and activities are prohibited unless designed in accordance with the specified performance standards:

- a. landfills and open dumps;
- b. automobile graveyards and junkyards;
- c. landfills receiving only wastewater residuals and/or septage, including those approved by MassDEP pursuant to MGL c. 21, § 26 through § 53, MGL c.111, § 17, and MGL c.83, § 6 and § 7;
- d. facilities that generate, treat, store, or dispose of hazardous waste that are subject to MGL c.21C and 310 CMR 30.000, except for:
 - (1) very small quantity generators as defined under 310 CMR 30.000;
 - (2) household hazardous waste centers and events under 310 CMR 30.390;
 - (3) waste oil retention facilities required by MGL c. 21, § 52A;
 - (4) water remediation treatment works approved by MassDEP for the treatment of contaminated waters.
- e. petroleum, fuel oil, and heating oil bulk stations and terminals including, but not limited to, those listed under North American Industry Classification System (NAICS) Codes 424710 and 454311, except for liquefied petroleum gas.
- f. storage of liquid hazardous materials and/or liquid petroleum products unless such storage is above ground level and on an impervious surface and either:
 - (1) in container(s) or above ground tank(s) within a building; or
 - (2) outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either; 10% of the total possible storage capacity of all containers or 110% of the largest container's storage capacity, whichever is greater.

however, these storage requirements shall not apply to the replacement of existing tanks or systems for the keeping, dispensing or storing of gasoline provided the replacement is performed in a manner consistent with state and local requirements;

- g. storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31;
- h. storage of deicing chemicals unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- i. storage of animal manure unless contained within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- j. storage of commercial fertilizers unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- k. stockpiling and disposal of snow and ice containing deicing chemicals brought in from outside the Groundwater Protection Overlay District;
- l. earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material to within 4 feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey, except for excavations for building foundations, roads, utility works (including sanitary wastewater systems approved by the Board of Health), or wetland restoration work conducted in accordance with a valid Order of Condition issued pursuant to MGL c. 131, §.40; and
- m. treatment or disposal works subject to 314 CMR 5.00, for non-sanitary wastewater, including those activities listed under 310 CMR 15.004(6), except for:
 - (1) treatment works approved by MassDEP designed for the treatment of contaminated ground or surface water and operating in compliance with 314 CMR 5.05(3) or 5.05(13); and
 - (2) publicly owned treatment works.

7. Uses and Activities Requiring a Special Permit

The following uses and activities are permitted only upon the issuance of a Special Permit A1 by the Zoning Board of Appeals:

- a. enlargement or alteration of existing uses that do not conform to the Groundwater Protection Overlay District;
- b. except as prohibited under Section 6 of this By-law, activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use and which are permitted in the underlying zoning district;
- c. rendering impervious any lot or parcel more than 15% or 2,500 square feet, whichever is greater, unless artificial recharge, that will not degrade water quality, is provided using methods demonstrated to be capable of removing contaminants from stormwater and which are consistent with methods described in the Massachusetts Stormwater Handbook.

8. Special Permit Application Procedures

In addition to those requirements specified in Section I-H of the By-law, the applicant for a Special Permit hereunder shall include with the application a complete list of chemicals, pesticides, herbicides, fertilizers, fuels, and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use, and for activities using or storing hazardous materials or wastes, a management plan shall be prepared and filed with the Fire Chief and Board of Health.

9. Special Permit Approval Criteria

An applicant is not entitled to a Special Permit. The Board may approved such an application for a Special

Permit if it finds that, in its judgement:

- a. use of the site is in harmony with the general purpose and intent of the By-law;
- b. the proposed use complies with the purposes and standards of the Groundwater Protection Overlay District;
- c. use of the site, during construction or thereafter, will in no way adversely affect the quality or quantity of the water supplies protected by the Groundwater Protection Overlay District; and
- d. use of the site will avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: This Article asks if the Town will amend the Zoning By-law by replacing the existing Accord Pond Watershed and Hingham Aquifer Protection District regulations under Section III-D with a new Ground Water Protection Overlay District and by amending the associated zoning map to depict the boundaries of the MassDEP approved Zone II as shown on a plan entitled "Hingham Public Water Supply Wells", with MassDEP Approval: 9/1998.

The intent of the amended By-law is to protect the Town's drinking water from intrusion by toxic and hazardous substances through prohibiting certain uses on the lands in the recharge area of the Town's aquifer. The amended By-law is based on MassDEP's model By-law and incorporates updated information concerning sources of hazardous and toxic contamination of drinking water supplies. The new Groundwater Protection Overlay District prohibits certain uses in the recharge area including the following: landfills, automobile graveyards, junkyards, petroleum product storage, and sewage disposal except for wastewater systems that have been approved by the Hingham Board of Health.

Also, the amendment has been reorganized to reflect the format of other special regulations within the Town's Zoning By-law and provides the following in order: Purpose, Location, Applicability, Definitions, Permitted Uses, Prohibited Uses, Uses and Activities Requiring a Special Permit, and Procedures and Approval Criteria for Special Permits.

The amended By-law also incorporates this new Groundwater Protection Overlay District into the Town's "Zoning Part A" map, replacing the former map titled "Zoning Parts A and C".

The amended By-law has been reviewed and approved by the Weir River Water System, the Hingham Board of Health and MassDEP. The State requires that Hingham adopt the new Groundwater Protection Overlay District with the boundaries identified by MassDEP by November 14, 2024.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Planning Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, and the Zoning Map of the Town of Hingham, as follows:

- Item 1** by (a) amending the current zoning map entitled "Zoning Parts A and C" as follows: (1) remove the bounds of the "Accord Pond and Hingham Aquifer Protection Overlay District" and replace therefor the bounds of a new "Groundwater Protection Overlay District" depicting the location of the MassDEP approved Zone II Wellhead Protection Area boundary as shown on a plan entitled "Hingham Public Water Supply Wells", with MassDEP Approval: 9/1998; (2) change the title of such map to "Zoning Map Part A", and

(3) replace the date with “April 2024”; and (b) amending the references to the current title of such map to the amended title wherever it appears throughout the Zoning By-law.

Item 2 by replacing Section II-B.2. in its entirety with “Groundwater Protection Overlay District”; and

Item 3 by replacing in its entirety Section II-C.1. as follows:

1. Zoning Districts

The Town of Hingham Massachusetts Zoning Map Part A, filed in the Office of the Town Clerk, is made a part of this Zoning By-law, and locations and boundaries of the several districts shall be as indicated, respectively, on said Zoning Map.

Item 4 by replacing in its entirety Section III-D as follows:

Section III-D Groundwater Protection Overlay District

1. Purpose

The purpose of this Groundwater Protection Overlay District is to:

- a. promote the health, safety, and general welfare of the community by ensuring an adequate quality and quantity of drinking water;
- b. preserve and protect existing and potential sources of drinking water;
- c. conserve natural resources; and
- d. prevent temporary and permanent contamination of the environment.

2. Location

The Groundwater Protection Overlay District includes aquifer and recharge areas as shown on a map entitled “Zoning Map Part A.”

3. Applicability

The Groundwater Protection Overlay District is an overlay district superimposed on the underlying zoning districts. This overlay district shall apply to all new construction, reconstruction, or expansion of existing buildings and new or expanded uses. Applicable activities and uses in a portion of one of the underlying zoning districts that fall within the Groundwater Protection Overlay District must additionally comply with the requirements of this Section III-D. Uses prohibited in the underlying zoning districts shall not be permitted in the Groundwater Protection Overlay District.

4. Definitions

Automobile Graveyard

An establishment that is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or motor vehicle parts as defined in MGL c. 140B, §.1.

Aquifer

A geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

CMR

Code of Massachusetts Regulations.

Commercial Fertilizer

Any substance containing one or more recognized plant nutrients which is used for its plant nutrient content and which is designed for use, or claimed to have value in promoting plant growth, except un-manipulated animal and vegetable manures, marl, lime, limestone, wood ashes, and gypsum, and other products exempted by state regulations.

Discharge

The accidental or intentional disposal, deposit, injection, dumping, spilling, leaking, pouring, or placing of toxic or hazardous material or hazardous waste upon or into any land or water such that it may enter the surface or ground waters.

Dry Well

A subsurface pit with open-jointed lining or holes through which storm-water drainage from roofs, basement floors, foundations, or other areas seep into the surrounding soil.

Hazardous Material

Any substance in any form which because of its quantity, concentration, or its chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with one or more substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment, when improperly stored, treated, transported, disposed of, used, or otherwise managed. Hazardous material includes, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious materials, and all substances defined as toxic or hazardous under M.G.L. c. 21E. This term shall not include hazardous waste or oil.

Historical High Groundwater Table Elevation

A groundwater elevation determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey.

Hazardous Waste

A substance or combination of substances, which because of quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety, or welfare or to the environment when improperly treated, stored, transported, used, or disposed of, or otherwise managed. This term shall include all substances identified as hazardous pursuant to the Hazardous Waste Regulations, 310 CMR 30.000.

Impervious Surface

Material or structure on, above, or below the ground that does not allow precipitation or surface water runoff to penetrate into the soil.

Interim Wellhead Protection Area (IWPA)

The MassDEP designated protection radius around a public water well that lacks a Zone II.

Junkyard

An establishment that is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, as defined in M.G.L. c. 140B, § 1.

Landfill

A facility established in accordance with a valid site assignment for the purposes of disposing solid waste into or on the land, pursuant to the Solid Waste Regulations, 310 CMR 19.006.

MassDEP
Massachusetts Department of Environmental Protection.

M.G.L.
Massachusetts General Law.

Petroleum Product

Includes, but not limited to, fuel oil; gasoline; diesel; kerosene; aviation jet fuel; aviation gasoline; lubricating oils; oily sludge; oil refuse; oil mixed with other wastes; crude oils; or other liquid hydrocarbons regardless of specific gravity. Petroleum product shall not include liquefied petroleum gas including, but not limited to, liquefied natural gas, propane, or butane.

Non-Sanitary Wastewater

Wastewater discharges from industrial and commercial facilities containing wastes from any activity other than collection of sanitary sewage including, but not limited to, activities specified in 310 CMR 15.004(6).

Open Dump

A facility operated or maintained in violation of the Resource Conservation and Recovery Act 42 U.S.C. 4004(a)(b), or state regulations and criteria for solid waste disposal.

Recharge Areas

Land areas, such as a Zone II or Interim Wellhead Protection Area, where precipitation and surface water infiltrates into the ground to replenish groundwater and aquifers used for public drinking water supplies.

Septage

The liquid, solid, and semi-solid contents of privies, chemical toilets, cesspools, holding tanks, or other sewage waste receptacles. This term shall not include any material that is a hazardous waste, as defined by 310 CMR 30.000.

Sludge

The solid, semi-solid, and liquid residue that results from a process of wastewater treatment or drinking water treatment including wastewater residuals. This term shall not include grit, screening, or grease and oil which are removed at the head-works of a facility

Treatment Works

Any and all devices, processes, and properties, real or personal, used in the collection, pumping, transmission, storage, treatment, disposal, recycling, reclamation, or reuse of waterborne pollutants, but not including any works receiving a hazardous waste from off the site of the works for the purpose of treatment, storage, or disposal.

Utility Works

Regulated activities providing for public services, including roads, water, sewer, electricity, gas, telephone, transportation, and their associated maintenance activities. This term shall include the installation of detention and retention basins for the purpose of controlling stormwater.

Very Small Quantity Generator

Any public or private entity, other than residential, which produces less than 27 gallons (100 kilograms) a month of hazardous waste or waste oil, but not including any acutely hazardous waste as defined in 310 CMR 30.136.

Waste Oil Retention Facility

A waste oil collection facility for automobile service stations, retail outlets, and marinas which is

sheltered and has adequate protection to contain a spill, seepage, or discharge of petroleum waste products in accordance with MGL c.21, § 52A.

Zone II

The delineated recharge area to a public drinking water well as approved by MassDEP and defined under the Massachusetts Drinking Water Regulations 310 CMR 22.00.

5. Permitted Uses

The following uses are permitted within the Groundwater Protection District, provided that all necessary permits, orders, or approvals required by local, state, or federal law are also obtained:

- a. conservation of soil, water, plants, and wildlife;
- b. outdoor recreation, nature study, boating, fishing, and hunting where otherwise legally permitted;
- c. foot, bicycle and/or horse paths, and bridges;
- d. normal operation and maintenance of existing water bodies and dams, splash boards, and other water control, supply, and conservation devices;
- e. maintenance, repair, and enlargement of any existing structure, subject to subsection 6 and subsection 7 of this Section III-D;
- f. residential development, subject to subsection 6 and subsection 7 of this Section III-D;
- g. farming, gardening, nursery, conservation, forestry, harvesting, and grazing, subject to subsection 6 and subsection 7 of this Section III-D;
- h. construction, maintenance, repair, and enlargement of drinking water supply related facilities such as, but not limited to, wells, pipelines, aqueducts, and tunnels; and
- i. any use permitted in the underlying zoning except for those uses specifically prohibited in subsection 6 and subsection 7 of this Section III-D.

6. Prohibited Uses

The following land uses and activities are prohibited unless designed in accordance with the specified performance standards:

- a. landfills and open dumps;
- b. automobile graveyards and junkyards;
- c. landfills receiving only wastewater residuals and/or septage, including those approved by MassDEP pursuant to M.G.L. c. 21, § 26 through s.53, M.G.L. c. 111, § 17, and M.G.L. c. 83, § 6 and § 7;
- d. facilities that generate, treat, store, or dispose of hazardous waste that are subject to MGL c. 21C and 310 CMR 30.000, except for:
 - i. very small quantity generators as defined under 310 CMR 30.000;
 - ii. household hazardous waste centers and events under 310 CMR 30.390;
 - iii. waste oil retention facilities required by M.G.L. c. 21, § 52A;

- iv. water remediation treatment works approved by MassDEP for the treatment of contaminated waters.
- e. petroleum, fuel oil, and heating oil bulk stations and terminals including, but not limited to, those listed under North American Industry Classification System (NAICS) Codes 424710 and 454311, except for liquefied petroleum gas.
- f. storage of liquid hazardous materials and/or liquid petroleum products unless such storage is above ground level and on an impervious surface and either:
 - i. in container(s) or above ground tank(s) within a building; or
 - ii. outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either 10% of the total possible storage capacity of all containers or 110% of the largest container's storage capacity, whichever is greater.

however, these storage requirements shall not apply to the replacement of existing tanks or systems for the keeping, dispensing or storing of gasoline provided the replacement is performed in a manner consistent with state and local requirements;

- g. storage of sludge and septage, unless such storage is in compliance with 310 CMR 32.30 and 310 CMR 32.31;
- h. storage of deicing chemicals unless such storage, including loading areas, is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- i. storage of animal manure unless contained within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- j. storage of commercial fertilizers unless such storage is within a structure designed to prevent the generation and escape of contaminated runoff or leachate;
- k. stockpiling and disposal of snow and ice containing deicing chemicals brought in from outside the Groundwater Protection Overlay District;
- l. earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material to within four feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey, except for excavations for building foundations, roads, utility works (including sanitary wastewater systems approved by the Board of Health), or wetland restoration work conducted in accordance with a valid Order of Condition issued pursuant to MGL c. 131, §.40; and
- m. treatment or disposal works subject to 314 CMR 5.00, for non-sanitary wastewater, including those activities listed under 310 CMR 15.004(6), except for:
 - i. treatment works approved by MassDEP designed for the treatment of contaminated ground or surface water and operating in compliance with 314 CMR 5.05(3) or 5.05(13); and
 - ii. publicly owned treatment works.

7. Uses and Activities Requiring a Special Permit

The following uses and activities are permitted only upon the issuance of a Special Permit A1 by

the Zoning Board of Appeals:

- a. enlargement or alteration of existing uses that do not conform to the Groundwater Protection Overlay District;
- b. except as prohibited under subsection 6 of this Section III-D, activities that involve the handling of toxic or hazardous materials in quantities greater than those associated with normal household use and which are permitted in the underlying zoning district;
- c. rendering impervious any lot or parcel more than 15% or 2,500 square feet, whichever is greater, unless artificial recharge, that will not degrade water quality, is provided using methods demonstrated to be capable of removing contaminants from stormwater and which are consistent with methods described in the Massachusetts Stormwater Handbook.

