

TOWN OF WELLESLEY



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WELLESLEY MA 02482

2019 JAN 29 P 12:29

**WARRANT
for the
ANNUAL TOWN MEETING**

**ELECTION – March 5, 2019
BUSINESS MEETING – March 25, 2019**

**ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)
January 30, 2019, 7:00 P.M. at Town Hall**

Commonwealth of Massachusetts
Norfolk, ss.

To any Constable of the Town of Wellesley in the County of Norfolk,

GREETINGS:

In the name of the Commonwealth aforesaid, you are hereby required to notify the qualified voters of said Town of Wellesley to meet in their respective voting places on March 5, 2019:

The voters of Precinct A, in Katharine Lee Bates School, 116 Elmwood Road;

The voters of Precinct B, in Isaac Sprague School, 401 School Street;

The voters of Precinct C, in Ernest F. Upham School, 35 Wynnewood Street;

The voters of Precinct D, in Otho L. Schofield School, 27 Cedar Street;

The voters of Precinct E, in Joseph E. Fiske School, 45 Hastings Street;

The voters of Precinct F, in Dana Hall School, Shipley Center, 142 Grove Street;

The voters of Precinct G, in Wellesley Free Library, 530 Washington Street;

The voters of Precinct H, in Tolles Parsons Center, 500 Washington Street.

at 7:00 A.M., at which time the polls in said precincts will be opened and remain open continuously until 8:00 P.M. of said day when they will be closed, during which time aforesaid qualified voters of said Town may bring in their ballots to the Election Officers, duly appointed and sworn for said precincts of said Town of Wellesley, in said meetings so assembled for the following:

To cast their votes in the Town Election for the election of candidates for the following offices:

~~NEGLIGENCE
TOWN CLERK'S OFFICE
WELLESLEY MA 02482~~

<u>OFFICE</u>	<u>VACANCIES</u>	<u>TERM</u>
Board of Assessors	One	Three Years
Board of Health	One	Three Years
Board of Public Works	One	Three Years
Board of Selectmen	One	Three Years
Housing Authority	One	Five Years
Moderator	One	One Year
Natural Resources Commission	One	Three Years
Planning Board	One	Five Years
	One	One Year
Recreation Commission	Two	Three Years
	One	One Year
School Committee	One	Three Years
Trustees of the Wellesley Free Library	Two	Three Years

and for **TOWN MEETING MEMBERS**, under the provisions of Chapter 202 of the Acts of 1932, as amended.

You are further required to notify the qualified Town Meeting Members of said Town of Wellesley to meet in the

**Wellesley Middle School Auditorium
50 Kingsbury Street
Monday, March 25, 2019**

at 7:00 P.M., at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 202 of the Acts of 1932, as amended, and subject to referendum as provided therein:

ARTICLE 1. To receive and act on the reports of Town officers, boards and committees, including the Annual Town Report, the Report to this Town Meeting of the Advisory Committee, and the Report of the Community Preservation Committee, and to discharge presently authorized special committees, or to take any other action in relation thereto.

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(Board of Selectmen)

ARTICLE 2. To receive the Reports of the Board of Selectmen on the Town-Wide Financial Plan and Five-Year Capital Budget Program in accordance with Sections 19.5.2 and 19.16 of the General Bylaws, or to take any other action in relation thereto.

(Board of Selectmen)

APPROPRIATIONS – OPERATING AND OUTLAY

ARTICLE 3. To see if the Town will vote to take action on certain articles set forth in this warrant by a single vote, pursuant to a consent agenda, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 4. To see if the Town will vote to amend ARTICLE 31 of the General Bylaws by making changes to the appendix to the Classification and Salary Plans established under Sections 31.1 and 31.6 respectively, which constitutes part of said Bylaws, relating to the establishment of new classifications, reclassifications of current positions, and the deletion of classifications, or to take any other action in relation thereto.

(Human Resources Board)

ARTICLE 5. To see if the Town will vote to amend ARTICLE 31 of the General Bylaws by making changes to Schedule A, entitled "Job Classifications by Groups," and Schedule B, entitled "Salary Plan – Pay Schedule," copies of which are available for inspection at the Human Resources Department, and to authorize the Town to raise and appropriate, transfer from available funds, or borrow a sum of money for the purposes of complying with said Schedule B, as so amended, or to take any other action in relation thereto.

(Human Resources Board)

ARTICLE 6. To see if the Town will vote to fix the salary and compensation of the Town Clerk at \$92,127.00, as provided by Section 108 of Chapter 41 of the General Laws, or to take any other action in relation thereto.

WELLESLEY MA 02482

(Board of Selectmen)

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ARTICLE 7. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to supplement or reduce appropriations approved by the 2018 Annual Town Meeting, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 8. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the following:

- 1) The operation and expenses of certain Town departments, including capital outlay, maturing debt and interest, and the provision of a Reserve Fund;
- 2) Extraordinary maintenance, special capital projects and other capital outlay items for the several Town departments;
- 3) Such purposes as may be voted contingent upon passage by the voters of referendum questions as authorized by Section 21C(g) of Chapter 59 of the General Laws,

and further to authorize the Board of Assessors to use any monies paid to the Town from the Wellesley Municipal Light Plant as an estimated receipt when computing the Fiscal Year 2020 Tax Rate, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 9. To see if the Town will vote pursuant to Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, as amended by Section 86 of Chapter 218 of the Acts of 2016, to:

- (1) amend Article 55 of the General Bylaws by revising subsection 55.1.b to read as follows:
 - a. Funds held in the DPW Field Use Fund shall be expended for maintenance of the Town's playing fields and track and Playing Fields Task Force administrative costs, under the direction of the Department of Public Works. Receipts credited to this fund shall include fees charged to field and/or track users.

(2) amend Article 55 of the General Bylaws by revising subsection 55.1.c to read as follows:

b. Funds held in the Turf Field Fund shall be expended for repairs to and replacement of the artificial turf at Sprague Field and Hunnewell Field, under the direction of the Department of Public Works. Receipts credited to this fund shall include fees charged to field users.

(3) amend Article 55 of the General Bylaws by adding a new subsection 55.1.m as follows:

m. **Cultural Council Revenues Fund.**

Funds held in the Cultural Council Revenues Fund shall be expended for Cultural Council programs under the direction of the Cultural Council. Receipts credited to this fund shall include user fees from Cultural Council programs.

and

(4) set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2020 as follows:

- a. Street Opening Maintenance Fund: \$225,000.00
- b. DPW Field Use Fund: \$200,000.00
- c. Turf Field Fund: \$500,000.00
- d. Tree Bank Fund: \$75,000.00
- e. Baler, Compactors and other RDF Equipment Repair Fund: \$50,000.00
- f. Council on Aging Social and Cultural Programs Fund: \$140,000.00
- g. Teen Center Program Revenues Fund: \$50,000.00
- h. Library Room Rental Fund: \$35,000.00
- i. Lost/Damaged Library Materials Replacement Fund: \$20,000.00
- j. Brookside Community Gardens Fund: \$3,000.00
- k. Weston Road Gardens Fund: \$7,000.00
- l. Library Copier Fees Fund: \$20,000.00
- m. Cultural Council Revenues Fund: \$6,500.00

or to take any other action in relation thereto.

