

TOWN OF WELLESLEY



**WARRANT
for the
ANNUAL TOWN MEETING**

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WELLESLEY MA 02482

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**ADVISORY COMMITTEE PUBLIC HEARING (WARRANT ARTICLES)
January 24, 2024**

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, 2024:

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 Katharine Lee Bates School, 116 Elmwood Road;

The voters of Precinct D, in Warren Building, 90 Washington Street;

The voters of Precinct E, in Warren Building, 90 Washington Street;

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

The voters of Precinct G, in Dana Hall School, Shipley Center, 142 Grove 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. on 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:

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

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

In addition, due to construction at Town Hall, Early Voting for the March 5, 2024 Elections will be available for all voters of Wellesley at the following locations and dates:

Wellesley Free Library at 530 Washington Street

- Saturday, February 24, 9:00 AM to 5:00 PM
- Monday through Friday February 26-March 1, 9:00 AM to 5:00 PM

Barton Road Community Center at 107 Barton Road

- Saturday, February 24, 10:00 AM to 2:00 PM

Marillac/Elizabeth Seton Residences at 125 Oakland Street

- Sunday, February 25, 1:30 PM to 3:30 PM

Waterstone at Wellesley at 27 Washington Street

- Thursday, February 29 from 5:30 PM to 7:30 PM.

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

Wellesley High School Auditorium
50 Rice Street
Monday, March 25, 2024

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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.

(Select Board)

ARTICLE 2. To receive the Reports of the Select Board 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.

(Select Board)

APPROPRIATIONS – OPERATING AND OUTLAY

ARTICLE 3. To see if the Town will vote to act 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.

(Select Board)

ARTICLE 4. To see if the Town will vote to amend Article 31 of the General Bylaws by making changes to the Classification and Salary Plans, appearing in the Appendix to the General Bylaws, established under Sections 31.1 and 31.6, respectively, and 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, as provided by Section 108 of Chapter 41 of the General Laws, or to take any other action in relation thereto.

(Select Board)

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 2023 Annual Town Meeting, or to take any other action in relation thereto.

(Select Board)

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 2024 Tax Rate, or to take any other action in relation thereto.

(Select Board)

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 set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2025 as follows:

- a. Street Opening Maintenance Fund: \$225,000.00
- b. DPW Field Use Fund: \$200,000.00
- c. Turf Field Fund: \$150,000.00
- 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

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- i. Lost/Damaged Library Materials Replacement Fund: \$20,000.00
- j. Brookside Community Gardens Fund: \$4,000.00
- k. Weston Road Gardens Fund: \$10,000.00
- l. Library Copier Fees Fund: \$20,000.00
- m. Cultural Council Revenues Fund: \$6,500.00

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or to take any other action in relation thereto.

(Select Board)

ARTICLE 10. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money 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.

(Select Board)

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.

(Select Board)

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to the Baler Stabilization Fund established by the vote taken under Article 10 at the 2016 Annual Town Meeting for replacement of the Recycling and Disposal Facility (RDF) Baler, RDF 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 a sum of money, to be expended under the direction of the Board of Public Works for the purposes of operating and managing the Water Program, 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 a sum of money, to be expended under the direction of the Board of Public Works for the purposes of operating and managing the Sewer Program, 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 a sum of money, to be expended under the direction of the Board of Public Works for the purposes of operating and managing the Stormwater Program, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 16. 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 Municipal Light Board for purposes of operating and managing the Municipal Light Plant, or to take any other action in relation thereto.

(Municipal Light Board)

APPROPRIATIONS – SPECIAL CAPITAL PROJECTS

ARTICLE 17. To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2025 Community Preservation Budget, to appropriate or reserve for future appropriation, from Fiscal Year 2025 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, 2024, to make debt service payments, 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)

ARTICLE 18. To see if the Town will vote to amend the vote taken under Article 2 of the October 24, 2022 Special Town Meeting by (1) rescinding the authorization to borrow \$8,260,681.09 and (2) increasing the authorization to transfer Free Cash to pay a portion of the costs of the project, as described in said Article, from \$13,000,000.00 to \$21,260,681.09, or to take any other action in relation thereto.