8. Special Permit Application Procedures

In addition to those requirements specified in Section I-H.1 of the By-law, the applicant for a Special Permit hereunder shall include with the application a complete list of chemicals, pesticides, herbicides, fertilizers, fuels, and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use, and for activities using or storing hazardous materials or wastes, a management plan shall be prepared and filed with the Fire Chief and Board of Health.

9. Special Permit Approval Criteria

An applicant is not entitled to a Special Permit. The Board may approve such an application for a Special Permit if it finds that, in its judgement:

- a. use of the site is in harmony with the general purpose and intent of the By-law;
- b. the proposed use complies with the purposes and standards of the Groundwater Protection Overlay District;
- c. use of the site, during construction or thereafter, will in no way adversely affect the quality or quantity of the water supplies protected by the Groundwater Protection Overlay District; and
- d. use of the site will avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

**ARTICLE 32
AMEND ZONING BY-LAW: BREW PUB, BREWERY, WINERY, OR DISTILLERY USE**

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

- Item 1 Amend subsection 4.18 of the Schedule of Uses under Section III-A to 4.18A; and
- Item 2 Insert a new subsection 4.18B to the Schedule of Uses under Section III-A as follows:

Residence					Business		Office Park*	Waterfront Business	Waterfront Recreation	Industrial	Industrial Park*	Limited Industrial Park	Business Recreation	Official and Open Space
A	B	C	D	E	A**	B								
4.18B Brew pubs, breweries, wineries, distilleries, which may include beer gardens, tasting areas, food and/or beverage.														
O	O	O	O	O	A2	A2	O	O	O	O	A2	O	O	O

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: This Article would create a new use for brew pubs, farmer breweries, farmer wineries and farmer distilleries that would be allowed under Section III-A by special permit, from the Zoning Board of Appeals, in the

Business A, Business B and Industrial Park Districts. Each of these establishments is defined in M.G.L. c. 138, § 1 as follows: A “brew pub” or “pub brewery” is a plant or premise licensed under sections 12 and 19D of M.G.L. c. 138, where malt beverages are authorized to be produced and sold and where alcoholic beverages or wine or malt beverages only are authorized to be sold for consumption on the premises according to Alcoholic Beverage Control Commission regulations. A “Farmer-brewery” is a plant or premise where malt beverages are produced from the fermentation of malt with or without cereal grains or fermentable sugars, or of hops, provided that said hops or cereal grains are grown by the farmer-brewer. A “Farmer-winery” is a plant or premise where wine is produced, rectified, blended, or fortified from fruits, flowers, herbs, or vegetables. And a “Farmer-distillery” is a plant or premise where distilled spirits are produced, manufactured, or distilled.

In order for each of these four types of establishments to produce and sell (but not serve) alcohol on site in Hingham, they would need to obtain a license from the Alcoholic Beverage Control Commission. In order for the brew pub to serve alcohol on site in Hingham, it would need to obtain a license from the Select Board. That license would be issued subject to the Town’s existing cap of forty (40) liquor licenses that allow consumption of alcohol. At present in Hingham there are thirty-five (35) all alcohol beverage licenses and five (5) wine/malt beverage only licenses. In order for the Farmer-brewery, Farmer-winery or Farmer-distillery to serve alcohol on site in Hingham, it would need to obtain a pouring license from the Select Board. The Town’s limit on liquor licenses does not apply to pouring licenses. The Select Board has issued pouring licenses within the past two (2) years to Farmer wineries that operated at the Farmers Market. None of these four (4) types of establishments would be required to serve food on site. These establishments would also need to obtain site plan approval from the Planning Board as well as a special permit from the Planning Board for parking.

The Planning Board viewed this Article as generally consistent with the Master Plan, which includes an economic development goal to “Support local businesses and attract new enterprises that provide employment and deliver goods and services to residents and visitors alike.” The Board of Health unanimously opposes this article and expressed its concerns in a letter that is available on the Planning Board’s webpage, in which the Board states that it does not “feel that increasing availability and access to alcohol in Hingham is in the best interest of the public health in our town.” The Chief of Police indicated in a letter to the Advisory Committee that he had “no concerns from a public safety perspective” with the proposed amendment to the Zoning By-law. The Chief’s letter is also available on the Planning Board’s webpage. The Advisory Committee was informed during its hearing on this article that businesses have considered opening the types of establishments described in the recommendation in Hingham but have been unable to proceed under the current Zoning By-law. The proposed amendment would provide an opportunity for those businesses to reconsider Hingham.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Planning Board voted 4-1 in favor of this Article. The Advisory Committee voted unanimously in favor of this Article.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 Amend subsection 4.18 of the Schedule of Uses under Section III-A to 4.18A; and

Item 2 Insert a new subsection 4.18B to the Schedule of Uses under Section III-A as follows:

p

Residence					Business		Office Park*	Waterfront Business	Waterfront Recreation	Industrial	Industrial Park*	Limited Industrial Park	Business Recreation	Official and Open Space
A	B	C	D	E	A**	B								
4.18B Brew pubs, breweries, wineries, distilleries, which may include beer gardens, tasting areas, food and/or beverage.														
O	O	O	O	O	A2	A2	O	O	O	O	A2	O	O	O

Item 3 Amend Section VI to include the following definitions in the applicable alphabetical order:

Brew Pub

A “pub brewery” as defined in M.G.L. Chapter 138, Section 1, subject to receipt of applicable licenses pursuant to said Chapter 138.

Brewery

A “Farmer-brewery” as defined in M.G.L. Chapter 138, Section 1, subject to receipt of applicable licenses pursuant to said Chapter 138.

Distillery

A “Farmer-distillery” as defined in M.G.L. Chapter 138, Section 1, subject to receipt of applicable licenses pursuant to said Chapter 138.

Winery

A “Farmer-winery” as defined in M.G.L. Chapter 138, Section 1, subject to receipt of applicable licenses pursuant to said Chapter 138.

**ARTICLE 33
AMEND ZONING BY-LAW: ELECTRIC VEHICLE CHARGING
PARKING REQUIREMENTS**

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

- Item 1 Amend Section V-A, 5. Design Standards by replacing subsection p. in its entirety with the following:
 - p. New or reconstructed parking lots containing 20 or more parking spaces shall provide infrastructure to make a minimum of 25 percent of the spaces compatible with electric vehicle charging and a minimum of 10 percent shall be equipped with electric vehicle charging stations.

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: The intent of this Article is to update provisions of Section V-A Off-Street Parking Requirements to clarify that electric vehicle (EV) charging requirements are only applicable to new or reconstructed parking lots that meet minimum size requirements.

Town Meeting amended the Zoning By-law in 2023 to newly require installation of EV charging stations and infrastructure for parking lots containing 20 or more spaces. The Recommended Motion as printed in the Warrant did not include a clarification provided by the Planning Board during the public hearing process and supported by the Advisory Committee in its Comment. This article updates the Zoning By-law in a manner consistent with the recommendations of the Planning Board and Advisory Committee in 2023 such that EV charging standards would apply only to larger, newly constructed, or redeveloped parking lots.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Planning Board voted unanimously in favor of this Article.

RECOMMENDED MOTION: That the Town vote to amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

- Item 1 Amend Section V-A, 5. Design Standards by replacing subsection p. in its entirety with the following:

- p. **New or reconstructed parking lots containing 20 or more parking spaces shall provide infrastructure to make a minimum of 25 percent of the spaces compatible with electric vehicle charging and a minimum of 10 percent shall be equipped with electric vehicle charging stations.**

**ARTICLE 34
AMEND ZONING BY-LAW: MBTA COMMUNITIES MULTIFAMILY HOUSING**

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 Amend Section II-B by inserting a new item 7. Multifamily Overlay District.

Item 2 Adopt a new map entitled "Zoning Part D Multifamily Overlay District" that shows the bounds of the overlay district and its sub-districts to include the following parcels:

- Sub-district 1 36-0-104 (319 Lincoln Street) and 36-0-108 (Hewitts Landing Condominium)
- Sub-district 2 36-0-160 (111 Fitzroy Drive)
- Sub-district 3 96-0-30, 97-0-2, 97-0-1 (French and Fort Hill Streets) and 46-0-17 (350 Beal Street)
- Sub-district 4 36-0-159 (152 Shipyard Drive)

Item 3 Insert a new section "Section III-K. Multifamily Overlay District"

1. Purpose

The purpose of the Multifamily Overlay District (MOD) is to allow multifamily housing as of right in fulfillment of the following objectives:

- a. To ensure compliance with the requirements of MGL c. 40A, § 3A and the Compliance Guidelines;
- b. To encourage mixed-income, multifamily housing in appropriate locations, near retail, restaurants, civic, and recreational uses; and
- c. To reduce dependency on automobiles by creating housing opportunities within walking distance to public transportation.

2. Establishment and Applicability

This MOD is an overlay district that is superimposed over the underlying zoning districts and is shown on the Zoning Map, Part D.

- a. Applicability of MOD. An applicant may develop Multifamily Housing located within a MOD in accordance with the provisions of this Section III-K.
- b. Underlying Zoning. The regulations for use, dimension, and all other provisions of the Zoning By-law governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right in the MOD. Uses that are not identified in Section III-K are governed by the requirements of the underlying zoning district(s).
- c. Sub-districts. The MOD contains the following sub-districts, all of which are shown on Zoning Part D: Multifamily Overlay District:
 - Sub-district 1,
 - Sub-district 2,
 - Sub-district 3, and
 - Sub-district 4.

3. Definitions

Capitalized terms used herein and not otherwise defined herein shall have the same meanings ascribed to such terms in Section VI of the By-law. For purposes of this Section III-K, the following definitions shall apply.

- a. Affordable Housing Unit. A Multifamily Housing unit that is subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.
- b. Affordable Housing. Housing that contains Affordable Housing Units as defined by this Section III-K.
- c. Area Median Income (AMI). The median family income for the metropolitan statistical region that includes the Town of Hingham, as defined by the U.S. Department of Housing and Urban Development (HUD).
- d. Compliance Guidelines. Compliance Guidelines for Multifamily Zoning Districts adopted pursuant to MGL c. 40A, Section 3A, as further revised or amended from time to time.
- e. EOHLC. The Massachusetts Executive Office of Housing and Livable Communities.
- f. MBTA. Massachusetts Bay Transportation Authority.
- g. Multifamily Housing. A building with three or more dwelling units or two or more buildings on the same lot with more than one dwelling unit in each building.
- h. Multifamily Housing Unit. A dwelling unit within a Multifamily Housing development.
- i. Shared driveway. A shared driveway refers to a driveway that is used to access two or more adjoining lots or two or more buildings on the same lot with rights secured by easement and/or agreement.
- j. Sub-district. An area within the MOD that is geographically smaller than the MOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.
- k. Transit station. An MBTA subway station, commuter rail station, or ferry terminal.

4. Permitted Uses

The following uses are permitted as of right subject to Site Plan Review under Section I-I of the By-Law within the MOD:

- a. Multifamily Housing, including without limitation Two-Family Dwellings, Town House, Garden Apartment, and Apartment House.

b. Accessory Uses

The following uses are allowed by right as accessory uses to any of the permitted uses in Section 4.a.:

- (i) Home Occupation, as defined under Section VI.
- (ii) Accessory uses specified in subsections 1.8.4, 1.8.5, and 1.8.6 in Section III-A.
- (iii) Community rooms and shared amenities, including pools, playgrounds, and other recreational uses.

5. Dimensional Requirements

Table of Dimensional Requirements. Notwithstanding anything to the contrary in this By-law, the dimensional requirements applicable in the MOD are as follows:

Minimum Lot Size		Maximum Height		Floor Area Ratio	Maximum Density	Minimum Yard Dimensions		
Area	Frontage	Feet	Stories			Units/Acre	Front	Side
Sub-district 1								
3 acres	150'	45'	4	0.95	40	40'	25'	25'
Sub-district 2 ¹								
2.5 acres	200'	35'	3	0.85	25	20'	20'	20'
Sub-district 3								
5 acres	200'	35'	2.5	0.85	18	50'	50'	50'
Sub-district 4 ¹								
2 acres	200'	35'	2.5	0.85	15	20'	20'	20'

¹ Minimum Frontage shall be measured along a Street or shared driveway. Minimum Yard Dimensions shall be measured from a Street or shared driveway.

6. Off-Street Parking

The parking requirements under Section V-A shall apply to Multifamily Housing in the MOD with the exception of the following:

- a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use, shall be permitted as of right.
- b. Number of spaces. The number of parking spaces required shall be reduced from 2 spaces/unit to 1.5 spaces/unit for any Multifamily Housing consisting of 10 or more units.
- c. Surface parking. Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to a Street.
- d. Integrated garages. The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
- e. Parking structures. Building(s) dedicated to structured parking on the same lot as one or more Multifamily Housing buildings shall be subordinate in design and placement to the Multifamily Housing buildings on the lot.

7. Development Standards

Development standards in the MOD are applicable to all Multifamily Housing with within the MOD. These standards are in addition to the Site Plan Review Design and Performance Standards under Section I-I.6.

- a. Sidewalks. Sidewalks shall provide direct connections among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.
- b. Vehicular access. Where feasible, curb cuts shall be minimized, and shared driveways encouraged.
- c. Screening for Parking. Surface parking adjacent to a street or sidewalk shall be screened by a landscaped buffer of sufficient width, but in no event less than 10 feet, to allow the healthy establishment of trees, shrubs, and perennials. The buffer may include a fence or wall of no more than three feet in height unless there is a significant grade change between the parking and the sidewalk.
- d. Dumpsters. Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.

- e. Building Location and Design.
 - (i) Multiple buildings on a lot. Multifamily Housing may include multiple buildings on a single lot, provided that no less than 20' of separation is provided between individual buildings.
 - (ii) Position relative to principal street. Each Multifamily Housing building shall have its principal façade and entrance oriented toward the primary front lot line along a Street or shared drive. All building(s) adjacent to a Street shall have a pedestrian entry facing the Street.
 - (iii) Entrances. Where applicable, entrances shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.
 - (iv) Shared Outdoor Space. Multifamily Housing shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace.

8. Affordable Housing Requirements

- a. Provision of Affordable Housing Units. In any Multifamily Housing development containing ten (10) or more dwelling units, at least 15% of the dwelling units shall be Affordable Housing Units with household income limited to 80% of the Area Median Income. Where a fraction of a dwelling unit is required for this calculation, the amount of required dwelling units shall be rounded down. If DHCD determines in writing that the Town has not shown this 15% requirement to be feasible, at least 10% of the dwelling units in any development containing ten (10) or more units shall be Inclusionary dwelling units with household income limited to 80% of the Area Median Income. No project may be divided or phased to avoid the requirements of this section.
- b. Subsidized Housing Inventory. All Affordable Housing Units created in the MOD under this section must be eligible for listing on EOHLC's Subsidized Housing Inventory.
- c. Affordable Housing Unit Development Standards. Affordable Housing Units shall be:
 - (i) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
 - (ii) Dispersed throughout the development;
 - (iii) Located such that the Affordable Housing Units have equal access to shared amenities, including light and air, and utilities within the development;
 - (iv) Located such that the Affordable Housing Units have equal avoidance of any potential nuisances as market-rate units within the development;
 - (v) Distributed proportionately among unit sizes;
 - (vi) Distributed proportionately across each phase of a phased development.
- d. Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Housing Units are issued simultaneously on a pro rata basis.

Item 4 Amend Section VI to add the following definition:

Subsidized Housing Inventory (SHI). A list of qualified Affordable Housing Units maintained by EOHLC used to measure a community's stock of low-or moderate income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

Item 5 Replace Section I-L in its entirety as follows:

I-L Effective Date

The effective date of an amendment to this By-law shall be the date on which such amendment was adopted in accordance with MGL c. 40A, s. 5 by a favorable vote of Town Meeting subject to its publication in a Town bulletin or pamphlet and posting or publication in a newspaper as provided in MGL c. 40, § 32.

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: In January 2021, the Massachusetts Legislature and then Governor Charlie Baker enacted Section 3A of M.G.L. c. 40A (the “Act”) in an effort to address the housing crisis in Massachusetts. The Act requires municipalities in the Massachusetts Bay Transportation Authority (the “MBTA”) service area to have at least one (1) zoning district in which multi-family housing is permitted as of right. The Act provides that an MBTA community that fails to comply with this section shall not be eligible for certain state funds. The Act authorized the Executive Office of Housing & Livable Communities (“EOHLC”) to develop guidelines to determine if an MBTA community is in compliance with the Act. On August 10, 2022, the EOHLC issued guidelines for multi-family zoning districts (the “Guidelines”). The Guidelines were revised on October 21, 2022, and again on August 17, 2023. The Guidelines require towns that are served by the commuter rail or ferry, like Hingham, to submit zoning that complies with the Guidelines to the EOHLC by December 31, 2024.

