

TOWN OF WELLESLEY



**WARRANT
for the
SPECIAL TOWN MEETING**

MODERATOR'S BUSINESS MEETING
October 2, 2020, 9:00 A.M. via Zoom

ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)
September 23, 2020, 7:00 P.M. via Zoom

PLANNING BOARD PUBLIC ZONING HEARING
September 8, 2020, 6:30 P.M. via Zoom

Commonwealth of Massachusetts
Norfolk, ss.

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

GREETINGS:

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

Zoom Videoconferencing Platform
Monday, October 26, 2020

at 7:30 P.M., and that members of the public may access and witness the deliberations and actions taken at the Special Town Meeting in the following manner: <https://www.wellesleymedia.org/live-streaming.html> or on television on Comcast channel 8 or Verizon channel 40; Town Meeting members and Town officials shall receive a link to join the zoom video conferencing platform to participate in the Special Town Meeting 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; non-Town Meeting Members who are registered voters residing in the Town who wish to participate in remote Town Meeting must submit a request to participate to the Town Clerk not less than 48 hours in advance of the Town Meeting (by Saturday, October 24 at 7:30 p.m.), and when submitting this request, non-Town Meeting Members who wish to make a comment, ask a question, or otherwise address Town Meeting, should email Town Clerk KC Kato

(kckato@wellesleyma.gov) with the following information: (a) First and Last Name, (b) Street Address, (c) Phone Number, (d) Email Address, and (e) Article(s) he or she would like to speak to, and once verified, shall receive follow up information with specific participation instructions for the meeting:

ARTICLE 1. To receive and act on the reports of Town officers, boards and committees, including the Report to this Special 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.

(Board of Selectmen)

APPROPRIATIONS – OPERATING AND OUTLAY

ARTICLE 2. 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 3. 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 2020 Annual Town Meeting, 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 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 5 (ATM 2020 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 55.1.d of the General Bylaws to read as follows:

d. Tree Bank Fund.

Funds held in the Tree Bank Fund shall be expended by:

- i. The Department of Public Works for buying, planting, and maintaining trees on public or private property; and
- ii. The Planning Department and Natural Resources Commission for conducting studies to maintain and protect trees.

Receipts credited to this fund shall include contributions in lieu of tree replanting required in accordance with Section 16E of the Zoning Bylaw.

or to take any other action in relation thereto.

(Planning Board)

APPROPRIATIONS – SPECIAL CAPITAL PROJECTS

ARTICLE 6. 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 construction funds, architectural and engineering construction administration, project management, and any associated costs related to the construction of the interior renovation of the Main Wellesley Free Library located 530 Washington Street, 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 costs by a like amount, or to take any other action in relation thereto.

(Board of Library Trustees/Permanent Building Committee)

ARTICLE 7. 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 Facilities Maintenance Department, for construction funds, architectural and engineering construction administration, project management, and any associated costs related to the repair, reconstruction, or replacement of the roof at the Main Wellesley Free Library located 530 Washington Street, 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 costs by a like amount, or to take any other action in relation thereto.

(Board of Library Trustees/Permanent Building Committee)

ARTICLE 8. 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 Facilities Management Department, for construction funds, architectural and engineering construction administration, project management, and any associated costs related to the repair, reconstruction, or replacement of the Sprague Elementary School Chiller located at 401 School Street, 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 costs by a like amount, or to take any other action in relation thereto.

(Facilities Management Department)

ARTICLE 9. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2021 Community Preservation Budget, and to undertake community preservation projects as recommended by the Community Preservation Committee, and which recommendations may involve the transfer or borrowing of funds and expenditures, or to take any other action in relation thereto.

(Community Preservation Committee)

AUTHORIZATIONS

ARTICLE 10 (ATM 2020 ARTICLE 24). To see if the Town will vote to approve the naming of "Hunnewell 2/Multipurpose Field" located at 438 Washington Street, as the "Diane P. Warren Field" in accordance with Article 5.5 of the Town Bylaws Naming of Public Assets, or to take any other action in relation thereto.

(Natural Resources Commission)

ARTICLE 11 (ATM 2020 ARTICLE 25). To see if the Town will vote to add, modify, or delete certain personnel policies and procedures for Town employees not covered by

collective bargaining agreements, or authorize the Human Resources Board to do the same, in accordance with Article 30.10 of the Town Bylaws Personnel Policies Nonunion Employees, or to take any other action in relation thereto.

(Human Resources Board)

ARTICLE 12 (ATM 2020 ARTICLE 26). To see if the Town will vote to adopt a resolution to address the serious impact of climate change and to recommend that all boards, committees, and departments take certain actions in response to the accelerating crisis that threatens our community, region, state, nation, and the world, or to take any other action in relation thereto.

(Board of Selectmen)

