

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF OXFORD  
ANNUAL TOWN MEETING WARRANT

WORCESTER, SS.

To either of the Constables of the Town of Oxford in the County of Worcester      **GREETING.**

**ANNUAL TOWN MEETING WARRANT**

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Town affairs to meet at the Oxford High School, 100 Carbuncle Drive in said Oxford on **Wednesday, May 5, 2021 at 7:00 p.m.**, then and there to act on the following articles:

**ARTICLE 1.** To hear the reports of any Town Officers or Committees.

**ARTICLE 2.** To see if the Town will vote to raise by taxation or transfer from available funds and appropriate a sum of money to pay unpaid bills of a prior fiscal year; or act thereon.

Sponsored by the Town Manager

**ARTICLE 3.** To see if the Town will vote to transfer from available funds and appropriate a sum of money to meet the State's share of the cost for Town roadway maintenance and repair, such amount to be reimbursed by the Commonwealth of Massachusetts as State Highway Aid (Fiscal Year 2022 Chapter 90 Apportionment); or act thereon.

Sponsored by the Town Manager

**ARTICLE 4.** To see if the Town will vote pursuant to Massachusetts General Laws Chapter 44, §53E 1/2 to establish the fiscal year 2022 spending limits for the following revolving fund established in the Oxford General By-Laws CHAPTER SEVENTY-THREE, Revolving Funds, as follows:

**Wiring Inspector Fees:** One Hundred Thousand Dollars (\$100,000.00)

**Plumbing Inspector Fees:** Sixty Thousand Dollars (\$60,000.00)

**Gas Inspector Fees:** Twenty Thousand Dollars (\$20,000.00)

**Building Inspector Fees:** One Hundred Thousand Dollars (\$100,000.00)

**Sealer of Weights and Measures:** Ten Thousand Dollars (\$10,000.00)

**Utilities:** Four Hundred Thousand Dollars (\$400,000.00)

**Animal Control:** Fifty Thousand Dollars (\$50,000.00)

**Board of Health:** Sixty Thousand Dollars (\$60,000.00)

or act thereon.

Sponsored by the Town Manager

**ARTICLE 5.** To see if the Town will vote to authorize the Superintendent of the Oxford Public Schools, with the approval of the Oxford Board of Selectmen, to enter into contracts with the Department of Children and Families, the Executive Office of Health and Human Services, and the Department of Elementary and Secondary Education, in order to obtain Federal Title IV-E reimbursement(s) for foster care transportation and to provide that payments for such foster care transportation under such contracts may be made from such reimbursement(s) as a result of the foster care transportation being performed without appropriation of said reimbursement(s), pursuant to MGL Chapter 44, Section 70; or act thereon.

Sponsored by the Oxford School Committee

**ARTICLE 6.** To see if the Town will vote to accept the provisions of MGL Chapter 200A, Section 9A, "Disposition of abandoned funds by city or town; notice of period during which funds may be claimed; city treasurer to hear claims; appeal; disbursement", regarding the disposition of abandoned funds held in the custody of the Town; or act thereon.

Sponsored by the Town Manager

**ARTICLE 7.** To see if the Town will vote to amend the Town's General Bylaws, ARTICLE SEVENTY-THREE, Revolving funds, by deleting from the chart of revolving funds contained therein the row entitled "Tax Title Collection" in its entirety; or act thereon.

Sponsored by the Town Manager

**ARTICLE 8.** To see if the Town will vote to transfer from available funds as a result of the TNC Per-Ride Assessment and appropriate a sum of money to for design, construction, and installation of traffic signage and pavement markings, including any incidental and related expenses; or act thereon.

Sponsored by the Town Manager

**ARTICLE 9.** To see if the Town will vote to raise by taxation or transfer from available funds and appropriate a sum of money to the Compensated Absence Fund, any vote under this article to take effect upon adoption; or act thereon.

Sponsored by the Town Manager

**ARTICLE 10.** To see if the Town will vote to raise by taxation or transfer from available funds and appropriate a sum of money to the Stabilization Fund, for Fiscal Year 2022; or act thereon.

Sponsored by the Town Manager

**ARTICLE 11.** To see if the Town will vote to raise by taxation or transfer from available funds and appropriate a sum of money to the Other Post Employment Benefits (OPEB) Liability Trust Fund, for Fiscal Year 2022; or act thereon.

Sponsored by the Town Manager

**ARTICLE 12.** To see if the Town will vote to transfer from the unexpended balance of the appropriation made by the vote taken under Article 8 of the May 3, 2017, Annual Town Meeting for splash pad irrigation, the sum of Forty-Five Thousand One Hundred Thirty-Seven Dollars and Eighty-Eight Cents (\$45,137.88), to be used for irrigation on Town owned property under the direction of the Department of Public Works, including any incidental and related expenses; or act thereon.

Sponsored by the Town Manager

**ARTICLE 13.** To see if the Town will vote to transfer from the unexpended balance of the appropriation made by the vote taken under Article 10 of the May 1, 2019, Annual Town Meeting for streetlights, the sum of Fifty Thousand Dollars (\$50,000.00), to be used for the purchase and installation of paving the Carbuncle Beach parking lot under the direction of the Department of Public Works, including any incidental and related expenses; or act thereon.

Sponsored by the Town Manager

**ARTICLE 14.** To see if the Town will vote to authorize the Board of Selectmen to enter into a lease purchasing financing agreement in accordance with the provisions of Massachusetts General Laws Chapter 44,§21C to acquire and equip a Ford F-550 with chipper body and plow for the Department of Public Works for a term of more than three years and up to the useful life of said equipment, the funding of the first year payment for such agreement having been provided within the Capital Outlay Program for FY21 as authorized by the vote taken under Article 12 of the June 25, 2020 Annual Town Meeting, any vote under this article to take effect upon adoption; or act thereon.

Sponsored by the Town Manager

**ARTICLE 15.** To see if the Town will vote to raise by taxation or transfer from Free Cash a sum of money for the FY22 payment of the lease authorized in Article 3 of the October 7, 2020 Special Town Meeting and Article 14 of the May 5, 2021 Annual Town Meeting; or act thereon.