Pursuant to the Act, Hingham is required to create a multi-family zoning district that provides a minimum gross density of fifteen (15) units per acre. Pursuant to the Guidelines, the district must be at least fifty (50) acres in size and provide a total unit capacity of 1,490 units, which represents 15% of the housing units in existence in Hingham in 2020. “Capacity” means that if all the land in the district were developed or redeveloped, a total of 1,490 units could be created, subject to local wetland and septic regulations. The units cannot be age-restricted, but 10% may be affordable. The affordability requirement may be increased if an economic feasibility analysis is approved by the EOHLC. The units must be suitable for families with children.

The Guidelines further provide that 75%-100% of the district must be within ½ mile of a transit station, which includes commuter rail stations, as well as ferry terminals. The stations or terminals can be located in Hingham or in an adjacent town. Up to 25% of the district, approximately 12.5 acres, can be located outside of the ½ mile radius of any station or terminal. There can be one (1) large district, with uniform features, or the district can be made up of subdistricts, each with its own unique set of requirements. Taken together the total district must satisfy minimum acres and minimum unit capacity. The Guidelines do not allow many types of properties to count toward the district’s acreage, including land owned by the state or town, conservation or park land, or institutional land (e.g., private schools).

The Planning Board began the process of developing and proposing a district that would comply with the Act and the Guidelines by engaging the public over the course of five (5) public meetings, including three (3) joint meetings with the Select Board, in 2022 and 2023. Then, in the Fall of 2023, the Planning Board held three (3) public meetings during which it reviewed draft zoning. That review was furthered by staff discussions with representatives of the Democratic Town Committee, World Affairs Group at the Senior Center and owners of parcels that may have been rezoned. The Planning Board was able to obtain a MHP 3A/TA technical services grant that was used to engage Bohler Engineering, which completed a draft compliance model. A Housing Choice Grant was used to engage RKG Engineering, which completed an Economic Feasibility Analysis to support the Town’s request to the EOHLC to increase the percentage of required affordable units in projects of ten (10) or more units from 10% to 15%.

As a result of these efforts, the Planning Board developed a proposed district. That proposal was presented by the Planning Board at a series of six (6) public hearings in January, February, and March 2024. The original district consisted of parcels located at the Shipyard, Beal Street, French Street, and Fort Hill Street. It is worth noting that the parcels in

the Shipyard, which has already been permitted for multi-family housing, satisfy the majority of Hingham's minimum size district and minimum unit capacity.

During the course of the public hearings, the Planning Board received significant input from concerned residents in the neighborhoods near the French Street parcels. As a result of that input, the Planning Board proposed as an alternative to the French Street and Fort Hill Street parcels, two (2) parcels on Beal Street and Sergeant William B. Terry Drive. After public hearing and further consideration by the Planning Board, this proposal was withdrawn. The Planning Board also proposed creating several subdistricts within the original district proposal. One of those subdistricts included some of the previously proposed French Street and Fort Hill Street parcels, with several modifications. Those modifications included: eliminating the Fort Hill Street parcels from the subdistrict; decreasing the density in the subdistrict from eighteen (18) to eight (8) units per acre, with a maximum of sixty-nine (69) units; reducing the permitted forms of multifamily to two-families and three-family multi-unit dwellings in the townhouse style; and limiting larger multi-unit buildings to the interior of the parcel. To offset the reduction in density at the proposed French Street subdistrict, the density of two parcels at the Shipyard, which would constitute a separate subdistrict, was increased from forty (40) to forty-two (42) units per acre. The Planning Board also adjusted frontage and setback dimensions and revised previously proposed definitions relating to the districts as well as submittal requirements, standards, and the permitting process. These proposals were then publicly vetted by the Planning Board. During those hearings, residents from the neighborhoods near the proposed French Street subdistrict expressed considerable appreciation for the efforts the Planning Board had made to address their concerns and expressed their general approval for the redesigned subdistrict.

Accordingly, as a result of the Planning Board's efforts and public input, the intent of this article is to create a zoning district that complies with the Act and the Guidelines by providing multifamily development by-right within in a new overlay district. That overlay district will consist of several subdistricts, totaling approximately 50 acres, and will include land shown on Assessor Map 36-0-104 (319 Lincoln Street); 36-0-108 (Hewitts Landing); 36-0-160 (111 Fitzroy Drive); 96-0-30 (French Street); 46-0-17 (The Cove); and 36-0-159 (152 Shipyard Drive). These parcels and the proposed subdistricts are illustrated in maps that are available on the Planning Board's page on the Town of Hingham's website.

It is worth noting that on March 15, 2023, Massachusetts' Attorney General Andrea Campbell issued an advisory concerning the enforcement of the requirements imposed on cities and towns by the Act and the Guidelines. The advisory warns that failure to comply with the Act will result in a loss of eligibility for the community for certain funding programs. Hingham's Planning Department believes that as much as \$10 million in state funding that the town intends to seek next year may be at risk if the town does not comply with the Act. In addition, the advisory cautions that "Communities that fail to comply with the Law may be subject to civil enforcement action" and, "Communities that fail to comply with the Law's requirements also risk liability under federal and state fair housing laws."

Approval of this Article requires a simple majority vote by Town Meeting.

The Advisory Committee voted unanimously in favor of this Article as recommended by the Planning Board. The Planning Board voted unanimously in favor of this recommendation, as revised during the public hearing.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 Amend Section II-B by inserting a new item 7. Multifamily Overlay District.

Item 2 Amend Section II-C to adopt a new zoning map as follows:

**“3. Multi-Family Overlay District
Zoning Map Part C Multifamily Overlay District, filed in the office of the Town Clerk, is made a part of this Zoning By-law, and locations and boundaries of the several sub-districts shall be as indicated, respectively, on said Zoning Map.”**

The location of said overlay district and its sub-districts to be shown on said Zoning Map Part C is shown on the maps on file with the Town Clerk and shall include the following parcels and all interior roadways within such sub-districts:

- Sub-district 1 36-0-104 and 36-0-108
- Sub-district 2 36-0-160
- Sub-district 3 46-0-17
- Sub-district 4 36-0-159
- Sub-district 5 97-0-2

Item 3. Insert a new section “Section III-K. Multifamily Overlay District”

1. Purpose

The purpose of the Multifamily Overlay District (MOD) is to allow multifamily housing as of right in fulfillment of the following objectives:

- a. To ensure compliance with the requirements of M.G.L. c. 40A, § 3A and the Compliance Guidelines;
- b. To encourage mixed-income, multifamily housing in appropriate locations, near retail, restaurants, civic, and recreational uses; and
- c. To reduce dependency on automobiles by creating housing opportunities within walking distance to public transportation.

2. Establishment and Applicability

This MOD is an overlay district that is superimposed over the underlying zoning districts and is shown on the Zoning Map, Part C.

- a. **Applicability of MOD.** An applicant may develop Multifamily Housing located within a MOD in accordance with the provisions of this Section III-K.
- b. **Underlying Zoning.** The regulations for use, dimensions, and all other provisions of the Zoning By-law governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right in the MOD. Uses that are not expressly permitted in this Section III-K are governed by the requirements of the underlying zoning district(s).
- c. **Sub-districts.** The MOD contains the following sub-districts, all of which are shown on Zoning Part C: Multifamily Overlay District:
 - Sub-district 1,
 - Sub-district 2,
 - Sub-district 3,
 - Sub-district 4, and
 - Sub-district 5.

3. Definitions

Capitalized terms used herein and not otherwise defined herein shall have the same meanings ascribed to such terms in Section VI of the By-law. For purposes of this Section III-K, the following definitions shall apply.

- a. **Affordable Housing Unit.** A Multifamily Housing unit that is subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.

- b. **Affordable Housing. Multifamily Housing that contains Affordable Housing Units as defined by this Section III-K.**
- c. **Area Median Income (AMI). The median family income for the metropolitan statistical region that includes the Town of Hingham, as defined by the U.S. Department of Housing and Urban Development (HUD).**
- d. **Compliance Guidelines. Compliance Guidelines for Multifamily Zoning Districts adopted pursuant to M.G.L. c. 40A, section 3A, as further revised or amended from time to time.**
- e. **EOHLC. The Massachusetts Executive Office of Housing and Livable Communities.**
- f. **MBTA. Massachusetts Bay Transportation Authority.**
- g. **Multifamily Housing. A building with three or more dwelling units or two or more buildings on the same lot with more than one dwelling unit in each building.**
- h. **Multifamily Housing Unit. A dwelling unit within a Multifamily Housing development.**
- i. **Sub-district. An area within the MOD that is geographically smaller than the MOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.**
- j. **Transit station. An MBTA subway station, commuter rail station, or ferry terminal.**

4. Permitted Uses

- a. **The following forms of Multifamily Housing are permitted as of right subject to Site Plan Review under Section I-I of the By-law within Sub-districts 1, 2, 3, and 4 of the MOD:**
 - i. **Two-Family Dwelling**
 - ii. **Multi-Unit Dwelling, including Town Houses, but not more than ten connected dwelling units**
 - iii. **Garden Apartment**
 - iv. **Apartment House**
- b. **The following forms of Multifamily Housing are permitted as of right subject to Site Plan Review under Section I-I of the By-law within Sub-district 5 of the MOD:**
 - (i) **Two-Family Dwelling**
 - (ii) **Multi-Unit Dwelling not to exceed ten connected dwelling units and provided that all such dwelling units are in the Town House style**
- c. **Accessory Uses.**
The following uses are allowed by right as accessory uses to any of the permitted uses in subsections 4.a. and b. above:
 - (i) **Accessory uses specified in subsections 1.8.4, 1.8.5, and 1.8.6 in Section III-A.**

- (ii) Community rooms and shared amenities, including pools, playgrounds, and other recreational uses limited to use by the residents of the Multifamily Housing development and their guests.

d. Dwelling units within the MOD shall be subject to the limitation set forth in Section III-B,4.

5. Dimensional Requirements

Table of Dimensional Requirements. Notwithstanding anything to the contrary in Sections IV-A, IV-B and IV-C of this By-law, the dimensional requirements applicable in the MOD are as follows:

Minimum Lot Size		Maximum Height		Floor Area Ratio	Maximum Density Units/Acre	Minimum Yard Dimensions		
Area	Frontage	Feet	Stories			Front	Side	Rear
Sub-district 1								
3 acres	150'	45'	4	0.95	40	40'	25'	25'
Sub-district 2								
2.5 acres	20'	35'	3	0.85	25	20'	20'	20'
Sub-district 3								
5 acres	200'	35'	2.5	0.85	18	50'	20'	20'
Sub-district 4								
2 acres	150'	35'	2.5	0.85	15	20'	20'	20'
Sub-district 5								
5 acres	200'	35'	2.5	0.35	8	50'	20'	20'

6. Off-Street Parking

The parking requirements under Section V-A shall apply to Multifamily Housing in the MOD with the exception of the following:

- a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use, shall be permitted as of right.
- b. Number of spaces. The number of parking spaces required shall be reduced from 2 spaces/unit to 1.5 spaces/unit for any Multifamily Housing consisting of 10 or more units.
- c. Surface parking. Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to a Street.
- d. Integrated garages. The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
- e. Parking structures. Building(s) dedicated to structured parking on the same lot as one or more Multifamily Housing buildings shall be subordinate in design and placement to the Multifamily Housing buildings on the lot.

7. Development Standards Applicable to All Sub-districts

Development standards in the MOD are applicable to all Multifamily Housing within the MOD. These standards are in addition to the Site Plan Review Design and Performance Standards under Section I-I.6.

- a. Sidewalks. Sidewalks shall provide direct connections among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.

- b. **Dumpsters.** Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.
- c. **Building Location and Design.**
 - (i) **Multiple buildings on a lot.** Multifamily Housing may include multiple buildings on a single lot, provided that no less than 20' of separation is provided between individual buildings.
 - (ii) **Position relative to principal street.** Each Multifamily Housing building shall have its principal façade and entrance oriented toward the primary front lot line along a Street or shared drive. All building(s) adjacent to a Street shall have a pedestrian entry facing the Street.
 - (iii) **Entrances.** Where applicable, entrances shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.
- d. **Shared Outdoor Space.** Multifamily Housing consisting of 25 or more dwelling units shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace.

8. Development Standards Applicable to Sub-district 5

- a. **Building Location and Design.** The area between the 50-foot front yard setback and 150-feet shall be limited to Two-Family Dwellings and Multi-Unit Dwellings consisting of three units.
- b. **Parking Structures.** Parking structures are not permitted in sub-district 5.

9. Affordable Housing Requirements

- a. **Provision of Affordable Housing Units.** In any Multifamily Housing development containing ten (10) or more dwelling units, at least 15% of the dwelling units shall be Affordable Housing Units with household income limited to 80% of the Area Median Income. Where a fraction of a dwelling unit is required for this calculation, the amount of required dwelling units shall be rounded down. If EOHLIC determines in writing that the Town has not shown this 15% requirement to be feasible, at least 10% of the dwelling units in any development containing ten (10) or more units shall be Affordable Housing Units with household income limited to 80% of the Area Median Income. No project may be divided or phased to avoid the requirements of this section.
- b. **Subsidized Housing Inventory.** All Affordable Housing Units created in the MOD under this section must be eligible for listing on EOHLIC's Subsidized Housing Inventory.
- c. **Affordable Housing Unit Development Standards.** Affordable Housing Units shall be:
 - (i) Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
 - (ii) Dispersed throughout the development;
 - (iii) Located such that the Affordable Housing Units have equal access to shared amenities, including light and air, and utilities within the development;
 - (iv) Located such that the Affordable Housing Units have equal avoidance of any potential nuisances as market-rate units within the development;
 - (v) Distributed proportionately among unit sizes;

(vi) Distributed proportionately across each phase of a phased development.

d. Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Housing Units are issued simultaneously on a pro rata basis.

10. Modifications and Exemptions

a. A request pursuant to Section I-C,2.b. of the By-law shall not require a special permit and may be requested as a minor modification pursuant to Section I-I,9.b. of this By-law.

b. For the purpose of this Section III-K, Section I-I is hereby modified as follows:

(i) References in Section I-I,4.d. to additional information or submittals that may be required from the applicant shall be deemed to refer to missing or incomplete submittal requirements under Section I-I,5 and this Section V-K,9.

(ii) Section I-I,5.k shall not apply.

(iii) A project which is designed in accordance with the applicable provisions of this Section V-K shall be deemed to comply with Section I-I,6.c.

(iv) The second and third sentences in the introductory paragraph of Section I-I,8. shall not apply.

c. To the extent any portion of a lot within the MOD is subject to Section III-C (Floodplain Protection Overlay) of this By-law, no special permit shall be required, but the submission requirements of said Section shall apply and review pursuant to said Section shall be undertaken as part of Site Plan Review under this Section III-K.

d. Section IV-E (Residential Multi-Unit Development) and Section IV-F (Residential Multi-Unit Development in Residence District D) of this By-law shall not apply to Multifamily Housing under this Section III-K.

e. Multifamily Housing shall be exempt from Section V-C (Earth Removal Regulations) in accordance with subsection 5.c. thereof.

Item 4 Amend Section VI (Definitions) to replace the following definitions in their entirety:

Apartment House

A structure utilized wholly for residential dwelling units and containing four or more dwelling units.

Garden Apartment

A building consisting of not less than four nor more than ten connected dwelling units, with each entrance serving not more than four dwelling units, each of which extends through the building from front to rear.

Two-Family Dwelling

A dwelling intended and designed to be occupied as two separate dwelling units. For all purposes in the By-law, two-family dwellings shall include attached garages, or other fully enclosed, attached structures, whether heated or unheated, connected to the primary structure.

Item 5 Replace Section I-L in its entirety as follows:

I-L Effective Date

The effective date of an amendment to this By-law shall be the date on which such amendment was adopted in accordance with M.G.L. c. 40A, § 5 by a favorable vote of Town Meeting subject to its publication in a Town bulletin or pamphlet and posting or publication in a newspaper as provided in M.G.L. c. 40, § 32.