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WELLESLEY, IA 50241
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(Board of Selectmen)

ARTICLE 10. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$48,672.00 (FORTY-EIGHT THOUSAND SIX HUNDRED SEVENTY-TWO DOLLARS), or any other sum, to the Special Injury Leave Indemnity Fund established under Article 9 of the 2017 Annual Town Meeting; or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to the Special Education Reserve Fund established by the vote taken under Article 10 at the 2017 Annual Town Meeting to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$50,000.00 (FIFTY THOUSAND DOLLARS), or any other sum, to the Baler Stabilization Fund established by the vote taken under Article 10 at the 2016 Annual Town Meeting for replacement of the RDF Baler, Compactors and other RDF equipment, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 13. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$9,055,934.00 (NINE MILLION FIFTY-FIVE THOUSAND NINE HUNDRED THIRTY-FOUR DOLLARS), or any other sum, to be expended under the direction of the Board of Public Works for the purposes of operating and managing the Water Program as follows:

Salaries	\$ 1,886,544
Expenses (incl. interest, and all non-op exp.)	4,078,803
OPEB (Other Post-Employment Benefits)	38,500
Depreciation	965,330
Capital Outlay	1,180,000
Debt	471,841
Emergency Reserve	<u>434,916</u>
Total Authorized Use of Funds	\$9,055,934

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And that \$9,055,934 be raised as follows:

Department Receipts	\$6,797,121
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Depreciation	965,330
Retained Earnings	1,293,483
Total Sources of Funds	\$9,055,934

or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 14. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$9,825,658.00 (NINE MILLION EIGHT HUNDRED TWENTY-FIVE THOUSAND SIX HUNDRED FIFTY-EIGHT DOLLARS) to be expended under the direction of the Board of Public Works for the purposes of operating and managing the Sewer Program, as follows:

Salaries	\$ 863,586
Expenses (incl. interest, and all non-op exp.)	6,809,113
OPEB (Other Post-Employment Benefits)	16,500
Depreciation	458,179
Capital Outlay	900,000
Debt	286,707
Emergency Reserve	<u>491,573</u>
Total Authorized Use of Funds	\$9,825,658

And that \$9,825,658 be raised as follows:

Department Receipts	\$8,861,469
Depreciation	458,179
Retained Earnings	<u>506,010</u>
Total Sources of Funds	\$9,825,658

or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 15. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$36,135,600.00 (THIRTY-SIX MILLION ONE HUNDRED THIRTY-FIVE THOUSAND SIX HUNDRED DOLLARS) to be expended under the direction of the Municipal Light Board for purposes of operating and managing the Municipal Light Plant, as follows:

Operating Budget:*

Operating Salaries	\$1,113,700
Materials and Services	1,054,900
Health Insurance	236,700
Contribution to Employee Retirement	258,500

Purchase Power	22,577,700
Transmission	5,592,000
Sub Total	30,833,500
<u>Capital Outlays:</u>	
Salaries	1,139,100
Services/Materials	1,549,700
Vehicles	189,600
Health Insurance	274,200
Contribution to Employee Retirement	299,500
Sub Total	3,452,100
<u>Payments That Benefit The Town:</u>	
Payment in Lieu of Taxes	1,000,000
Power Supply Contingencies	850,000
Total Fiscal Year 2020 Budget Request	<u>\$36,135,600</u>

Excludes depreciation expense in the amount of
 * \$3,650,000.

or to take any other action in relation thereto.

(Municipal Light Board)

APPROPRIATIONS – SPECIAL CAPITAL PROJECTS

ARTICLE 16. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2020 Community Preservation Budget, to appropriate or reserve for future appropriation, from FY 2020 Community Preservation Fund annual revenues and reserves, sums of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the Fiscal Year beginning July 1, 2019, to make debt service payments, and to undertake community preservation projects as recommended by the Community Preservation Committee, as follows:

	<u>Open Space</u>	<u>Historical</u>	<u>Housing</u>	<u>Administrative</u>
Reserve revenues for Specific Purpose and Administrative		(\$165,000)	(\$165,000)	(\$65,000)

<u>Appropriations from Reserves</u>	<u>Open Space</u>	<u>Historical</u>	<u>Housing</u>	<u>Undesignated</u>
Wellesley Free Library – digitization of historic maps		(\$21,500)		

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DPW - reconstruction of softball fields**				(\$500,000)
NRC – Restoration of Church Park	(\$30,000)			
NRC-Phase II Reconstruction of Duck Pond Bridge	(\$91,000)			
NRC – Phase I Morse's Pond Erosion Mitigation	(\$150,000)			
Library Board – Fells Branch Library Children's/Pollinator Garden**	(\$30,000)			
TOTAL	(\$301,000)	(\$21,500)		(\$500,000)

** These projects have not yet been voted on by the CPC.

North 40 Debt service of \$552,044 appropriated from Undesignated funds and applied to Article 8 Omnibus Budget.

or to take any other action in relation thereto.

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(Community Preservation Committee)

ARTICLE 17. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to supplement funds for the rehabilitation, restoration or repair of the Town Hall exterior as voted under Article 22 of the 2018 Annual Town Meeting; and for the purpose of meeting such appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1), of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; or to take any other action in relation thereto.

(Permanent Building Committee)

ARTICLE 18. To see if the Town will vote to raise and appropriate, transfer from available funds, accept gifts, or borrow a sum of money to be expended under the direction of the Permanent Building Committee for architectural and engineering plans, specifications and other services in connection with the reconstruction, remodeling, rehabilitation and/or renovation of the Wellesley Free Library located at 530 Washington Street, including the payment of all costs incidental and related thereto, and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied

to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; or take any other action in relation thereto.

(Board of Library Trustees)

ARTICLE 19. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money, to be expended under the direction of the Permanent Building Committee, for architectural and engineering construction administration, construction services and associated costs related to the repairs of and modifications to the Middle School Steam Pipe System, replacement of heat exchangers with high efficiency boilers, and for any other services in connection therewith and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; or take any other action in relation thereto.

(School Committee)

ARTICLE 20. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Permanent Building Committee, for architectural and engineering designs, plans and other specifications and any associated costs related to repairs and renovations at the Middle School including but not limited to: exterior façade repairs, replacement of selected HVAC systems, replacement of selected interior doors, renovation of Art Rooms, replacement of cabinetry/millwork in selected classrooms, renovation of the kitchen, and for any other services in connection therewith and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or note of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such costs by a like amount; or to take any other action in relation thereto.

(School Committee)

ARTICLE 21. To see if the Town will vote to raise and appropriate, transfer from available funds, including Community Preservation Funds and Gifts, or borrow a sum or sums of money to be expended under the direction of the Board of Public Works for construction services and all other associated services and costs related to the construction or reconstruction of the softball field (Lee Field) and multipurpose field located at the Hunnewell Field, which shall include, but not be limited to, construction and installation of appurtenant structures and site enhancements; and for the purpose of meeting such appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum in accordance with Chapter 44, Section 7(1), of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; or to take any other action in relation thereto.

(Playing Fields Task Force/School Committee)

ARTICLE 22. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum or sums of money, to be expended under the direction of the Board of Public Works for design, architectural, engineering and other professional services, bid documents, construction services and all associated costs related to the replacement of the synthetic turf fields located at the Sprague School; and for the purpose of meeting such appropriation, to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow a sum in accordance with Chapter 44, Section 7(1), of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; or to take any other action in relation thereto.

(Playing Fields Task Force/School Committee)

ARTICLE 23. To see if the Town will vote to raise and appropriate or transfer from available funds \$150,000.00 (ONE HUNDRED FIFTY THOUSAND DOLLARS), or any other sum, to be expended under the direction of the Board of Public Works, for engineering designs, bid documents, and associated costs related to the construction, reconstruction, rehabilitation, and repair of Walnut Street, including street, sidewalk and/or drainage repairs and improvements; or take any other action in relation thereto.

(Board of Public Works)

ARTICLE 24. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Board of Selectmen, for the purchase of a Quint Fire Truck and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; or take any other action in relation thereto.

(Board of Selectmen)

STREET ACCEPTANCE

ARTICLE 25. To see if the Town will vote to accept as a public way (with betterments) the following street as laid out by the Board of Selectmen: Polaris Circle; or take any other action in relation thereto.

(Board of Selectmen)

AUTHORIZATIONS

ARTICLE 26. To see if the Town will vote to appropriate the sum of \$19,337.70 (NINETEEN THOUSAND THREE HUNDRED THIRTY-SEVEN DOLLARS AND SEVENTY CENTS), received from the Commonwealth Transportation Infrastructure Fund ("Fund") pursuant to St. 2016, c. 187, § 8(c)(i) for calendar year 2017 to address the impact of transportation network services on municipal roads, bridges and other transportation network services in the Town including the complete streets program established in Section 1 of Chapter 90I of the General Laws and other programs that support alternative modes of transportation; or take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 27. To see if the Town will vote to authorize the Board of Selectmen to enter into a lease of certain parcels of Town-owned land within the Cochituate Aqueduct; on such terms and conditions, including dollar amounts, as said Board deems to be in the Town's interest; or take any other action relative thereto.