Sponsored by the Town Manager

**ARTICLE 16.** To determine what sums of money the Town will raise by taxation or transfer from available funds and appropriate to defray charges and expenses of the Town, including debt and interest, for the fiscal year beginning July 1, 2021 (Fiscal Year 2022); or act thereon.

Sponsored by the Town Manager

**ARTICLE 17.** To see if the Town will vote to raise by taxation or transfer from available funds or borrow and authorize the Town Treasurer, with the approval of the Board of Selectmen, to issue a note or notes and/or bond or bonds and appropriate a sum of money for the Capital Outlay Program for Fiscal Year 2022, including any incidental and related expenses; or act thereon.

Sponsored by the Town Manager

**ARTICLE 18.** To see if the Town will vote to amend the Oxford General By-Laws Chapter FORTY-THREE, by replacing the Title “BOATING” with the Title “POND USE” and by amending Section 1 by inserting the following sentence at the end thereof: “No person shall operate a motor boat, vehicle, or other equipment on Carbuncle Pond with a gasoline or diesel engine.”

Or act thereon.

Sponsored by the Conservation Commission

**ARTICLE 19.** To see if the Town will vote to amend the Oxford General By-Laws, by deleting Chapters SIXTY-SIX and SIXTY-SEVEN in their entirety and inserting the new Chapter SIXTY-SIX as follows:

## CHAPTER SIXTY-SIX STORMWATER MANAGEMENT AND LAND DISTURBANCE

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#### Section 1. Purpose and Objective

1.01 The purpose of this by-law is to protect public health, safety, general welfare, and the environment by controlling the adverse effects of construction site stormwater runoff and post-construction runoff. Stormwater runoff can be a major cause of:

1. Impairment of water quality and flow in lakes, ponds, streams, rivers, coastal waters, wetlands, groundwater and drinking water supplies;
2. Contamination of drinking water supplies;
3. Contamination of downstream coastal areas;
4. Alteration or destruction of aquatic and wildlife habitat;
5. Overloading or clogging of municipal stormwater management systems; and
6. Flooding.

1.02 The objectives of this by-law are to:

1. Protect water resources;

2. Comply with state and federal statutes and regulations relating to stormwater discharges including total maximum daily load requirements and with the General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems in Massachusetts, issued by the U.S. Environmental Protection Agency and the Massachusetts Department of Environmental Protection (“MS4 Permit”);
3. Prevent and reduce pollutants from entering the municipal separate storm sewer system (MS4);
4. Establish minimum construction and post construction stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
5. Establish provisions for the long-term responsibility for, and maintenance of, structural stormwater control facilities and nonstructural stormwater best management practices to ensure that they continue to function as designed, and pose no threat to public safety; and
6. Recognize the Town of Oxford’s legal authority to ensure compliance with the provisions of this by-law through inspection, monitoring, and enforcement.

## Section 2. Definitions

Unless a different definition is expressly stated in a different section of this by-law, the following definitions and provisions shall apply throughout this by-law:

**ABUTTER:** The owner(s) of land within one hundred (100) feet of the activity.

**ADMINISTRATIVE LAND DISTURBANCE APPROVAL:** Review and approval by the Stormwater Authority of a land disturbance activity that does not require a Land Disturbance Permit because of its size and/or scope.

**ALTERATION OF DRAINAGE CHARACTERISTICS:** Any activity on an area of land that changes the water quality, force, direction, timing or location of runoff flowing from the area. Such changes include, but are not limited to: change from distributed runoff to confined or discrete discharge; change in the volume of runoff from the area; change in the peak rate of runoff from the area; and change in the recharge to groundwater on the area.

**APPLICANT:** Any person, individual, partnership, association, firm, company, corporation, trust, authority, agency, department, or political subdivision, of the Commonwealth or the Federal government, to the extent permitted by law, requesting a Land Disturbance Permit or Administrative Land Disturbance Approval.

**AS-BUILT DRAWING:** Drawings that completely record and document applicable aspects and features of conditions of a project following construction undertaken pursuant to Stormwater Management Plans approved as part of a Land Disturbance Permit and/or Administrative Land Disturbance Approval.

**BEST MANAGEMENT PRACTICE (BMP):** schedules of activities, practices (and prohibitions of practices), structures, vegetation, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to Waters of the Commonwealth. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, and/or drainage from raw material storage.

**CERTIFIED PROFESSIONAL IN EROSION AND SEDIMENT CONTROL (CPESC):** A certified specialist in soil erosion and sediment control. This certification program, sponsored by the Soil and Water Conservation Society in cooperation with the American Society of Agronomy, provides the public with evidence of professional qualifications.

**CLEAN WATER ACT:** The Federal Water Pollution Control Act (33 U.S.C. § 1251, *et seq.*) as hereafter amended.

**CLEARING:** Any activity that removes the vegetative surface cover from a site.

**COMMON PLAN OF DEVELOPMENT:** - A "larger common plan of development or sale" is a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one plan. For example, if a developer buys a 20-acre lot and builds roads, installs pipes, and runs electricity with the intention of constructing homes or other structures sometime in the future, this would be considered a larger common plan of development or sale. If the land is parceled off or sold, and construction occurs on plots that are less than one acre by separate, independent builders, this activity still would be subject to stormwater permitting requirements if the smaller plots were included on the original site plan.

**DISCHARGE OF POLLUTANTS:** The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system and/or into the Waters of the Commonwealth.

**EROSION:** The wearing away of the land surface by natural or artificial forces such as wind, water, ice, gravity, or vehicle traffic and the subsequent detachment and transportation of soil particles.

**EROSION AND SEDIMENTATION CONTROL PLAN:** A document containing narrative, drawings and details developed by a qualified professional engineer (PE) or a Certified Professional in Erosion and Sedimentation Control (CPESC), which includes best management practices, or equivalent measures designed to control surface runoff, erosion and sedimentation during pre-construction and construction related land disturbing activities.

**GRADING:** Changing the level or shape of the ground surface.

**GROUNDWATER:** Water beneath the surface of the ground.

**GRUBBING:** The act of clearing land surface by digging up roots and stumps.

**IMPERVIOUS SURFACE:** Any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include but is not limited to: roads, driveways, parking areas and other areas created using nonporous material; buildings, rooftops, structures, artificial turf and compacted gravel or soil.

**INFILTRATION:** The act of conveying surface water into the ground to permit groundwater recharge and the reduction of stormwater runoff from a project site.