**ARTICLE 35
AMEND ZONING BY-LAW: SOUTH SHORE COUNTRY CLUB ZONING DISTRICT**

Will the Town amend the Zoning Map of the Town of Hingham to rezone the parcel of land shown as “Country Club Road” on a plan recorded at the Plymouth County Registry of Deeds in Plan Book 30, Page 619 from “Residence District D” to “Business Recreation District”, or act on anything related thereto?
(Inserted by the Select Board)

COMMENT: This Article asks the Town to vote to amend the Town of Hingham Zoning Map to confirm that the entirety of the land that makes up the South Shore Country Club (SSCC) and known as Assessor Map 70, Lot 14 is located within the Business Recreation District.

In 1976, when the country club was privately owned, Town Meeting created the Business Recreation District and a 5.35 acre portion of the property comprised of the building, driveway and parking was placed in the district. The Town later acquired the SSCC property by two instruments, a taking via eminent domain of the majority of the land and a deed of a smaller parcel adjacent to the entrance driveway. In 2004, as noted in the Advisory Committee Comment in the 2004 Warrant and the 2004 report of the Planning Board, Town Meeting intended to rezone the remainder of the SSCC land so that the whole property would be located in the Business Recreation District instead of Residence District D which is intended for multi-family development. After the 2004 Town Meeting, the Zoning Map was revised to show (and currently shows) the entire parcel as located within the Business Recreation District. However, upon recent review of the Zoning Map and the 2004 Warrant Article, it was noted that, while the 2004 Warrant Article referenced the entire assessor parcel, it only specifically referenced the parcel conveyed to the Town through the taking. For the avoidance of any doubt as to whether all of the land that constitutes the South Shore Country Club as shown on Assessor Map 70, Lot 14, is located in the Business Recreation District, this zoning map amendment specifically references the recorded plan which shows the second smaller parcel obtained by the Town to be part of the SSCC property. The parcel is referred to on the plan as “Country Club Road” because the prior owner had proposed it as a subdivision road but since it was deeded to the Town instead no roadway was built on that parcel. The current driveway for the SSCC is located to the right of this small parcel.

The Planning Board revised the recommendation to be a more accurate representation of the history of the SSCC zoning by confirming the two prior zoning amendments in 1976 and 2004 and including a vote to rezone the referenced area to the extent necessary.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee voted unanimously in favor of this Article as recommended by the Planning Board. The Planning Board voted unanimously in support of this recommendation, as revised during the public hearing.

RECOMMENDED: That the Town vote to confirm that the parcel of land shown as “Country Club Road” on a plan recorded at the Plymouth County Registry of Deeds in Plan Book 30, Page 619 has heretofore been rezoned from Residence District D to Business Recreation District by the votes under Article 17 of the 1976 Annual Town Meeting and Article 28 of the 2004 Annual Town Meeting and, to the extent that any portion of said parcel has not been heretofore rezoned to the Business Recreation District, vote to amend the Zoning Map of the Town of Hingham to rezone said portion of said parcel to the Business Recreation District.

ARTICLE 36

AMEND ZONING BY-LAW: ABANDONMENT OR DISCONTINUANCE OF NONCONFORMING CONDITIONS

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, by replacing in the entirety Sections III-I.1.d. and III-I.1.e. as follows:

- d. Abandonment or Discontinuance
 - (i) Except as provided in subsection d(ii) below, a nonconforming use that has been discontinued shall not be reestablished and any future use shall conform to this By-law.
 - (ii) The nonconforming use of a building as a Single-Family Dwelling or Two-Family Dwelling (and/or any lawful pre-existing nonconforming Accessory Buildings related thereto) that has been discontinued for a period of more than four (4) years shall not be reestablished and any future use shall conform to this By-law, provided however, that the lawful nonconforming use of more than one Dwelling Unit within an existing Dwelling (that has not been discontinued or abandoned) shall not terminate unless such Dwelling has been converted to a Single-Family Dwelling with complete living facilities for only one household.
 - (iii) A nonconforming structure that has been discontinued or has been abandoned, may not be used, occupied or reconstructed for any use, with the following exceptions:
 - (A) The conforming use as a Single-Family Dwelling or a Two-Family Dwelling of an existing building that would be a lawful nonconforming Single-Family Dwelling or a Two-Family Dwelling if it had not been deemed discontinued or abandoned hereunder may be permitted upon the issuance of a Special Permit A1. Section III-I, 2 shall not apply and any alteration or reconstruction of, or addition, extension, or structural change to, such existing Single-Family Dwelling or a Two-Family Dwelling shall not extend the yard and/or height dimensional conditions that were nonconforming at the time the building was abandoned or discontinued. This subsection (iii)(A) shall not apply to buildings that have been abandoned by demolition.
 - (B) If a lawful pre-existing nonconforming Single-Family Dwelling on a nonconforming lot has been abandoned by demolition, the reconstruction of a Single-Family Dwelling for a conforming use may be permitted upon the issuance of a Special Permit A1 no more than ten (10) years following demolition; provided, however, that the reconstructed Single-Family Dwelling shall comply with the applicable minimum yard, maximum height, and special requirements set forth in Section IV-A and the density provisions of Section IV-C.5.
 - (C) Except as provided in the foregoing subsections (iii)(A) and (iii)(B), the conforming use of an existing building or structure that has not been demolished that would be a lawful nonconforming building or structure if it had not been deemed discontinued or abandoned hereunder, may be permitted upon the issuance of a Special Permit A2 no more than ten (10) years after discontinuance or abandonment.

A building or structure reestablished pursuant to exceptions (iii)(A), (iii)(B) or (iii)(C) above shall no longer be considered nonconforming once a Special Permit has issued.

- e. Definitions - As used in this Section III-I:
 - (i) Except as otherwise expressly provided in Section III-I.1(d), "**discontinuance**" shall mean the actual cessation of any use or the non-use of any structure for a period of two (2) years or more.

- (ii) A nonconforming building or structure shall be deemed “**abandoned**” when it is no longer occupied for a conforming or lawfully nonconforming use (x) due to total demolition or partial demolition rendering it unoccupiable or (y) for at least six consecutive months and, in either instance, one or more of the following apply:
 - (D) It is not actively marketed for sale or lease.
 - (E) Failure to provide for regular maintenance such as failing to heat the building at a level necessary to prevent frozen pipes or related damage, failing to provide snow removal, or failing to maintain landscaping.
 - (F) It is not actively under renovation or reconstruction pursuant to a valid building permit. A building or structure shall not be deemed to be actively under renovation or reconstruction if construction activities cease for more than six (6) months due to a stop work order or by voluntary cessation.
 - (G) Issuance of a written notice of an unsafe structure by the Building Commissioner and failure of the owner to rectify the unsafe condition in the manner and in the timeframe specified in such written notice.

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: The Article addresses the re-use or reconstruction of nonconforming residential and non-residential buildings that have been discontinued or abandoned. The central material change to the By-law would allow the reconstruction of demolished single-family dwellings on non-conforming lots within 10 years of demolition. The other proposed changes are to provide clarifications to existing provisions.

Discontinued/Abandoned Residences: Subsection d.(iii)(A) of this Article seeks to clarify that a conforming single-family or two-family dwelling use can be reestablished in an existing, nonconforming building that has been discontinued for a period of two years or more or abandoned. Pursuant to this Article a special permit is required to reestablish the use. During the public hearing process, the Planning Board determined that the current provisions of the By-law that allow reestablishment of the use by-right is preferable. The Advisory Committee’s Recommended Motion incorporates the revised language.

Demolished Residences: Subsection d.(iii)(B) of the Article is new and enables nonconforming single-family dwellings that have been abandoned via demolition for a period less than ten years to be reconstructed with a special permit A1. Currently, if a home has been demolished and deemed abandoned, it could not be reconstructed without a variance. The reconstructed dwelling must comply with all current setback and height requirements.

Discontinued/Abandoned Non-Residential Buildings: Subsection d.(iii)(C) of the article would apply the same time and permitting parameters found in subsection d.(iii)(B) to the reestablishment of existing, dimensionally non-conforming buildings for permitted uses other than single-family or two-family dwellings.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Planning Board voted unanimously in favor of this Article as revised during the public hearing. The Advisory Committee voted unanimously in favor of this Article as recommended by the Planning Board.

RECOMMENDED: That the Town vote to amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, by replacing in the entirety Sections III-I.1.d. and III-I.1.e. as follows:

- d. **Abandonment or Discontinuance**
 - (i) **Except as provided in subsection d(ii) below, a nonconforming use that has been discontinued shall not be reestablished and any future use shall conform to this By-law.**

- (ii) The nonconforming use of a building as a Single-Family Dwelling or Two-Family Dwelling (and/or any lawful pre-existing nonconforming Accessory Buildings related thereto) that has been discontinued for a period of more than four (4) years shall not be reestablished and any future use shall conform to this By-law, provided however, that the lawful nonconforming use of more than one Dwelling Unit within an existing Dwelling (that has not been discontinued or abandoned) shall not terminate unless such Dwelling has been converted to a Single-Family Dwelling with complete living facilities for only one household.
- (iii) A nonconforming structure that has been discontinued or has been abandoned, may not be used, occupied or reconstructed for any use, with the following exceptions:
 - (A) This subsection (iii) shall not apply to and shall not prohibit the conforming use as a Single-Family Dwelling or a Two-Family Dwelling of an existing building that would be a lawful nonconforming Single-Family Dwelling or a Two-Family Dwelling if it had not been deemed discontinued or abandoned hereunder; provided, however, that Section III-I, 2 shall not apply and any alteration or reconstruction of, or addition, extension, or structural change to, such existing Single-Family Dwelling or a Two-Family Dwelling shall not extend the yard and/or height dimensional conditions that were nonconforming at the time the building was abandoned or discontinued. This subsection (iii)(A) shall not apply to buildings that have been abandoned by demolition.
 - (B) If a lawful pre-existing nonconforming Single-Family Dwelling on a nonconforming lot has been abandoned by demolition, the reconstruction of a Single-Family Dwelling for a conforming use may be permitted upon the issuance of a Special Permit A1 no more than ten (10) years following demolition; provided, however, that the reconstructed Single-Family Dwelling shall comply with the applicable minimum yard, maximum height, and special requirements set forth in Section IV-A and the density provisions of Section IV-C.5.
 - (C) Except as provided in the foregoing subsections (iii)(A) and (iii)(B), the conforming use of an existing building or structure that has not been demolished that would be a lawful nonconforming building or structure if it had not been deemed discontinued or abandoned hereunder, may be permitted upon the issuance of a Special Permit A2 no more than ten (10) years after discontinuance or abandonment.

A building or structure reestablished pursuant to exceptions (iii)(A), (iii)(B) or (iii)(C) above shall no longer be considered nonconforming once a Special Permit has issued.

e. **Definitions - As used in this Section III-I:**

- (i) Except as otherwise expressly provided in Section III-I.1(d), "discontinuance" shall mean the actual cessation of any use or the non-use of any structure for a period of two (2) years or more.
- (ii) A nonconforming building or structure shall be deemed "abandoned" when it is no longer occupied for a conforming or lawfully nonconforming use (x) due to total demolition or partial demolition rendering it unoccupiable or (y) for at least six consecutive months and, in either instance, one or more of the following apply:
 - (A) It is not actively marketed for sale or lease.

- (B) Failure to provide for regular maintenance such as failing to heat the building at a level necessary to prevent frozen pipes or related damage, failing to provide snow removal, or failing to maintain landscaping.
- (C) It is not actively under renovation or reconstruction pursuant to a valid building permit. A building or structure shall not be deemed to be actively under renovation or reconstruction if construction activities cease for more than six (6) months due to a stop work order or by voluntary cessation.
- (D) Issuance of a written notice of an unsafe structure by the Building Commissioner and failure of the owner to rectify the unsafe condition in the manner and in the timeframe specified in such written notice.

**ARTICLE 37
AMEND ZONING BY-LAW: SPECIAL REQUIREMENTS
IN THE OFFICIAL AND OPEN SPACE DISTRICT**

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 Delete from Section IV-A. Schedule of Dimensional Requirements the number “1” where is appears in the Official and Open Space row under the column entitled “special requirements applicable to each district”.

Item 2 Add the following additional sentence between the first and second sentences in the definition of “Structure” under Section VI: “In the Official and Open Space District, “structure” shall further exclude recreational improvements, including but not limited to basketball hoops, goal posts, backstops, and field lighting (subject to Site Plan Review under Section I-1), provided that the improvement is located not closer than fifteen (15) feet from a property line.”

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: The original intent of this Article was to remove certain special requirements applicable in the Official and Open Space District that require structures and other improvements to be located 50’ - 100’ from a residential district. It would also create exemptions from dimensional restrictions for certain recreational improvements, including but not limited to basketball hoops, goal posts, backstops, and field lighting, provided the improvement is located not closer than 15-feet from a property line.

Both items in this Article relate to structures and improvements on land in the Official and Open Space District, which primarily includes town-owned land. Item 1 would remove the requirement to seek a variance from the Zoning Board of Appeals for structures and other improvements, including septic systems that are permitted by the Board of Health, to be located 50-feet to 100-feet from a residential district in the Official and Open Space District. This change would create general conformity in the treatment of setbacks on town-owned land and private property.

As revised during the Planning Board public hearing, Item 2 of the recommendation would also eliminate the need to seek a variance from the Zoning Board of Appeals for two (2) groups of recreational improvements on Town-owned land in the Official and Open Space District. The first group of exemptions includes improvements related to safety and includes backstops, fencing, and safety netting. The second group includes pre-existing improvements including playground equipment, basketball hoops, goal posts, and field lighting, provided that such improvements are located not closer than fifteen (15) feet from a property line.

The Planning Board believes that this Article broadly supports the goals of the 2020 Comprehensive Athletic Field and Outdoor Court Study and 2021 Master Plan.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Planning Board voted unanimously in support of this recommendation, as revised during the public hearing. The Advisory Committee, voted unanimously in support of this Article, as recommended by the Planning Board.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 Delete from Section IV-A. Schedule of Dimensional Requirements the number “1” where it appears in the Official and Open Space row under the column entitled “special requirements applicable to each district”.

Item 2 Add the following additional sentence between the first and second sentences in the definition of “Structure” under Section VI: “In the Official and Open Space District, “structure” shall further exclude the following recreational improvements: (a) backstops, fencing, and safety netting, and (b) pre-existing playground equipment, basketball hoops, goal posts, and field lighting; provided that such improvements are located not closer than fifteen (15) feet from a property line.”

**ARTICLE 38
AMEND ZONING BY-LAW: MAXIMUM HEIGHT IN THE HARBOR OVERLAY DISTRICT**

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

- Item 1 Replace Section III-H.6.a.(i) in its entirety with the following: “The maximum height of buildings shall be reduced from 35 feet to 28 feet measured to the peak with a maximum wall height of 20 feet.”
- Item 2 Replace Section III-H.6.b.(ii).(i) in its entirety with the following:
 - (ii) The “maximum height” of a building may be modified as follows:
 - (A) Maximum height shall not exceed two stories and 28 feet measured to the peak of the building.
 - (B) The maximum wall height of the building shall be 20 feet.

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: The purpose of this amendment is to clarify some language and to address concerns in this district that properties are getting use constrained given existing measurement and use regulations, including those imposed by FEMA. Item 1 impacts properties in the district that also are in the Official and Open Space District. Item 2 impacts properties in the district that also are in the Waterfront Business District.

This Article proposes to amend the Zoning By-laws to (i) eliminate the requirement that the height of buildings in the Overlay District be measured from the Pre-Construction Grade rather than the Finished Grade; and (ii) allow space located between the maximum wall height of 20-feet and maximum roof peak height of 28-feet for buildings to be occupied. All properties in the Overlay District were being unnecessarily use constrained because construction was permitted in each district to 28 feet, but only storage was permitted above 20 feet. Considering the physical construction and storage permitted, it makes sense to permit occupancy above the 20-foot wall height. This amendment also makes the measurement from the Finished Grade consistent with how heights are measured elsewhere in Town and removed circularity in the Zoning By-laws by inserting the height requirement more directly into the Harbor Overlay District provision.