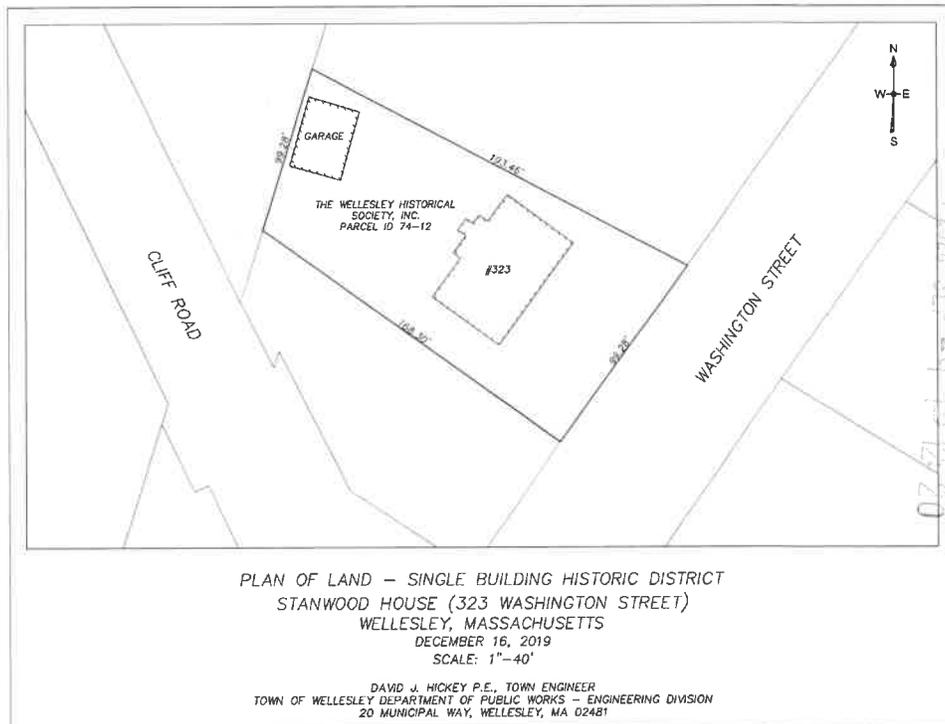
ARTICLE 13 Granite Street To see if the Town will vote to acquire by eminent domain, Granite Street, from Sunset Road to Crown Ridge Road, as laid out and accepted by vote under Article 23 of the 2018 Annual Town Meeting, or to take any other action in relation thereto.

(Board of Selectmen)

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AMEND ZONING BYLAW

ARTICLE 14 (ATM 2020 ARTICLE 29). To see if the Town will vote to establish a Historic District to be located at 323 Washington Street (Parcel ID 74-12) and to amend the Zoning Map of the Town of Wellesley by applying the Historic District Overlay Zoning District to said land at 323 Washington Street, as shown on the plan entitled "Plan of Land – Single Building Historic District, Stanwood House (323 Washington Street), Wellesley, Massachusetts" by Dave Hickey, Town Engineer, dated December 16, 2019, a copy of which is on file at the Office of the Town Clerk, provided, however, that the Historic District Overlay Zoning District shall overlay and not change the existing underlying General Residence District zoning of the property, or to take any other action in relation thereto.



(Historic District Commission, Historical Commission, and Planning Board)

ARTICLE 15 (ATM 2020 Article 30). To see if the Town will vote to correct the omission of the Large Scale Solar Overlay District in the list of districts in Section 1A of the Zoning Bylaw by amending Section 1A, as follows:

1. Inserting after "27. Linden Street Corridor Overlay District (Section 14G)" in the list of districts, the following

28. Large-Scale Solar Overlay District (Section 14H)

and

2. Renumbering the remaining items in the list of districts accordingly;

or to take any other action in relation thereto.

(Planning Board)

ARTICLE 16 (ATM 2020 ARTICLE 31). To see if the Town will amend the Zoning Bylaw to require Large House Review for single family dwellings, two-family dwellings, and Town Houses in the General Residence Districts, as follows:

1. By inserting a new Section 4.C as follows:

C. Large House Review

The provisions of Section 16D shall apply.

2. By inserting after the word “dwellings” in Section 16D.A, the phrase “in the Single Residence or General Residence Districts and Two Family Dwellings or Town Houses in the General Residence Districts”, such that Section 16D.A shall read as follows:

This Section is adopted by the Town to provide pre-construction and post-construction review of single family dwellings in the Single Residence or General Residence Districts and Two Family Dwellings or Town Houses in the General Residence Districts that meet the applicability standards set forth below.

3. By inserting a new paragraph after the second full paragraph in Section 16D.C as follows:

The provisions of this Section shall also apply to all building permits issued after January 16, 2020 for:

Any new single family dwelling, Two Family Dwelling, or Town House in the General Residence District where the Total Living Area Plus Garage Space of the dwelling or Town House after completion exceeds 3,600 square feet; and

Alteration of any single family dwelling, Two Family Dwelling, or Town House in the General Residence District where the alteration will increase the Total Living Area Plus Garage Space of the dwelling in question by more than 10% and the Total Living Area Plus Garage Space of the dwelling, after completion of the project, will exceed 3600 square feet.

4. By inserting in Section 16D.D.1, after the phrase “single family residential dwelling”, the phrase “, Two Family Dwelling, or Town House”, and inserting after the phrase “until the dwelling”, the phrase “or Town House”, such that Section 16D.D.1 shall read as follows:

General. Any applicant for a single family residential dwelling, Two Family Dwelling, or Town House that is subject to this Section shall submit to the Planning Board through the Planning Director the required information, including plans indicating the delineation of the neighborhood, existing and proposed site conditions, photographs, topography, building elevations, proposed grading and landscape design described in the Rules and Regulations and shall not be entitled to the issuance of a building permit unless and until the dwelling or Town House is approved in accordance with this Section.

or to take any other action in relation thereto.

(Planning Board)

ARTICLE 17 (ATM2020 ARTICLE 32). To see if the Town will vote to amend Section 16E of the Zoning Bylaw to (1) clarify the intent and purpose of the bylaw, (2) require increased mitigation actions, (3) increase the scope of protected trees, (4) allow other factors to be included in determining contributions to the Tree Bank Fund, (5) conform to Article 55 of the Town's General Bylaws, and (6) update the bylaw's terminology, such amendments may include, but not be limited to, the following:

1. By deleting the word "and" after the phrase "contribute to the distinct character of certain neighborhoods," and by adding the phrase "and reduce ambient carbon in the atmosphere" after the phrase "provide natural privacy to neighbors" in the first sentence in the second paragraph of Section 16E.B, to reflect the sustainability policies of the Town, so that the relevant part of Section 16E.B reads as follows:

Trees are recognized for their abilities to improve air quality, protect from glare and heat, reduce noise, aid in the stabilization of soil, provide natural flood and drainage control, create habitats for wildlife, enhance aesthetics and property values, contribute to the distinct character of certain neighborhoods, provide natural privacy to neighbors, and reduce ambient carbon in the atmosphere.