**LAND DISTURBANCE PERMIT or LDP:** A permit issued by the Stormwater Authority pursuant to this by-law prior to commencement of Land Disturbing Activity.

**LAND DISTURBING ACTIVITY:** Any activity that causes a change in the position or location of soil, sand, rock, gravel, or similar earth material or causes any removal of vegetation, including tree and brush clearing; results in an increased amount of runoff or pollutants; measurably changes the ability of a ground surface to absorb waters; involves clearing, grading, or excavating, including grubbing; or results in an alteration of drainage characteristics of a site.

**LOW IMPACT DEVELOPMENT or LID:** Systems and practices that use or mimic natural processes resulting in the infiltration, evapotranspiration and/or use of stormwater. LID includes (1) environmentally sensitive site design approaches such as minimizing impervious surfaces, fitting the development to the terrain, preserving and capitalizing on natural drainage systems, and reproducing pre-development hydrologic conditions, and (2) stormwater management systems modeled after natural hydrologic features to manage rainfall at the source using decentralized micro-scale controls, such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements.

**MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM:** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the Town of Oxford.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT:** A permit issued by the EPA that authorizes the discharge of pollutants to Waters of the United States.

**NONPOINT SOURCE POLLUTION:** Pollution from many diffuse sources caused by rainfall or snowmelt moving over and through the ground. As the runoff moves, it picks up and carries away natural and man-made pollutants finally depositing them into a water resource area.

**OPERATION AND MAINTENANCE PLAN:** A plan setting up the functional, financial and organizational mechanisms for the ongoing operation and maintenance of a stormwater management system to ensure that it continues to function as designed.

**OWNER:** A person with a legal or equitable interest in property.

**PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.

**POINT SOURCE:** Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged.

**PRE-CONSTRUCTION:** All activity undertaken in preparation for construction.

**POLLUTANT:** dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, construction wastes and residues including discarded building materials, concrete truck wash out, chemicals, litter, and/or sanitary wastes and industrial, municipal and agricultural waste discharged into water.

**RECHARGE:** The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

**REDEVELOPMENT:** Development, rehabilitation, expansion, demolition, construction, land alteration, or phased projects that disturb the ground surface, including impervious surfaces, on previously developed sites.

**RUNOFF:** Rainfall, snowmelt, and/or irrigation water flowing over the ground surface.

**SEDIMENT:** Mineral or organic soil material that is transported by wind or water, from its origin to another location; the product of erosion processes.

**SEDIMENTATION:** The process or act of deposition of sediment.

**SITE:** The areal extent of construction activities, including but not limited to the creation of new impervious cover and/or improvement of existing impervious cover.

**SLOPE:** The incline of a ground surface expressed as a ratio of horizontal distance to vertical distance.

**SOIL:** Any earth, sand, rock, gravel, or similar material.

**STORMWATER AUTHORITY:** Planning Board or its authorized agent(s) except for projects requiring an Order of Conditions from the Conservation Commission in which case the Conservation Commission shall act as the Stormwater Authority.

**STORMWATER:** Stormwater runoff, snow melt runoff, and surface runoff and drainage.

**STORMWATER MANAGEMENT PLAN:** A document containing narrative, drawings, details and reporting requirements developed by a qualified professional engineer (PE), which describes structural and non-structural best management practices designed to control the discharge of pollutants from impervious surfaces and onsite activities as well as the volume and peak rate of surface runoff from a site on an ongoing basis after construction has been completed.

**TOTAL MAXIMUM DAILY LOAD or TMDL:** Section 303(d) of the Clean Water Act authorizes the EPA to assist states, territories and authorized tribes in listing impaired waters and developing Total Maximum Daily Loads (TMDLs) for these waterbodies. A TMDL establishes the maximum amount of a pollutant that a waterbody can accept and still meet water quality standards for protecting public health and maintaining the designated beneficial uses of those waters for drinking, swimming, recreation, and fishing. A TMDL includes Waste Load Allocations for point source discharges, Load Allocations for nonpoint sources and/or natural background, and must include a margin of safety and account for seasonal variations.

**WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

**WATERS OF THE COMMONWEALTH:** All waters within the jurisdiction of the Commonwealth, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, groundwater, and Waters of the United States as defined under the Federal Clean Water Act as hereafter amended.

### Section 3. Authority

This by-law is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution and the Massachusetts Home Rule Statute.

### Section 4. Applicability

- 4.01 This Bylaw shall apply to all construction activity and/or land disturbance that individually or as part of a Common Plan of Development resulting in disturbance of land in excess of the thresholds below.
  1. Administrative Land Disturbance Approval is required for projects disturbing between 1,000 square feet and 10,000 square feet where the slope of the disturbance area is 10% or greater;
  2. Administrative Land Disturbance Approval is required for projects disturbing between 10,000 square feet and one acre of land.
  3. A Land Disturbance Permit (LDP) is required for disturbance of one-acre or more of land.
  4. A Land Disturbance Permit (LDP) is required for the disturbance of more than 10,000 square feet of land where:
    - a. the proposed use is a land use of higher potential pollutant loads pursuant to the Massachusetts Stormwater Management Standards; or
    - b. the Stormwater Authority determines that an Administrative Land Disturbance Approval is not sufficient to address potential stormwater impacts from the proposed construction and/or land disturbing activity.
- 4.02 A LDP is required for all subdivisions regardless of size. The LDP issued for a subdivision shall also govern the development of individual lots.
- 4.03 This bylaw applies to all projects requiring an Earth Removal Special Permit or requiring Site Plan Review under Oxford Zoning By-law, regardless of area of land disturbance.
- 4.04 The following activities are exempt from the provisions of this Bylaw:

1. Maintenance of existing landscaping, gardens or lawn areas associated with a single-family dwelling conducted in such a way as not to cause a nuisance;
2. Construction of fencing that will not substantially alter existing terrain or drainage patterns;
3. Construction of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain or drainage patterns or result in discharge of sediment or other pollutants to the MS4 or, directly or indirectly, to a Watercourse or Waters of the Commonwealth;
4. Normal maintenance and improvement of land in agricultural or aquacultural use, as defined by the Massachusetts Wetland Protection Act regulations, 310 CMR 10.04.
5. Redevelopment activities that are exclusively limited to maintenance and improvement of existing public roadways (including widening less than a single lane, adding shoulders, correcting substandard intersections, improving existing drainage systems, and repaving projects) and that will improve existing conditions unless infeasible. Construction may not commence until issuance of EPA's approval of the NPDES Construction General Permit Notice of Intent and the final Stormwater Pollution Prevention Plan is posted at the site (if applicable), and best management practices are in place in accordance with the Massachusetts Stormwater Management Standard 8 related to construction related impacts. Roadway widening or improvements that increase the amount of impervious area on the redevelopment site by greater than or equal to a single lane width shall not be exempt.