(Select Board)

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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 designs, engineering services, bid documents, and bidding support for the construction, reconstruction, replacement, and retrofitting, of the Recycling and Disposal Facility (RDF) Administration Building, located at 169 Great Plain Avenue, including all costs incidental and related thereto; 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, or to take any other action in relation thereto.

(Permanent Building Committee/Select Board)

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 Facilities Management Department, for architectural and engineering services, construction, construction administration, and project management, related to the roof at Fire Headquarters (Station #2), located at 457 Worcester Street, including all costs incidental and related thereto; 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, or to take any other action in relation thereto.

(Permanent Building Committee/Select Board)

ARTICLE 21. 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 School Committee to supplement the funding for the architectural designs, engineering services, bid documents, and bidding support for the construction of Team Rooms at the Hunnewell Track and Field inclusive of all building and mechanical systems, associated site work improvements, and the payment of all costs incidental or related thereto, as approved under Article 17 of the 2018 Annual Town Meeting; or to take any other action in relation thereto.

(School Committee)

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ARTICLE 22. 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 Public Works, for engineering services, bid documents, construction, reconstruction, rehabilitation, and repair of Weston Road, including street, sidewalk and/or drainage repairs and improvements, and including all costs incidental and related thereto; 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, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 23. 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 Public Works, for engineering services, bid documents, construction, reconstruction, rehabilitation, and repair of Wellesley Square (portions of Washington Street, Church Street, Abbott Street, Cross Street, Grove Street, Central Street, Railroad Ave, and Weston Road), including street, lights, sidewalk and/or drainage repairs and improvements, and including all costs incidental and related thereto; 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, or to 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 Public Works, for engineering services, bid documents, construction, reconstruction, rehabilitation, and/or modernization of the DPW Fuel Depot at 20-30 Municipal Way including all costs incidental and related thereto; 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, or to take any other action in relation thereto.

(Board of Public Works)

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(Board of Public Works)

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 Public Works, for water system improvements including design, construction, engineering, procurement, permitting, inspection, and contract administration for additional connections to the Massachusetts Water Resources Authority water supply, and for any other equipment or services connected therewith; or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 31. To see if the Town will vote to authorize the Select Board to petition the General Court for Special Legislation to modify the reporting structure of the Fire Chief from the Select Board to the Executive Director; or to take any other action in relation thereto.

(Select Board)

ARTICLE 32. To see if the Town will vote to (1) accept the provisions of Massachusetts General Laws Chapter 44, Section 53F ³/₄ establishing a separate revenue account to be known as the PEG Access and Cable Related Fund commencing on July 1, 2024; and (2) raise and appropriate, transfer from available funds, or borrow a sum of money, to be expended under the direction of the Wellesley Media Corporation for the purposes of operating and managing the Town's public, educational, or government access cable television services; or to take any other action in relation thereto.

(Select Board)

ARTICLE 33. To see if the Town will vote to authorize the Board of Library Trustees to set the salary for the Library Director in the written contract required by Massachusetts General Laws Chapter 78, Section 34; or take any other action in relation thereto.

(Board of Library Trustees)

ARTICLE 34. To see if the Town will vote to appropriate the sum of money received from the Commonwealth Transportation Infrastructure Fund ("Fund") pursuant to St. 2016, c. 187, § 8(c)(i) for calendar year 2020, 2021, and 2022 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 90 of the General Laws and other programs that support alternative modes of transportation, or to take any other action in relation thereto.

(Select Board)

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ARTICLE 25. 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 Public Works, for engineering services, bid documents, construction, reconstruction, remodeling, rehabilitation, of School and Park Playgrounds including all costs incidental and related thereto; 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, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 26. 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 Public Works, for engineering services, bid documents, construction, reconstruction, remodeling, rehabilitation, of the RDF Baler and Compactors and related areas including all costs incidental and related thereto; 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, or to take any other action in relation thereto.

(Board of Public Works)

AUTHORIZATIONS

ARTICLE 27. To see if the Town will vote to grant, accept and/or abandon one or more easements, including but not limited to utility and drainage easements, at one or more locations in the Town, including, but not limited to, a utility easement at the John D. Hardy Elementary School; or take any other action in relation thereto.