2. By amending the definition of Protected Trees from Section 16E.C, to capitalize the words "Tree" and "Trees," to clarify the location of Trees subject to the bylaw as being within the Tree Yard, and to decrease the relevant diameter at breast height from 10 inches or greater to six inches or greater for such Trees, so that Section 16E.C reads as follows:

Protected Tree - Any existing Tree located in the Tree Yard or Tree that was removed from the Tree Yard within twelve (12) months prior to application for an applicable demolition or building permit, which has a DBH of six (6) inches or greater, located in a Tree Yard of a property zoned Single Residence District or General Residence District, or located anywhere on property zoned other than Single Residence District or General Residence District. Any Tree that has a DBH of six (6) inches or greater with portions of the stem of the Tree actively growing into a Tree

Yard between a height of six (6) inches and four and one-half (4.5) feet above grade shall be considered a Protected Tree.

- By deleting the definition of Tree Bank from Section 16E.C, in its entirety, and inserting, in place thereof, a new definition, as follows:

Tree Bank Fund – The revolving fund established pursuant to Section 55.1.d of the Town Bylaws.

- By deleting the definition of Tree Yard from Section 16E.C, in its entirety, and inserting, in place thereof, a new definition, incorporating the table presently set forth in Section 16E.F.1, as follows:

Tree Yard - The area of a parcel zoned Single Residence District or General Residence District located adjacent to all front, side, and rear lines of a lot up to the distances set forth in the following table:

Location of Protected Trees on Property Zoned Single Residence District (SRD) or General Residence District			
Zoning District	Minimum Tree Yard (feet)		
	Front	Side	Rear
SRD 10	20	10	10
SRD 15	20	20	20
SRD 20	20	20	20
SRD 30	40	30	30
SRD 40	40	40	40
General Residence District	20	10	10

- By amending Section 16E.D.2.a, by deleting the word “In” and inserting in place thereof, the word “in”;
- By deleting the period at the end of Section 16E.D.2.d and by inserting in its place “; and”;
- By deleting Section 16E.D.2.f and Section 16E.D.2.g, in their entirety.
- By deleting Section 16E.E, in its entirety, and inserting, in place thereof, a new Section 16E.E, as follows:

Town of Wellesley Tree Bank Fund

Any contributions collected per Section 16E.F.2.b.ii. shall be deposited in the Tree Bank Fund.

9. By deleting Section 16E.F.1, in its entirety, and inserting, in place thereof, a new Section 16E.F.1, as follows:

Scope:

Demolition and/or construction activity (as identified under Section 16E.D.1.) on a property on which a Protected Tree is located is prohibited unless required Tree protection and/or mitigation measures will be taken as set forth in this subsection.

10. By inserting a new sentence after the second sentence in Section 16E.F.2, as follows:

Any fencing to be included in the Tree Save Area shall consist of chain link wire fencing.

11. By deleting Section 16E.F.2.b.i, in its entirety, and inserting, in place thereof, a new Section 16E.F.2.b.i, as follows:

Replanting of Trees: For each inch of DBH of Protected Tree(s) which are removed, no less than one (1.0) inch of caliper of new Tree(s) shall be replanted in accordance with the following:

12. By deleting Section 16E.F.2.b.i.1, in its entirety, and inserting, in place thereof, a new Section 16E.F.2.b.i.1, as follows:

Each new Tree must have a minimum caliper of three (3) inches;

13. By deleting Section 16E.F.2.b.ii, in its entirety, and inserting, in place thereof, a new Section 16E.F.2.b.ii, as follows:

Contribution to the Tree Bank Fund: The Board of Selectmen shall establish a Tree Bank Fund contribution schedule, such schedule to be based on the DBH of Protected Tree(s) to be removed, impact on Town infrastructure, and other environmental impacts associated with the removal of the Tree. The schedule may also take into account the aggregate DBH of Protected Trees to be removed. The applicant shall make such contribution to the Tree Bank Fund for the removal of a Protected Tree, not already mitigated for, pursuant to Section 16E.F.2.b.i.; such contributions shall be deposited to the Tree Bank Fund.

14. By inserting, after the phrase "Tree Bank" in Section 16E.F.3.b.viii, the word "Fund";

15. By deleting Section 16E.F.3.c, in its entirety; and

16. By capitalizing the words "tree" and "trees" where such words appear in Section 16E;

or take any other action in relation thereto.

(Planning Board and Natural Resources Commission)

ARTICLE 18 (ATM 2020 ARTICLE 33). To see if the Town will vote to amend Section 16F, Natural Resource Protection (NRP) Development, of the Zoning Bylaw, to (1) increase flexibility in the design and layout of the lots within a NRP Development, (2) ensure that all such developments comply with lighting requirements in Section 16G, and (3) update terminology; such amendments to include, but not be limited to, the following:

1. By inserting ", driveways, and common pathways" after the word "Streets" in Section 16F.D.2;
2. By inserting at the end of Section 16F.D.3 the following:

Dwellings shall not be oriented linearly or subject to the provisions of Section 19 that:

Where, on a frontage of 500 feet including the lot to be affected, or on a frontage between two intersecting or entering streets if such frontage is less than 500 feet, all existing buildings (if they are not less than three in number) have front yards of a depth greater than 30 feet, the minimum depth thereof shall be the depth required.

3. By deleting Section 16F.D.8, in its entirety and inserting, in place thereof, a new Section 16F.D.8 as follows:

Exterior lighting shall be only as needed to accomplish safety and design objectives; shall be arranged so as to minimize the impact on neighboring properties; and shall comply with the provisions of Section 16G which are incorporated herein by this reference.