4.05 Any person who fails to follow the requirements of an Administrative Land Disturbance Approval or a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, Stormwater Management Plan, and/or Operations and Maintenance Plan, shall be in violation of this by-law.

#### Section 5. Effective Date

This By-law adopted at the 2021 Oxford Annual Town Meeting will take effect after approval by the Office of the Attorney General and publication pursuant to G.L. c. 40, § 32. The amendments in this by-law shall not apply to projects that have obtained both a Land Disturbance Permit and a Stormwater Management Permit, for which a complete application is submitted to the Stormwater Authority by August 1, 2021, as long as the permitting process is not suspended for more than one year by the proponent and the project is not revised so significantly that the Stormwater Authority deems a new application to be necessary.

#### Section 6. Responsibility for Administration

6.01 The Oxford Planning Board (“Board”) shall administer, implement and enforce this by-law, with assistance from the Oxford Department of Public Works (DPW) as set forth herein. Any powers granted to or duties imposed upon the Board, except the power to hear appeals, may be delegated in writing by the Board to its employees or agents of the Town. For projects requiring an Order of Conditions from the Conservation Commission, the Conservation Commission shall administer, implement and enforce this bylaw with the assistance of the DPW or any other duly authorized agent.

6.02 The Conservation Commission shall, by authority of this By-Law, require documentation showing compliance with this By-law and regulations promulgated thereunder, in addition to other submission requirements of 310 CMR 10.00, *et seq.* Any Order of

Conditions issued shall incorporate by reference the requirements of the Administrative Land Disturbance Approval and/or LDP issued by the Conservation Commission.

## Section 7. Review of Permit

7.01 Application. An Administrative Land Disturbance Approval or Land Disturbance Permit must be obtained prior to the commencement of site preparation activities, including clearing of vegetation, construction activity, or land disturbance for which such a review or permit is required as set forth herein. An applicant seeking an Administrative Land Disturbance Approval and/or LDP shall file an appropriate application with the Stormwater Authority in a form and containing information as specified in this by-law and in regulations adopted by the Stormwater Authority.

7.02 Required submittals to obtain a Land Disturbance Permit shall include (without limitation) an Erosion and Sedimentation Control Plan, a Stormwater Management Plan, and an Operation and Maintenance Plan. The applicant must show that site design, construction site stormwater runoff control and post-construction stormwater management will meet the standards set by the Stormwater Authority in its regulations, rules and/or guidance, which shall be at least as stringent as the relevant requirements of the MS4 Permit and may also address relevant environmental considerations including (without limitation) protection of aquifers and sensitive water bodies, climate resilience, and prevention of flooding. The application must demonstrate that low impact development (LID) site planning and design strategies are being used to the maximum extent feasible.

7.03 A Land Disturbance Permit shall include measures to ensure adequate long-term operation and maintenance of stormwater management design features and BMPs. The Stormwater Authority may impose requirements including (without limitation) the following:

1. A requirement that funds for future operation and maintenance be set aside in a dedicated fund or escrow account;
2. A permanent permit condition requiring compliance with an Operation and Maintenance Plan;
3. A permanent permit condition requiring that the property owner submit an annual report or certification regarding operation and maintenance;
4. A requirement to record the Operation and Maintenance Plan (or notice thereof) at the Worcester County Registry of Deeds;
5. A requirement that a legal instrument be put in place establishing responsibility for operation and maintenance of a stormwater BMP serving more than one lot; and
6. A requirement that an easement be recorded allowing the Town to access the property to remedy any operational failure or maintenance problem.

7.04 Fees. Each application must be accompanied by the appropriate application fee as established by the Stormwater Authority. Applicants shall pay the application fee before the review process commences. The Stormwater Authority is authorized to retain a Registered Professional Engineer (PE) or other professional consultant to advise the Stormwater Authority on any or all aspects of the application and/or the project's compliance with conditions of an Administrative Land Disturbance Approval or LDP. The Stormwater Authority may require the applicant to pay reasonable costs to be incurred by the Stormwater Authority for the employment of outside consultants pursuant to Stormwater Authority regulations and as authorized by G.L. c. 44, § 53G.

7.05 Upon receipt of a complete application package at a regularly scheduled meeting of the Planning Board or Conservation Commission, the Board or Commission shall transmit one (1) copy of the completed application package to the DPW for review and comment

and file one (1) copy of the completed application package in the office of the Town Clerk. The date of the regularly scheduled meeting of the Board at which the completed application package is accepted shall become the date of receipt and the start date for all deadlines for action by the Board as set forth herein.

7.06 Public Hearing. The Planning Board or Conservation Commission shall, within twenty-one (21) days of receipt of a complete application for a LDP, hold a public hearing on the matter to allow comment from abutters, other boards and commissions and staff. The Board or Commission shall take final action on the application within sixty-five (65) days of the receipt of the complete application unless the time for action is extended by mutual written consent of the applicant and the Planning Board or Conservation Commission. Notice of the public hearing shall be given by publication in a newspaper of local circulation, by posting at the office of the Town Clerk, and by first-class mailings to abutters at least seven (7) days prior to the initial public hearing. The application and the Erosion and Sediment Control Plan shall be made available for inspection by the public during normal business hours at the Office of the Planning Board or the Office of the Conservation Commission, and the Office of the Town Clerk.

7.07 The applicant shall submit any additional information in response to all reasonable requests of the Stormwater Authority and/or any duly authorized representatives of the Stormwater Authority.

