

FALL TOWN MEETING WARRANT 2017

TOWN OF WALPOLE

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To any constable in the Town of Walpole

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Walpole, qualified to vote in elections in town affairs, to meet in the Auditorium of the Walpole High School located at 275 Common Street in said Walpole on:

**THE THIRD MONDAY IN OCTOBER, IT BEING THE
SIXTEENTH DAY OF SAID MONTH, 2017**

at 7:30 p.m. then and there to see if the Town will vote to amend the By-laws and Zoning By-laws to said Town and act on the following articles:

ARTICLE 1: To hear and act on the report of any committee or to choose any committee the Town may think proper and transact any other business that may legally come before the Town. (Petition of the Board of Selectmen)

ARTICLE 2: To see if the Town will vote to raise and appropriate, borrow, transfer to and/or from FY 2018 accounts appropriated at the 2017 Spring Annual Town Meeting, and/or transfer from available funds sums of money to defray departmental and incidental expenses of the Town for the fiscal year 2018 commencing July 1, 2017. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 3: To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds a sum or sums of money for permitting and design of new playing fields in the Town of Walpole, including all incidental and related costs. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 4: To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds a sum or sums of money as may be required for the purchase and equipping of a new aerial new ladder truck, for the Walpole Fire Department, and, as appropriate, the equipping thereof. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 5: To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds a sum or sums of money for the permitting, design and undertaking of dredging of Memorial Pond, including all incidental and related costs. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 6: To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of supplementing the Stabilization Fund as authorized by Chapter 40 Section 5B of the Massachusetts General Laws. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 7: To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums of money for the purpose of supplementing the fund known as the Other Post-Employment Benefits Liability Trust Fund (OPEB) as authorized by Chapter 32B, Section 20 of the Massachusetts General Laws. Or take any action in relation thereto (Petition of the Board of Selectmen)

ARTICLE 8: To see if the Town will vote to transfer from Free Cash a sum or sums of money equivalent to funds collected from Medicaid reimbursements, to supplement the FY' 2018 School Budget. Or take any action in relation thereto (Petition of the School Committee)

ARTICLE 9: To see if the Town will vote to transfer from available funds a sum or sums of money to supplement the FY' 2018 School Budget equivalent to amounts paid into the General Fund for the McKinney Vento Act. Or take any action in relation thereto. (Petition of the School Committee)

ARTICLE 10: To see if the Town will vote to transfer from available funds a sum or sums of money to supplement the FY' 2018 School Budget equivalent to amounts paid into the General Fund for student parking. Or take any action in relation thereto. (Petition of the School Committee)

ARTICLE 11: To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds a sum or sums of money to resurface, repair and /or reconstruct certain streets and/or sidewalks, to make drainage improvements in certain Town roads, and to rebuild certain manholes and catch basins in the Town. Or take any action in relation thereto (Petition of the Board of Selectmen)

ARTICLE 12: To see if the Town will vote to appropriate a sum of money for improvements to various streets and/or sidewalks within the Town, consisting of the construction, reconstruction or resurfacing of public ways or the extension or widening thereof, including land damages and the cost of concrete, macadam or other pavement or road material of similar lasting character and sidewalks constructed or reconstructed in connection with such improvements or independently, including all incidental and related costs; to determine whether this appropriation shall be raised by borrowing or otherwise. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 13: To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the American Federation of State, County and Municipal Employees, AFL-CIO, State Council 93, Local 1957 Department of Public Works Employees for the period July 1, 2017 through June 30, 2020, and further to and to raise and appropriate and/or transfer a sum of money to defray the cost items for the first fiscal year of said agreement. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 14; To see if the Town will vote to approve the monetary items in an agreement between the Town of Walpole and the Walpole Permanent Firefighters Association for the period of July 1, 2017 through a term to be determined, and to raise and appropriate and/or transfer a sum or sums of money to defray the cost items for the first fiscal year of said agreement. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 15: To see if the Town will vote to transfer the sum of \$74,000 from the Water Enterprise Fund Retained earnings to be used as an additional funding source for the FY' 2018 Water Department operational budget. Or take any action in relation thereto. (Petition of the Sewer and Water Commission).