4. By deleting Section 16F.D.9 in its entirety and inserting, in place thereof, a new Section 16F.D.9 as follows:

Shared driveways may be constructed to access a maximum of three (3) residences. Shared driveways shall be located within an easement which may allow space for installation of water lines and utilities as needed.

5. By deleting the word "house" from Section 16F.E;
6. By deleting Section 16F.E.2, in its entirety and inserting, in place thereof, a new Section 16F.E.2 as follows:

Locating Dwelling Sites. Locate the approximate sites of dwellings within the Potentially Developable Area and include the delineation of private yards and shared amenities so as to reflect an integrated community within the subdivision. Priority in design shall be given to determining the appropriate location of dwellings prior to determining the location of streets.

7. By deleting Section 16F.E.3 in its entirety and inserting, in place thereof, a new Section 16F.E.3, as follows:

Locating Streets, Common Parking Areas, Common Detached Garages, and Pathways. Streets should be laid out in order to access common parking areas, common detached garages, or individual house lots while minimizing interference with Conservation Areas and maximizing Open Space. Pathways should be laid out to create internal and external connections to common parking areas, common detached garages, and existing and/or potential future streets, sidewalks, trails, and pathways.

8. By deleting the words "Housing" and "homes" from Section 16F.F.1, and inserting, in place thereof, the words "Dwelling" and "dwellings", respectively; and
9. By deleting Sections 16F.F.2, Section 16F.F.3, Section 16F.F.4, and Section 16F.F.5, in their entirety and inserting, in place thereof, the following:
 2. Lot Dimension. the following minimum dimensional standards shall apply for lots within a NRP Development.

TABLE 1.

Area Regulation District	SINGLE RESIDENCE DISTRICT				
	10,000 SF.	15,000 SF.	20,000 SF	30,000 SF.	40,000 SF.
Minimum Lot Size	7,500 SF.	7,500 SF.	10,000 SF.	10,000 SF.	10,000 SF.
Minimum Frontage	50 ft.	50 ft.	50 ft.	50 ft.	50 ft.
Minimum Front Yard Setback	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.

3. Frontage. Lots within the NRP Development may have frontage on internal streets, common driveways, common parking areas, or common pathways.
4. Parcel Dimensions. To further the design process provided in Section 16F Part E above, the following minimum dimensional standards shall apply from the edge of the entire parcel to the nearest lot internal within the NRP Development:

TABLE 2

Area Regulation District	SINGLE RESIDENCE DISTRICT				
	10,000 SF.	15,000 SF.	20,000 SF	30,000 SF.	40,000 SF.
Minimum Front Yard Depth (setback)	30 ft.	30 ft.	35 ft.	40 ft.	40 ft
Minimum Side Yard Width (setback)	20 ft.	20 ft.	20 ft.	30 ft.	40 ft.
Minimum Rear Yard Depth (setback)	10 ft.	20 ft.	20 ft.	30 ft.	40 ft.

5. Accessory Structures. Accessory structures such as common carriage houses or a bank of common garages are encouraged.

or to take any other action in relation thereto.

(Planning Board)

ARTICLE 19 (ATM 2020 Article 34). To see if the Town will vote to delete Section 22E of the Zoning Bylaw in its entirety, given the 2018 Annual Town Meeting vote under Article 28 to prohibit Marijuana Establishments, or take any other action in relation thereto.

(Planning Board)

ARTICLE 20 (ATM ARTICLE 35). To see if the Town will vote to amend the Zoning Bylaw to update statutory and regulatory references and associated changes resulting from the enactment of Chapter 55 of the Acts 2017:

1. By deleting the definition of Registered Marijuana Dispensary in Section 1B, in its entirety, and inserting, in place thereof, a new definition as follows:

Registered Marijuana Dispensary (“RMD” or “RMDs”) – An entity licensed under 935 CMR 501.000 that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana or marijuana products, marijuana infused products (“MIPs”), tinctures, aerosols, oils, or ointments), transports, sells, distributes, delivers, dispenses, or administers marijuana, products containing cannabis or marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use, and also referred to as Medical Marijuana Treatment Center under 935 CMR 501.000.

2. By deleting the phrase "Chapter 369 of the Acts of 2012, *An Act for the Humanitarian Medical Use of Marijuana*, and 105 CMR 725.000: *Implementation of an Act for the Humanitarian Medical Use of Marijuana*" from Section 25.B.6.a and Section 25.B.6.b, and inserting, in place thereof, the phrase "Chapter 94I of the Massachusetts General Laws, and 935 CMR 501.000";
3. By deleting the phrase "105 CMR 725.000", from Section 25.B.6.a, Section 25.B.6.b, Section 25.B.6.d.iii(1), Section 25.B.6.d.iv(6), and Section 25.B.6.d.iv(7), and inserting, in place thereof, the phrase "935 CMR 501.000"; and
4. By deleting Section 25.B.6.d.iii(3), in its entirety, and inserting, in place thereof, a new Section 25.B.6.d.iii(3), as follows:

For every publicly accessible entrance there shall be at least one (1) sign that includes the language "Medical Registration Card issued by the MA Department of Public Health or the Cannabis Control Commission required" with a minimum text height of two (2) inches, in addition to any other sign that may be required by 935 CMR 501.000 at such location.

or take any other action in relation thereto.

(Planning Board)

ARTICLE 21 (ATM ARTICLE 36). To see if the Town will vote to amend the Zoning Bylaw by revising Section 16C, Drainage Review, as needed to comply with the requirements of the current USEPA/MassDEP General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems in Massachusetts (the "MS4 Permit"), or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 22 (ATM ARTICLE 37). To see if the Town will vote to amend the Zoning Bylaw, as follows:

1. By inserting, in the appropriate alphabetical order, a new definition in Section 1B, as follows:

Select Board: The Select Board shall have all of the powers and duties granted to Boards of Selectmen by the Constitution and General Laws of the Commonwealth of Massachusetts, and such additional powers and duties as may be provided by any Special Act of the Legislature applicable to the Town of Wellesley, by this Bylaw, by the General Bylaws or by Town Meeting vote.

2. By deleting the following instances of the term “Board of Selectmen” and inserting, in place thereof, the term “Select Board”:

- i. Section 1B;
- ii. Section 2.A.11 (4 instances);
- iii. Section 9.B.6;
- iv. Section 14J.E.2.b;
- v. Section 14J.K.d.6 (2 instances);
- vi. Section 14J.L;
- vii. Section 16.D.2;
- viii. Section 16.D.3;
- ix. Section 16A.C.3.c.ii;
- x. Section 16A.C.3.d (3 instances);
- xi. Section 16E.F.2.b.ii;
- xii. Section 16F.G.3;
- xiii. Section 16F.G.5.d.vi;
- xiv. Section 22.C (2 instances);
- xv. Section 22.F.2.c;
- xvi. Section 22.I.1.h;
- xvii. Section 22.K.3;
- xviii. Section 24.A (2 instances); and
- xix. Section 25.C.2

3. By deleting all instances of the term “Board of Selectmen” and “Selectmen” from any amendment to the Zoning Bylaw approved at the Annual Town Meeting beginning March 30, 2020, and inserting, in place thereof, the term “Select Board”.

Or to take any other action in relation thereto.

(Board of Selectmen)

AMEND GENERAL BYLAW

ARTICLE 23 (ATM 2020 ARTICLE 38). To see if the Town will vote to amend the General Bylaw, as follows:

1. By deleting Section 19.3, Powers, in its entirety, and inserting, in place thereof, a new Section 19.3, as follows:

Section 19.3. Powers and Duties. The Select Board shall have all of the powers and duties granted to Boards of Selectmen by the Constitution and General Laws of the Commonwealth of Massachusetts, and such additional powers and duties as may be provided by any Special Act of the Legislature applicable to the Town of Wellesley, by this bylaw, by the Zoning Bylaw or by Town Meeting vote. The

Select Board shall also oversee all matters affecting the interest and welfare of the Town and exercise the power and authority vested in the Town not specifically delegated by law to any other board or office.

2. By deleting Section 19.6, General Duties, in its entirety, and inserting, in place thereof, a new Section 19.6, as follows:

Section 19.6. [Repealed]

3. By deleting the following instances of the term “Board of Selectmen” and inserting, in place thereof, the term “Select Board”:
 - i. Article 5.6: Acceptance of Gifts (7 instances)
 - ii. Article 7.2: Vacancy in the Board of Selectmen (2 instances)
 - iii. Article 7.3: Vacancy in Other Elected Positions
 - iv. Article 11.13: Notice of Request for Other Appropriations
 - v. Article 11.14: Request for Town-Wide Financial Reports
 - vi. Article 12.1: Membership (2 instances)
 - vii. Article 12.7: General Provisions (2 instances)
 - viii. Article 18.1: Membership
 - ix. Article 19: Board of Selectmen (title)
 - x. Article 19.1: Membership
 - xi. Article 19.5.2: Report of Capital Projects
 - xii. Article 19.16.2: Report of Town-Wide Financial Plan
 - xiii. Article 19.19: Licensing Board
 - xiv. Article 19.43: Treasurer and Collector of Taxes (2 instances)
 - xv. Article 20A.2: Number of Directors/Term of Office
 - xvi. Article 20A.3: Promotion of Local Programming
 - xvii. Article 20A.6: Annual Report
 - xviii. Article 28.1: Membership
 - xix. Article 28.5: Reports
 - xx. Article 28.6: Policies
 - xxi. Article 40.1: Membership
 - xxii. Article 40.3: General Duties
 - xxiii. Article 45.1: Membership
 - xxiv. Article 46A.3: Designation of Neighborhood Conservation Districts (NCD) (2 instances)
 - xxv. Article 47.3: Administration
 - xxvi. Article 47.7: Animal Control Officer (2 instances)
 - xxvii. Article 47.8: Board of Selectmen
 - xxviii. Article 47.9: Violations and Penalties (2 instances)
 - xxix. Article 48.3: Investment and Expenditure

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- xxx. Article 49.2A: Printed Matter Vending Machines in Public Ways and Places (2 instances)
- xxxi. Article 49.2B: Retail Hours of Operation (8 instances)
- xxxii. Article 49.2C: Preparation and/or retail sale of food or beverage (3 instances)
- xxxiii. Article 49.11A: Regulation of Utility Poles/Replacement of Existing Poles (3 instances)
- xxxiv. Article 49.19: Possession and Use of Alcoholic Beverages (2 instances)
- xxxv. Article 49.25: Mechanical Protection Devices
- xxxvi. Article 49.27: Disabled, Dismantled, Inoperative and/or Unregistered Motor Vehicles
- xxxvii. Article 49.28: Recreational Trailers or Vehicles
- xxxviii. Article 49.30: Temporary and Transient Vendors
- xxxix. Article 50.5: Maintenance of Meters
- xl. Article 50.12: Collection of Fees
- xli. Article 52.B: Noncriminal disposition (3 instances)

4. By deleting the following instances of the term "Selectmen" or "Selectmen are" and inserting, in place thereof, the term "Select Board" or "Select Board is":

- i. Article 4.3: Filing (3 instances)
- ii. Article 4.4: Annual Town Report (2 instances)
- iii. Article 4.5: Annual Reports of Subcommittees
- iv. Article 6.5: Advisory Committee
- v. Article 6.16: Capital Budgets (2 instances)
- vi. Article 6.17: Conflict of Interest (4 instances)
- vii. Article 6.18: Bonding (2 instances)
- viii. Article 8.2: Date for Annual Town Election
- ix. Article 8.3: Notices of Elections (2 instances)
- x. Article 8.6: Date of Annual Town Meeting
- xi. Article 8.10: Notice of Town Meeting (3 instances)
- xii. Article 8.11: Calling Special Meeting (2 instances)
- xiii. Article 8.12: Warrant Articles (2 instances)
- xiv. Article 8.13: Motions (5 instances)
- xv. Article 11.8: Report
- xvi. Article 12.6: Budget (2 instances)
- xvii. Article 13.3: Audits
- xviii. Article 16.1: Membership
- xix. Article 16.3: Duties
- xx. Article 16.4: Budget (2 instances)
- xxi. Article 17.1: Membership
- xxii. Article 17.4: Budget (2 instances)
- xxiii. Article 18.1: Membership
- xxiv. Article 18.2: Term
- xxv. Article 19.3: Powers

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- xxvi. Article 19.4: War Memorial Scholarship Fund Trustees (2 instances)
- xxvii. Article 19.5.2: Report of Capital Projects (11 instances)
- xxviii. Article 19.5.3: Investment of Town Funds
- xxix. Article 19.7: Appointments
- xxx. Article 19.8: Communication and Cooperation
- xxxi. Article 19.9: Investigations
- xxxii. Article 19.10: Appearance Before Other Bodies
- xxxiii. Article 19.11: Legal Actions and Settlements
- xxxiv. Article 19.12: Actions of Town Meeting
- xxxv. Article 19.13: Enforcement of Bylaws and Regulations
- xxxvi. Article 19.14: Review of Bylaws and Government
- xxxvii. Article 19.15: Budgets and Administration
- xxxviii. Article 19.16.2: Report of Town-Wide Financial Plan (13 instances)
- xxxix. Article 19.17: Weekly Warrant
- xl. Article 19.18: System for Citizen Inquiries
- xli. Article 19.19: Licensing Board (4 instances)
- xl. Article 19.20: House Numbers
- xl. Article 19.21: Municipal Charges Lien
- xliv. Article 19.31: Executive Director of General Government Services (8 instances)
- xl. Article 19.33: Staff (2 instances)
- xlvi. Article 19.42: Finance Director (2 instances)
- xlvii. Article 19.43: Treasurer and Collector of Taxes (2 instances)
- xlviii. Article 19.46: Payment of Town Funds (2 instances)
- xl. Article 19.51: Town Meeting
- I. Article 19.52: Closing of Warrant
- li. Article 19.53: Copies of Warrant
- lii. Article 19.54: Copies of Motion (2 instances)
- liii. Article 21.1: Establishment of the Department
- liv. Article 21.2: Responsibility of Selectmen (2 instances)
- lv. Article 21.3: Responsibilities of the Chief of Police
- lvi. Article 22.1: Establishment of the Department
- lvii. Article 22.2: Responsibility of Selectmen (2 instances)
- lviii. Article 22.3: Responsibility of Chief Engineer
- lix. Article 23.1: Appointment
- lx. Article 24.3: Director of Facilities Management
- lxi. Article 24.4: Budget (2 instances)
- lxii. Article 25.2: Term (3 instances)
- lxiii. Article 25.4: Duties (7 instances)
- lxiv. Article 25.5: Special Counsel (2 instances)
- lxv. Article 26.3: Duties

lxvi.	Article 27.1: Membership
lxvii.	Article 28.1: Membership
lxviii.	Article 28.5: Reports
lxix.	Article 30.12: Collective Bargaining Agent
lxx.	Article 33.1: Membership
lxxi.	Article 33.5: Budget (2 instances)
lxxii.	Article 35.8: Records and Reports
lxxiii.	Article 39.4: Advisory Board
lxxiv.	Article 39.5: Veterans' Grave Officer
lxxv.	Article 39.6: Budget (2 instances)
lxxvi.	Article 40.5: Budget (2 instances)
lxxvii.	Article 41.1: Membership
lxxviii.	Article 47.5: Policies and Procedures
lxxix.	Article 49.2: use of Public Ways and Places
lxxx.	Article 49.2C: Preparation and/or retail sale of food or beverage (3 instances)
lxxxi.	Article 49.20: Licensing of Vehicles for Hire (3 instances)
lxxxii.	Article 49.21 Licensing of Junk Dealers
lxxxiii.	Article 49.23: Clearance Areas at Intersections
lxxxiv.	Article 50.2: Revocable License to Park
lxxxv.	Article 50.3: Installation of Meters (4 instances)
lxxxvi.	Article 50.6: Permitted Parking Periods
lxxxvii.	Article 50.7: Parking Fees (3 instances)
lxxxviii.	Article 50.10: Prohibited Parking
lxxxix.	Article 50.12: Collection of Fees
xc.	Article 50.13: Enforcement
xci.	Article 50.14: Penalties
xcii.	Article 50.15: Policies and Procedures

5. By deleting the word "Selectmen" from the job title "Senior Secretary, Selectmen" in Schedule A Job Classification By Groups, appended to the General Bylaws, and inserting in place thereof, the phrase "Select Board", so that the job title reads "Senior Secretary, Select Board";
6. By deleting all instances of the term "Board of Selectmen" and "Selectmen" from any amendment to the General Bylaws approved at the Annual Town Meeting beginning March 30, 2020, and inserting, in place thereof, the term "Select Board".

Or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 24 (ATM 2020 ARTICLE 39). To see if the Town will vote to amend the General Bylaws as follows:

1. By correcting identified grammatical, typographical, and formatting errors;

2. By instituting a consistent internal arrangement protocol (lettering and numbering) throughout the General Bylaw with updated references;
3. By amending the references to the Zoning Bylaw in the General Bylaws to reflect the change from Roman Numerals to Arabic Numbers, as adopted under Article 29 of the 2019 Annual Town Meeting;
4. By adopting a consistent method of referencing the date of acceptance of specific Articles;
5. By deleting the words "him" or "her" and the phrase "him or her", where such words or phrase appears in the General Bylaws, and inserting, in place thereof, the word "their";
6. By deleting the words "himself" or "herself" and the phrase "himself or herself", where such words or phrase appears in the General Bylaws, and inserting, in place thereof, the word "themselves";
7. By deleting from Article 1.3 the phrase "Gender and" and the first sentence, so that Article 1.3 reads as follows:

1.3 Number. The singular and plural forms of words shall be deemed interchangeable wherever appropriate.

8. By inserting at the end of Article 2.1, the following:

For purposes of these Articles, "public body" shall have the meaning provided in G.L. c.30A, §18.

9. By deleting Article 2.4, in its entirety, and inserting, in place thereof, the following:

2.4 Notice to be filed and posted. Notice shall be filed with the Town Clerk and posted on the Town's website. Meeting notices shall also be made available in or around the Town Clerk's office so that members of the public may view the notices during normal business hours.

10. By deleting the word "board" where such word appears in Article 2, Article 2A, and Article 3, and inserting, in place thereof, the phrase "public body";
11. By inserting after the phrase "but no longer" in Article 3.6, the phrase ", and, provided, however, that the executive session was held in compliance with the law";
12. By inserting after the phrase "applicable exemptions" in Article 3.7 and Article 3.8, the phrase "to the Public Records Law, G.L. c.4, §7, ";
13. By amending Article 8.21 by inserting the word "Vote" as a new section header;

14. By inserting a new subsection e in Article 9.7, to read as follows:

e. Four members of the Community Preservation Committee.

15. By deleting the last sentence in Article 13.1, in its entirety;

16. By inserting after the phrase “three years” in Article 18A.2.f, the phrase “, one of whom is a member of the Wellesley Housing Development Corporation”;

17. By inserting after the phrase “add a new position to” in the third sentence in Article 30.5, the phrase “or delete an existing position from”;

18. By deleting the phrase “Civil Service,” in its entirety, from the first sentence in Article 31.1;

19. By inserting, in the appropriate alphabetical order, a new definition into Article 46A.2, as follows:

NCD – means a Neighborhood Conservation District in accordance with this bylaw.

and

20. By deleting the last sentence in Article 49.33.6, which reads, “This by-law shall take effect May 4, 2012.”, in its entirety;

or to take any other action in relation thereto.

A redline copy of the General Bylaws showing said amendments shall be made available on the Town’s website for inspections.

(Town Clerk)

ARTICLE 25 (ATM 2020 ARTICLE 40). To see if Town Meeting will vote to amend the General Bylaws by adding a new Article authorizing the Board of Selectmen to promulgate regulations on the audio and video recording of meetings of elected and appointed boards and committees or other public bodies as designated by the Board of Selectmen and the posting of said footage online within a certain time period, or to take any other action in relation thereto.

(Board of Selectmen)

CITIZEN PETITIONS

ARTICLE 26 (ATM 2020 ARTICLE 41). We present a Citizens' Petition to see if Town Meeting will vote to amend Section 4 of the Zoning Bylaws to place limits on the size of the structures that may be constructed, altered or enlarged in the General Residence Districts, limiting the total TLAG (total living area plus garage, as that term is defined in Article 16D) to 3,600 square feet for structures on lots greater than 10,000 square feet but less than 15,000 square feet, and 4,800 square feet for lots greater than 15,000 square feet but less than 20,000 square feet, 6,000 square feet for lots greater than 20,000 square feet but less than 30,000 square feet, and 7,200 square feet for lots greater than 30,000 square feet.

(Citizen Petition)

ARTICLE 27 (ATM 2020 ARTICLE 45). To see if the Town will vote to approve certain motions to improve efficiency of Town government, reduce expenditures, and improve the level of services provided to the residents, voters, and taxpayers of the Town, or take any other action in relation thereto.

(Citizen Petition)

ARTICLE 28 (ATM 2020 ARTICLE 46).

- a. Purpose and Findings: Animals that are slaughtered for their fur endure tremendous suffering. Animals raised on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers use cheapest killing methods available, including suffocation, electrocution, gas, and poison.
- b. Considering the wide array of alternatives for fashion and apparel, the Town finds that the demand for fur products does not justify the unnecessary killing and cruel treatment of animals.
- c. The Town believes that eliminating the sale of fur products in the Town of Wellesley will promote community awareness of animal welfare and, in turn, will foster a more humane environment in Wellesley.

See attached bill for Definitions, Prohibitions, Exceptions, and Penalty.

ARTICLE 53A. FUR PRODUCTS

53A.1. Purpose and Findings.

- a. The Town finds that animals that are slaughtered for their fur endure tremendous suffering. Animals raised on fur farms typically spend their entire lives in cramped and filthy cages. Fur farmers typically use the cheapest

killing methods available, including suffocation, electrocution, gas, and poison.

- b. Considering the wide array of alternatives for fashion and apparel, the Town finds that the demand for fur products does not justify the unnecessary killing and cruel treatment of animals.
- c. The Town believes that eliminating the sale of fur products in the Town of Wellesley will promote community awareness of animal welfare and, in turn, will foster a more humane environment in Wellesley.

53A.2. **Definitions.** For purposes of this Article, the following words and phrases have the definitions set forth next to them:

“Fur”: Any animal skin or part thereof with hair, fleece, or fur fibers attached thereto, either in its raw or processed state.

“Fur product”: Any article of clothing or covering for any part of the body, or any fashion accessory, including, but not limited to, handbags, shoes, slippers, hats, earmuffs, scarves, shawls, gloves, jewelry, keychains, toys or trinkets, and home accessories and décor, that is made in whole or part of fur. “Fur product” does not include any of the following:

- a. A dog or cat fur product, as defined in Section 1308 of Title 19 of the United States Code;
- b. An animal skin or part thereof that is to be converted into leather, or which in processing will have the hair, fleece, or fur fiber completely removed;
- c. Cowhide with the hair attached thereto;
- d. Lambskin or sheepskin with the fleece attached thereto; or
- e. The pelt or skin of any animal that is preserved through taxidermy or for the purpose of taxidermy.

“Non-profit organization”: Any corporation that is organized under 26 U.S.C. Section 501(c)(3) that is created for charitable, religious, philanthropic, educational, or similar purposes.

“Taxidermy”: The practice of preparing and preserving the skin of an animal that is deceased and stuffing and mounting it in lifelike form.

“Ultimate consumer”: A person who buys for their own use, or for the use of another, but not for resale or trade.

“Used fur product”: Fur in any form that has been worn or used by an ultimate consumer.

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53A.3. Prohibitions. It is unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a fur product in the Town of Wellesley.

53A.4. Exceptions. The prohibitions set forth in section 53A.3 of this Article do not apply to the sale, offer for sale, displaying for sale, trade, or distribution of:

- a. A used fur product by a private party (excluding a retail transaction), non-profit organization or second-hand store, including a pawn shop;
- b. A fur product required for use in the practice of a religion;
- c. A fur product used for traditional tribal, cultural, or spiritual purposes by a member of a federally recognized Native American tribe; or
- d. A fur product where the activity is expressly authorized by federal or state law.

53A.5. Penalty. Whoever violates any provision of these bylaws may be penalized by indictment or on complaint brought in the District Court. The maximum penalty for each fur product sold, offered for sale, displayed for sale, traded, or otherwise distributed in violation of these bylaws shall be three hundred dollars (\$300). Each fur product and every day upon which any such violation shall occur shall constitute a separate offense.

(Citizen Petition)

GENERAL

ARTICLE 29 . 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, or to take any other action in relation thereto.

(Board of Selectmen)

ARTICLE 30. 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)

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And you are directed to serve this warrant, with a copy of the September 4, 2020 request of the Moderator for remote participation at this Town Meeting, 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 fourteen 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 8, September 2020.



Marjorie R. Freiman, Chair



Thomas H. Ulfelder, Vice-Chair



Elizabeth Sullivan Woods, Secretary



Lise M. Olney



Colette E. Aufranc

A true copy, 
Attest: _____
Constable, Town of Wellesley

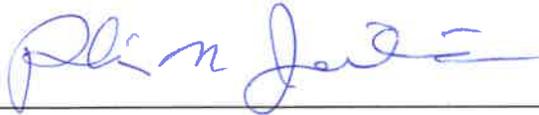
1 2020 SEP -9 12 12: 22

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

Wellesley, MA September 9, 2020

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 Police Station, with a copy of the September 4, 2020 request of the Moderator for remote participation at this Town Meeting, and by causing the warrant to be posted to the Town of Wellesley website.



Constable, Town of Wellesley

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TOWN OF WELLESLEY MASSACHUSETTS

MODERATOR

MARK KAPLAN
525 WASHINGTON STREET
WELLESLEY, MA 02482

TELEPHONE: (781)-237-5896
E-MAIL: MODERATOR@WellesleyMA.gov

2020 SEP - 4 12:23

September 4, 2020

DELIVERED BY EMAIL

Dear Board of Selectmen Members,

In view of the ongoing COVID-19 pandemic and the federal, state and local advisories to practice social distancing and avoid the congregation of crowds, I request approval to conduct Wellesley's Special Town Meetings, both scheduled to commence October 26, 2020, through remote participation via Zoom videoconferencing platform in accordance with Chapter 92 of the Acts of 2020 (the "Act").

I have determined, with the assistance of Board of Selectmen Chair Marjorie R. Freiman, Executive Director Meghan Jop, Assistant Executive Director Amy Frigulietti, Information Technology Director Brian DuPont, Communications Manager Stephanie Hawkinson, Town Clerk KC Kato, and Town Counsel Tom Harrington and other members of Town staff, that the Zoom videoconferencing platform is suitable to use to hold the town meetings; and I have consulted with Joe Murray, local coordinator for the Americans with Disabilities Act ("ADA"), and I have confirmed that these meetings will comply with the ADA.

I hereby certify that: (A) I have tested the Zoom videoconferencing platform; and (B) the Zoom videoconferencing platform satisfactorily enables the town meetings to be conducted in substantially the same manner as if the meetings occurred in person at a physical location and in accordance with the operational and functional requirements set forth in the Act.

I further certify that the system provides for: (i) the moderator, town meeting members, town officials and any other interested members of the public to identify and hear the moderator and each town meeting member who attends and participates in the remotely-held town meetings, as well as any other individuals who participate in the remotely-held town meetings; (ii) the ability to determine whether a quorum is present; (iii) a town meeting member, town official or other individual to request recognition by the moderator without prior authorization; provided, however, that, to the extent technologically feasible, the request is visible or audible to the public in real time and upon review of the recording of the town meetings, preserved according to the

Act; (iv) the moderator to determine when a town meeting member wishes to be recognized to speak, make a motion, raise a point of order or object to a request for unanimous consent; (v) the moderator to recognize a town meeting member, town official or other individual to speak and to enable that person to speak; (vi) the ability to conduct a roll call vote; (vii) any interested members of the public to access the meetings remotely for purposes of witnessing the deliberations and actions taken at the town meetings; and (viii) the town meetings to be recorded.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Kaplan". The signature is written in a cursive, flowing style.

Mark Kaplan, Moderator

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