7.08 Action by the Stormwater Authority. Based upon the information received in a completed Administrative Land Disturbance Approval or LDP Application, at the public hearing (if applicable), and in response to any requests for additional information, the Board shall:

1. Approve the Application as submitted and issue a permit or approval but only upon a finding that the proposed plan will protect water resources and meets the purpose and requirements of this By-Law and regulations enacted hereunder;
2. Approve the Application and issue a permit or approval with conditions, modifications, and/or restrictions that the Board finds are required to ensure that the project will protect water resources and meet the purpose and requirements of this By-Law and regulations enacted hereunder;
3. Disapprove the Application and deny the permit or approval upon a finding that the proposed plan will not protect water resources or fails to meet the purpose and requirements of this By-Law and the regulations enacted hereunder.

The decision of the Board shall be final. Further relief shall be to a court of competent jurisdiction.

7.09 Project Changes. The permittee, or their agent, must notify the Stormwater Authority in writing of any change or alteration of a land-disturbing activity authorized in a Permit or Approval before any change or alteration occurs. If the Board determines that the change or alteration is significant, based on the design requirements listed in Section 7, the regulations enacted hereunder, and/or accepted construction practices, the Board may require that an amended Application be filed and a new public hearing held. If any change or alteration from the Administrative Land Disturbance Approval or LDP occurs during any land disturbing activities, the Board may require the installation of interim erosion and sedimentation control measures before approving the change or alteration as part of a formal application process.

## Section 8. Waivers

The Board may, where such action is allowed by law, and is in the public interest and not inconsistent with the purpose and intent of this By-Law, waive strict compliance with any requirement of this By-Law or the rules and regulations promulgated hereunder.

- 8.01 Any applicant may submit a written request for a waiver. Such request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the By-Law or rules and regulations will not further the purposes or intent of this By-Law.
- 8.02 All waiver requests shall be discussed and voted on at a public hearing for the project.
- 8.03 If in the opinion of the Board, additional time or information is required for review of a waiver request, the Board may continue a hearing to a date certain announced at the meeting. In the event the applicant objects to a continuance, or fails to provide requested information, the waiver request shall be denied.

## Section 9. Regulations

- 9.01 The Stormwater Authority may adopt, and may periodically amend, regulations, rules and/or written guidance relating to the terms, conditions, definitions, enforcement, fees, procedures and administration of this Stormwater Management by-law by majority vote after conducting a public hearing to receive comments. Failure of the Stormwater Authority to issue such rules, or regulations, or a legal declaration of their invalidity by a court, shall not act to suspend or invalidate the effect of this by-law.
- 9.02 Stormwater Management regulations, rules or guidance shall identify requirements for Administrative Land Disturbance Approval and Land Disturbance Permits required by this by-law and consistent with or more stringent than the relevant requirements of the most recent NPDES Small MS4 General Permit.
- 9.03 Stormwater Management regulations may identify one or more categories of projects requiring an Administrative Land Disturbance Approval that, because of their size, scope and common features or characteristics, may be approved by one or more agents of the Stormwater Authority rather than by a majority of Stormwater Authority members. For such projects, the Stormwater Authority will identify minimum stormwater management standards pursuant to this by-law, compliance with which is required before the project is approved.

## Section 10. Consent to Entry onto Property

By signing the permit application, an applicant consents to the entry of members of the Stormwater Authority or its authorized agents in or on the site while the application is under review to verify the information in the application, and at any time after a Review or Permit is issued to inspect for compliance with Review or Permit conditions. The Stormwater Authority and/or its duly authorized representative(s) shall provide 48 hour written notice of any visit to the Property unless emergency access is required.

## Section 11. Inspection and Site Supervision

The Stormwater Authority or its designated agent shall make periodic inspections to verify and document compliance with an Administrative Land Disturbance Approval or Land Disturbance Permit.

## Section 12. Surety

The Stormwater Authority may require the applicant to post a surety before the start of land disturbance or construction activity. The form of the surety shall be approved by Town Counsel and be in an amount deemed sufficient by the Stormwater Authority to ensure that the work will be completed in accordance with the permit. If the project is phased, the Board may release part of the surety as each phase is completed in compliance with the permit but the surety may not be fully released until the Board has received the final report as required by Section 12 and the permittee is issued a certificate of completion. If the permittee defaults on any obligations imposed by the Land Disturbance Permit, the Stormwater Authority may (after providing written notification to the permittee) inform the holder of the surety (and the municipal treasurer if the treasurer is not holding the funds) of the default, in which event the Town shall be entitled to use the surety funds to bring the site into compliance with the LDP.

## Section 13. Final Reports

Upon completion of the work and no later than 180 days after completion of construction, the permittee shall submit a report (including certified as-built construction plans) from a Registered Professional Engineer (PE) certifying that the project has been completed in accordance with the conditions of the Land Disturbance Permit and the plans approved thereunder. The as-built drawings must depict all on site controls, both structural and non-structural, designed to manage the stormwater associated with the completed site (post construction stormwater management). Any discrepancies with the approved permit plans shall be noted in the cover letter submitted with the report and as-built plans.

## Section 14. Enforcement

The Stormwater Authority or its authorized agent shall enforce this bylaw, and any associated regulations, orders, violation notices, and/or enforcement orders and may pursue all available remedies for such violations. The DPW, acting through its Director, is designated as the Stormwater Authority's agent for purposes of enforcement hereunder.

### 14.01 Enforcement Remedies.

1. Any person who violates the provisions of this bylaw, or any associated regulations, permit, or order issued thereunder, may be subject to a fine of not more than \$300 per violation. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
2. The Stormwater Authority may seek injunctive relief in a court of competent jurisdiction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of existing violation(s).

### 14.02 Orders.

1. The DPW, Stormwater Authority and/or its authorized agent may issue a written order to enforce the provisions of this bylaw or any associated regulations or any permit issued hereunder. Violations include, without limitation, failure to obtain a Land Disturbance Permit or Administrative Land Disturbance Approval for an activity subject to this bylaw, or failure to follow the requirements of a Land Disturbance Permit and the related Erosion and Sedimentation Control Plan, Stormwater Management Plan, or Operations and Maintenance Plan or any other authorization issued pursuant to this by-law or regulations issued hereunder. The written order may require the violator to remediate the non-compliance and/or any adverse impact caused by it, including without limitation:

- a. A requirement to cease and desist from the land-disturbing activity until there is compliance with the bylaw and provisions of the Land Disturbance Permit or other authorization;
- b. Maintenance, installation or performance of additional erosion and sediment control measures;
- c. Monitoring, analyses, and reporting;
- d. Remediation of erosion and sedimentation resulting directly or indirectly from the land-disturbing activity;
- e. Construction, reconstruction, repair or maintenance of stormwater BMPs or any other aspect of the post-construction stormwater management system;
- f. Remediation of adverse impacts resulting from improper construction or operation of the post-construction stormwater management system; and/or
- g. A requirement to eliminate discharges, directly or indirectly, into the MS4, a watercourse or into the Waters of the Commonwealth.