ARTICLE 16: To see if the Town will vote to amend the Walpole Zoning Bylaw as follows:

1. To amend ZBL §10-C.2. Special Permit Required, by adding “– AQV Ten-Acre Projects.” to said section title, so that said section title reads as follows:
“2. Special Permit Required – AQV Ten-Acre Projects.”
2. To amend ZBL §10-C.3. Building and Dwelling Unit Requirements, by adding “– AQV Ten-Acre Projects.” to said section title, so that said section title reads as follows:
“3. Building and Dwelling Unit Requirements – AQV Ten-Acre Projects.”
3. To amend ZBL §10-C.4. Application Requirements, by adding “– AQV Ten-Acre Projects.” to said section title, so that said section title reads as follows:
“4. Application Requirements – AQV Ten-Acre Projects.”
4. To amend ZBL §10-C.5. Decision of the Special Permit Granting Authority, by adding “– AQV Ten-Acre Projects.” to said section title, so that said section title reads as follows:
“5. Decision of the Special Permit Granting Authority – AQV Ten-Acre Projects.”
5. To amend ZBL §10-C. AGE QUALIFIED VILLAGE (AQV), by adding the following new section, shown as follows:

“6. A QV Fifteen-Acre Projects.

A. Site, Building and Dwelling Unit Requirements

1. A Special Permit from the Planning Board shall be required for all A QV Fifteen-Acre Projects.
2. The minimum site requirement shall be fifteen acres, at least 75% of which shall be located within one of the following zoning districts: General Residence (GR), Residence B (RB) or Limited Manufacturing (LM).
3. The allowed density shall not exceed 12.5 dwelling units per acre.
 4. The maximum number of units per building shall not exceed fifty units.
 5. All perimeter building setbacks shall be at least fifty feet.
 6. The maximum number of residential buildings on the site shall not exceed five.
 7. The maximum height of any building on site shall not exceed sixty feet from average finished grade.
 8. The maximum number of habitable stories shall not exceed four, specifically not including parking levels.
 9. The minimum separation between each building on site shall be at least twenty-five feet.
 10. The minimum frontage shall be at least one hundred fifty feet.
 11. The minimum parking required shall be at least one space per bedroom.
 12. No unit shall contain more than two bedrooms.
 13. There shall be a professionally managed owners association that is responsible for maintenance, repair and/or replacement of all on-site utilities, access ways, parking areas, landscaped areas and internal common areas.
 14. No municipal plowing, deicing or trash services shall be provided to the site.
 15. Pedestrian movement within the site shall be encouraged through the installation of sidewalks and walking paths, where possible.
 16. The property shall be deed restricted to satisfy the requirement that the unit shall be owned and occupied by at least one person age 55 or older, as per the definition of ‘Age Qualification’ pursuant to Section 14.
 17. Developers of A QV Fifteen-Acre Projects are encouraged, but not required to designate at least 15% of the units within the development as affordable.
 18. Before a Certificate of Occupancy is issued for any unit on the site, the A QV deed restriction shall be recorded and evidence of such shall be provided to the Building Commissioner.

19. The project shall be in compliance with the MA Department of Environmental Protection Stormwater Management regulations and standards.

B. Application Requirements

An Applicant for a Special Permit to develop an AQP Fifteen-Acre Project shall submit to the Special Permit Granting Authority all applicable information that is generally required for Full Site Plan Review pursuant to Section 13.

C. Decision of the Special Permit Granting Authority

The Special Permit Granting Authority may approve, deny or conditionally approve an application for an AQP Fifteen-Acre Project. In addition to the criteria in Section 2.2, the Special Permit Granting Authority shall consider the requirements outlined in Section 10-C.5 AQP Ten-Acre Projects in the making of their decision.”

Or take any action in relation thereto (Petition of the Board of Selectmen)

ARTICLE 17: To see if the Town will vote to amend the Town’s Zoning Bylaw by adding a new Section 5-H, RECREATIONAL MARIJUANA ESTABLISHMENTS, that would provide as follows, and further to amend the Table of Contents to add Section 5-H, “Recreational Marijuana Establishments.”