(Board of Public Works/Select Board/School Committee)

ARTICLE 28. 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 Public Works for water and/or sewer line rehabilitation, and for any equipment or services connected therewith, or to take any other action in relation thereto.

(Board of Public Works)

ARTICLE 29. 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 Public Works, for water system improvements including design, construction, engineering, procurement, permitting, inspection, and contract administration for the installation of additional water treatment, and for any other equipment or services connected therewith; or to take any other action in relation thereto.

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AMEND GENERAL BYLAW

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ARTICLE 35. To see if the Town will vote to amend Article 30 of the General Bylaws and such other Articles in the General Bylaws, as needed, to change the appointing authority and supervisory structure for the Human Resources Director and their staff from the Human Resources Board to the Executive Director of General Government Services; or take any other action in relation thereto.

(Human Resources Board)

ARTICLE 36. To see if the Town will vote to amend Article 29 of the General Bylaws to include the stormwater utility within its authority to fix rates and charges for services, enact policies and procedures, and to establish rules to effectively prohibit pollutants from entering the Town's stormwater collection system; or take any other action in relation thereto.

(Board of Public Works)

ARTICLE 37. To see if the Town will vote to amend the General Bylaws as follows:

- 1) Amend Article 39.5 by setting a term limit for the grave officer and correcting the statutory reference, said Article to read as follows:

39.5. Veterans' Grave Officer. The Select Board shall appoint a resident, as a veterans' grave officer for a term not to exceed five years. The veterans' graves officer shall be a veteran as defined by M.G.L. c. 4, § 7. The officer shall cause every veteran's grave within the Town to be suitably kept and cared for.

- 2) By striking all references to "the Massachusetts Department of Housing and Community Development", and to insert in its place "the Executive Office of Housing and Livable Communities"; and by striking all references to "DHCD" and to insert in its place "EOHLC;

or take any other action in relation thereto.

(Select Board)

ARTICLE 38. To see if the Town will vote to amend the General Bylaws Article 46. Design Review Board to:

- 1) Add a new subsection 46.2 Terms to read "Regular members will each serve for a term of three years. When the Board is first established, the Planning Board shall at first appoint three members who will serve for a term of three years, two members who will serve for a term of two years, and two alternate members who will serve for a term of one year." and to renumber the subsequent sections, so the revised section reads as follows:

ARTICLE 46. DESIGN REVIEW BOARD

46.1. Membership. In accordance with Section 22 DESIGN REVIEW of the Zoning Bylaw, the Town shall have a Design Review Board (for purposes of this Article 46, the "Board"), appointed by the Planning Board to consist of five members and up to three alternate members.

46.2 Terms. Regular members will each serve for a term of three years. When the Board is first established, the Planning Board shall at first appoint three members who will serve for a term of three years, two members who will serve for a term of two years, and two alternate members who will serve for a term of one year.

46.3. General Duties. The Board shall have the powers and duties granted in Section 22 of the Zoning Bylaw, including the reviewing of requests for special permits on the basis of the design criteria specified therein.

46.4. Design Review. The Board shall review the design, placement, and artistic appropriateness of any structure or portion thereof, work of art, ornament, or decoration to be placed on any public way, on Town lands other than cemeteries, or on or in Town buildings. The Board may use the design criteria established in Part C. Design Criteria of Section 22 DESIGN REVIEW of the Zoning Bylaw.

No such structure or portion thereof, work of art, ornament or decoration shall be constructed, installed, altered, or removed, and no payment shall be paid on account of any such work until:

- a. The Board has received plans for the work to be done, and
- b. The Board, Officer, or Official undertaking the work has received a written report on the work from the Board, or thirty days have passed after the plans for the work were submitted to the Board.

46.5. General Provisions. The Board shall also be governed by Articles 2 through 7 of these bylaws and other provisions of these bylaws applicable generally to all Boards, except as it is specifically directed by law or a provision of these or the Zoning Bylaw to act otherwise.

and

- 2) Correct typographical errors regarding Section numbers, where strikethrough text indicates deletions and insertions are shown in bold:

ARTICLE 46. DESIGN REVIEW BOARD

46.1. Membership. In accordance with ~~Section 22~~ **Section 5.5** DESIGN REVIEW of the Zoning Bylaw, the Town shall have a Design Review Board (for

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purposes of this Article 46, the “Board”), appointed by the Planning Board to consist of five members and up to three alternate members.