Said order shall be sent certified mail, return receipt requested to the violator and owner.

2. If the DPW, Stormwater Authority, or its authorized agent determines that abatement or remediation of adverse impacts is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further provide that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the Town may, at its option, pursue a Court Order allowing the Town to undertake such work, and expenses thereof shall be charged to the violator.
3. If the DPW or Stormwater Authority takes action upon failure of the violator or owner to abate or remediate, notice shall be given to the violator and owner of the costs, including administrative costs, incurred by the Town. Said notice shall be sent within thirty (30) days of completion of all measures necessary to abate the violation or to perform remediation. The violator or owner shall also be notified that they may, within thirty (30) days of receipt of said notice, file an appeal in writing to the Board of Selectmen objecting to either the amount or basis of the costs incurred. If the amount due is not received by the expiration of the time in which to file an appeal or within (30) days following a decision by the Board of Selectmen affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided by MGL c.59 §57 after the thirty-first day at which the costs first become due.

14.03 Noncriminal disposition. As an alternative to initiation of a civil action, the Town may elect to utilize the noncriminal disposition procedure set forth in M.G.L. c. 40, § 21D, in which case the DPW Director shall be the enforcing person. The penalty for the first violation shall be a written warning. The penalty for the second and any subsequent violations shall be \$300 per offense. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.

14.04 Entry to perform duties under this bylaw. To the extent permitted by local, state or federal law, or if authorized in writing by the owner or other party in control of the property, the DPW, Stormwater Authority, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this

bylaw and regulations and may make or cause to be made such examinations, surveys or sampling as the Stormwater Authority deems reasonably necessary.

14.05 Appeals. The decisions or orders of the Stormwater Authority shall be final. Further relief shall be appealed to a court of competent jurisdiction.

14.06 Remedies not exclusive. The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law.

#### Section 15. Certificate of Completion

The Board shall issue a letter certifying completion of a project following receipt and review of a final report and as-built plan showing that all work allowed under the permit has been satisfactorily completed in conformance with this By-Law and any regulations enacted hereunder.

#### Section 16. Severability

The provisions of this by-law are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this by-law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this by-law.

Or act thereon.

Sponsored by the DPW Director and Director of Planning and Economic Development

**ARTICLE 20.** To see if the Town will vote to amend the Oxford Zoning By-Law, by deleting Chapter XIII, Cluster Development in its entirety and inserting in place thereof the new Chapter XIII, Cluster Development as follows:

## **CHAPTER XIII** **Cluster Development**

### **1.0 PURPOSE**

The purpose of this Chapter is to provide voluntary and alternative zoning provisions that will encourage the permanent preservation of open space for recreation and conservation purposes, promote economic subdivision layout in harmony with natural features, allow for originality in total subdivision and individual site design and allow for efficient provision of public services while maintaining the density limitations of the various residential districts, establish or enhance wildlife corridors by connecting open spaces, and encourage the creation of “affordable housing” units.

### **2.0 GENERAL PROVISIONS**

2.1 A Cluster Development shall mean a single-family residential development in which the house lots are clustered together into one or more groups (each group made up of as many as six lots) which groups are separated from other groups and adjacent properties by Common Open Land.

2.2 Common Open Land shall mean that portion of the Cluster Development Site which is not devoted to dwellings, accessory uses, roads, or other development and is set aside for recreation, conservation, or agricultural uses which preserve the land in essentially its natural condition.

2.3 Except as provided in Section 4.2 of this Chapter, Cluster Developments shall be permitted by right in any residential district upon approval of a definitive subdivision

plan in accordance with prevailing rules and regulations and a Site Plan in accordance with the provisions of Chapter XV of this By-Law and the additional requirements of this Chapter.

- 2.4 All land not used for building lots (including roadways and utilities) shall be placed in permanent open space in accordance this bylaw but not less than 30% of the total parcel area.

### **3.0 ADDITIONAL GENERAL REQUIREMENTS**

The following standards shall be used as additional general requirements in the subdivision approval and site plan review process for all Cluster Developments:

- 3.1 The development shall be made up of reduced size house lots for detached single-family dwellings and lawful accessory uses only.
- 3.2 The minimum land required for a Cluster Development shall be four (4) acres and the parcels making up the Cluster Development Site shall be held in single ownership or control at the time of applications for subdivision and site plan approvals.
- 3.3 Each resulting lot shall have adequate access on a public or private way.
- 3.4 Each resulting lot shall be of a size and shape to provide a building site that shall be in harmony with the natural terrain and other features of the land.
- 3.5 There shall be an adequate, safe, and convenient arrangement of pedestrian circulation, facilities, roadways, driveways, and parking.
- 3.6 The site plan shall be drawn at a scale of one inch equals twenty (20) feet and shall include an "existing conditions plan" which shall:
  - 3.6.1 identify the location and extent of all resources defined by the Wetlands Protection Act, M.G.L. c.131, §40 as certified by the Conservation Commission;
  - 3.6.2 show the parcel topography at 2 feet contour intervals and identify the location of all areas of steep (i.e. 15% or greater) slope;
  - 3.6.3 identify the location and species of significant trees, the location, extent and type of the various plant growth (e.g. grass or brush), and the location of ledge outcrops;
  - 3.6.4 identify the location of soil testing sites and the results of said tests;
  - 3.6.5 identify the location and type of all abutting land uses within 100 feet of the parcel boundaries; and
  - 3.6.6 identify existing road access to the parcel and sight distances.
- 3.7 The site plan shall show the location of: all proposed dwellings including possible expansions thereto (such as garages), all proposed parking spaces, all proposed water supplies, all proposed septic systems, and all proposed clearing and grading required to achieve the above.
- 3.8 Each structure shall be integrated into the existing landscape on the property.
- 3.9 Lots shall be laid out and designed, to the greatest extent feasible, to preserve and protect historic and archaeologic sites, farmland, wooded stream corridors, forested areas and large trees, scenic views particularly as seen from public roads, ridgelines and hilltops.