Section 5-H

Consistent with G.L. c. 94G, section 3(a)(2), all types of marijuana establishments as defined in G.L. c. 94G, section 1, to include marijuana cultivators, independent testing laboratories, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Walpole. Or take any action in relation thereto (Petition of the Board of Selectmen)

ARTICLE 18: To see if the Town will vote to amend its zoning overlay map by revising the boundaries of the overlay district entitled “Large Scale Ground Mounted Solar Photovoltaic Overlay District (SPOD), Town of Walpole”, dated August 2011, to include property located off of North St., Walpole MA described as Assessors Map 2, Lots 5 and 6, and Assessors Map 5, Lots 33, 34,35 and 36, and furthermore to authorize the Board of Selectmen to (i) enter into one or more PILOT agreements for payments in lieu of taxes pursuant to G.L. c. 59, § 38H(b), or any other enabling authority, one for each owner and/or developer of a solar photovoltaic facility to be installed on these parcels, with each agreement being for a term of up to thirty (30) years and on such terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town, (ii) enter into one or more power purchase agreements for the purchase of electricity or net metering credits generated by said facilities each such agreement to be for a term of years of up to 30 years and on such other terms and conditions and for such consideration as the Board of Selectmen deems in the best interests of the Town, and (iii) take any other actions and execute any other documents necessary, convenient, or appropriate to implement and administer such agreements, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 19: To see if the Town will vote to amend Zoning Bylaw, Section 8. Parking Regulations, 7. Location of Spaces, by adding the following text:

E. Tandem parking of two or more vehicles shall be prohibited unless a parking management plan has been submitted to the Building Commissioner and/or the Special Permit Granting Authority that demonstrates proper provisions have been made to allow people access to their vehicles 24 hours per day, every day. Such provisions may include, but are not limited to, the use of a valet-type service. Or take any action in relation thereto (Petition of Planning Board)

ARTICLE 20: To see if the Town will vote to amend Zoning Bylaw, Section 5-B. Schedule of Use Regulations by inserting the following paragraph prior to the Table of Uses: “Notwithstanding any other provision of this Zoning Bylaw, the Town hereby establishes a moratorium period for one year, through the 2018 Fall Town Meeting, on the construction of new multi-family housing in the Central Business District (CBD). This moratorium period shall exclude improvements to existing multi-family housing within said District. The purpose of this moratorium is to study the effects of the overall impact

of the two recently permitted multi-family housing developments in the CBD, with respect to motor vehicle and pedestrian traffic, parking and utilities. These two recently approved multi-family housing developments will be adding approximately 344 residential units to the Town's CBD. The Community Development Director and two Planning Board members will re-evaluate the progress of the aforementioned projects prior to 2018 Fall Town Meeting and will present findings and potential further actions to Town Meeting. Or take any action in relation thereto (Petition of Planning Board)

ARTICLE 21: To see if the Town will vote to amend Zoning Bylaw, Section 8. Parking Regulations, 4. Baseline Parking Calculation, C., by deleting the strikethrough text as follows:

The Board of Appeals may grant a Special Permit to allow less than the minimum or more than the maximum parking requirement upon petition from an applicant pursuant to Section 2 of the Zoning Bylaw. ~~Full Site Plan Review shall not be required for the purposes of applying for this Special Permit.~~ . Or take any action in relation thereto (Petition of Planning Board)

ARTICLE 22: To see if the Town will vote to amend Zoning Bylaw, Section 6-C. Special Conditions, 2. Additional Height Limitations near Side Lines in Residential Districts, by striking said Section in its entirety and reserving said Section for future use. Or take any action in relation thereto (Petition of Planning Board)

ARTICLE 23: To see if the Town will vote to accept Chieftain Way as a public way from its beginning at STA 0+00+/- to its end at STA 7+50+/- as laid out by the Board of Selectmen and as shown on a plan or plans on file in the office of the Town Clerk, and further to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise an easement in said street for all purposes for which public ways are used in the Town of Walpole, and any associated drainage, utility, access or other easements, and further to appropriate a sum of money for the foregoing acquisition and all incidental and related costs. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 24: To see if the Town will vote to accept LaCivita Drive as a public way from its beginning at STA 0+00+/- to its end at STA 7+50+/- as laid out by the Board of Selectmen and as shown on a plan or plans on file in the office of the Town Clerk, and further to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise an easement in said street for all purposes for which public ways are used in the Town of Walpole, and any associated drainage, utility, access or other easements, and further to appropriate a sum of money for the foregoing acquisition and all incidental and related costs. Or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 25: To see if the Town will vote to authorize the Board of Sewer and Water Commissioners to release, in part, a sewer easement conveyed to the Town by Grant of Sewer Easement recorded with the Norfolk Registry of Deeds in Book 26419, Page 406, which easement being released affects solely the parcel of land shown as "20' Sewer Easement" on a plan recorded in Plan Book 561, Page 31 and referred to as the "O'Brien Easement Premises" in said Grant, said easement on the O'Brien Easement Premises being no longer required for sewer purposes, provided that such release shall not affect the other easements conveyed to the Town by said Grant. Or take any action in relation thereto. (Petition of Sewer and Water Commission)

ARTICLE 26: To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, an easement to use a private way, which easement is approximately twenty-four (24) feet wide, and shown approximately as "Eastover Road" (the "Easement Premises") on a plan entitled "Exhibit Easement Plan of Land," prepared by Glossa Engineering Inc. and dated April 28, 2017_, on file with the Town Clerk, for the purpose of allowing the Town's trash, recycling and related vehicles and trucks to access and pass over the Easement Premises, and to execute instruments and take any other necessary or incidental action required to effectuate the vote taken hereunder. Or take any other action in relation thereto. (Petition of Board of Selectmen)

ARTICLE 27: To see if the Town will transfer, from available funds, a sum of money to reduce the tax rate for Fiscal Year 2018, or take any action relative thereto. (Petition of Ann Ragosta etal.)

ARTICLE 28: To see if the Town will vote to adopt the following resolution:

WHEREAS, the detestable message of hate professed by neo-Nazi and white nationalist organizations which, as proven by the tragic events that took place on August 12, 2017, in Charlottesville, Virginia, currently remain a distinct threat to societal progress and lead to senseless acts of violence that continue to terrorize members of ethnic and religious minority communities in Walpole and throughout the Commonwealth of Massachusetts and the United States of America; and

WHEREAS, White nationalist organizations in our country have consistently promoted so-called values that are overtly racist, anti-Semitic, and anti-immigrant, and these poisonous ideologies continue to promote hatred, bigotry, and violence specifically against individuals solely on the basis of their race, ethnicity, religion, sexual orientation, and immigration status; and

WHEREAS, Today, white nationalism and neo-Nazism remain very real threats to the values that the Town of Walpole stands for, and its reinvention as the "Alt-Right," should not mitigate their hateful ideologies; and

WHEREAS, While free speech is a bedrock value for the citizens of the Town of Walpole, our Commonwealth, and our Country, white nationalist and neo-Nazi groups promote a message that is the antithesis of Walpole's dedication to civil rights for all, and are in irreconcilable conflict with our foundational principles of liberty and justice for all; and

WHEREAS, White nationalism and neo-Nazism are continuing to grow as menaces to societal order that seek to reignite social animosities, reverse improvements in race relations, divide the nation, and foment hatred, classism, and ethnic eradication; and

WHEREAS, The white nationalist and neo-Nazi message of racial and social intolerance has led to senseless acts of violence that continue to terrorize members of ethnic and religious minority communities;

THEREFORE BE IT RESOLVED that we the Walpole Town Meeting strongly denounce and oppose the totalitarian impulses, violence, xenophobic biases, and bigoted ideologies that are promoted by white nationalists and neo-Nazis, and call upon the people of Walpole to embrace our efforts to join together in denouncing and opposing such totalitarian impulses, violence, xenophobic biases, and bigoted ideologies; and

BE IT FURTHER RESOLVED that the Town Clerk be directed to arrange to have a copy of this resolution posted in a public space in all Town owned buildings and on the Town's website; and

BE IT FURTHER RESOLVED THAT the Town Clerk be directed to send a copy of this resolution to the representatives in the Massachusetts House and Senate who serve Walpole and to the Norfolk County District Attorney.

We, the undersigned registered voters of Walpole, hereby petition the Board of Selectmen to insert the above Article on the Warrant for the next Town Meeting. (Petition of Audrey Grace etal.)

ARTICLE 29: To see if the Town will delete section 6-C-4-A and section 6C-4-B in its entirety from the Walpole Zoning Bylaws in the Fall 2017 Town Meeting or take any action there too. (Petition of Elizabeth Barrows etal.)

And you are hereby directed to serve this warrant by posting attested copies thereof in at least two public places in each precinct in said Town not less than seven days before the day appointed for said meeting
Hereof fail not make due return of this warrant with your doings thereon to the Town Clerk.

Given under our hands and the seal of the Town this _____ day of September in the year Two Thousand and Seventeen.

BOARD OF SELECTMEN

A true copy:

By virtue of the within warrant I have notified the inhabitants of the Town of Walpole qualified to vote in elections and town affairs, to meet at the time and place for the purpose mentioned in said warrant by posting attested copies thereof in at least two public places in each precinct of said town not less than seven days before the day appointed for said meeting.

Constable of Walpole

Date Posted