(Board of Selectmen)

ARTICLE 28. To hear the report of the Board of Public Works that certain easements for drainage utilities be abandoned and a new easement granted, and to see if the Town will vote, pursuant to Chapter 40, Section 15 of the Massachusetts General Laws, to authorize the Board of Public Works to make the required declaration to grant a new drainage easement and abandon a portion of the drainage easement for the property at 37 Ravine Road, Wellesley, MA, as described herein, without charge for said declaration. The easements for drainage are more fully described as follows:

WHEREAS, by instrument dated May 17, 1935, recorded with Norfolk Registry of Deeds in Book 2074, Page 539 (the "1935 Grant"), and modified by agreements on May 8, 1939, recorded in Book 2225, Page 378, August 26, 1952, recorded in Book 3110, Page 503, and November 10, 1997, recorded in Book 12084, Page 72 (the "1997 Agreement"), the Owner's predecessor in title agreed to construct and to allow the Town of Wellesley to construct and maintain certain drains across their land between Ledgeways and Ravine Road in Wellesley, to carry off surface waters from said Ledgeways and the watershed tributary to it;

WHEREAS, the location of said easement, as amended by the 1997 Agreement, is shown as "Proposed 10' Wide Drain Easement" on a plan entitled "Plan of Drain Easement at #37 Ravine Road, Wellesley, Mass", dated September 26, 1997, and recorded with the Norfolk Registry of Deeds as Plan 775 of 1997;

WHEREAS, the Town intends to abandon portions of the abovementioned drain easement, said portions being shown as "10' Wide Drain Easement (To Be Abandoned)" on a plan entitled "Easement Plan of Land, 37 Ravine Road in Wellesley, Mass (Norfolk County)", dated November 28, 2018, and prepared by Metrowest Engineering, Inc. (the "2018 Plan"); therefore:

1. Grant of Easement and Acceptance by Town.

The Owner of 37 Ravine Road grants to the Town a drainage easement shown on the 2018 Plan as the "Proposed 15' Wide Drainage Easement", which grant is on the same terms and conditions and is to be held by the Town on the terms and conditions of the 1935 Grant, as amended by the 1997 Agreement, except that the Owners may only change the location of the easement upon the approval of the Board of Public Works. The Town hereby accepts the grant of easement as set forth herein.

2. Abandonment of Drainage Easement.

The Town abandons and discharges all its rights, title and interest to the area shown on the 2018 Plan as "10' Wide Drain Easement (To Be Abandoned)" and the Town hereby conveys to the Owners of 37 Ravine Road all rights, title and interest to the parcel of land shown on the 2018 Plan as the "10' Wide Drain Easement (To Be Abandoned)". The Town is released from any liability or responsibility arising from or in any way connected with any obligations with respect to the area shown on the 2018 Plan as the "10' Wide Drain Easement (To Be Abandoned)".

or take any action in relation thereto.

(Board of Public Works)

AMEND ZONING BYLAW

ARTICLE 29. To see if the Town will vote to amend the Zoning Bylaw by changing the manner in which the Sections and references thereto are numbered from Roman Numerals to Arabic numbers (such that Section I becomes Section 1, Section IA becomes Section 1A, Section II becomes Section 2, and so forth throughout the remainder of the Zoning Bylaws), instituting a consistent internal arrangement protocol (lettering and numbering) throughout the Bylaw with updated references, and correcting identified grammatical, typographical, and formatting errors, or to take any other action in relation thereto.

(Planning Board)

ARTICLE 30. To see if the Town will vote to amend the Zoning Bylaw by renumbering Section I, Establishment of Districts, as Section IA (or as Section 1A), by renumbering Section IA, Definitions, as Section IB (or as Section 1B), and by inserting a new Section I, General Provisions, (or Section 1) to include provisions of the Preamble, Section XXVI., Adoption/Amendment Procedures, Section XXVII., Existing Bylaws Not Repealed, and Section XXVIII., Invalidity, which Sections are to be deleted in their entirety, and amending references to all affected Sections throughout the Bylaw, as follows:

Section 1. GENERAL PROVISIONS

A. Title

This Bylaw is and shall be known as "the Zoning Bylaw of the Town of Wellesley, Massachusetts," and may be referred to or cited as, including throughout this document, "this Zoning Bylaw" or "the Zoning Bylaw."

B. Scope of Authority

The Zoning Bylaw of the Town of Wellesley, Massachusetts, is enacted in accordance with the provisions of the Zoning Act, Massachusetts General Laws (M.G.L.), c. 40A, and any and all amendments thereto.

C. Purpose

This Zoning Bylaw is enacted for the following intended purposes, as authorized by, but not limited to, the provisions of the Zoning

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Act, M.G.L., c. 40A, as amended, Section 2A of 1975 Mass. Acts 808, and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts:

1. To lessen congestion in the streets;
2. To conserve health;
3. To secure safety from fire, flood, panic, and other dangers;
4. To provide adequate light and air;
5. To prevent overcrowding of land;
6. To avoid undue concentration of population;
7. To encourage housing for persons of all income levels;
8. To facilitate the adequate provision of transportation, water, water supply, drainage, sewerage, schools, parks, open space, and other public requirements;
9. To conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment;
10. To encourage the most appropriate use of land throughout the Town, consistent with the goals and policies of the Town of Wellesley Comprehensive Plan; and
11. To preserve and increase amenities by the promulgation of regulations to fulfill said objectives.

D. Applicability

All buildings or structures hereinafter erected, reconstructed, altered, enlarged, or moved, the use of all premises in the Town, and any applicable permitting, shall be in conformity with the provisions of this Zoning Bylaw. No building, structure or land shall be used for any purpose or in any manner other than as expressly permitted within the district in which such building, structure or land is located. Where the application of this Zoning Bylaw imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or agreements, the provisions of this Zoning Bylaw shall control.

E. Other Laws and Regulations

Nothing contained in this Zoning Bylaw shall be construed as repealing or modifying any existing bylaw or regulation of the Town but it shall be in addition thereto. Furthermore, this Zoning Bylaw shall not be construed to authorize the use of any land or structure for any purpose that is prohibited by any other provision of the General Laws or by any other bylaw, rule, or regulation of the Town of Wellesley; nor shall compliance with any such provision authorize the use of any land or structure in any manner inconsistent with this

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Zoning Bylaw, except as required by the Massachusetts General Laws.

F. Amendment

This Zoning Bylaw may from time to time be changed by amendment, addition, or repeal by the Town Meeting in the manner provided for in M.G.L., c. 40A, § 5, and as required by M.G.L., c. 40, § 32, and any amendment(s) thereto.

G. Severability

The invalidity of any section or provision of this Zoning Bylaw shall not invalidate any other section or provision herein.

, or take any other action in relation thereto.

(Planning Board)

ARTICLE 31. To see if the Town will vote to amend the Zoning Bylaw by deleting Section XXI, Off-Street Parking, and readopting the Section, as follows. This amendment to be effective as of July 1, 2019, or upon receipt of the Attorney General's approval if later.

SECTION XXI. OFF-STREET PARKING.

A. Purpose

It is the intent of this Section that any use of land involving the arrival, departure, parking or storage of motor vehicles upon such land be so designed and operated as to assure that all structures and land uses shall have sufficient off-street automobile parking to meet the needs of persons employed at, or making use of, such structures or land uses.

B. Definitions

As used herein the following words and phrases shall have and include the following respective meanings:

Parking Space - An area exclusive of maneuvering area and driveway for the parking of one motor vehicle.

Parking Area - An area either used or required for parking of five or more motor vehicles not for sale or rental, including necessary maneuvering space, maneuvering aisle, and driveway, but not including such areas on a lot used for one or two-family dwellings.

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Storage Area - An area either used or required for the storage of motor vehicles held for sale or rent.

Maneuvering Space - An area in a parking area which (1) is immediately adjacent to a parking space, (2) is used for and/or is necessary for turning, backing, or driving forward a motor vehicle into such parking space but (3) is not used for the parking or storage of motor vehicles.

Maneuvering Aisle - A maneuvering space which serves two or more parking spaces, such as the area between two rows of parking spaces.

Driveway - An area on a lot, in addition to parking and maneuvering spaces and aisles, which is designed or used to provide for the passage of motor vehicles to and from a street or way.

Motor Vehicle - Any vehicle for which registration is required in order to travel legally on Massachusetts highways.

Use - The purpose for which land or buildings are employed, arranged, designed, or intended, or for which either is occupied or maintained.

Service Area - An area used for maneuvering and/or temporary parking of motor vehicles or storage containers employed in providing the pickup and delivery of goods and services.

C. Applicability

The following activities shall be subject to the requirements of this Section, and a Parking Plan demonstrating compliance with this Section and submitted in accordance with subsection E., Administration, shall be required for any of these activities:

1. The erection, enlargement, or alteration of a building or structure for which a parking area or storage area would be required by subsection D., Regulations and Restrictions, 2., Required Parking;
2. The construction of a new parking area or storage area, or the enlargement or alteration of an existing parking area or storage area; enlargement or alteration shall include any installation, removal, or relocation of any curbing, landscaping islands, traffic islands, or driveways, and any striping or restriping of pavement markings on an existing parking area or storage area which alters the configuration of the parking area or number of parking spaces; and

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Wellesley MA 02482

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3. Any change in the use or uses of the structure or land that would require greater parking requirements, as required by D., Regulations and Restrictions, 2., Required Parking, from those applicable to the former use(s) of said structure or land.

D. Regulations and Restrictions

1. General Provisions

The following general provisions shall apply:

- a. No existing off-street parking spaces shall be eliminated by the replacement or enlargement of an existing structure, unless replaced by spaces provided in accordance with this Section;
- b. No existing parking area or existing storage area shall be discontinued or altered if the requirements of this Section would not thereafter be satisfied;
- c. Enlargements or alterations to existing structures with less parking than is required by this Section (unless such deficient parking was allowed by a Variance or Special Permit) shall only be required to provide additional parking to accommodate the additional use (e.g. based on the applicable square footage, ground coverage, dwelling unit, guest room);
- d. Changes in the use or uses of existing structures, or parts thereof, or of land, shall require additional off-street parking spaces in accordance with the provisions of this Section, but only to the extent of such change;
- e. Nothing herein shall be construed to prohibit the owner of a parking or storage area from restricting the use thereof to his customers, employees, or other invitees, nor from charging a reasonable fee for the use thereof; and
- f. Areas required to be kept open and unoccupied by buildings or structures under Section XVIII, Area Regulations, C., Ratio of Building to Lot Area, and Section XIX, Yard Regulations, may be used to satisfy the provisions of this Section.

2. Required Parking

In all districts which require off-street parking in accordance with this Zoning Bylaw, off-street parking shall be provided for uses

(excluding public housing for the elderly) according to Table 21.1, Off-Street Parking Requirements. The Table provides the minimum number of parking spaces required for various uses in the zoning districts, but is not intended to indicate the allowed uses in the districts.

Where two or more uses are conducted on a single lot, the minimum number of required parking spaces shall be the sum of the requirements for the uses.

Table 21.1, Off-Street Parking Requirements

USE	ZONING DISTRICT	MINIMUM NUMBER OF PARKING SPACES
Apartment house, apartment hotels.	Business Districts A, Industrial Districts A.	One space for each apartment dwelling unit contained in buildings.
Hotel, inn, lodging house, restaurant or other eating place.	Single Residence Districts A, General Residence Districts A, Limited Residence Districts, Business Districts A, Industrial Districts A.	Either one space per two guest rooms or one space for each 100 sq. ft.* of area in which food is served, whichever is greater.
Building used for administrative, clerical, statistical & professional offices, and other similar uses.	Administrative and Professional Districts ***, Limited Business Districts.	One space for 100 sq. ft.* of ground coverage of buildings but not less than 3.2 & spaces per 1,000 sq. ft. of floor area of buildings.**
Hotel, motel, inn, restaurant operated in conjunction with such similar uses.	Limited Business Districts.	One space per guestroom and one space for each 100 sq. ft.* of area in which food is served.
Any building where the principal use is motor vehicle sales or service.	Business Districts A, Industrial Districts A.	One space per employee and one space per motor vehicle (not for sale or rental) owned, operated or associated with the establishment and one space per 100 sq. ft.* of area occupied by buildings.
Apartment building or group of buildings containing three or more dwelling units.	Limited Residence Districts.	One space on the lot for each dwelling unit.
Apartment building or group of buildings containing 20 or more dwelling units.	Limited Apartment Districts.	1.5 spaces for each dwelling unit of two bedrooms or less and two parking spaces for each dwelling unit providing three bedrooms or more.

Table 21.1, Off-Street Parking Requirements

USE	ZONING DISTRICT	MINIMUM NUMBER OF PARKING SPACES
Any building used for any business, industrial, educational or commercial purpose residential uses accessory to an educational use.	Educational Districts A, Business Districts A, Industrial Districts A.	One space for each 150 sq. ft.* occupied by buildings but not less than 3.2 spaces per 1,000 sq. ft. of floor area of buildings.**
Any building used for physical education or physical recreation purpose.	Educational Districts B, Business Districts A, Industrial Districts A.	One space for every 3 permanent spectator seats, which shall include folding bleachers that are attached to buildings, but not less than one space per 1,000 sq. ft. of floor area of buildings.**
Any allowed use with or without a special permit.	Lower Falls Village Commercial District.	3.2 spaces per 1,000 sq. ft.* of first floor area of buildings.** 2 spaces per 1,000 sq. ft.* of upper floor space in excess of 4,000 sq. ft.** ****
Assisted Elderly Living, Independent Elderly Housing.	Residential Incentive Overlay District.	0.65 spaces per dwelling unit.
Conventional Multi Family Housing.	Residential Incentive Overlay District.	2 spaces per dwelling unit.
Nursing Home and/or Skilled Nursing Facility.	Residential Incentive Overlay District.	1 space for 5 nursing home beds.
Any building used for any business, industrial, educational or commercial purpose.	Wellesley Square Commercial District, Business Districts, Industrial Districts.	One space for each 150 sq. ft.* of ground coverage of buildings but not less than 3.2 spaces per 1,000 sq. ft. of floor area of buildings.**
Town House.	Town House, General Residence, General Residence A.	Two spaces on the lot for each dwelling unit.
Any residential use.	Linden Street Corridor Overlay District.	2.5 spaces per one, two or three bedroom unit.
Any nonresidential use.	Linden Street Corridor Overlay District.	5 spaces for each 1,000 square feet of ground coverage of buildings*, but not less than 3.2 spaces per 1,000 square feet of floor area of buildings.**

Table 21.1, Off-Street Parking Requirements

USE	ZONING DISTRICT	MINIMUM NUMBER OF PARKING SPACES
For purposes of the above parking requirements, any increase in on-street parking spaces included in a proposed Linden Street Corridor Overlay District Development Site at the expense of the proponent shall be counted towards satisfaction of the off-street parking requirement.		
* Computed to the nearest ten square feet.		
** Floor area shall be the sum of the horizontal areas of the several floors (including basement) of a building to the nearest 100 square feet, except that such floor area as is provided for deck parking or other in building parking shall be counted for required parking space and not in figuring floor area for which parking must be provided. For the purpose of computing the requirements, the area shall be measured from the exterior surface of the exterior walls.		
*** No parking facilities other than those for transient motor vehicles shall be located between the principal building and the principal street line.		
**** If any portion of a parcel is within 600 feet of any portion of a public parking area or areas, having individually or jointly 50 or more parking spaces, off-street parking shall be provided at a ratio of 2.5 spaces per 1,000 gross square feet of commercial floor area, excluding uninhabitable basement areas.		

3. Development Standards

Each parking area hereafter devoted to the off-street parking of fifteen (15) or more vehicles regardless of whether said parking area is required by this Bylaw, shall comply with the standards as hereinafter set forth:

DESIGN

- Parking spaces and maneuvering aisles shall have the minimum dimensions set forth in the following table:

MINIMUM PARKING SPACE AND AISLE DIMENSIONS FOR PARKING AREAS (in feet)

Angle of Parking	Width of Parking Space	Depth of Parking Space	Width of Maneuver Aisle
61° - 90°	8'6"	18'	24'
46° - 60°	8'6"	18'	18'
45°	8'6"	18'	15'
Parallel	8'0"	22'	12'

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Parking spaces for the exclusive use of handicapped individuals shall be provided in accordance with the Rules and Regulations of the Architectural Barriers Board.

Provided however, that compact car spaces having the minimum dimensions set forth in the following table may be used to satisfy up to a maximum of 30% of the off-street parking spaces required. Such spaces shall be designated for "Compact Cars Only" by signs or pavement markings.

**MINIMUM PARKING SPACE AND AISLE DIMENSIONS
FOR PARKING AREAS (in feet) DEVOTED TO COMPACT CARS**

Angle of Parking	Width of Parking Space	Depth of Parking Space	Width of Maneuver Aisle
61° - 90°	7'6"	15'	24'
46° - 60°	7'6"	15'	18'
45°	7'6"	15'	15'
Parallel	7'0"	19'	12'

- b. The number of driveways permitting entrance to and for exit from a lot shall be limited to two per street line. Driveways shall be located so as to minimize conflict with traffic on public streets and where good visibility and sight distances are available to observe approaching pedestrian and vehicular traffic.
- c. The width of a driveway for one-way traffic shall be not less than twelve (12) feet as measured at its narrowest point. The width of a driveway for two-way use shall be a minimum of eighteen (18) feet and a maximum of twenty-four (24) feet, as measured at its narrowest point.
- d. All parking areas shall be so arranged and designed that the only means of access and egress to and from such areas shall be by driveways meeting the requirements of this Section.
- e. Driveways shall be arranged for the free flow of vehicles at all times, and all maneuvering spaces and aisles shall be so designated that all vehicles may exit from and enter into a public street by being driven in a forward direction.
- f. On any parking area in any District, all paved portions of all parking spaces and maneuvering aisles shall be set back five (5) feet from any wall of a building, and five (5) feet from any private or public way, or any lot line of any land in

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residential districts or used for residential, conservation or park purposes.

- g. Each required off-street parking space shall be designed so that any motor vehicle may proceed to and from said space without requiring the moving of any other vehicle or by passing over any other parking space, except where the parking area is attended or limited to employees.

CONSTRUCTION

- a. All required parking spaces, maneuvering aisles, and driveways shall have a durable, dustless, all-weather surface, such as bituminous concrete or cement concrete, and shall provide for a satisfactory disposal of surface water by grading and drainage in such a manner that no surface water shall drain onto any public way or onto any lot in other ownership and such surfaces shall be well maintained.
- b. Parking areas in all Districts shall be provided with curbing, wheel stops, or other devices to prevent motor vehicles from being parked or driven within required setback areas or onto the required landscaped open space.
- c. In any parking area the surface shall be painted, marked or otherwise delineated so that each parking space is apparent.

LANDSCAPING

- a. For an outdoor parking area containing twenty (20) or more parking spaces, there shall be planted at least one tree for every ten (10) parking spaces on any side of the perimeter of such parking area that abuts the side line of a private or public way, or abuts the lot line of land in residential districts or land used for residential purposes.
- b. In any outdoor parking area a landscaped open space having an area of not less than 10% of the outdoor parking area on the lot shall be provided. A minimum of one half of the required landscaped open space shall be located in the interior of the parking area.
- c. Trees required by the provisions of this Section shall be at least two (2) inches in diameter at a height of five (5) feet at the time of planting and shall be of a species characterized by rapid growth and by suitability and hardiness for location in a parking lot. To the extent practicable, existing trees shall be retained and used to satisfy the provisions of this Section.

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SCREENING

Any parking, storage, or service area which abuts residential districts or uses shall be screened from such residential districts or uses and any parking area shall be screened from a public or private way in accordance with the following requirements:

- a. Materials - plant materials characterized by dense growth which will form an effective year-round screen shall be planted, or a fence or a wall shall be constructed, to form the screen. Where a grill or open-work fence or wall is used it shall be suitable in appearance and materials. Screening may consist of both natural and man-made materials. To the extent practicable, existing trees shall be retained and used to satisfy the provisions of this Section.
- b. Height - screening shall be at least five (5) feet in height. Plant materials when planted, may be not less than 3 1/2 feet in height if of a species or variety which shall attain the required height and width within three (3) years of planting. Height shall be measured from the finished grade.
- c. Width - screening shall be in a strip of landscaped open space at least five (5) feet wide, and so located as not to conflict with any corner visibility requirements or any other Bylaws of the Town.
- d. Maintenance - all required plant materials shall be maintained in a healthy condition and whenever necessary replaced with new plant materials to insure continued compliance with screening requirements. All required fences and walls shall be permanently maintained in good repair and presentable appearance and whenever necessary they shall be repaired or replaced.
- e. Lighting - all artificial lighting used to illuminate a parking or storage area, maneuvering space or driveway shall be arranged and shielded so as to prevent direct glare from the light source into any public street or private way or onto adjacent property.

E. Administration

1. Permits

Any application for a permit for the activities listed in subsection C. Applicability shall be accompanied by a Parking Plan showing compliance with the requirements of this Section. For

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DEPARTMENT OF PLANNING AND ZONING

activities that constitute a Major Construction Project or Project of Significant Impact as defined by Section XVI A. Project Approval B. Part 1. Principal Definitions, the required Parking Plan shall be submitted to the Zoning Board of Appeals for review. The Zoning Board of Appeals shall grant a Parking Plan Permit if the requirements of this Section are satisfied. For all other activities, the required Parking Plan shall be submitted to the Building Inspector. The Building Inspector shall grant a Parking Plan Permit if the requirements of this Section are satisfied. If the Building Inspector or Zoning Board of Appeals, as applicable, determines that the Plan is not in compliance with this Section, they shall deny the application setting forth their grounds for denial in writing.

A Parking Plan shall include:

- a. The quantity, location, and dimensions of all driveways, maneuvering spaces and aisles, parking spaces, storage areas, and drainage facilities;
- b. The location, size, and type of materials for surface paving, curbing or wheel stops, landscaping, screening and lighting;
- c. The location of all building and lot lines; and
- d. Such other information as the Building Inspector or Zoning Board of Appeals, as applicable, may require.

The Plan shall be a drawing at a scale of 1 inch equals 20 feet or 1 inch equals 40 feet or at such other scale as the Building Inspector or Zoning Board of Appeals, as applicable, may direct.

Where necessary for the administration of this Section, the Building Inspector or Zoning Board of Appeals, as applicable, may require that the owner, operator or occupant of a lot or any building thereon, furnish a statement as to the number of employees customarily working at any one time on the premises. The Building Inspector or Zoning Board of Appeals, as applicable, may, at any reasonable time, enter upon a lot or into any building thereon, in order to make such determinations as are necessary for the administration of this Section.

2. Special Permits

- a. In the case of such activities which do not meet the requirements of this Section, or are not otherwise exempt, the Zoning Board of Appeals may grant a Special Permit, pursuant to Section XXV, Special Permit Granting Authority.

b. Standards: In considering the issuance of a Special Permit from the requirements of this Section, the Zoning Board of Appeals shall make a finding that the standards specified in Section XXV, Special Permit Granting Authority, D. Special Use Permit Standards, are satisfied.

, or take any other action relative thereto.

(Planning Board)

ARTICLE 32. To see if the Town will vote to amend the Zoning Bylaw by adding a new section, Section XVIG, Outdoor Lighting, to regulate the installation and use of outdoor lighting in association with certain projects, as follows. This amendment to be effective as of July 1, 2019, or upon receipt of the Attorney General's approval if later.

SECTION XVIG. OUTDOOR LIGHTING

A. Title

The Section shall hereafter be known and cited as the "Town of Wellesley Outdoor Lighting Bylaw" or "Outdoor Lighting Bylaw."

B. Purpose and Intent

The purpose of this Section is to enhance public safety by providing for adequate and appropriate outdoor lighting, protect community character, promote energy conservation, protect against light trespass and glare, protect the privacy of residents, and minimize sky glow.

C. Definitions

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Cutoff Angle - The angle formed by a line drawn from the direction of the direct light rays at the light source with respect to the vertical, beyond which no direct light is emitted. (See *Figure 1* for examples of Cutoff Angle)

Direct Light - Light emitted from the lamp, off the reflector or reflector diffuser or through the refractor or diffuser lens, of a luminaire.

Fixture - The assembly that houses a lamp or lamps and which may include a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor, lens, or diffuser lens.

Foot-candle - A unit that measures light illumination on a surface or area that is one foot from a uniform point source.

Fully Shielded Luminaire - A lamp and fixture assembly designed with a cutoff angle of 90 degrees or less so that no direct light is emitted above a horizontal plane. (See *Figure 2* for examples for Fully Shielded Luminaires that would be acceptable and permitted under this Section, or would be unacceptable/discouraged and therefore prohibited under this Section)

Glare - Light emitted from a luminaire with an intensity great enough to produce annoyance, discomfort, or a reduction in a viewer's ability to see.

Height of Luminaire - The vertical distance from the finished grade of the ground directly below to the lowest direct-light-emitting part of the luminaire.

Illuminance - The luminous flux per unit area at any point on a surface exposed to incident light. Measured in foot-candles or lux.

Lamp - The component of a luminaire that produces the actual light.

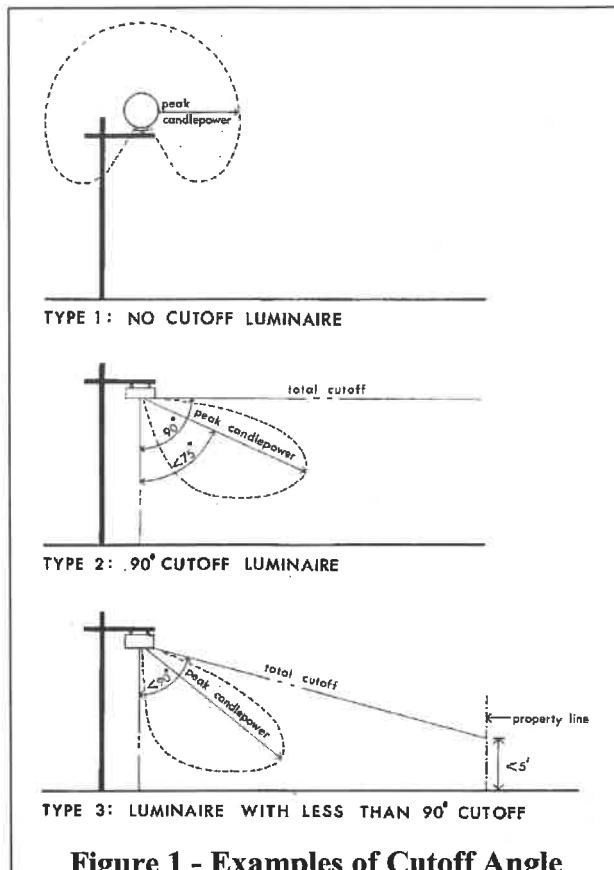


Figure 1 - Examples of Cutoff Angle

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Light Trespass - The shining or spillage of direct light produced by a luminaire beyond the boundaries of the lot or parcel on which the luminaire it is located, or beyond the boundaries of multiple lots or parcels under common ownership.

Lumen - A unit that measures light energy generated by a light source. For the purposes of this Section, the lumen output shall be the initial lumen output of a lamp, as rated by the manufacturer.

Luminance - The intensity of light emitted from a surface per unit area in a given direction; measured in candela per meter squared (cd/m²).

Luminaire - A complete lighting system, including a lamp or lamps and a fixture.

Lux - A unit that measures light illumination on a surface or area that is one meter from a uniform point source. On a photometric plan, the lux measurement is often converted from meters to feet and referred to in terms of foot-candles.

Sky Glow - The diffuse luminance of the night sky derived from artificial lighting, apart from discrete natural light sources such as the Moon and stars. It is the most commonly noticed aspect of light pollution.

D. Applicability

The provisions of this Section shall apply to the following project types which include the proposed installation of one or more outdoor luminaires for exterior lighting:

1. Major Construction Projects and Minor Construction Projects, as defined by Section XVIA, Project Approval; and
2. Externally illuminated signs requiring Design Review and/or a Special Permit, as required and defined by Section XXIIA, Signs.

Where these regulations are more specific and/or more restrictive with respect to lighting associated with an applicable project type for which other standards may exist within the Zoning Bylaw, the regulations contained in this Section shall take precedence.

The provisions of this Section shall not apply to one-family or two family dwellings, or structures and uses accessory to such dwellings.

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The provisions of this Section shall not apply to the ordinary maintenance, repair, and/or replacement of luminaires not approved as part of and/or associated with one or more of the aforementioned project types; furthermore, the provisions of this Section shall not apply to the installation of new luminaires on properties not subject to one or more of the aforementioned project types following the effective date of this Section.

E. Administration

For the project types subject to the provisions of this Section, the following information shall be submitted, except to the extent as such information may be waived by the Design Review Board or Zoning Board of Appeals, as applicable:

1. Information identifying the location, orientation, height, and type of outdoor luminaires to be installed;
2. The luminaire manufacturer's specification data, including, at a minimum, lamp type (light emitting diode, metal halide, compact fluorescent, high pressure sodium), lumen output, correlated color temperature ("CCT"), and photometric data showing light distribution and polar plots;
3. A photometric plan showing the intensity of illumination expressed in foot-candles and/or lux at ground level within the interior of the property and at the property boundaries, except that such plans shall not be required for externally illuminated signs; and
4. Sufficient evidence to confirm that all proposed outdoor luminaires and lighting conditions comply with subsection F., General Regulations, of this Section.

F. General Regulations

All exterior luminaires and/or the outdoor lighting conditions associated with the project types subject to the provisions of this Section, shall comply with the following regulations, unless otherwise specified:

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1. All luminaires shall be fully shielded. (See *Figure 2* for examples for *Fully Shielded Luminaires that would be Acceptable and permitted under this Section, or would be unacceptable/discouraged and therefore prohibited under this Section*)

2. For residential uses, the correlated color temperature ("CCT") of any lamp shall not exceed 2,700K; for all other uses, the CCT of any lamp shall not exceed 3,000K.

3. Building-Mounted Fixtures: Luminaires attached to the exterior of a building or structure, including those to light signs, shall be mounted no higher than fifteen (15) feet above grade.

4. Ground-Mounted Fixtures: Luminaires mounted on the ground, including on poles or attached to Ground Signs, shall have a height no greater than twenty (20) feet.

5. Illuminance Levels and Light Trespass Limitations: Exterior lighting shall not exceed the illuminance levels (measured horizontally on the ground) or exceed the light trespass limits specified below in Table XVIG.1.; Table XVIG.1 shall not apply to externally illuminated signs; however, luminaires associated with such signs shall not have lamps which produce more than 60 watts and/or 800-900 lumens.

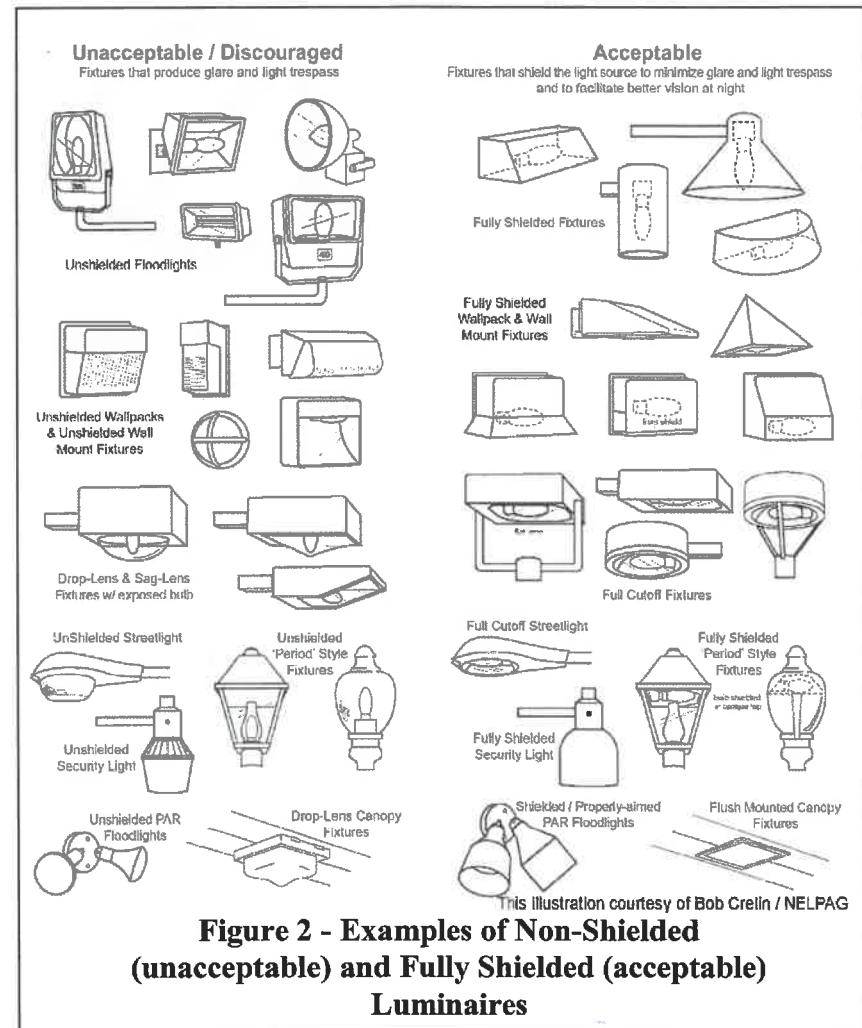


Figure 2 - Examples of Non-Shielded (unacceptable) and Fully Shielded (acceptable) Luminaires

TABLE XVIG.1, LIGHTING LEVELS AND LIGHT TRESPASS LIMITATIONS

Use	Maximum Illuminance (foot-candles/lux)	Maximum Light Trespass* (foot-candles/lux)
Residential Uses	5/50	0.5/5

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Outdoor Recreation and Sports Facilities**	75/800	1.0/10
All Other Uses	10/100	

*The maximum foot-candles/lux allowable at all property lines, including property lines along a public or private street or way, except property lines between lots under common ownership.

**To include fields and venues for sporting events, games, and matches, such as tennis courts, and fields for baseball and soccer; not applicable to passive recreation areas, such as walking paths, or natural areas that may be used for recreation, such as skating ponds.

G. Exempt and Prohibited

1. Exempt: The following luminaires or lighting conditions shall be exempt from regulation under this Section:
 - a. Luminaires associated with security/emergency call boxes;
 - b. Luminaires located greater than 1,000 feet from a property line not in common ownership; and
 - c. Seasonal lighting of a temporary nature.
2. Prohibited: The following luminaires or lighting conditions shall be prohibited in conjunction with the project types identified in subsection D. of this Section:
 - a. Luminaires mounted to or otherwise attached to any trees or similar vegetation; and
 - b. Searchlights for commercial purposes.

H. Special Permits

1. Special Permits, Generally: In the case of such projects which incorporate one more outdoor luminaires not meeting the requirements of subsection F., General Regulations, or not otherwise exempt, the Zoning Board of Appeals may grant a Special Permit, per Section XXV, Special Permit Granting Authority.
2. Standards: In addition to those standards specified in Section XXV,

Special Permit Granting Authority, in considering the issuance of a Special Permit from the requirements of this Section, the applicable Special Permit Granting Authority shall make a finding that one or more of the following conditions are met:

- a. The proposed lighting is necessary to enhance public safety;
- b. The proposed lighting enhances, or does not negatively impact, community ambiance and character; or
- c. The proposed lighting does not produce unacceptable light trespass, glare, sky glow, or compromise the privacy of abutting property owners.

, or take any other action relative thereto.

(Planning Board)

ARTICLE 33. To see if the Town will vote to amend the Zoning Map of the Town of Wellesley, Massachusetts, to resolve discrepancies, by rezoning the following properties, as specified:

- a. To rezone the parcel located at 36 Pleasant Street (Assessor's Parcel ID# 135-19), totaling approximately 23,125 square feet in area, from the General Residence District and Single Residence District and 10,000 Square Foot Area Regulation District, an error depicted on the current Zoning Map, to the Single Residence District and 10,000 Square Foot Area Regulation District or to the General Residence District in its entirety; and
- b. To rezone four (4) parcels located at 42R Winding River Road, 56R Winding River Road, 70R Winding River Road, and 86R Winding River Road (Assessor's Parcel ID#s 142-1, 142-2, 142-3, and 129-8, respectively), and one parcel known as Assessor's Parcel ID# 142-4, the properties totaling approximately 93,670 square feet, 72,797 square feet, 30,743 square feet, 3,682 square feet, and 128,954 square feet in area, respectively, from the Single Residence District and 20,000 Square Foot Area Regulation District, an error depicted on the current Zoning Map, to the Single Residence District and 40,000 Square Foot Area Regulation District or to the Parks, Recreation, and Conservation District, in their entirety;

or take any other action relative thereto.

(Planning Board)

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PLANNING BOARD

ARTICLE 34. To see if the Town will vote to amend the Zoning Map of the Town of Wellesley, Massachusetts to rezone the parcel located at 999 Worcester Street (Assessor's Parcel ID# 200-27), totaling approximately 29,420 square feet, from the Business District and Single Residence District and 10,000 Square Foot Area Regulation District, to the Business District in its entirety, or take any other action relative thereto.

(Planning Board)

AMEND TOWN BYLAWS

ARTICLE 35. To see if the Town will vote to amend the General Bylaws in order, to improve consistency of language and style throughout, to bring the Bylaws into conformance with existing practice, and to assign to the Human Resources Board responsibility for Town personnel policies and procedures, by:

1. Amending Section 8.3, Notice of Elections by eliminating the words "Wellesley Square" and replacing them with "the Police Station";
2. Amending Section 26.7, Fees, by:
 - a. Inserting in parentheses, after the words "Business Certificates," the acronym "(D/B/A)";
 - b. Deleting the Item "For Furnishing an Abstract Copy of a Record of Birth" and the corresponding Fee of \$8.00;
 - c. Increasing the Fee for "Entering Delayed Record of Birth" from \$20.00 to \$30.00;
 - d. Inserting after "Entering Delayed Record of Birth" a new Item: "For Registration of a Home Birth" and a corresponding Fee in the amount of \$50.00;
 - e. Deleting the Item "For Furnishing an Abstract Copy of a Record of Death" and the corresponding Fee of \$8.00;
 - f. Deleting the Item "For Furnishing an Abstract Copy of a Record of Marriage" and the corresponding Fee of \$8.00;
 - g. Inserting after the last Item a new Item, "Publications", and a table of Fees as follows:

Residence Book or CD	\$15.00
Zoning Bylaw Book	\$20.00
Town Bylaw Book	\$15.00
Large Maps	\$10.00
Small Maps	\$ 5.00
3. Replacing Section 30.10 substantially for the purpose of transferring responsibility for the maintenance of personnel policies and procedures from Town Meeting to the Human Resources Board.

A redlined copy of the General Bylaw showing said amendments shall be made available on the Town's website for inspection.

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or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 36. To see if the Town will vote to amend the General Bylaws by inserting in Article 8 a new section 8.25 as follows:

8.25. Electronic Voting. Notwithstanding any provision of these bylaws to the contrary, subject to the availability of a system to enable electronic voting by Town Meeting Members using handheld mobile devices, the Moderator may count the vote, or conduct a roll call vote, on any matter before the Town Meeting by the use of such system.

and further, to see if the Town will vote to raise and appropriate, transfer from available funds or free cash, or borrow the sum of \$15,000.00 (FIFTEEN THOUSAND DOLLARS) to be expended under the direction of the Town Clerk for the purpose of consulting services, leasing, maintaining, operating, and/or purchasing the use of Electronic Voting Systems to be used in Town Meeting sessions, or to take any other action in relation thereto.

(Committee on Electronic Voting)

CITIZEN PETITIONS

ARTICLE 37. To see if the Town will vote to amend the Zoning Map of the Town of Wellesley by rezoning the following properties from a General Residence District to a Single Family Residence District 10,000 square feet area.

15 Wellesley Avenue
21 Wellesley Avenue
23 Wellesley Avenue
25 Wellesley Avenue
1 Dexter Road
3 Dexter Road
5 Dexter Road
7 Dexter Road
8 Dexter Road

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(Citizen Petition)

ARTICLE 38. RESOLUTION TO SUPPORT THE ESTABLISHMENT OF INDIGENOUS PEOPLES DAY IN WELLESLEY

We the undersigned support a resolution being accepted by Wellesley Town Meeting, for Wellesley to recognize Indigenous Peoples Day on the second Monday of October, and to no longer celebrate Columbus.

We have heard the voices of Indigenous People who are calling for an end to the celebration of Columbus. We support joining the dozens of other cities, states, and colleges (including [Cambridge](#), [Somerville](#), [Brookline](#), Amherst, [Northampton](#), and Harvard) who recognize the second Monday of October as Indigenous Peoples Day.

We support this resolution because it reflects our values and the values of our schools in educating our children about human rights. We want our children to know the truth that indigenous peoples have lived on this land since time immemorial, long before Columbus arrived in 1492. The people of hundreds of indigenous nations continue to live amongst us, despite 527 years of colonization and institutionalized genocide that began with Columbus. Historical records show unequivocally that Columbus perpetrated human rights abuses against the indigenous people he encountered, including rape, mutilation, enslavement, torture, and murder. He initiated the transatlantic slave trade. He is not a person to be celebrated. We choose instead to honor and celebrate the resistance and resilience of indigenous peoples in Massachusetts and around the world.

To our Indigenous friends and neighbors, by this act of abolishing Columbus Day and instituting Indigenous Peoples Day, we the people of Wellesley, Massachusetts, hereby acknowledge the land on which our town is built as the traditional territory of the Massachusetts People. We acknowledge and grieve the genocide of millions of your indigenous relatives. We acknowledge and grieve the theft and destruction of your homelands. We acknowledge and grieve the many attempts at cultural genocide historically and presently perpetrated against you. We commit to teaching our children the true histories and present-day realities of indigenous peoples. We celebrate the resilience of your cultures and communities.

It is our hope that the people of Wellesley will engage in a tradition of honoring this land's first people, our earth, land, air, and water, and all our relations, by taking part in a celebration on the 2nd Monday of October and joining with the World of Wellesley to create new opportunities for connection and learning.

We as people who reside, work, and engage in Wellesley acknowledge this town is located on the traditional territory of the Massachusetts People.

(Citizen Petition)

GENERAL

ARTICLE 39. To see if the Town will vote to rescind authorized and unissued loans, to authorize the transfer of unused proceeds from previously issued loans to one or more eligible appropriations, and/or to amend existing borrowing authorizations on unissued debt authorized prior to November 7, 2016, in order to allow the use of premiums for project costs and to reduce the amount of the borrowing so authorized in accordance with Section 20 of Chapter 44 of the Massachusetts General Laws, as amended by Section 67 of Chapter 218 of the Acts of 2016, as follows:

- 1) Amounts to be rescinded:

<i>Town Meeting Vote</i>	<i>Project</i>	<i>Total Debt Authorization</i>	<i>Amount to be Rescinded</i>
Art. 15, April 8, 2013, ATM	Wales Street Bridge Planning	\$400,000	\$20,000.00
Art. 16, April 16, 2014, ATM	Fire Station #2 Floor	\$173,140	\$13,140.00
Art. 2, January 20, 2015, STM	North 40 Land Acquisition	\$35,140,399	\$399.00
Art. 17, April 7, 2015 , ATM	School Security Improvements Planning	\$408,300	\$4,300.00
Art.6.1 October 14, 2014 STM	Schofield/Fiske	\$19,634,824	\$400,240.72
Art. 20.1 April 25, 2017 ATM	Cliff Road	\$ 2,470,000	\$306,016.31

2) Unused proceeds to be transferred and to rescind a like amount of debt in project to be supplemented:

<i>Town Meeting Vote</i>	<i>Original Project</i>	<i>Amount to be Transferred</i>	<i>Project to be Supplemented</i>	<i>Town Meeting Vote</i>
4/2014 Fuller Brook	\$ 970,205	\$384,805.99	Grove Street	ATM 2018
4/2017 - Cliff Road	\$2,470,000	\$503,508.55	Grove Street	ATM 2018
10/2014 Fisk/Schof.	\$19,634,824	\$ 31,488.52	Grove Street	ATM 2018
10/2014 MS Windows	\$4,909,300	\$ 63,006.00	Grove Street	ATM 2018
4/2016 Police Env.	\$1,845,000	\$ 52,772.19	Grove Street	ATM 2018
4/2018 Land	\$3,450,000	\$ 325.50	Grove Street	ATM 2018

or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 40. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money, to be expended under the direction of the Board of Selectmen, for the purpose of paying expenses related to the settlement of claims, actions and proceedings against the Town, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 41. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to dispose of tangible Town property having a value in excess of \$10,000.00 (TEN THOUSAND DOLLARS), on such terms as it may deem advisable, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 42. To see if the Town will vote to authorize the Board of Selectmen to appoint one or more of its members as a fire engineer, or to take any other action in relation thereto.

(Board of Selectmen)

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And you are directed to serve this Warrant by posting attested copies in not less than two conspicuous places in the Town and by causing this warrant to be posted to the Town of Wellesley website (www.wellesleyma.gov) at least seven days before the date on which the meeting is to be held.

Hereof fail not and make due return of this Warrant and your doings thereon unto the Town Clerk at or before the time of holding said meeting.

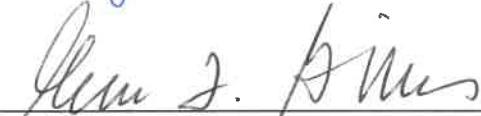
Given under our hands this 28th January 2019.



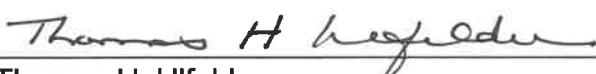
Jack Morgan, Chairman



Marjorie R. Freiman, Vice-Chair



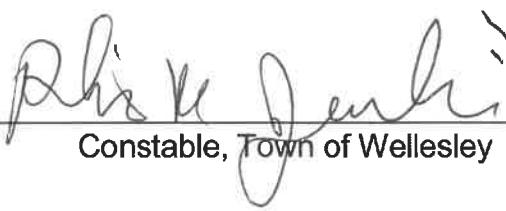
Ellen F. Gibbs, Secretary



Thomas H. Ulfelder



Elizabeth Sullivan Woods

A true copy, 

Attest: Rhys M. Jenkins
Constable, Town of Wellesley

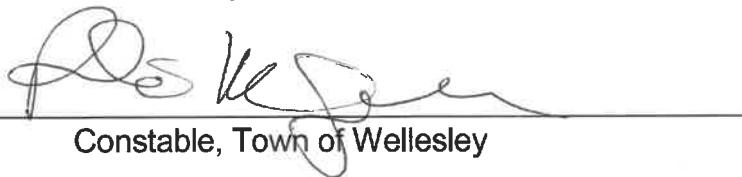
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TOWN OF WELLESLEY, MA 02451

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

Wellesley, MA January 29, 2019

I have this date caused the within Warrant to be served by posting two copies in two conspicuous places in the Town, i.e., the Town Hall and Wellesley Square, and causing the Warrant to be posted to the Town of Wellesley website.



Constable, Town of Wellesley

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