46.2. General Duties. The Board shall have the powers and duties granted in ~~Section 22~~ **Section 5.5** of the Zoning Bylaw, including the reviewing of requests for special permits on the basis of the design criteria specified therein.

46.3. Design Review. The Board shall review the design, placement, and artistic appropriateness of any structure or portion thereof, work of art, ornament, or decoration to be placed on any public way, on Town lands other than cemeteries, or on or in Town buildings. The Board may use the design criteria established in Part C. Design Criteria of ~~Section 22~~ **Section 5.5 DESIGN REVIEW** of the Zoning Bylaw. No such structure or portion thereof, work of art, ornament or decoration shall be constructed, installed, altered, or removed, and no payment shall be paid on account of any such work until:

- a. The Board has received plans for the work to be done, and
- b. The Board, Officer, or Official undertaking the work has received a written report on the work from the Board, or thirty days have passed after the plans for the work were submitted to the Board.

46.4 General Provisions. The Board shall also be governed by Articles 2 through 7 of these bylaws and other provisions of these bylaws applicable generally to all Boards, except as it is specifically directed by law or a provision of these or the Zoning Bylaw to act otherwise.

Or take any other action in relation thereto.

(Planning Board)

ARTICLE 39. To see if the Town will vote to amend the General Bylaw by amending Article 26.3 Duties, relative to the Town Clerk, inserting a new subsection “i” as follows:

- i. The Town Clerk is authorized to assign appropriate numbers or letters to bylaw sections, subsections, paragraphs, and subparagraphs where none are approved by Town Meeting; and if such numbering or lettering is approved by Town Meeting, to make non-substantive editorial revisions to the same to ensure consistent and appropriate sequencing and numbering; and to make non-substantive editorial revisions to references regarding such numbering or lettering as contained within the bylaws to ensure accuracy and conformity.

And correcting punctuation for “f” through “i” so the revised section reads as follows:

26.3. Duties. The Town Clerk shall:

- a. Have the powers and duties of Town Clerks under G.L. c. 41 and other provisions of the General Laws;

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- b. Perform those duties given to the Town Clerk by these bylaws, the Zoning Bylaws and Chapter 202 of the Acts of 1932 as amended;
- c. Furnish all Boards, Officers and Officials with a copy of all Town Meeting votes affecting them and furnish all Board members at the time they take their oath with copies of the current bylaws, Chapter 202 of the Acts of 1932, as amended, and the Open Meeting Law;
- d. Cause the reports (other than annual reports) of all Boards, Officials and Officers presented to the Town to be entered in full in a suitably indexed book, which shall be known as the Book of Reports, such reports being numbered for each year in order of their presentation, with marginal references to the dates of the meetings to which they were respectively presented, and cause to be entered upon the record of each Town Meeting only such portions of such reports as may be necessary for the understanding of the action taken by the Town in each instance, together with the number of such report as entered in the Book of Reports;
- e. Notify, as soon as practicable, each person elected or appointed to a Board or office of such election or appointment;
- f. Cause to be printed in suitable booklet form for limited distribution a copy of the record of the entire proceedings of the Town Meeting, said record to be printed in such quantity as the Town Clerk estimates is necessary to satisfy the usual demand;
- g. Furnish the Select Board for publication in the Annual Town Report a copy of the motions presented and the action taken thereon under all articles in the warrants for every Town Meeting held the preceding fiscal year;
- h. Conduct an annual census (ATM 2005); and
- i. Assign appropriate numbers or letters to bylaw sections, subsections, paragraphs, and subparagraphs where none are approved by Town Meeting; and if such numbering or lettering is approved by Town Meeting, to make non-substantive editorial revisions to the same to ensure consistent and appropriate sequencing and numbering; and to make non-substantive editorial revisions to references regarding such numbering or lettering as contained within the bylaws to ensure accuracy and conformity.

Or take any other action in relation thereto.

