



THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

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August 13, 2025

Jacklyn R. Morris, Town Clerk
Town of Sherborn
19 Washington Street
Sherborn, MA 01770

Re: Sherborn Annual Town Meeting of April 29, 2025 – Case # 11785
Warrant Articles # 17, 18, 19, and 20 (Zoning)
Warrant Articles # 15 and 24 (General)

Dear Ms. Morris:

Articles 15, 17, and 18 - We approve Articles 15, 17,¹ and 18 from the April 29, 2025 Sherborn Annual Town Meeting. Our comments regarding Article 18 are provided below.

Articles 19, 20, and 24 – By agreement with Town Counsel pursuant to G.L. c. 40, § 32, we have extended our deadline for a decision on Articles 19, 20, and 24 for 60 days. Our decision on Articles 19, 20, and 24 will now be due on **October 12, 2025**. The signed extension agreement is attached.

Article 18 - Under Article 18, the Town amended several subsections of Section 240-5.5, “Flood Plain District,” “to incorporate the Flood Plain District updates required by the State. The amendments to Section 240-5.5 are adopted as part of a federal requirement for communities that choose to participate in the National Flood Insurance Program (NFIP).”

The amended text in the Flood Plain District by-law appears to largely follow the “Massachusetts 2020 Model Floodplain Bylaw” provided by the Massachusetts Department of Conservation and Recreation Flood Hazard Management Program. (DCR Flood Hazard

¹ We note for the Town’s consideration a possible typographical error in the amendment to Section 230-3.2, “Schedule of Uses Regulations.” One amendment to Section 230-3.2 adds a new Subsection 26A, “Multidwellings,” and references three sections of the zoning by-laws as follows (emphasis added): “This use is permissive in Residence EA Districts, prohibited in all other districts, except as otherwise provided in Section 240-4.5, 240-5.6, and 240-5.7. However the Table of Use Chart footnote ** related to Subsection 26A references only Sections 240-5.6 and 240-5.7 (but not Section 240-4.5). The Town may wish to consult with Town Counsel to determine if an amendment is needed at a future Town Meeting to address this issue.

Management Program). See <https://www.mass.gov/guides/floodplain-management#-2020-massachusetts-mo>. The DCR Flood Hazard Management Program is the state coordinating office for the NFIP and, according to their website, they have provided the Model Floodplain Bylaw to Massachusetts communities “to assure that their local bylaws...contain the necessary and proper language for compliance with the” NFIP. For this reason, we approve Article 18. The Town should consult with Town Counsel and the DCR Flood Hazard Management Program with any questions regarding the application of Section 240-5.5.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute.

Very truly yours,

ANDREA JOY CAMPBELL
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cc: Town Counsel Christopher J. Petrini