### **4.0 DIMENSIONAL AND DENSITY REQUIREMENTS**

#### **4.1 By-Right Cluster Developments**

- 4.1.1 The maximum number of house lots for detached single-family dwellings that may be allowed within a Cluster Development shall not exceed the number that could result from a standard subdivision of the land, whether through the ANR process (M.G.L. c.41 §81-P) or the subdivision process (M.G.L. c.41 §81-U).

If the Cluster Development Site has sufficient frontage to allow its division into lots without subdivision approval (ANR lots), the maximum number of lots in the Cluster Development will be determined by the Planning Board based on a plan that shows lots of sufficient frontage and area to comply with the normally applicable requirements of the underlying zoning district. Otherwise, the maximum number of lots will be determined by multiplying the Net Developable Area of the site expressed in square feet by a development efficiency factor of 0.7 and dividing by the minimum lot size normally allowed in the underlying zoning district, the result to be rounded down to the nearest whole number. For the purposes of this calculation, the Net Developable Area of the Cluster Development Site shall be the total area of the Cluster Development Site, excluding the area of land within the site having a slope equal to or greater than 15%, and excluding the area of land within the site classified as a resource area under the Wetlands Protection Act M.G.L. c.131 §40, and excluding the area of land within easements, and excluding any area of land used to calculate the maximum number of lots on the basis of ANR lots.

- 4.1.2 The minimum lot size in a Cluster Development shall be 50% of that size normally required in the underlying zoning district, but not less than fifteen thousand (15,000) square feet and shall include only land defined as Net Developable Area in section 4.1.1 above.
- 4.1.3 The minimum lot frontage and lot width in a cluster development shall be 100 feet except on a cul-de-sac where the lot frontage may be as little as 75 feet.
- 4.1.4 The minimum front, rear, and side yard setbacks of the underlying zoning district shall apply within the Cluster Development.
- 4.1.5 The resulting reduced size lots shall be of an arrangement and shape to provide building sites that shall be in harmony with the natural terrain and other features of the land and to assure that the purpose of this Chapter is met.
- 4.1.6 The board may waive or modify any dimensional requirement or housing type upon a finding that such waiver or modification is consistent with the overall purpose and goals of the Oxford Master Plan.

#### 4.2 Local Initiative Cluster Developments

In order to encourage the creation of “affordable” housing units and provide an alternative to the Comprehensive Permit process allowed by M.G.L. c.40B, the Planning Board may, by the grant of a special permit, allow a greater number of dwelling units in a Cluster Development than otherwise allowed by this Chapter by making exceptions from the above restrictions to allow a greater density than otherwise allowed by section 4.1.1, to allow a smaller lot size than otherwise allowed by section 4.1.2 and section 4.1.3, and to allow lesser setbacks than otherwise allowed by section 4.1.4 of this Chapter provided, however, that the total resulting number of units created shall not exceed the gross area of the Cluster Development Site divided by the gross lot size normally required in the underlying zoning district. Such special permit shall be for a Local Initiative Cluster Development that may only be granted with the following conditions:

- 4.2.1 At least ten (10) percent of the total units allowed, but no less than fifty (50) percent of the increase in the number of units over what would otherwise be allowed, shall be set aside and restricted in perpetuity as Local Initiative Units in the manner provided in 760 CMR 56.

- 4.2.2 The approved building spacing receives prior written approval of the Fire Department documenting its ability to provide proper fire protection and emergency services.
- 4.2.3 The Cluster Development Site is served by the public water supply system.
- 4.2.4 The Local Initiative Units are distributed throughout the development and are indistinguishable from market rate units by external appearance.
- 4.2.5 The applicant agrees to pay all costs incurred for third party peer review of the special permit application, the cost of the Town's application to the state for approval of the development under 760 CMR 56, and the cost of establishing any required arrangements for initial rental or sale of Local Initiative Units.
- 4.2.6 No building permits may be issued until: (1) the owner of the Site has executed and recorded a regulatory agreement with the Town, consistent with the requirements of 760 CMR 56, in a form approved by the Planning Board and Town Counsel; (2) the Local Initiative Units have received state approval under 760 CMR 56 for inclusion in the Subsidized Housing Inventory for the Town; and (3) the use restriction required under 760 CMR 56 has been recorded.

## 5.0 **COMMON OPEN LAND REQUIREMENTS**

- 5.1 Within each Cluster Development there shall be provided an amount of Common Open Land to be preserved and maintained in essentially its natural condition for its scenic value or for conservation of natural resources or to be used for recreation or agricultural uses. At least 70% of Common Open Land shall be retained in contiguous areas unless approved by the Planning Board.
- 5.2 The total area of the Common Open Land within the Cluster Development shall equal or exceed the sum of the area by which the individual lots are reduced below the minimum lot size normally allowed in the zoning district plus the area of land not included in Net Developable Area as defined in section 4.1.1 above except as allowed in section 4.2.
- 5.3 A portion of the Common Open Land left in a natural or landscaped condition with a minimum width of fifty (50) feet shall be used as a buffer to separate all residential structures and accessory buildings within the Cluster Development from adjacent properties and to separate the several clusters of residential structures and accessory buildings.
- 5.4 Further subdivision of Common Open Land or its use for other than recreation, conservation, or agriculture, except for easements for underground utilities and septic systems, shall be prohibited. Structures or buildings accessory to specified recreation, conservation, or agricultural uses may be erected on the Common Open Land but shall not exceed 5% coverage of the developable portion of the Common Open Land.
- 5.5 The Planning Board may permit up to three (3) percent of the open space area to be paved or built upon for structures accessory to the dedicated use of open space(i.e. pedestrian walks, bicycle paths, playgrounds, farm-related structures).