Approval of this Article requires a two-thirds vote by Town Meeting.
The Advisory Committee and the Planning Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

- Item 1** **Replace Section III-H.6.a.(i) in its entirety with the following: “The maximum height of buildings shall be reduced from 35 feet to 28 feet measured to the peak with a maximum wall height of 20 feet.”**

- Item 2** **Replace Section III-H.6.b.(ii) in its entirety with the following:**
 - (ii)** **The “maximum height” of a building may be modified as follows:**
 - (A)** **Maximum height shall not exceed two stories and 28 feet measured to the Peak of the building.**
 - (B)** **The maximum wall height of the building shall be 20 feet.**

**ARTICLE 39
AMEND ZONING BY-LAW: UPDATE TO NURSING HOME USE**

Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, by replacing in its entirety subsection 3.8B in the Schedule of Uses under Section III-A with the following:

- 3.8B Nursing home, assisted living facility, rest home, convalescent home, congregate living facility, or other non-correctional institutional use providing support and care for disabled or elderly persons

or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: This Article seeks to clarify an existing By-law provision by eliminating an ambiguous reference (“charitable institution”) and to clarify and modernize the By-law provision by broadening the existing “nursing home” use to (i) include a specific reference to “assisted living facilities” and (ii) provide for the care of both disabled and elderly persons. While the existing language did not limit the development of assisted living facilities, the amendment makes such use explicit and is intended to make the By-law consistent with the Master Plan goal 4.1 to provide “for the development of housing appropriately designed, managed, and located for older adults and people with disabilities” and the 2021 Housing Plan.

Approval of this Article requires a two-thirds vote by Town Meeting.

The Advisory Committee and the Planning Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, by replacing in its entirety subsection 3.8B in the Schedule of Uses under Section III-A with the following:

- 3.8B Nursing home, assisted living facility, rest home, convalescent home, congregate living facility, or other non-correctional institutional use providing support and care for disabled or elderly persons**

**ARTICLE 40
ACCEPTANCE OF EASEMENTS**

Will the Town authorize, but not require, the Select Board to accept grants of easements for streets, water, drainage, sewer and utility purposes or any public purpose on terms and conditions the Board deems in the best interest of the Town, or act on anything relating thereto?

(Inserted by the Select Board)

COMMENT: The Town benefits from many easements over private property throughout Hingham. From time to time, the Town, particularly its Department of Public Works, requires new easements in order to complete roadway and other public works projects. At times, the Town receives requests from private property owners to relocate easements held by the Town on their property. Under Massachusetts law, Town Meeting approval is required for the Select Board to accept such easements. This Article would allow the Select Board to accept such easements during the coming year and thus avoid potentially expensive delays and inconvenience to projects that benefit the Town. This Article is intended solely to cover easements voluntarily granted to the Town and would not allow the Select Board to accept easements that require funds to acquire them. Furthermore, the authority conferred by this Article is not unlimited in time; it is limited to the coming fiscal year. If continuing authority is required, the next Annual Town Meeting may be asked to approve it.

The Advisory Committee and the Select Board voted unanimously in favor of this Article.

RECOMMENDED: That the Town authorize, but not require, for a period through the end of FY25, the Select Board to accept grants of easements for purposes of streets, sidewalks, or pedestrian walkways, or water, drainage, sewage, or utility facilities on terms or conditions that the Board deems in the best interests of the Town.

REPORT OF THE CAPITAL OUTLAY COMMITTEE

I. OVERVIEW

The Capital Outlay Committee (“COC”) is charged with:

- A. Ascertaining the capital outlay requirements of various Town departments, boards, and committees over the next five years. Capital assets considered by COC typically have a useful economic life of more than five years and cost more than \$15,000, or are otherwise classified as fixed assets on the Town's financial statements.
- B. Analyzing and evaluating proposed capital expenditures for all Town departments, boards, and committees and making recommendations to the Select Board and the Advisory Committee (“Advisory”). COC recommendations are developed as follows:
 1. Departments submit requests for the next five years
 2. COC reviews requests with the department heads, boards, and committees
 3. Needs are determined and possible alternatives are discussed
 4. COC makes its recommendations to Select Board and Advisory
 5. Select Board accepts, alters, or rejects COC’s recommendations and forwards them to Advisory
 6. Advisory makes the final capital recommendations to Town Meeting

COC reviewed the capital requests from the various Town departments for Fiscal Year (“FY”) 2025 and herein submits its recommendations for FY25, as well as general projections of capital needs for the subsequent four fiscal years.

COC’s recommendations for FY25 are based on the assessment of need. Capital items, for the most part, consist of the Town’s infrastructure and the equipment to support that infrastructure. Over the long run, most capital spending on infrastructure is not discretionary. The Five-Year Capital Plan includes all proposed capital projects, including buildings and capital equipment that may require funding via borrowing or other sources.

At the start of the budget process, each department was requested to produce a realistic five-year capital outlay plan. The plan was compared to the prior year’s five-year capital outlay plan and departments were asked to explain significant changes. For the FY25 capital budget process, departments were required to enter their project requests into a new budgeting software system, ClearGov, which will provide efficiency benefits in future budgeting cycles, transparency across town departments, and increased clarity on prior year capital spending.

FY25 Capital recommendations by Funding Sources are summarized below:

Source	Amount
Sewer Special Revenue Fund*	\$13,625,000
WRWS Enterprise Fund*	\$7,930,000
Tax Levy	\$3,400,000
Borrowing - General Fund*	\$1,200,000
SSCC Enterprise Fund	\$634,000
Waterways Fund	\$435,000
Capital Stabilization Fund*	\$28,000
Total:	\$27,252,000

*Includes warrant articles to be voted on at this Annual Town Meeting

II. NOTABLE RECOMMENDATIONS

Below are the notable COC recommendations for FY25 from the tax levy (see the FY25 Five-Year Capital Plan for full detail by department):

Police Department

\$268,140 - Five Police Patrol Vehicles

Fire Department

\$1,200,000 - Fire Engine (to be voted on via Warrant Article)

\$275,000 - Fire Brush Truck

Public Works

\$307,200 to replace a 2015 Tree & Park log loader with winch and plow

\$307,200 to replace a 2014 bucket truck

School Department

In accordance with Massachusetts General Law, Chapter 71, Section 34, the total capital appropriations made to the School Department are under the School Committee's authority and can be allocated to capital expenditures at the Committee's discretion. As such, the COC's capital recommendations for the School Department can be reallocated to other capital expenditures as ultimately determined by the School Committee.

While the Committee would like to fund all projects, two notable projects that were not able to be funded for FY25 were planning work for the library parking lot and full project funding for ADA compliance work for Haley and Cronin fields.

III. LONG-RANGE CAPITAL PLANNING

Capital funding is required for operating assets, building infrastructure subsystems, and new buildings and facilities:

- Operating Assets: The primary funding source for the Five-Year Capital Plan included with this report is the Tax Levy, which comes from the Operating Budget. Since these funds are limited, historically, the Five-Year Capital Plan has focused on operating assets such as information technology, security, vehicles, equipment, public safety, and some building infrastructure (major repairs, replacements, and upkeep).
- Building Infrastructure Subsystems: The Town has yet to embrace past COC recommendations for a study of Town-owned buildings and facilities. This study will provide an inventory of all key components in existing Town buildings and facilities, identifying the current age and condition of each subsystem, which will result in a long-term replacement plan of 10 to 20 years. This will provide Town management and citizens a more proactive quantitative and qualitative approach to the Town's capital requirements. Some of these subsystem replacements are included in operating asset funding, but this is usually when the component is experiencing significant failure and in desperate need of replacement. COC realizes that some of this is due to budget limitations, but the Town must identify and plan for these expenditures in advance.
- New Buildings and Facilities: Funding for larger building and infrastructure capital projects is typically requested through a Warrant Article since project amounts exceed the COC's operating funding capacity. They are funded by sources other than the Tax Levy (Borrowing, Available Reserves, etc.)

and require separate approval at Town Meeting. Over the last few years, as several major projects have been proposed, COC determined that the best practice for reporting and disclosure is as follows:

- If a project is at the Feasibility Study stage, then only the study amount will be included on the Five-Year Capital Plan with a footnote about the project since including the actual project presumes it will proceed.
- If a project is at the Design & Bid stage, then an estimated project cost will be included, if reasonably determinable, on the Five-Year Capital Plan. A footnote may be included to provide additional information.
- If a project is at the Renovation/Construction stage, then the project cost will be included on the Five-Year Capital Plan. A footnote may be included to provide additional information.
- If a project is being contemplated but it is too premature for estimates, then a footnote will be included describing the project and the amount will be “To Be Determined”.

Note: All large-scope projects of this nature would likely be accompanied by a Warrant Article and subject to approval at Annual Town Meeting.

If a project is in the pre-feasibility stage or in between the above stages, it may create a reporting gap. In an effort to close this gap and provide a more long-term and complete picture of the Town’s capital needs, COC is including the following summary of building and facility needs by department:

2024 Annual Town Meeting - Capital Project Warrant Articles:

<u>Department</u>	<u>Warrant Article*</u>	<u>Need</u>	<u>Cost Estimate</u>
Weir River Water System	WRWS: Authorization to Borrow for Capital Improvements	Design, engineering, construction, reconstruction, repairs, and improvements to the WRWS system	\$21,005,000
Sewer Commission	Authorization to Borrow for Route 3A Sewer Construction	Design, engineering, and construction of main sewer line	\$13,000,000
Fire Department	Purchase of Fire Engine	Purchase of new fire engine to replace 2006 engine	\$1,200,000
Select Board	Transfer from Capital Stabilization Fund	Improvements at newly acquired 30 Summer Street	\$28,000
		TOTAL	<u>\$35,233,000</u>

*Refer to specific warrant articles for additional information

Large Capital Project Outlook:

<u>Department</u>	<u>Project</u>	<u>Preliminary Estimate</u>
Harbor Master	Harbor dredging (may be offset by grant money)	\$10,000,000
Library	Parking lot renovation/expansion: design & construction	\$1,651,593
Fire Department	New South Fire Station	To Be Determined

<u>Department</u>	<u>Project</u>	<u>Preliminary Estimate</u>
<u>Town Hall:</u>		
Center for Active Living	Major renovation of existing Center for Active Living or construction of new building at a new location	To Be Determined
Harbor Master	Repair and restoration of Veterans Park and Barnes Wharves	To Be Determined
Library	Building renovation and expansion	To Be Determined
Recreation Commission	Town Wide Field/Court Renovations recommended by Athletic Field & Outdoor Court Improvement Study	To Be Determined*

<u>School Department:</u>		
High School	New roof replacement	\$13,260,000
High School	Boiler replacement	\$2,639,536
Plymouth River Elementary	New roof replacement	\$3,796,000
South Elementary	New roof replacement	\$1,500,000

Disclaimer: The amounts noted above are preliminary estimates and subject to significant change.

*See five-year capital plan, Recreation Commission section for detail of proposed projects and preliminary cost estimates.

IV. COMMENTS AND RECOMMENDATIONS

Several years ago, COC recommended that additional funds be made available in future years for replacement of capital items to prevent a significant negative impact to the Town's capital base. The Town has made progress in increasing the funding available for capital items, with increasing amounts to capital over the last several years. Specifically, the Town has committed additional capital funding each year beginning in FY16, resulting in a capital outlay budget of \$3,400,000 in FY25. Beginning in FY24, the Town has committed to allocating any excess ambulance receipts from prior fiscal years to the capital budget for the cyclical replacement of ambulances. In addition, the Town proposes to set aside proceeds from the new auction process in a new Capital Stabilization Fund so that revenue from the sale of surplus supplies, vehicles, and equipment can be re-allocated for current capital needs. Spending funds from the Capital Stabilization Fund is subject to warrant approval at Annual Town Meeting.

This additional capital funding has helped but significantly more is necessary to appropriately fund the Town's ongoing capital needs. The backlog (capital plan years 2-5) of capital items (from the Tax Levy) has significantly increased over the last five years from \$15.4M in FY20 to \$23.5M for FY26-FY29. The Town's Financial Policy states capital expenditures (excluding those financed by debt or user rates/charges) should be between 3% and 6% of the Town's Operating Budget (increased from 2% and 5% in December 2021). From FY15 to FY22, expenditures were at the low end but within the 2%-5% range; however, the estimated FY25 capital expenditure percentage of 3.2% is near the low end of the updated range. With total department requests for capital funding from the tax levy currently projected to increase significantly over the next two years, the Town should consider spending more on capital, closer to the 6% upper limit of fiscal policy.

Adequate capital funding is necessary to properly manage replacement and maintenance of Town-owned assets. A lack of sufficient capital funding may result in increased repairs and ultimately higher costs when those capital items are replaced. It is preferable to be proactive instead of risking the failure of one or more assets and spending more funds to remedy an emergency situation. The impact of elevated inflation and vendor supply chain issues have led to longer delivery timelines - especially for vehicles - straining already deferred assets in use. As the town continues to invest in, and replace technology assets, it is imperative that we pursue the most cost-effective technological solutions - even if that requires updating operating practices.

The Town **must** continue to increase capital funding in order to keep pace with the operating budget, allow for proper maintenance of the Town's significant capital base, and comply with the Town's Financial Policy. There are numerous building and renovation projects planned for the future and COC is concerned that while the Town may have the debt capacity to fund these projects, there will be an increased capital funding requirement to maintain assets, putting additional pressure on capital funding from the operating budget. The Town's long-term capital needs will continue to be discussed but we must balance our long-term needs with our current capital funding limitations.

Further, with an increase in the Town's capital base, there will be a greater need to establish a formal system to track and monitor building assets and subsystems. It is critical for the Town to accurately identify and quantify the ongoing capital needs of all Town-owned assets, including facilities and their related subsystems, so that these expenditures can be anticipated and included in long-range plans. COC continues to be concerned that expenses related to all capital assets of the Town have not been reflected in the Five-Year Capital Plan. This issue was first mentioned in the Report of the Capital Outlay Committee in the 2012 Warrant. Specifically, COC was concerned that major expenditures, such as the repair/refurbishment of all Town-owned real estate, were not in the capital budget. As a result, COC recommended an externally prepared comprehensive multi-phase study of Town-owned buildings and facilities and subsequently a Town Facilities Manager to oversee these assets. Neither recommendation has been adopted to date.

At a minimum, COC encourages the Town to develop a comprehensive survey of all components (e.g., roofs, windows, heating, ventilation, air conditioning, plumbing, etc.) of each facility. This information could be used to create a database containing the repair/replacement schedule for all facilities and the related subsystems. Town department heads and committees could use this data to understand the ongoing capital requirements related to the facilities for each year and to proactively manage the repair/replacement process on a comprehensive basis.

The Capital Outlay Committee thanks the Advisory Committee, Select Board, Town Administrator, Assistant Town Administrators, and department heads for their support. Their contributions are critical to the budget process, and we extend our appreciation for their dedication and hard work.

CAPITAL OUTLAY COMMITTEE
Michael Donovan, Chair
Kevin Flaherty
Lyndsey Kruzer
Judd Caplain, Advisory Committee
Carol Tully, Advisory Committee

FY25 Five Year Capital Plan

Department / Request	FY25	FY26	FY27	FY28	FY29
<u>Building</u>					
F150 4WD XLT Super Cab Pickup Truck		\$46,000			
Total Building	\$0	\$46,000	\$0	\$0	\$0
<u>Conservation</u>					
New truck for Conservation Department		\$40,000			
Total Conservation	\$0	\$40,000	\$0	\$0	\$0
<u>Education (School Department)</u>					
<u>East Elementary School</u>					
Building repairs and improvements - East		\$100,000	\$50,000	\$50,000	\$50,000
LED Lighting Upgrade - East		\$40,000	\$20,000	\$20,000	\$20,000
Flag Pole Lighting - East		\$5,000			
Stage refinished - East				\$10,000	
Total East Elementary School	\$0	\$145,000	\$70,000	\$80,000	\$70,000
<u>High School</u>					
BACnet IP BMS Communication Systems Parts (98 total) - HHS	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Windows/Doors - HHS	\$30,000	\$30,000	\$30,000		
Paint Machine for Fields and Parking Lots - HHS	\$13,000				
Floor Machine - HHS	\$10,229				
Removal of Trees - HHS	\$10,000	\$20,000			
Boiler Replacement - Heat Feasibility Study - HHS	\$8,000				
Boiler Replacement - Heat - Bidding & Construction - HHS		\$2,639,536			
Building Repairs and Improvements - HHS		\$100,000	\$50,000	\$50,000	\$50,000
Building: Envelope Repairs - HHS		\$75,000			
Heat: Rooftop Air Handler - HHS		\$60,000	\$60,000	\$60,000	
Lighting - Update Interior Lighting to LED - HHS		\$40,000	\$20,000	\$20,000	\$20,000
Sound Proof Drama Room - HHS		\$35,810			
Vape detectors x30 - HHS		\$25,000			
Riding Lawn Mower - HHS		\$8,000			
Roofs - Major Repair/replacement - HHS			\$13,260,000		
Replace Admin Rooftop with heat pump rooftop - HHS			\$1,305,000		
JV Softball Field - HHS			\$661,000		
Replace rooftop with heat pump rooftop unit - HHS - Graphic Arts Room			\$389,900		

Department / Request	FY25	FY26	FY27	FY28	FY29
Perimeter fencing: athletic fields - HHS				\$98,000	
Floors: Refinish all locker room floors - HHS				\$87,605	
Sewer Grade Repair - Guidance Office - HHS				\$80,000	
Art Lab Countertop replacement - HHS				\$65,000	
Wrestling Room Floor Replacement - HHS				\$53,662	
Atrium Design - expand lunchroom seating - HHS				\$25,000	
Concession Building - roof replacement - HHS				\$20,000	
Floors - VCT throughout - HHS				\$10,000	
Woodshop - slop sink replacement - HHS				\$10,000	
Pavilion - Outdoor learning and alternative spaces - HHS					\$500,000
Total High School	\$121,229	\$3,083,346	\$15,825,900	\$629,267	\$620,000
<u>Middle School</u>					
Field Drainage - HMS		\$120,000			
Building Repairs and Improvements - HMS		\$100,000	\$50,000	\$50,000	\$50,000
Lighting - Update Interior Lighting to LED - HMS		\$40,000	\$20,000	\$20,000	\$20,000
Tech & Working Lab Slop Sinks - HMS				\$8,000	
Total Middle School	\$0	\$260,000	\$70,000	\$78,000	\$70,000
<u>Plymouth River Elementary School</u>					
Walls: Replace accordion walls with permanent structures (2, 2, 2) - PRS	\$50,000	\$50,000			
Abate vice principal, principal and conference room ceilings - PRS	\$24,800				
Removal of dead trees in close proximity to the school - PRS	\$20,000	\$20,000			
Building Repairs and Improvements - PRS		\$100,000	\$50,000	\$50,000	\$50,000
Building Envelope Repairs - PRS		\$50,000			
Remove lockers from Foster and install, paint and refurbish for use at PRS - PRS		\$50,000			
Restore Restroom Floors (10) - PRS		\$42,000			
Lighting - Update Interior Lighting to LED - PRS		\$40,000	\$20,000	\$20,000	\$20,000
Security - Thumb locks on interior doors - PRS		\$19,850			
Flag Pole Lighting - PRS		\$5,000			

Department / Request	FY25	FY26	FY27	FY28	FY29
Plymouth River School - Roof			\$3,796,000		
FOB Stations/Access Control - IT Room - PRS			\$20,000		
FOB Stations/Access Control - Cafe Door; 30 Double Doors - PRS			\$9,800		
Security Vestibule/Office/Library Redesign - PRS				\$150,000	
Emergency Generator - PRS				\$58,500	
Exterior - Cement Pole Repair - PRS				\$38,000	
Synchronized Clock System Tie-in - PRS				\$10,000	
Widen Paved Bus Loop - PRS				\$8,000	
Total Plymouth River Elementary School	\$94,800	\$376,850	\$3,895,800	\$334,500	\$70,000
South Elementary School					
BACnet IP BMS Communication System Upgrades (2 of 3) - South	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
Tree Removal - South	\$15,000	\$5,000			
Replace Window Sealant and Backer Rod - South		\$126,750			
Building Repairs and Improvements - South		\$100,000	\$50,000	\$50,000	\$50,000
Painting of floors, hallways & gym - South		\$43,000			
Lighting Update Interior Lighting to LED - South		\$40,000	\$20,000	\$20,000	\$20,000
Door Hardware -Exterior Replacement - South		\$30,000			
Hydration Station - South		\$10,000			
Door Hardware - Interior replacement - South		\$10,000			
Roofs - Major repair/replacement - South			\$1,500,000		
Main Driveway Asphalt Paving - South			\$175,000		
Add Glycol to Heating System - South			\$10,000		
Basketball Courts - South				\$140,000	
Gym - Ventilation - Ceiling Fans x4 - South				\$8,000	
Security - Build security entrance to front hallway (btw LMA & office) - South					\$20,000
AC Unit 3rd Floor (1) - South					\$11,000
Sand, stain & repoly all cabinets & door trim - South					\$10,000
Total South Elementary School	\$55,000	\$404,750	\$1,795,000	\$258,000	\$151,000

Department / Request	FY25	FY26	FY27	FY28	FY29
School System Wide					
Viewsonic Viewboard IFP7550	\$150,000	\$75,000	\$75,000	\$75,000	\$75,000
vxRail Hyper Converged server and storage trays	\$125,000				
Transportation - Ford Transit 10 Passenger Vans - HPS	\$80,000	\$56,650	\$58,350	\$60,100	\$63,100
2 small SUVs for 2 student trips (Hyundai Tucson)	\$70,000				
Roof Repairs all buildings - HPS	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Security - Additional Surveillance Cameras / Radio Replacements - HPS	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Instructional Equipment - HPS	\$31,745	\$31,745	\$31,745	\$31,745	\$31,745
Copiers (2/year; 32 total units) - HPS	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Energy Management System: ONA Parts	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Depot Garage - Replace Bus Doors (2)	\$17,940				
Area carpet/flooring (replacement plan) - HPS	\$16,000	\$16,500	\$17,000	\$17,000	\$17,000
Security: District redraw of building maps to scale to be used by first responders in case of an emergency - HPS	\$15,000				
Repointing Masonry		\$134,550			
Unanticipated Major Repairs - all buildings		\$100,000	\$100,000	\$100,000	\$100,000
Mobile Phone Signal Boosters - all buildings		\$100,000	\$100,000	\$100,000	\$100,000
Digital Radio System - HPS		\$90,000			
Wireless access points to upgrade each year		\$75,000	\$75,000	\$75,000	\$75,000
Grounds maintenance - major 20 year vegetation cutback - HPS		\$75,000			
Energy Efficiency Projects - HPS		\$50,000	\$50,000	\$50,000	\$50,000
Boiler - Heat - Removal of Underground Oil Tank		\$40,000			
Transportation building repairs/paint - HPS		\$18,000			
Garden Pathways to make ADA accessible		\$15,500			
PM - Ventilation Fans for crawl space tunnel		\$10,000			
Major Renewable Energy Project			\$2,000,000		
New school buses x22			\$400,000		
Laptop Refresh			\$300,000	\$200,000	
FOB Stations/Access Control: Gym; Science & Main Entrance (3)			\$51,549		
Arubanetworks mobility controller			\$20,000		

Department / Request	FY25	FY26	FY27	FY28	FY29
Building 179 renovations (excludes sprinklers) - HPS				\$354,312	
Building 179 Sprinklers				\$212,587	
Firewall				\$30,000	
Core Switch				\$25,000	
Smart-UPS battery backups				\$15,000	
Redesign guidance to accommodate new counselors					\$100,000
Avigilon camera NVR					\$60,000
Domain controller					\$5,000
Total School System Wide	\$650,685	\$1,032,945	\$3,423,644	\$1,490,744	\$821,845
Total Education (School Department)	\$921,714	\$5,302,891	\$25,080,344	\$2,870,511	\$1,802,845
Elder Services (Center for Active Living)					
Vehicle Replacement FY26		\$190,000			
Total Elder Services	\$0	\$190,000	\$0	\$0	\$0
Elections					
Poll Pads	\$16,800				
Total Elections	\$16,800	\$0	\$0	\$0	\$0
Fire					
Fire Engine	\$1,200,000				
Fire Brush Truck	\$275,000				
Fire Turnout Gear	\$60,000	\$60,000	\$65,000	\$65,000	\$65,000
Fire hydrants and fire hose	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
Station one apparatus doors maintenance	\$20,000				
Vehicle Exhaust System Modification	\$15,000				
Ambulance		\$525,000		\$590,000	
FD Administration Vehicle		\$145,000		\$80,000	
Utility Truck		\$90,000			
Fire boat community match or new engines for current boat		\$50,000			
FD UTV		\$50,000			
Station 3 (Constitution) Outside Sign		\$15,000			
Automated CPR Devices				\$80,000	
Total Fire	\$1,610,000	\$975,000	\$105,000	\$855,000	\$105,000
Harbormaster					
Harbor Dredging	\$375,000				\$10,000,000
Vessel	\$60,000				
SafeBoat 25 Repower			\$45,000		
Safeboat 31 Repower					\$80,000
Total Harbormaster	\$435,000	\$0	\$45,000	\$0	\$10,080,000

Department / Request	FY25	FY26	FY27	FY28	FY29
Information Technology					
Phone System Replacement	\$250,000				
Annual Technology Upgrades	\$125,000	\$130,000	\$135,000	\$140,000	\$145,000
Total Information Technology	\$375,000	\$130,000	\$135,000	\$140,000	\$145,000
Library					
Furniture replacement	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Computers & Technology	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Construction of parking lot expansion and front walkway replacement		\$1,651,593			
Carpet replacement		\$280,000			
Cooling system upgrades/replacement		\$125,000			
Replace exterior wood trim and windows as needed		\$100,000			
Parking lot design, permitting and construction documents		\$75,000			
Children's entrance stairway and walkway replacement		\$50,000			
Bathroom renovation/repairs			\$200,000		
Building renovation feasibility study			\$100,000		
Lighting replacement				\$80,000	
Landscaping design and upgrades				\$50,000	
Phase 2 repairs to roof trusses				\$20,000	
Structural repairs to 2nd floor exterior balcony and AV room bump-out					\$100,000
Exterior wood door replacement					\$20,000
Total Library	\$40,000	\$2,321,593	\$340,000	\$190,000	\$160,000
Police					
Police Vehicles (5)	\$268,140	\$295,096	\$309,850	\$325,343	\$341,610
Automated Defibrillators	\$75,273				
Stop Sticks	\$21,000				
Ballistic Armor - Rifle Rated Shields	\$19,742				
Body Armor (17)	\$19,000	\$19,000	\$20,000	\$20,000	\$20,000
Medical Response Kits	\$15,000				
Total Police	\$418,155	\$314,096	\$329,850	\$345,343	\$361,610
Public Works					
Replace #19 2015 IH 4300 SBA winch with plow (Tree & Park)	\$307,200				
#8 - 2013 International 6 wheel dump w/ Plow & Sander	\$307,200				
#32 2014 Toro Grounds Master Mower	\$110,450				
#38 Chevy 2500 Silverado Pickup Truck with Plow	\$62,240				

Department / Request	FY25	FY26	FY27	FY28	FY29
New radio system for the DPW building	\$25,000				
Tree & Park enclosed trailer	\$14,000				
#23 Elgin Street Sweeper		\$317,900			
#27 2015 IH 4700 Dump 444E w/ Sander & Plow		\$230,000			
#39 Trackless Sidewalk Tractor		\$201,800			
#18 Chevy 3500 HD 4 Wheel drive 1 Ton Dump w/ Plow & Sander		\$109,640			
#28- 2012 Chevy 3500 Dump (1-Ton) with Plow & Spreader		\$109,540			
#3 Chevy 2500 Silverado Pickup Truck with Plow		\$62,500			
#26 2013 Chevy 2500 Quad Cab 4WD P/U w/ Plow		\$62,500			
#37 2014 Chevy 2500 HD pickup w/ Plow		\$55,000			
#35 2008 Compressor		\$27,000			
#54- 2002 Giant Leaf Blower		\$15,000			
#16 2017 IH 7000 Dump W/ Plow & Sander			\$230,000		
#5 2016 IH 4990 Dump w/ Sander & Plow			\$230,000		
#24 1993 Bombardier Sidewalk Tractor			\$175,000		
#46 2013 Stump Grinder 602 18 Ton			\$93,000		
#17 2017 Chevy 2500HD Quad Cab Pickup w/ Plow			\$62,500		
#52 2002 Drum Roller 1.5 Ton			\$30,000		
#14 2008 IH 7400DP Dump w/ Plow & Sander				\$230,000	
#20T MORBark Chipper M18R (2018)				\$100,000	
#4 Chevy 3500 HD 4 Wheel drive 1 Ton Dump w/ plow & sander (2016).				\$85,000	
#39SB Snow Blower 4150-SB (2003)				\$15,000	
#WS1 Wright Sentor Mower (2008)				\$12,000	
#7 IH 7499 Dump w/ Plow & Sander (2019)					\$230,000
#25 Trackless sidewalk Tractor (2018)					\$125,000
#9 Chevy 2500 Silverado Pickup Truck with Plow (2018)					\$62,500
Total Public Works	\$826,090	\$1,190,880	\$820,500	\$442,000	\$417,500
Recreation					
Improve Accessibility at Cronin and Haley Field	\$52,241	\$740,759			
Pickleball Courts		\$1,550,000			
Hingham High School Artificial Turf Field Replacement		\$880,000			

Department / Request	FY25	FY26	FY27	FY28	FY29
Improve Accessibility at Hersey Field		\$460,000			
Hingham High school Drainage Improvements		\$325,000			
Plymouth River Basketball Court		\$250,000			
Hingham Middle School: Drainage Improvements		\$150,000			
Hingham High School Irrigation		\$35,000			
Lynch Field			\$2,400,000		
Cronin Tennis Courts			\$1,450,000		
Bradley Woods Basketball Court and Accessible paths linking the field, playground, and court			\$250,000		
Plymouth River School			\$225,000		
Accessibility improvements at Kress Field			\$175,000		
Accessibility improvements at Lynch Field			\$175,000		
Plymouth River Tennis Courts				\$1,500,000	
Carlson Basketball Courts				\$600,000	
Kress Basketball Court				\$350,000	
Carlson Softball Field				\$110,000	
Carlson Skate Park					\$500,000
Accessibility improvements at Margetts Field					\$500,000
South School					\$350,000
Margetts Field					\$150,000
Powers Field					\$125,000
Hingham Middle School Field					\$110,000
Total Recreation	\$52,241	\$4,390,759	\$4,675,000	\$2,560,000	\$1,735,000
<u>South Shore Country Club</u>					
Building Repairs	\$250,000				
Restaurant Doors and ADA compliance	\$150,000				
Golf Course Equipment	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000
64 Golf Carts	\$59,000	\$59,000	\$30,000		
Prop Shop Relocation	\$50,000				
Pool Demolition		\$750,000			
HVAC system for the Bowling Alley		\$350,000			
Golf Cart Barn			\$750,000		
Electric Golf Cart purchase			\$600,000		
Golf Course Bathroom				\$125,000	
Restaurant Building repairs				\$500,000	
Repaving cart paths, walkways and parking areas					\$150,000
Restaurant Plumbing and Electrical upgrades					\$150,000
Total South Shore Country Club	\$634,000	\$1,284,000	\$1,505,000	\$750,000	\$425,000

Department / Request	FY25	FY26	FY27	FY28	FY29
Select Board					
ADA Improvements: Signage	\$50,000	\$50,000			
30 Summer Street Repairs	\$28,000				
Total Select Board	\$78,000	\$50,000	\$0	\$0	\$0
Sewer					
Route 3A Sewer Improvement Project	\$13,000,000				
Sewer Odor Control System	\$160,000				
I&I investigation	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000
Weir River- Manhole Rehabilitation	\$100,000	\$100,000	\$100,000		
Emergency Sewer Repair- Force and gravity mains	\$80,000	\$80,000	\$80,000	\$80,000	\$80,000
Howe street- Replace exterior of building.	\$75,000				
Sewer Stations Meter Replacement	\$60,000				
Sewer Lateral Repair & Replacement	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Night Soil Plant			\$478,000		
Malcolm Street Station Force Main Replacement		\$112,000			
Weir River Sewer Station Roof			\$120,000		
Mill Street Sewer Station			\$120,000		
Town Hall Sewer Station				\$100,000	
Weir River District					\$70,000
Malcolm Street Sewer Pump Station Wetwell riser					\$60,000
All Sewer Stations					\$60,000
Total Sewer	\$13,625,000	\$442,000	\$1,048,000	\$330,000	\$420,000
Town Hall					
Cooling Tower Repairs	\$38,000				\$145,000
Town Hall General Repairs/Renovations	\$25,000	\$25,000	\$25,000	\$30,000	\$30,000
Heat Pump Replacements	\$17,000	\$20,000	\$20,000	\$20,000	\$20,000
Resurfacing of Parking Lot, Driveway, and Walkways		\$136,000			
Replace Second 10-ton Heat Pump in Auditorium		\$30,000			
Replace Bathroom Fixtures		\$25,000		\$25,000	
LED Lighting Upgrade/Retrofit - Gymnasium & Game Room		\$18,000			
Replace Heat Exchangers		\$15,000	\$15,000		
Installing Fobs on Interior and Exterior Doors			\$129,000		
Exterior Painting of Town Hall			\$100,000		
Town Hall Partial Roof Replacement				\$300,000	
Total Town Hall	\$80,000	\$269,000	\$289,000	\$375,000	\$195,000

Department / Request	FY25	FY26	FY27	FY28	FY29
<u>Transfer Station/Recycling</u>					
Paper Compactors #1 & #2 (2001)	\$100,000	\$100,000			
#LC4 Stationary Trash Compactor #3 & #4	\$85,000				
Trailer Tires and Undercarriage Repair	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
T9 Open Top Trash Trailer (2011)		\$110,000			
#L2 Chevy 3500 1-Ton Truck with Plow		\$110,000			
Cement Pad Replacement at recycling container area.		\$100,000			
#L-1 Chevy 2500 HD pick up with plow		\$65,000			
#L37 Mitsubishi Diesel Fork Truck		\$50,000			
#32 244J John Deere Mini Loader			\$125,000		
T4 Closed Top Trash Trailer			\$90,000		
#L-8 Kenworth LT-800 Tractor					\$100,000
Total Transfer Station/Recycling	\$210,000	\$560,000	\$240,000	\$25,000	\$125,000
<u>Weir River Water System</u>					
Strawberry Hill - New Water Storage Tank	\$3,500,000	\$12,005,000	\$2,500,000		
Water System Improvements	\$3,000,000	\$3,000,000	\$3,325,000	\$3,325,000	\$3,325,000
Water Main Replacement - Nantasket Ave, Hull	\$1,285,000				
Replacement Equipment	\$145,000	\$65,000	\$155,000		
Total Weir River Water System	\$7,930,000	\$15,070,000	\$5,980,000	\$3,325,000	\$3,325,000
Total Capital Projects	\$27,252,000	\$32,576,219	\$40,592,694	\$12,207,854	\$19,296,955
Funding Source	FY25	FY26	FY27	FY28	FY29
Tax Levy	\$3,400,000	\$6,694,090	\$8,783,694	\$4,652,854	\$3,371,955
Ambulance Receipts	\$0	\$525,000	\$0	\$590,000	\$0
Borrowing	\$1,200,000	\$4,291,129	\$18,556,000	\$0	\$7,071,000
Capital Stabilization Fund	\$28,000	\$0	\$0	\$0	\$0
Grants	\$2,400,000	\$150,000	\$0	\$0	\$0
Municipal Waterways Improvements and Maintenance Fund	\$435,000	\$0	\$45,000	\$0	\$3,009,000
Other Funding Source	\$0	\$4,113,000	\$4,675,000	\$2,560,000	\$1,735,000
Recreation Revolving Fund	\$0	\$7,000	\$0	\$0	\$0
Sewer Special Revenue Fund	\$11,225,000	\$442,000	\$1,048,000	\$330,000	\$360,000
SSCC Enterprise Fund	\$634,000	\$1,284,000	\$1,505,000	\$750,000	\$425,000
Water Enterprise Fund	\$7,930,000	\$15,070,000	\$5,980,000	\$3,325,000	\$3,325,000
Total Funding Sources	\$27,252,000	\$32,576,219	\$40,592,694	\$12,207,854	\$19,296,955

REPORT OF THE PERSONNEL BOARD

In anticipation of the 2024 Annual Town Meeting, the Personnel Board is pleased to submit this report of its activities since the 2023 Annual Town Meeting. Before so doing, however, we acknowledge and extend the Board's gratitude to Robert Curley for his service on the Personnel Board and to Russell Conn who graciously agreed to return to the Personal Board on an interim basis. We would also like to welcome Lynn Carroll as the newest member to the Board.

COLLECTIVE BARGAINING

Following the 2023 Annual Town Meeting, the Personnel Board concluded negotiations and the Select Board entered into a memorandum of agreement with the International Brotherhood of Teamsters, Local 25, Department of Public Works Supervisors Unit whose agreement expired on June 30, 2023. A summary of the most important terms of the agreement are set forth below. The full text of the agreement is on file at the office of the Select Board. In 2024, the Board will begin collective bargaining agreement negotiations with the Hingham Police Patrolman's Association, the Hingham Police Superior Officers Union MCOP, Local 405, the Hingham Permanent Firefighters Association, IAFF, Local 2398, and the Hingham Library Staff Association.

Department of Public Works Teamsters, Local 25

Upon recommendation of the Board, the Select Board agreed to enter into a three-year collective bargaining agreement with the International Brotherhood of Teamsters, Local 25, Department of Public Works Supervisors Unit. This agreement provides for a general wage increase of 3% each year, retroactive to July 1, 2023. The payout for accumulated, unused sick leave at the time of retirement was increased to \$12 per day up to 149 days; \$14 per day for days 150-199 and \$16 per day for any days over 200. The holiday list was modified to include Juneteenth and the vacation time entitlement was modified to provide that employees with twenty (20) years of service or more shall be entitled to five weeks of vacation annually. Compensation for work performed as a result of an unscheduled emergency was revised to allow for double time pay in addition to holiday when such work falls on New Year's Day, Christmas Day or Thanksgiving Day. Double time compensation will be provided in addition to vacation time pay for any Supervisor who is called to work on a scheduled vacation day, to be paid for actual time worked with a four hour minimum. The Longevity incentive was increased by \$100 across all years. A phone stipend in the amount of \$200 per month was agreed on for any Supervisor who is required to be on-call. Lastly, any Supervisor who is out on workers compensation will be allowed to carry-over any accrued but unused personal and/or vacation days within the first twelve months of the approved leave.

OTHER TOWN EMPLOYEES AND TOWN OFFICERS

The Board recommended a general wage increase of 3%, effective July 1, 2024, for employees not covered by collective bargaining agreements.

The Board approved the reclassification of the Veteran's Services Administrative Assistant from Grade 3 to Grade 4. The Board also approved an adjustment to the FY24 salary scale for Grade 13.

The Board approved job descriptions for the following newly created positions: Elder Services Program Coordinator with placement on the Salary Schedule at Grade 6; Assistant Town Engineer with placement on the Salary Schedule at Grade 10; Social Worker Opioid Program Coordinator with placement on the Salary Schedule at Grade 6; Assistant Water Superintendent with placement on the Salary Schedule at Grade 11; and Bowling Alley Manager with placement on the Seasonal Salary Schedule at \$21 per hour.

The Board further approved the following hiring requests: Assistant Water Superintendent at Grade 11, Step 3 of the Salary Schedule and granted the Assistant Water Superintendent one extra week of

vacation; the Assistant Town Engineer Grade 10, Step 3 of the Salary Schedule; the Conservation Officer at Grade 10, Step 5 of the Salary Schedule and granted the Conservation Officer one extra week of vacation; the Program Coordinator at Grade 6, Step 3 of the Salary Schedule and granted the Program Coordinator one extra week of vacation; the GIS Coordinator at Grade 9, Step 3 of the Salary Schedule; and the placement of the Interim Assistant Conservation Officer on the Salary Schedule at Grade 6, Step 4.

The Personnel Board also approved revisions to the job descriptions of the Public Health Nurse, Health Agent, the Conservation Officer, the Golf Course Equipment Manager and the Veteran’s Services Administrative Assistant.

The Personnel Board granted sick leave extensions for two employees, approved eligibility of education incentive pay to two Police Officers commensurate with their level of education and credited one Firefighter for past work experience.

RECOMMENDATIONS FOR CHANGES TO THE PERSONNEL BY-LAW

The Personnel Board recommends that the Town, at the 2024 Annual Town Meeting, amend the Personnel By-Law, effective July 1, 2024, so that, as amended and restated, it will be in the form on file in the Town Clerk’s office immediately preceding Town Meeting.

To amend Section 14 a and c of the Personnel By-Law to read in its entirety as follows:

- a. Effective January 1, 2025, annual vacation with pay will be granted in each calendar year after the periods of continuous full-time employment set forth below. Part-time employees who regularly work at least fifteen (15) hours per week in a permanent position shall be entitled to an amount of vacation with pay in the ratio that their part-time employment bears to full-time employment.

Vacation time will be credited to each employee annually on January 1; however, when an employee reaches an employment milestone that triggers an increase in vacation time as set forth below, the additional week of vacation will be granted on the employee’s anniversary date. Employees who negotiate to enter into the vacation schedule with more than three weeks of vacation would accelerate through the schedule with the minimal years of service as indicated in that range.

<u>Continuous Full-Time Employment</u>	<u>Length of Vacation</u>
Within first calendar year _____	1.25 days for each month worked, granted following 90-day introductory period
1 year up to 5 years _____	3 weeks
5 years up to 20 years _____	4 weeks
20 years and over _____	5 weeks

- c. The Personnel Board is authorized to approve vacation days in excess of those specified, not to exceed 25 in total, to facilitate the employment negotiations.

THE PERSONNEL BOARD
 David Pace, Chair
 Lynn Carroll
 Karen Johnson
 Jack Manning
 Courtney Orwig

REPORT OF THE PLANNING BOARD

The Warrant for the 2024 Hingham Annual Town Meeting contains eleven proposed amendments to the Hingham Zoning By-Law. The Planning Board initiated ten of these Articles and the Select Board initiated one Article. The proposed amendments broadly fall into three categories: state-mandated changes, locally-identified changes, and corrective changes.

The report of the Planning Board, submitted in accordance with MGL Chapter 40A, Section 5, is set forth below. The full text of each Article and the Comments and Recommended Motions of the Advisory Committee can be found in the body of the Warrant.

ZONING ARTICLE 28: Personal Wireless Service Facilities

The intent of this Article is to encourage improved wireless service throughout the Town by expanding the allowed types and locations of Personal Wireless Services Facilities. The zoning amendment was proposed in an effort to address a locally-identified need for better connectivity.

The Article would create a new definition and allowances for small cell wireless facilities to be located within or on non-residential host structures in all zoning districts. The Article also newly allows cell towers to be located in the Official and Open Space District and clarifies that cell towers are permitted in the Personal Wireless Services Overlay District. Properties in both of these districts primarily consist of Town-owned land.

The Planning Board voted unanimously to recommend adoption of this Article with a minor correction to the definition of Small Cell Facility. The Advisory Committee also unanimously recommended adoption with additional changes to the definition and permitting procedure that are found in the Recommended Motion.

ZONING ARTICLE 30: Update of Floodplain Map References and Regulations

The intent of this Article is to revise the map references and the associated zoning map for the Floodplain Protection Overlay District to incorporate revisions on the Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency for the Charles Watershed.

FEMA issued its Final Determination for the Charles Watershed FIRM in January 2024. Federal and state regulations require the Town to adopt the revised maps and update the corresponding language in the Zoning By-Law within six months, or prior to July 3, 2024, in order to remain in compliance with the National Flood Insurance Program (NFIP). The Article would update the references and effective dates for eleven of the sixteen panels that are located wholly or partially in the Town. These updates are reflected in text under Section III-C.2 of the Zoning By-Law and graphically on the "Zoning Part B: Floodplain Protection Overlay District" map.

Additionally, the Massachusetts Flood Hazard Management Program, which coordinates the NFIP for the entire state, requires communities to adopt regulations consistent with its model floodplain bylaw. The remaining updates to the text of Section III-C of the Zoning By-Law reflect the required language. The amendment also restructures the Section to be more consistent with the format of other special regulations in the Zoning By-Law.

The updates proposed by this zoning amendment are necessary for the Town to remain in compliance with the NFIP and thus to make federal flood insurance available to affected property owners.

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of this Article as revised through the public hearing process and reflected in the

Advisory Committee's Recommended Motion. The Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 31: Groundwater Protection Overlay District

The intent of this Article is to replace the existing Accord Pond Watershed and Hingham Aquifer Protection District under Section III-D of the associated zoning map with a new "Groundwater Protection Overlay District" and related boundaries as required by the Massachusetts Department of Environmental Protection's (MassDEP) Wellhead Protection Regulations, 310 CMR 22.21(2).

The changes proposed by this Article are necessary for the Town to remain in compliance with MassDEP regulations. The updated zoning controls, which are largely based on the state model groundwater bylaw, will protect the recharge areas to public drinking water wells from potential contaminants and pollution. Prohibited uses within the new Groundwater Protection Overlay District include those that could introduce hazardous materials into the aquifer. These include landfills, junkyards, facilities that store commercial fertilizer, and the like.

The protected recharge area, designated as Zone II, is graphically represented on a plan entitled "Hingham Public Water Supply Wells", with MassDEP Approval: 9/1998. The Zone II bounds will replace the current bounds of the "Accord Pond Watershed and Hingham Aquifer Protection Overlay District" on the "Zoning Map Part A".

The Planning Board voted unanimously to recommend adoption of this Article. With some corrective references incorporated into the Recommended Motion, the Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 32: Brew Pub, Brewery, Winery, or Distillery Use

The intent of the Article is to create a new use for brew pubs, breweries, wineries, and distilleries that would be allowed under Section III-A by special permit in the Business A, Business B, and Industrial Park Districts. Each of these businesses would be permitted to both produce and serve alcoholic beverages in the identified commercial zoning districts, subject to receipt of applicable liquor licenses required by state law. As proposed under a new subset of Use 4.18, these uses may also include beer gardens, tasting areas, and food or other beverage services.

The amendment designates the Zoning Board of Appeals as the special permit granting authority for the use. Under the Zoning By-Law, brew pubs, breweries, wineries, and distilleries would also require both a site plan approval and a parking determination from the Planning Board in order to operate in the designated districts. The Boards consider these types of applications through noticed public hearings. Finally, the state and/or Select Board must issue certain licenses for any of the proposed uses to operate in the designated zoning districts.

The Planning Board viewed this Article as generally consistent with the Master Plan, which includes an economic development goal to "Support local businesses and attract new enterprises that provide employment and deliver goods and services to residents and visitors alike." Members noted that similar establishments have successfully located in other nearby communities with no negative impacts reported.

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted 4-1 to recommend adoption of this Article as revised through the public hearing process and reflected in the Recommended Motion. The Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 33: Electric Vehicle Charging Parking Requirements

The intent of this Article is to update provisions of Section V-A Off-Street Parking Requirements to clarify that Electric Vehicle (EV) Charging requirements are only applicable to new or reconstructed parking lots that meet minimum size requirements.

Town Meeting amended the Zoning By-Law in 2023 to newly require installation of EV charging stations and related infrastructure for parking lots containing twenty (20) or more parking spaces. The Recommended Motion as printed in the 2023 Warrant did not include a clarification recommended by the Planning Board during the public hearing process and supported by the Advisory Committee in its Comment. This Article updates the Zoning By-Law in a manner consistent with the recommendations of the Planning Board and Advisory Committee in 2023 such that EV charging standards would apply only to newly constructed or redeveloped parking lots. As such, this Article represents a cleanup of a previously approved zoning amendment.

The Planning Board viewed this Article, both last year and this year, to be consistent with the 2021 Hingham Master Plan, which includes the following Policy Recommendation: “Consider an addition to the Zoning By-Law to require EV charging stations at commercial developments.”

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of this Article. The Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 34: MBTA Communities Multifamily Housing

The intent of this Article is to create regulations that would allow multifamily development by-right within a new overlay district, as required by Section 3A of the Zoning Act. Enacted in 2021, Section 3A now requires that an MBTA community shall have at least one zoning district of reasonable size in which multifamily housing is permitted as of right. Failure to comply with the law would make the Town ineligible for certain discretionary state funding programs.

The Executive Office of Housing and Livable Communities (EOHLC) issued Final Compliance Guidelines in August 2022. The Guidelines include a number of additional state requirements for MBTA Communities, many of which relate to size. As applied to Hingham, the required district must consist of at least 50 acres of land and create a zoning capacity for 1,490 multifamily units. The majority of the district must be located within ½ mile of a public transit, which includes both commuter rail stations and the ferry terminal, but up to twenty-five percent (25%) of the overall district can be located anywhere in town. Finally, half of the overall district must be contiguous and no other portion may be less than five (5) acres in size.

The state also imposed certain milestones for MBTA Communities to achieve interim and final compliance with the law. Hingham is presently in interim compliance, which means the Town presently remains eligible for discretionary state funding. The Guidelines established a final compliance deadline for all MBTA Communities based on their type of transit category. As a designated Commuter Rail Community, Town Meeting must adopt by-right multifamily zoning by December 31, 2024. The EOHLC must also approve the Town’s final compliance application, including the zoning regulations, map, and compliance model, by the end of the year in order to achieve final compliance and remain eligible for discretionary state funding.

The Planning Board discussed the state requirements and potential effect of noncompliance during five (5) public meetings between early 2022 and the middle of 2023. Three of those five public meetings were held jointly with and hosted by the Select Board. After collectively agreeing to the proposed district location, the Planning Board held three (3) additional public meetings in the Fall of 2023 to review draft

regulations. The Board voted to initiate the zoning amendment as represented in Article 34 prior to the December 1st deadline for consideration by Annual Town Meeting.

As required by Section 5 of the Zoning Act, the Planning Board reviewed the Article through a public hearing process that commenced in January 2024. The Board held six (6) separate sessions of the hearing that extended into March. A significant number of interested residents participated in the Planning Board hearings. The Board also received more than 30 written comments on the Article from members of the public. This input led the Board to 1.) initiate a second MBTA Communities Multifamily Housing zoning article that proposed an alternate location for a portion of the originally proposed overlay district and 2.) consider refinements to the originally proposed regulations. Both actions were intended to address concerns raised by neighbors to a particular sub-district included in the original Article. After considerable discussion during two additional public hearings, the Board voted to withdraw the alternate location from consideration by Town Meeting. The alternate article does not appear in the Warrant.

The following is a broad summary of the proposed Multifamily Overlay District as reflected in the Recommended Motion.

District Location: The Recommended Motion identifies all properties to be located in the overlay district by Assessors Map and Lot. Much of the proposed overlay district is located in the Hingham Shipyard Ferry terminal area, where a large number of multifamily housing units have already been permitted. While these developments were approved either by special permit or comprehensive permit, and not by-right, they are located near public transit and other public amenities, including retail services, restaurants, and recreational opportunities. The parcels located within ½ mile of the Ferry are: Hewitts Landing Condominium, 319 Lincoln Street, 111 Fitzroy Drive, 152 Shipyard Drive, and 350 Beal Street. A small portion of the overlay district is located off of French Street between the East Weymouth and West Hingham Commuter Rail Stations. That land is presently being used as a nonconforming contractors yard where the underlying zoning is Residence B District. It qualifies under the 25% allowed non-station area, though it is sited approximately 0.6 miles from the East Weymouth Commuter Rail Station and the Jackson Square commercial district and adjacent to the More-Brewer Park.

The Multifamily Overlay District, which consists of approximately 50 acres of developable land, will be graphically represented on a new Zoning Map Part C.

Dimensional Requirements and Development Standards: As revised through the public hearing process, the Multifamily Overlay District contains five (5) sub-districts that regulate various dimensional and development standards. Sub-districts 1-4 are located in the Ferry transit area and allow for all forms of permitted Multifamily Housing at densities of between 15 and 42 units per acre. Sub-district 5, which is located on French Street, allows only Two-Family Dwellings and smaller forms of multifamily dwellings in a Town House style at a maximum density of 8 units per acre.

Permit Process: Properties within the overlay district do not have to be developed or redeveloped for Multifamily Housing. Owners can continue the uses existing today pursuant to previously granted permits or operate new uses otherwise allowed in the underlying zoning district.

Alternately, owners may develop Multifamily Housing within the overlay district. These developments will still require Site Plan Approval from the Planning Board prior to issuance of a building permit. Site Plan Review includes a number of performance standards and applications are considered by the Board during noticed public hearings. Development or redevelopment also requires compliance with all zoning regulations. Approvals under non-zoning regulations,

including those of the local Board of Health and Conservation Commission, are also required, unlike potential 40B developments permitted under a comprehensive permit.

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of this Article as revised through the public hearing process and reflected in the Advisory Committee's Recommended Motion. The Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 35: South Shore Country Club Zoning District

The intent of this article is to amend the Zoning Map of the Town of Hingham to rezone the parcel of land shown as "Country Club Road" on a plan recorded at the Plymouth County Registry of Deeds in Plan Book 30, Page 619 from "Residence District D" to "Business Recreation District".

The proposed amendment would confirm that the entirety of the South Shore Country Club is located in the Business Recreation District, as was the expressed intent of a 2004 zoning article to remove the property shown as Assessors Map 70, Lot 14 from the Residence D District. This Article would simply cleanup the differences between the local references and legal references in the 2004 Town Meeting vote by including a previously omitted description for a small portion of the South Shore Country Club property.

The full text of the Recommended Motion is found in the Warrant. The Select Board voted unanimously to initiate the Article for consideration at Annual Town Meeting. The Planning Board voted unanimously to recommend adoption of this Article as revised through the public hearing process and reflected in the Advisory Committee's Recommended Motion. The Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 36: Abandonment or Discontinuance of Nonconforming Conditions

The intent of this Article is to more clearly regulate under Section III-I the reestablishment of discontinued or abandoned nonconforming buildings or structures.

The proposed amendment would clarify that a conforming single-family or two-family dwelling use could be reestablished in an existing nonconforming building that has been discontinued for two years or more. The original Article proposed that this allowance would be considered through a special permit hearing process; however, the Planning Board decided to recommend that the current by-right allowance, which is administered through a building permit process, be maintained.

The amendment would also newly allow by special permit the reconstruction of a nonconforming single-family dwelling that has been abandoned through demolition, provided the reconstruction meets certain time and dimensional parameters. The same time parameters would also newly apply to the reestablishment of existing, dimensionally nonconforming buildings for permitted uses other than single-family or two-family dwellings.

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of this Article as revised through the public hearing process and reflected in the Advisory Committee's Recommended Motion. The Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 37: Special Requirements in the Official and Open Space District

This Article would remove certain special requirements applicable to the Official and Open Space District that require structures and other improvements, such as parking areas and septic systems, to be located 50 to 100 feet from a residential district. Structures would still have to comply with the otherwise effective

40-foot setback that is measured from a property line, which is otherwise applicable in the District. Other special requirements in the Zoning By-Law govern setbacks and visual buffers to parking areas. The locations of septic systems are regulated already through Board of Health regulations.

The Article also proposed an exemption under the definition of "Structure" for certain recreational improvements, including but not limited to basketball hoops, goal posts, backstops, and field lighting, provided the improvement is located not closer than 15-feet from a property line. As revised during the Planning Board public hearing, the exemption would eliminate the need to seek a variance from the Zoning Board of Appeals for two types of recreational improvements in the Official and Open Space District. The first group of exemptions for recreational uses includes safety improvements, such as backstops, fencing, and safety netting. The second group includes playground equipment, basketball hoops, goal posts, and field lighting, but is limited to existing recreational uses. Both exemptions require that the improvements are located not closer than fifteen (15) feet from a property line.

The Official and Open Space District primarily consists of Town-owned land. The Planning Board viewed the Article as generally supportive of the publicly expressed goals of the 2020 Comprehensive Athletic Field and Outdoor Court Study and 2021 Hingham Master Plan.

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of this Article as revised through the public hearing process and reflected in the Advisory Committee's Recommended Motion. The Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 38: Maximum Height in the Harbor Overlay District

This Article would eliminate the requirement that the height of buildings in the Hingham Harbor Overlay District be measured from the Pre-Construction Grade rather than the Finished Grade. It would also allow space located between the maximum wall height of 20-feet and maximum roof peak height of 28-feet of a building to be occupied.

Section III-H of the Zoning By-Law regulates certain dimensions for properties located within the Harbor Overlay District in a manner that is different than the requirements applicable in the underlying districts. The height requirements in particular, when combined with certain federal and state imposed building codes for construction in a floodplain, limit the practical use of properties in the Harbor Overlay District. The proposed amendment would make building height measurements in the overlay district more consistent with other districts. This regulatory change is recommended in anticipation of many of the wharf properties being elevated to improve flood resiliency along the inner harbor.

The Planning Board viewed this Article as generally consistent with the 2021 Hingham Master Plan, which includes the following goals: "Enhance public access to the harbor and its amenities while protecting the coastline" and "Redesign and restore the wharves and related harbor infrastructure to be more resilient in the face of projected sea-level rise".

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of this Article. The Advisory Committee also unanimously recommended adoption.

ZONING ARTICLE 39: Update to Nursing Home Use

The intent of this Article is to broaden the existing "nursing home" use under Section III-A,3.8B to (1) include a specific reference to "assisted living facilities" and (2) provide for the care of both disabled and elderly persons. The Article updates the existing use in a manner that is more consistent not just with both current industry terminology, but also community needs. The amendment supports stated recommendations of the 2021 Hingham Master Plan that encourages the creation of housing

appropriately designed, managed, and located for older adults and people with disabilities and the 2021 Housing Plan.

The full text of the Recommended Motion is found in the Warrant. The Planning Board voted unanimously to recommend adoption of this Article. The Advisory Committee also unanimously recommended adoption.

Full text of the proposed Articles and recommendations of the Planning Board are attached for review by the public in the Office of the Town Clerk and the Community Planning Department. Materials are also available to view online at <https://www.hingham-ma.gov/679/Proposed-By-Law-Amendments>.

HINGHAM PLANNING BOARD

Kevin Ellis, Chair

Gordon Carr

Rita DaSilva

Tracy Shriver

Gary Tondorf-Dick

REPORT OF THE SCHOOL COMMITTEE

The 2023-2024 school year was a year of great accomplishments and continued progress. We were honored to celebrate the many athletic accomplishments of our high school athletes on the field, our artists, whether on stage or in the art studio, and, of course, the continued growth of our students in the classroom every day. These achievements can only be attributed to the support and dedication of our staff every day in our schools and the unwavering support of our families and community.

Strategic Plan

During the 2023-2024 school year, the Hingham Public Schools continued with its second year of a three-year strategic plan. We strengthened partnerships between home, school, and community through effective two-way communication to ensure an inclusive culture and a sense of belonging. Through culturally responsive teaching and learning, we have worked to ensure student success through aligned, high-quality PK-12+ curriculum, innovative research-based practices, and data-informed instruction. Our work to support healthy, equitable, and inclusive communities includes continued conversations about how we best meet the social emotional, behavioral health, and mental health needs of our students. The strategic plan continues our efforts toward allocating funding to support the provision of effective, safe, and modern facilities and adequate resources to enhance the student experience. Our efforts to recruit, develop, and empower a diverse staff to lead courageously in teaching and learning continue.

New Elementary School Building Project

The Foster Elementary School community is excited to see the new school-building project coming together. The new building is expected to be completed in the fall of 2024. In September 2024, while students move from the old building to the new school, the project will move to the front of the school with the demolition of the old Foster Elementary School building and the completion of parking and access roads to the building.

Budget

In the spring of 2023, the town approved an operational override of \$7.9 million that supported the implementation of a level services budget for the 2023-2024 school year. As part of the override discussions, the School Committee, Advisory, and Select Board developed a Memorandum of Understanding that capped future spending for the FY25-FY28 to an overall 3.5% increase. Based on this agreement, the town will allocate \$68,003,625 for the FY25 budget to the schools, representing a 3.5% increase from FY24.

As part of the budget planning for FY25, we have identified an approximate 2.6 million dollar deficit. Of the \$2.6 million, \$1,438,355 is due to increased special education costs, including out-of-district special education tuition and specialized contracted services. The Memorandum of Understanding with the town allows the schools to request increased funding for special education costs above a 2% threshold. The remaining \$1.2 million of the deficit is due to the district's obligations to several budget drivers, including meeting the contractual agreements with our employees, utilities, and increases in substitute costs.

The FY25 budget cycle is impacted by several significant factors that are leading to increased costs. The district's personnel costs are increasing. As the district continues to negotiate with several of its employee unions, it must meet its contractual obligations to its employees. The district is experiencing increased costs, including natural gas, fuel, and electricity. We continue to experience increased student needs due to the pandemic and other societal pressures. Most significantly, we see an increased need in students' social-emotional learning and behavioral needs. These needs require additional staffing and contractual services to meet our students' increased needs. In addition, out-of-district special education tuition also increased.

Thorough the budget processt, the district developed our priorities, including continuing the three-year strategic plan. The strategic plan outlines goals to create and sustain a school system that continuously improves teaching and learning so that our students can realize academic, social-emotional, and personal success. The following are additional priorities established by the Leadership Team in the development of the budget:

- Provide systems, structures, and programs in the Student Services Department in collaboration with efforts to strengthen MTSS, which addresses diverse social-emotional, behavioral health, and academic needs.
- Strengthen tiered support systems for social-emotional learning and academics through staffing, schedules, professional development, high-quality instruction, and curriculum to support all students' wellness, mental health, and academic needs.
- Promote and support strategic initiatives through aligned, relevant professional development. Continue advancing educator capacity to employ best practices, including Universal Design for Learning and implementing high-quality tiered curriculum and wellness supports.
- Provide access to safe, welcoming, and well-maintained facilities with reliable, high-quality technology to create a learning environment that supports students' academic and social-emotional development.

As always, Hingham Public Schools benefited from strong and longstanding community partnerships. The cooperative efforts, volunteerism, and generosity of parents, PTOs, boosters, community groups, civic organizations, SEPAC, the Hingham Education Foundation, the Hingham Sports Partnership, and the Hingham Arts Alliance have again supported the School Department in supporting its mission and achieving goals. Myriad graduation scholarships and awards are presented yearly in recognition of students' outstanding performance in academic areas or involvement in school organizations. The School Department and the School Committee gratefully acknowledge and appreciate the many community efforts that enhance the valued facilities, programs, and activities of the Hingham Public Schools.

The School Committee and HPS staff appreciate the citizens and voters of the town for their ongoing support and financing of annual education budgets and facility enhancement projects. Equally important to students of all ages is Hingham residents' support for school activities, student performances, and other achievements.

Superintendent of Schools, Dr. Margaret Adams

HINGHAM SCHOOL COMMITTEE

Nes Correnti, Chair

Michelle Ayer, Vice Chair

Jen Benham, Secretary

Alyson Anderson

Matthew Cosman

Tim Miller-Dempsey

Kerry Ni

Alex Doggett, Student Representative

Slater Fairfield, Student Representative

MUNICIPAL FINANCE TERMS

APPROPRIATION - An authorization by the Town Meeting to make obligations and payments from the treasury for a specific purpose.

ASSESSED VALUATION - A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

CAPITAL BUDGET - A plan of proposed capital outlays and the means of financing them for the current fiscal period.

CHERRY SHEET - A form showing all state and county charges and reimbursements to the Town as certified by the Massachusetts Department of Revenue.

DEBT SERVICE - Payment of interest and repayment of principal to holders of the Town's debt instruments.

FISCAL YEAR - A 12-month period, commencing on July 1, to which the annual budget applies.

FUND BALANCE - The unencumbered cash remaining in a fund at the end of a specified time period, usually the end of the fiscal year.

GENERAL FUND - The major Town-owned fund which is created with Town receipts and which is charged with expenditures payable from such revenues.

GRANT - A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the State and Federal government. Grants are usually made for specific purposes.

LINE-ITEM BUDGET - A format of budgeting which organizes costs by type of expenditure such as expenses, equipment, and salaries.

OVERLAY - The overlay is the amount raised by the Assessors to be used for potential abatement of property taxes. The Overlay Surplus is the portion of each year's overlay account no longer required to cover property tax abatements.

OVERRIDE - An override is a voter-approved, permanent property tax increase. It is designed to provide a community with the ability to generate sufficient revenues to fund recurring costs that are likely to continue into the future, such as annual operating expenses for educational and municipal services.

PROPERTY TAX LEVY - The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed "per thousand dollars" of assessed valuation.

RESERVE FUND - Money set aside by Town Meeting to be allocated by the Advisory Committee for extraordinary or unforeseen expenditures.



TALENT BANK APPLICATION

Select Board
Town Hall
210 Central Street
Hingham, MA 02043-2757
781-741-1451 • 781-741-1454 (Fax)

Date _____

Name _____

Home
Address _____

Business
Address _____

Telephone _____ (home) _____ (business)

Fax _____

E-mail _____

Occupation _____

Educational Background _____

Civic, Charitable, and Educational Activities

Town Committees or Offices _____

I am interested in the following Committees _____

NOTES

Office of the Select Board
Town Hall
210 Central Street
Hingham, MA 02043-2757

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