(Town Clerk)

AMEND ZONING BYLAW

ARTICLE 40. To see if the Town will vote to amend the Zoning Bylaw to achieve compliance with the provisions of M.G.L. c.40A, § 3A, Multi-Family Zoning as-of-right in MBTA Communities by:

- 1) Amending Section 1.3 Definitions to add the following definition:

MBTA Community Project – a Construction Project located within Wellesley Square Commercial, Business, Business A, Industrial, and Industrial A Districts that complies with M.G.L. c. 40A, Section 3A that allows for the construction or renovation of multi-family housing “as of right” with a minimum gross density of 15 units per acre, no age restrictions, and is located within ½ mile of an MBTA Commuter Rail station; said project will be exempt from the Project of Significant Impact (PSI).

- 2) Amend Section 1.3 Definitions, definition of Major Construction project to add a new third provision for an MBTA Community Project and to renumber the subsequent provisions to read as follows, where strikethrough text indicates a deletion and insertions are shown in bold:

Major Construction Project – shall mean any Construction Project which involves a change in the outside appearance of a building or buildings or premises, and includes one or more of the following:

1. construction of twenty-five hundred (2,500) or more square feet gross floor area;
2. an increase in gross floor area by fifty (50) percent or more which results in a gross floor area of at least twenty-five hundred (2,500) square feet;
3. **any project meeting the definition of an MBTA Community Project;**
4. ~~3.~~ Grading or regrading of land to planned elevations, and/or removal or disturbance of the existing vegetative cover, over an area of five thousand (5,000) or more square feet;
5. ~~4.~~ Any activities regulated or restricted under Section 3.7; or
6. ~~5.~~ Any activities regulated under Section 3.8.

- 3) Amend Section 5.7 Inclusionary Zoning subsection B. Applicability to add a third Major Construction Project provision for an MBTA Community Project to read as follows where insertion is shown in bold:

SECTION 5.7 INCLUSIONARY ZONING

B. Applicability

The provisions of this section shall apply to all projects requiring approval as Major Construction Projects involving (1) construction of twenty-five hundred (2,500) or more square feet gross floor area or (2) an increase in gross floor area by fifty (50) percent or more which results in a gross floor area of at least twenty-five hundred (2,500) square feet or **(3) any project meeting the definition of an “MBTA Community Project”** in Business Districts, Business Districts A, Industrial

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Districts, Industrial Districts A, Wellesley Square Commercial District, Residential Incentive Overlay Districts, and Lower Falls Village Commercial District and to subdivisions on sites having a development potential under current zoning of five or more lots for One-Unit Dwellings.

Or take any other action in relation thereto.

(Planning Board)

ARTICLE 41. To see if the Town will amend the Zoning Bylaw to amend Section 5.3 Yard Regulations subsection B. Requirements to include buildings or structures placed below a lot, as follows with changes in bold:

SECTION 5.3 YARD REGULATIONS

B. Requirements

There shall be provided for every building or structure hereafter erected or placed upon **or below** a lot at least the minimum frontage, minimum Front Yard width, minimum Front Yard depth (setback), minimum Side Yard width and minimum Rear Yard depth requirements hereinafter set forth; and there shall be not more than one dwelling erected on any lot. Such minimum Front Yard width shall be provided for the entire depth of the Front Yard.

Or take any other action in relation thereto.

(Planning Board)

ARTICLE 42. To see if the Town will vote to amend the Zoning Map to rezone to the Residential Incentive Overlay District the properties located at:

- 192 Worcester Street (Assessor's Parcel ID# 15-2), 194 Worcester Street (Assessor's Parcel ID# 15-3) and 150 Cedar Street (Assessor's Parcel ID# 15-6), the area to be rezoned totaling approximately 62,737 square feet in area, into the Residential Incentive Overlay District.

Or take any other action in relation thereto.

(Planning Board)

• **ARTICLE 43.** To see if the Town vote to amend the Zoning Bylaws Section 2.1 Single Residence Districts, by adding the following provision to Paragraph A. Permitted Uses:

12. Use of land for access, and utilities to service any Assisted Elderly Living, Independent Elderly Housing, Nursing Homes or Skilled Nursing Facilities (hereinafter referred to as any "Senior Housing Project") on directly abutting property in an adjacent municipality, shall be allowed, subject to the following:

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- a. The Senior Housing Project must be either allowed as of right or receive any necessary zoning relief in the zoning district in the other municipality in which the abutting property is located.
- b. The Minimum Lot Area in the Single Residence District in which such access and utilities are provided shall be four (4) acres.
- c. Not less than 50% of the Lot Area in the Single Residence District shall be restricted from further development by means of a Conservation Restriction under M.G.L. c. 184, Secs. 31-33, or another appropriate deed restriction; provided, that the uses described in clause "f" below and other uses generally consistent with conservation restrictions may be permitted.
- d. Use of the land located in the Single Residence District for access shall include any vehicular and pedestrian access necessary to service the Senior Housing Project to and from any public way located within the Town.
- e. Any access driveway shall meet the requirements of Section 5.17.D.3 of this Bylaw.
- f. Use of the land located in the Single Residence District for utilities shall include any necessary utilities that may be provided in or by the Town, including without limitation, water, sewer, storm water, electrical, telecommunications and facilities and improvements related thereto (such as, by way of example only, electrical transformers).
- g. Permitted signage shall be in accordance with signs for Institutional Uses as set forth on Table 22A.1.
- h. Provided that all of the foregoing requirements are met, notwithstanding Sections 2.1.B and 2.1.C below, the provisions of Sections 5.5 [Design Review], 5.6 [Project Approval] and 5.7 [Inclusionary Zoning] shall not apply to such use of the land in the Single Residence District solely for access and utilities for any Senior Housing Project in another municipality.

Or take any other action in relation thereto.

(Planning Board)

ARTICLE 44. To see if the Town will vote to amend the Zoning Bylaw to correct typographical errors regarding Section numbers as noted, where strikethrough text indicates deletions and insertions are shown in bold:

- 1) Amend Section 2.8.A.3.f.ii to read as follows:

The design, construction and screening of off-street parking, except that provided within underground garages or elevated parking structures, shall be in accordance with the provisions of ~~SECTION XXI~~ **SECTION 5.17**

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- 2) Amend Section 2.11.E.1.b. to read as follows:

The proposed project is consistent with the design criteria listed in ~~Section 22~~
Section 5.5

- 3) Amend Section 2.15.C. to read as follows:

The provisions of ~~Section XVII~~ **Section 5.6**, Project Approval, shall apply to properties and uses in the Parks, Recreation, and Conservation Districts.

- 4) Amend Section 3.6.B. "Assisted Units" to read as follows:

Assisted Units – shall have the same meaning as defined in ~~Section 13~~ **Section 2.13** to the extent that such definition means housing that is affordable to and occupied by Eligible Households and that such definition is not materially inconsistent with, and is nonetheless subject to, the definitions of Affordable Housing in the 40R Guidelines and Affordable under the Governing Laws.

- 5) Amend Section 5.10.F.1. to read as follows:

Demolition and/or construction activity (as identified under ~~Section 16E.D.1~~
Section 5.10.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.

- 6) Amend Section 5.10.F.2.b.ii. to read as follows:

Contribution to the Tree Bank Fund: The Select Board 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, per ~~Section 16E.F.2.b.i.~~ **Section 5.10.F.2.b.i.**; such contributions shall be deposited to the Tree Bank Fund.

- 7) Amend Section 5.10.F.3.a. to read as follows:

Tree Protection & Mitigation Plan Submittal: Prior to the issuance of a permit in connection with one or more of the circumstances set forth in ~~Section 16E.D.1.~~ **Section 5.10.D.1.** on property on which a Protected Tree is located or was located within twelve (12) months prior to application, the owner of the property shall submit a Tree Protection & Mitigation Plan to the Building Department along with the applicable application.

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If a permit requiring the submittal of a Tree Protection & Mitigation Plan was issued for a property within twelve (12) months prior to application for one or more of the circumstances set forth in Section 5.10.D.1., the submittal of a Tree Protection & Mitigation Plan shall not be required for subsequent permits unless any information required under ~~Section 16E.F.3.b.~~ **Section 5.10.F.3.b.** is changed or altered.

- 8) Amend Section 5.13.C.v. to read as follows:

Subject to the provisions of ~~Sections 17~~ **Section 5.1** and ~~25~~ **6.3**, comply with all area and yard regulation applicable to the lot on which it is located.

- 9) Amend Section 5.18.F.1. to read as follows:

Sign Permit Required. Unless a Sign Permit is specifically not required by the standards of this Section, it shall be unlawful for any person to erect or replace a sign without first having obtained a Sign Permit. Refer to ~~Table 22A.4~~ **Table 5.18.1** to determine if a Sign Permit is required for a specific sign type.

- 10) Amend Section 5.18.I.2.a. to read as follows:

Any sign not specifically identified in ~~Table 22A.4~~ **Table 5.18.1**, Signage Allowances Based on Zoning District or Use, as allowed or any sign not allowed by the issuance of a Special Permit;

- 11) Amend Section 5.18.L.4.b. to read as follows:

Time: Lots or Business Establishments upon which a Temporary Sign and/or temporary Window Sign is allowed, per ~~Table 22A.4~~ **Table 5.18.1**, Signage Allowances Based on Zoning District or Use, shall be limited to display such signs for a period not exceeding thirty (30) days with no more than three (3) such thirty (30) day periods permitted per calendar year. Thirty (30) day periods may be utilized consecutively.

- 12) Amend Section 5.18.M. to read as follows:

If not otherwise stated, any sign not specifically allowed in a zoning district or for a specific use as provided herein shall be prohibited, except as otherwise provided for under this Section. The following table (~~Table 22A.4~~ **Table 5.18.1**, Signage Allowances Based on Zoning District or Use) provides standards governing signs within specific zoning districts or for specific uses. Specific uses shall be allowed signage as indicated for such use rather than based on the zoning district of such use, unless the signage allowances of the zoning district are less restrictive than those indicated for the specific use. Signs for which a permit is not required shall meet all other provisions of this Section applicable to the subject sign.

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- 13) Amend Section 5.18 tables titled "Table 22A.1, Signage Allowances Based on Zoning District or Use" to read as follows:

~~Table 22A.1~~ **Table 5.18.1**, Signage Allowances Based on Zoning District or Use

- 14) Amend Section 3.2.K to read as follows:

Signs shall comply with the sign requirements of Section 5.18. For the purposes of ~~Table 22A.1~~ **Table 5.18.1** of Section 5.18, RIO projects shall comply with the signage allowances of Commercial Districts Fronting Streets Other Than Worcester Street, except that RIO projects located in underlying Single Residence or General Residence zoning districts shall comply with the following:

Or take any other action in relation thereto.

(Planning Board)

ARTICLE 45. To see if the Town will vote to amend the Zoning Bylaw by striking all references to "the Massachusetts Department of Housing and Community Development", and to insert in its place "the Executive Office of Housing and Livable Communities"; and by striking all references to "DHCD" and to insert in its place "EOHLC";

Or take any other action in relation thereto.

(Planning Board)

CITIZEN PETITION

ARTICLE 46. We, the undersigned citizens of the Town of Wellesley, respectfully submit this Warrant Article for the start of diligently considering the extent to which garaging the large and smaller weed harvesters near Morses Pond will (a) Extend the harvesters useful lives while reducing their total life-cycle costs; (b) Enable earlier deployment in May for harvesting early season growth; (c) Eliminate the historical need for open-air, outside storage in the DPW Yard and the requisite WPD escorts for the large harvester's transit to and from MOPO. In doing so, we envision the active involvement of the DPW, NRC, CPC, Recreation Dept, and interested citizens as has been done with previous capital budgeting plans involving the MOPO environs.

And, to ensure that all interested persons begin "on the same page with regard to Morses Pond", the Town's Pond Manager, Ken Wagner, PhD, distributed a Status Report on MOPO's Plant Situation dated May 20, 2023, which is attached hereto and Incorporated by Reference as if fully set forth herein.

(Citizen Petition)

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ARTICLE 47. To see if the Town will vote to amend the Zoning Bylaw to exempt certain projects visible only from the interior ways of college campuses from the design review process set forth in Sections 5.5 and 5.6 of the Zoning Bylaw by adding a clause to the first numbered paragraph in the definition of "Minor Construction Project" in Section 1.3 so that the definition will read as follows (The change is limited to the bolded language):

Minor Construction Project shall mean any Construction Project, not included within the definition of a Major Construction Project, which involves either or both of the following:

1. a change in the outside appearance of a building or premises visible from a public or private street or way **other than a street or way that is fully encompassed within a parcel of 100 or more acres in size held in single ownership in an educational district**, requiring a building permit;
2. construction, enlargement or alteration of a parking or storage area requiring a parking plan permit. Alteration as used in the preceding phrase, includes installation, removal or relocation of any curbing, landscaping or traffic channelization island, driveway, storm drainage, lighting or similar facilities but does not include resurfacing, striping or restriping pavement markings on existing parking or storage areas.

Or take any other action in relation thereto.

(Citizen Petition)

ARTICLE 48. To see if the Town will vote to authorize the Select Board to petition the General Court to enact legislation in substantially the form below, and further to authorize the Select Board to approve amendments to said legislation before its enactment by the General Court that are within the scope of the general objectives of this motion;

AN ACT GRANTING THE TOWN OF WELLESLEY, MA THE AUTHORITY TO PROVIDE LEGAL VOTING RIGHTS IN MUNICIPAL ELECTIONS FOR TOWN RESIDENTS AGED 16 and 17 YEARS OLD

SECTION 1. Notwithstanding any general or special law, rule or regulation to the contrary, any individual aged 16 or 17 years old residing in the Town of Wellesley, who is ineligible to vote due to age under state law, but who is otherwise eligible, may apply to have their names entered on a list of voters established by the Office of the Town Clerk for the Town of Wellesley. Such individuals on the list of voters may vote in any election for local offices, local ballot questions, and Town Meeting in accordance with this Act. For the purposes of this Act, "local voters" are anyone who is eligible to vote pursuant to this Act in a local election or upon a local ballot question in the Town of Wellesley.

SECTION 2. The Office of the Town Clerk shall establish a separate registration list for local voters who shall fill out an alternative registration form. Upon turning 18, each local voter shall be taken off the separate list and notified that he or she must register as a regular voter in accordance with state law, regulations and guidelines, in order to be eligible to vote. Said board shall create and print, at the

Town of Wellesley's expense, the special registration form needed for the purpose of registering local voters.

SECTION 3. Said Office is hereby authorized to promulgate regulations, guidelines and forms to implement the purpose of this act.

SECTION 4. If a local ballot question appears on a state election ballot, the board shall print a separate ballot for the local ballot question at the expense of the Town of Wellesley.

SECTION 5. The Town of Wellesley is hereby authorized to pass bylaws to implement the purpose of this act subject to all the provisions of the Town of Wellesley Charter.

SECTION 6. Nothing in this act shall be construed to confer upon local voters the right to vote for any state or federal office, or on any state or federal ballot questions.

Or take any action relative thereto.

(Citizen Petition)

GENERAL

ARTICLE 49. 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 50. 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 Select Board, 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.

(Select Board)

ARTICLE 51. To see if the Town will vote to authorize the Select Board, on behalf of the Town, to dispose of tangible Town property having a value in excess of \$50,000.00 (FIFTY THOUSAND DOLLARS), on such terms as it may deem advisable, or to take any other action in relation thereto.

(Select Board)

ARTICLE 52. To see if the Town will vote to authorize the Select Board to appoint one or more of its members as a fire engineer, or to take any other action in relation thereto.

(Select Board)

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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, i.e., the Town Hall and Police Station, 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.

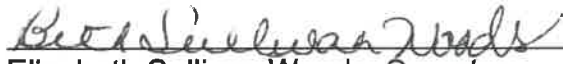
Given under our hands this 16 of January 2024.



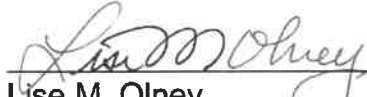
Thomas H. Ulfelder, Chair



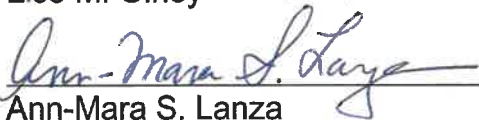
Colette E. Aufranc, Vice Chair



Elizabeth Sullivan Woods, Secretary




Lise M. Olney



Ann-Mara S. Lanza

A true copy,

Attest:



Constable, Town of Wellesley

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

Wellesley, MA January 17, 2024

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, and causing the warrant and said request to be posted to the Town of Wellesley website.



Constable, Town of Wellesley

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