## 6.0 **COMMON OPEN LAND OWNERSHIP**

- 6.1 All land not devoted to buildings, lots, roads and other development shall be permanently protected as common open space for recreation, conservation, forestry or agricultural uses which preserve the land in essentially its natural condition, by the following methods:

6.1.1 The land shall be owned by a Community Association, and a permanent conservation easement or deed restriction must be conveyed to the Town, with Town approval, or to a non-profit trust or conservation organization whose principal purpose is to conserve farmland or open space. All common open land shall be conveyed to one or a combination of the following, subject to a restriction of the type described in M.G.L. Chapter 184, Sections 31-33:

1. A community association owned or to be owned by the owners of lots within the development (if such a community association is utilized, ownership thereof shall pass with conveyances of the lots in perpetuity);
2. A non-profit organization, the principal purpose of which is the conservation or preservation of open space.

6.1.2 The Town, at no cost, and be accepted by it for a park or open space use (such conveyance shall be at the option of the Town and shall require the approval of the voters at a Town Meeting). However, if the parcel is subject to M.G.L. c.61A farmland owners are not required to convey the part of their property that is to become permanent agricultural open space, if they convey to the Town or its designee a permanent agricultural preservation restriction on such land prohibiting its future development in accordance with Section 5.4.

6.2 In any case, when the Common Open Land is not conveyed to the Town, a restriction, enforceable by the Town, shall be recorded to ensure that such land shall be kept in an open or natural state and not be built for residential use or developed for accessory uses such as parking or roadways. Such restrictions shall further provide for maintenance for the common land in a manner which will ensure its suitability for its intended purpose, including maintenance of its appearance and cleanliness, and the proper maintenance of drainage, utilities, and the like located within such land.

## 7.0 **COMMUNITY ASSOCIATION**

7.1 A non-profit, incorporated community association shall be established, requiring membership of each lot owner in the Cluster Development. The community association shall be responsible for the permanent maintenance of all communal water and septic systems, common open space, recreational and thoroughfare facilities. A community association agreement or covenant shall be submitted with the special permit/site plan approval application guaranteeing continuing maintenance of such common utilities, land, and facilities, and assessing each lot a share of maintenance expenses. Such agreement shall be subject to the review and approval of Town Counsel and the Planning Board and shall be recorded with the Worcester District Registry of Deeds.

7.2 Such agreements or covenants shall provide that if the association fails to maintain the common open land in reasonable order and condition in accordance with the agreement, the Town may, after notice to the association and public hearing, enter upon such land and maintain it to preserve the taxable values of the properties within the development and to prevent the common land from becoming a public nuisance. The covenants shall also provide that the cost of such maintenance by the Town shall be assessed against the properties within the development.

## 8.0 **STORMWATER MANAGEMENT**

The Planning Board shall encourage the use of non-structural stormwater management techniques and other drainage systems that reduce impervious surfaces and enable infiltration where appropriate to the maximum extent practicable. Stormwater management

systems serving the cluster subdivision may be located within the required common open space. Surface systems, such as retention and detention ponds, shall not qualify towards the minimum open space requirement.

## 9.0 PROCEDURES AND PRE-APPLICATION REVIEW

- 9.1 To promote better communication and to avoid misunderstanding, applicants are encouraged to submit a “concept” or “sketch” plan and preliminary subdivision plan of the proposal for review by the Planning Board prior to the formal applications for subdivision and site plan approvals. Such plans shall show sufficient information to allow the Board to reasonably consider the proposal and allow comment from other Town officials.
- 9.2 Applications for By-Right Cluster Developments shall be considered in accordance with the procedures specified in Chapter XV §5.0 and the Planning Board’s Rules and Regulations for the Subdivision of Land. Local Initiative Cluster Developments shall be considered under the same procedures and under Chapter XIV §5.0. No site plan approval for Cluster Development shall be granted unless the application is found to conform to the requirements of Chapter XV §3.0 and §4.0 as modified by §3.0 of this Chapter and, when apt, no special permit for a Local Initiative Cluster Development shall be granted except in conformance with Chapter XIV §5.4. The combined application shall be accompanied by fifteen (15) copies of the Site Plan for the proposed Cluster Development including one reduced version of the plan on 11"x 17" paper and at least three (3) copies of all required supporting documentation.

Or act thereon.

Sponsored by the Planning Board.

**ARTICLE 21.** To see if the Town will vote to amend the Oxford Zoning By-Law, Chapter XI, Motor Vehicle Access, Parking and Lodging, by inserting the following section:

### 3.1 On-Street Parking Off-Set

For non-residential uses in the Village Business District, legal on-street parking spaces may be counted towards satisfying off-street parking requirements, provided the following requirements are met:

- 3.1.1 The parking spaces are located along the building lot frontage on the same side of the street. For corner lots, the adjoining street may also be used as part of the calculation. A parking space split between a property boundary may count as a full parking space for the purposes of this section.
- 3.1.2 Unmarked on-street parking spaces shall be calculated at a length of 20' per space provided there are no obstructions or impediments (ex. bump outs, fire hydrants, driveway aprons), and shall be at least 20' away from all curb-cuts, street corners and crosswalks.
- 3.1.3 At no time may on-street handicap parking spaces be counted.
- 3.1.4 All on-street parking spaces counted towards off-street parking requirements must be and remain available for public use.

Or act thereon.

Sponsored by the Planning Board.

**ARTICLE 22.** To see if the Town will vote to amend the Oxford Zoning By-Law, Chapter VI, Industrial Districts, by inserting the following at the end of Table 3:

<u>“COMMERCIAL” INDUSTRIES</u>		
Hotels, Motels and Country Inns	S*	S*

Or act thereon.

Sponsored by the Planning Board.

And you are directed to serve this Warrant, by posting up attested copies thereof at the Post Office on the Plains, the Post Office in North Oxford, Memorial Hall, Huguenot Steamer No. 2 and the Post Office in Rochdale in said Town, seven days at least before the time of said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of said meeting.

Given under our hands this 20<sup>th</sup> day of April, 2021.

Or (Lily) )  
Angeles )  
Mt. Baldy )

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**SELECTMEN OF OXFORD**

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## WORCESTER, SS.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Oxford by posting up attested copies of the same at the Post Office on the Plains, the Post Office in North Oxford, Memorial Hall, Huguenot Steamer No. 3 and the Post Office in Rochdale seven days before the date of the meeting, as within directed.

the Post Office on the Plains, the  
Post Office in  
directed.

A true copy, ATTEST:

Date: