

TOWN OF WELLESLEY



**WARRANT
for the
SPECIAL TOWN MEETING**

ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)

Opened September 22, 2021, 7:00 P.M. via Zoom

Continued to September 29, 2021, 6:30 P.M. via Zoom

PLANNING BOARD PUBLIC ZONING HEARING

September 13, 2021, 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:

In the name of the Commonwealth aforesaid, you are hereby required to notify the qualified Town Meeting Members of said Town of Wellesley to meet in the

**Zoom Videoconferencing Platform
Monday, October 25, 2021**

at 7:00 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 Special Town Meeting must submit a request to participate to the Town Clerk not less than 48 hours in advance of the Special Town Meeting (by Saturday, October 23, 2021, at 7 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

2021 SEP 28 P 12:37
WELLESLEY MA 02451
RECEIVED
WELLESLEY TOWN CLERK
2021 SEP 28 P 12:37

like to speak to, and once verified, shall receive follow-up information with specific participation instructions for the meeting.

If, on October 25, 2021, the Town Meeting elects not to hold the Special Town Meeting remotely, then the Town Meeting shall adjourn to the Wellesley Middle School Auditorium at 50 Kingsbury Street on Tuesday, October 26, 2021, at 7:00 pm in the evening to act on the articles as presented in this warrant.

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 to discharge presently authorized special committees, or to take any other action in relation thereto.

(Select Board)

2021 SEP 28

APPROPRIATIONS – SPECIAL CAPITAL PROJECTS

ARTICLE 2. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow: (1) a sum of money, to be expended under the direction of the Permanent Building Committee, for construction, architectural and engineering construction administration, project management, related to the reconstruction of the Hunnewell Elementary School located at 28 Cameron Street, including all associated, incidental or related costs and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, 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; provided, however, 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; and (2) a sum of money, to be expended under the direction of the School Committee, for any increases in School Department operating costs substantially attributable to the relocation of students from Hunnewell School to other school buildings or facilities during such reconstruction; provided, however, that no such funds may be utilized for any purpose that will continue beyond the date that such reconstructed Hunnewell School is substantially complete and placed into service; or to take any other action in relation thereto.

(School Committee/Permanent Building Committee)

ARTICLE 3. To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the Wellesley Permanent Building Committee for design, construction, equipping, and furnishing of a new replacement facility for the existing John D. Hardy Elementary School Project located at 293 Weston Road, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which

the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of

(1) Thirty four and ninety one hundredth percent (34.9%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

or to take any other action in relation thereto.

(School Committee/School Building Committee/Permanent Building Committee)

ARTICLE 4. To see if the Town will vote to transfer three parcels of land acquired for general municipal purposes at the April 9, 2018 Special Town Meeting, to the care, custody, and control of the School Committee for school purposes to be added to the land area of the Hardy School, said parcels are described as follows:

Parcel 1: the real property commonly known and referred to as 818 Worcester Street, said property currently being identified as Parcel No. 159-74, see deed recorded in Norfolk Registry of Deeds Book 32385, Page 82;

Parcel 2: the real property commonly known and referred to as 822 Worcester Street, said property currently being identified as Parcel No. 159-75, see deed recorded in Norfolk Registry of Deeds Book 26213, Page 341;

Parcel 3: the real property commonly known and referred to as 826 Worcester Street, currently identified as Parcel No. 171-76, see deed recorded in Norfolk Registry of Deeds Book 28602, Page 260;

said transfer subject to an affirmative vote of the voters at an election to exclude from the limitations imposed by Proposition 2 1/2, G.L. c.59, §21C, the amounts required to pay for any bonds or notes issued pursuant to Article 3 of this Special Town Meeting; or take any other action in relation thereto.

(Select 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 or transfer from available funds 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.

(Select Board)

ARTICLE 6. To see if the Town will raise and appropriate, transfer from available funds, or borrow a sum of money to be expended under the direction of the Board of Public Works for treatment of the Town's drinking water, including equipment, and all costs incidental or related thereto, or to take any other action in relation thereto.

(Board of Public Works)

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 2021 Annual Town Meeting, or to take any other action in relation thereto.

(Select Board)

ARTICLE 8. 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 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.

(Select Board)

ARTICLE 9. To see if the Town will amend the Zoning Bylaws to permit outdoor dining in certain business and commercial districts without requiring a Special Permit and to make certain other changes to the provisions for dining in business and commercial districts by:

I. Amending Section 9B.B.2 to read in its entirety as

2. Restaurant, tea room, café, or other eating place for the sale of any food or beverage, and outside dining area accessory to any such restaurant, tea room, café, or other eating place; drive through windows where food or beverage is purchased by customers in vehicles are not allowed;

II. Amending Section 9C.A.3 to read in its entirety as

3. Restaurant, tea room, café, or other eating place for the sale of any food or beverage, and outside dining area accessory to any such restaurant, tea room, café, or other eating place; drive through windows where food or beverage is purchased by customers in vehicles are not allowed;

III. Deleting Section 9C.A.13.I in its entirety.

IV. Amending Section 11.A.3 to read in its entirety as

3. Restaurant, tea room, café, or other eating place for the sale of any food or beverage, and outside dining area accessory to any such restaurant, tea room, café, or other eating place.

V. Deleting Section 11.A.13.I in its entirety.

or take any other action in relation thereto.

(Planning Board/Select Board)

ARTICLE 10. To see if the Town will vote to authorize the Select Board on behalf of the Town, to act on, waive or otherwise respond to the right of first refusal to purchase the Glen Grove Apartments at Grove Street as provided in a Comprehensive Permit issued by the Zoning Board of Appeals, filed with the Town Clerk on April 4, 1977; or take any other action in relation thereto.

(Select Board)

ARTICLE 11. To see if Town Meeting will vote to amend the Zoning Map of the Town of Wellesley by rezoning 307 Washington Street and 309 Washington Street, currently zoned as General Residence District, to Business District, such that the entirety of 307 Washington Street and 309 Washington Street shall now be zoned entirely with the Business Zoning District.

(Citizen Petition)

RECEIVED
WELLESLEY MAILED
2021 SEP 28 P 12:38

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 and the request of the Moderator to hold this Town Meeting remotely, 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 27, September 2021.

Thomas H. Ulfelder

Thomas H. Ulfelder, Chair

Lise M. Olney

Lise M. Olney, Vice-Chair

Elizabeth Sullivan Woods

Elizabeth Sullivan Woods, Secretary

Colette E. Aufranc

Colette E. Aufranc

Ann Mara S. Lanza

A true copy,

Attest:

Debby S. Lanza
Constable, Town of Wellesley

2021 SEP 28 PM 12:38

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

Wellesley, MA September 28, 2021

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 16, 2021 request of the Moderator for remote participation at this Special Town Meeting, and by causing the warrant and said request to be posted to the Town of Wellesley website



Constable, Town of Wellesley

2021 SEP 28 P 12:38
RECEIVED
WELLESLEY TOWN CLERK'S OFFICE
WELLESLEY, MA 02481



TOWN OF WELLESLEY MASSACHUSETTS

MODERATOR

MARK KAPLAN
525 WASHINGTON STREET
WELLESLEY, MA 02482

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

September 16, 2021

DELIVERED BY EMAIL

Dear Select Board Members,

2021 SEP 28 P 12:38
WELLESLEY, MA 02482

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 Meeting, scheduled to commence on October 25, 2021, through remote participation via Zoom Webinar videoconferencing platform in accordance with Chapter 92 of the Acts of 2020 and Chapter 20 of the Acts of 2021 (collectively, the "Acts").

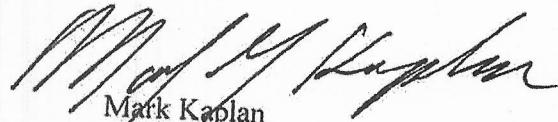
I have determined, with the assistance of the Town's IT department and the positive experience we had with prior remote Town Meetings, that the Zoom Webinar videoconferencing platform is suitable to use to hold this Special Town Meeting. In addition, I have consulted with Joseph Murray, Wellesley's local coordinator for the Americans with Disabilities Act ("ADA"), and I have confirmed that the meeting will comply with the ADA, if held over Zoom.

I hereby certify that: I have tested the Zoom videoconferencing platform. The Zoom videoconferencing platform satisfactorily enables Town Meeting 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 Acts.

I further certify that the Zoom platform provides for: (1) 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 Meeting, as well as any other individuals who participate in the remotely-held Town Meeting; (2) the ability to determine if a quorum is present; (3) 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 Meeting, preserved

according to the Acts; (4) 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; (5) the Moderator to recognize a Town Meeting member, Town official or other individual to speak and to enable that person to speak; (6) the ability to conduct a roll call vote; (7) any interested members of the public to access the meetings remotely for purposes of witnessing the deliberations and actions taken at the Town Meeting; and (8) the Town Meeting to be recorded.

Sincerely,



Mark Kaplan
Wellesley Town Moderator

2021 SEP 28 P 12:38