



**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF HOPKINTON  
ANNUAL TOWN MEETING WARRANT  
MAY 7, 2018**

*(Voter Registration Deadline: April 17, 2018)*

MIDDLESEX, ss.

To any of the Constables of the Town of Hopkinton in said County,

**GREETINGS:**

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn all inhabitants of the Town of Hopkinton qualified to vote in elections and in Town affairs:

To bring in their ballots on May 21, 2018, to an adjourned session of the Annual Town Meeting to be held at the Hopkinton Middle School Gymnasium, for the election of the following Officers:

**Offices for the May 21, 2018 Election**

<b>Office</b>	<b>Number of open positions</b>	<b>Length of Term</b>
Board of Assessors	1	3 years
Board of Health	1	3 years
Board of Library Trustees	1	3 years
Board of Selectmen	2	3 years
Cemetery Commissioners	1	3 years
Commissioners of Trust Fund	1	3 years
Constable	1	3 years
Parks & Recreation Commission	2	3 years
Planning Board	2	5 years
School Committee	2	3 years

AND also to vote "Yes" or "No" on the following questions appearing on the ballot:

**ARE THERE BALLOT QUESTIONS?**

For this purpose, the polls will be open from 7:00 a.m. to 8:00 p.m.

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AND, further, to meet at the Hopkinton Middle School Auditorium at 88 Hayden Rowe Street, on May 7, 2018, at 7:00 p.m., then and there to act upon the following Articles:

**REPORTS**

**ARTICLE: Acceptance of Town Reports** *Sponsor: Town Manager*

To hear the Reports of Town Officers, Boards and Committees.

Pass any vote or take any act relative thereto.

**FINANCIAL – FISCAL YEAR 2018**

**ARTICLE: FY 2018 Supplemental Appropriations** *Sponsor: Town Manager*

To see if the Town will vote to transfer from available funds or otherwise provide a sum or sums of money to supplement operating budgets for the fiscal year ending June 30, 2018.

Pass any vote or take any act relative thereto.

**ARTICLE: FY 2018 Budget Transfers** *Sponsor: Town Manager*

To see if the Town will vote to transfer a sum or sums of money between and among various accounts for the fiscal year ending June 30, 2018.

Pass any vote or take any act relative thereto.

**ARTICLE: Unpaid Bills from Previous Fiscal Years** *Sponsor: Town Manager*

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to pay unpaid bills from prior fiscal years, in accordance with the provisions of Chapter 44, Section 64, of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

Board of Selectmen Chairman John Coutinho \_\_\_\_\_  
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**FINANCIAL – FISCAL YEAR 2019**

**ARTICLE: Property Tax Exemption Increase**

*Sponsor: Finance Director*

To see if the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, to provide an additional real estate tax exemption in the fiscal year beginning July 1, 2018, for those qualifying for an exemption under Chapter 59, Section 5, Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A, 41C, 42 or 43 of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

**ARTICLE: Senior Tax Relief**

*Sponsor: Board of Selectmen*

To see if the Town will vote to accept Chapter 59, Section 5, Clause 50 of the *Massachusetts General Laws*, which exempts from taxation the increased value of residential real property as a result of alterations or improvements thereto, not to exceed five hundred dollars of taxes due; provided, however, that said alterations or improvements are made to provide housing for a person who is at least sixty years old and who is not the owner of the premises; provided further, that any such alterations or improvements must be made to a house, consisting of no more than three units prior to such alterations or improvements and which is owned and occupied by the applicant as his domicile; and provided, further, that the applicant shall annually furnish to the assessors a statement under oath that the alterations or improvements were made to provide housing for a person who is at least sixty years old.

Pass any vote or take any act relative thereto.

**ARTICLE: Personal Property Tax Bill Threshold**

*Sponsor: Finance Director*

To see if the Town will vote to accept the provisions of Chapter 59, Section 5, Clause 54, of the *Massachusetts General Laws*, and establish a minimum personal property value of \$2,500.00 for personal property accounts to be taxed.

Pass any vote or take any act relative thereto.

**ARTICLE: Set the Salary of Elected Officials**

*Sponsor: Personnel Committee*

To see if the Town will vote to fix the salary or compensation of all of the elected officials of the Town in accordance with Chapter 41, Section 108, of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

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**ARTICLE: Fiscal 2019 Operating Budget**

*Sponsor: Town Manager*

To hear and act on reports and recommendations of the Appropriation Committee and to see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide, a sum or sums of money for the operation and maintenance of Town Departments for the fiscal year beginning on July 1, 2018, and that such sums be expended for such purposes under the direction of the respective Town Officers, Boards and Committees.

Pass any vote or take any act relative thereto.<sup>1</sup>

**ARTICLE: FY 2019 Revolving Funds**

*Sponsor: Town Manager*

To see if the Town will vote to establish the limit on the total amount that may be expended from each revolving fund established by Article VI of the General Bylaw pursuant to Section 53E½ of Chapter 44 of the *Massachusetts General Laws* for the fiscal year beginning July 1, 2018.

Pass any vote or take any act relative thereto.

**ARTICLE: Chapter 90 Highway Funds**

*Sponsor: Town Manager*

To see if the Town will vote to appropriate a sum or sums of money from the proceeds due to the Town pursuant to Chapter 90 of the *Massachusetts General Laws*, for the purposes of repair, construction, maintenance and preservation of the Town's roads and bridges and other related costs, which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Department of Transportation; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

**ARTICLE: Transfer to General Stabilization Fund**

*Sponsor: Town Manager*

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the General Stabilization Fund, to be used, upon further appropriation, for any lawful purpose.

Pass any vote or take any act relative thereto.

**ARTICLE: Transfer to Capital Expense Stabilization Fund**

*Sponsor: Town Manager*

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the Capital Expense Stabilization Fund, to be used, upon further appropriation, for any lawful purpose.

<sup>1</sup> To include funding for recent collective bargaining agreements.

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Pass any vote or take any act relative thereto.

**ARTICLE: Other Post Employment Benefits Liability Trust Fund** *Sponsor: Town Manager*

To see if the Town will vote to accept the provisions of Section 20 of Chapter 32B of the *Massachusetts General Laws*, as amended by Section 15 of the Chapter 218 of the Acts of 2016, establishing an Other Post-Employment Benefits Liability Trust Fund; to authorize the Board of Selectmen and Treasurer-Collector to execute a declaration of trust creating an expendable trust for the purpose of holding monies appropriated to such fund; to designate the Treasurer-Collector as the trustee of such trust; to authorize the transfer of any and all monies currently held for the purpose of paying retiree health and life benefits to such trust; and to authorize the trustee to invest and reinvest the monies in such fund in accordance with the prudent investor rule established in Chapter 203C of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

**ARTICLE: PEG Access and Cable Related Fund** *Sponsor:*

To see if the Town will vote to accept the provisions of *M.G.L. c.44, §53F¾* to establish a PEG Access and Cable Related Fund for the Hopkinton Community Access and Media, Inc., into which fund shall be deposited funds received in connection with franchise agreements between a cable operator and the Town. Monies in the fund shall only be appropriated for cable-related purposes consistent with the franchise agreement, including, but not limited to: support of public, educational or governmental access cable television services; monitor compliance of the cable operator with the franchise agreement; or prepare for renewal of the franchise license.

Pass any vote or take any act relative thereto.

**ARTICLE: Special Education Reserve Fund (place holder)** *Sponsor:*

To see if the Town will accept the provisions of *M.G.L. c.40, §13E*, to establish a Special Educational Reserve Fund, in which funds may be appropriated or transferred to be utilized to pay for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation.

Pass any vote or take any act relative thereto.

**ARTICLE: Excess Bond Premium** *Sponsor: Finance Director/Town Manager*

To see if the Town will vote to appropriate the remaining excess bond premium from the Town's \$29,250,000 (TWENTY NINE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS) General

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Obligation Municipal Purpose Loan of 2016 Bonds dated December 1, 2016 to capital projects of the Town for which such bonds were issued or for which borrowing has been authorized and reduce the borrowing authorizations accordingly, or to other capital projects of the Town.

Pass any vote or take any act relative thereto.

**CAPITAL EXPENSES AND PROJECTS**

**ARTICLE: Pay-As-You-Go Capital Expenses** *Sponsor: Town Manager*

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money to fund the following Pay-As-You-Go capital purchases and projects:

Purchase or Product	To be spent under the direction of:

Pass any vote or take any act relative thereto.

**ARTICLE: Sewer Comprehensive Wastewater Management Plan Update** *Sponsor: Director of Public Works*

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for planning and engineering designs and associated costs related to the Sewer Comprehensive Wastewater Management Plan Update; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

**ARTICLE: Hayden Rowe Water Main Replacement** *Sponsor: Director of Public Works/Town Manager*

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for engineering designs, bid documents, construction services and associated costs related to the replacement of the water main at Hayden Rowe; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

**ARTICLE: Cedar Street Water Main Replacement** *Sponsor: Director of Public Works/Town Manager*

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To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for engineering designs, bid documents, construction services and associated costs related to the replacement of the water main at Cedar Street; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

**ARTICLE: Sidewalk Master Plan Phase II**

*Sponsor: Director of Public Works/Town Manager*

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the design, repair, maintenance, renovation, improvement, rehabilitation, construction and reconstruction of sidewalks; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

**ARTICLE: Pratt Farm Wellfield Investigation and New Source Approval**

*Sponsor: Director of Public Works/Town Manager*

To see if the Town will vote to raise and appropriate, transfer from available funds or otherwise provide a sum or sums of money for the installation of wellfields and observation wells, pumping tests, and submissions of reports and permit or approval request documents to the Department of Environmental Protection and the Town of Hopkinton's Conservation Commission regarding the Pratt Farm Wellfield Investigation and New Source Approval Project, said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

**ARTICLE: Purchase of Dump Truck, S-30**

*Sponsor: Director of Public Works/Town Manager*

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a F550 Dump Truck S-30, accessories and related costs for the Highway Department; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

**ARTICLE: Purchase of Dump Truck, S-13**

*Sponsor: Director of Public Works/Town Manager*

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or

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otherwise provide a sum or sums of money for the purchase of a F550 Dump Truck S-13, accessories and related costs for the Highway Department; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

<b>ARTICLE:</b> <b>Purchase of Backhoe</b>	<i>Sponsor: Director of Public Works/Town Manager</i>
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To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a backhoe, accessories and related costs for the Highway Department; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

<b>ARTICLE:</b> <b>Purchase of Multi-Purpose Municipal Tractor</b>	<i>Sponsor: Director of Public Works/Town Manager</i>
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To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for the purchase of a multi-purpose municipal tractor, accessories and related costs for the Highway Department; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

<b>ARTICLE:</b> <b>Main Street Corridor Project</b>	<i>Sponsor: Director of Public Works/Town Manager</i>
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To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for design, construction services, professional services, undergrounding of utilities and associated work, installation of street lighting, and police details related to the Main Street Corridor Project; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

<b>ARTICLE :</b> <b>Campus Master Plan Study – Phase 1</b>	<i>Sponsor: School Committee</i>
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To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum of \$320,000 (THREE HUNDRED TWENTY THOUSAND DOLLARS) for Phase 1 of the Campus Master Plan Study; said sum to be spent under the direction of the School Committee.

Pass any vote or take an act relative thereto.

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**ARTICLE : Turf Fields**

*Sponsor: School Committee*

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of \$3,886,865 (THREE MILLION EIGHT HUNDRED EIGHTY SIX THOUSAND EIGHT HUNDRED SIXTY FIVE DOLLARS) for the purpose of installing turf on fields 4 and 5 at Hopkinton High School; said sum to be spent under the direction of the School Committee. The total cost could be reduced by a grant from the Community Preservation Commission in the amount of \$1,700,000 (ONE MILLION SEVEN HUNDRED THOUSAND DOLLARS) and from private donations of \$\_\_\_\_\_.

Pass any vote or take an act relative thereto.

**ARTICLE : Technology Security Upgrades**

*Sponsor: School Committee*

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum of \$200,000 (TWO HUNDRED THOUSAND DOLLARS) for the installation of security cameras at the High School, Middle School and sections of the loop road in accordance with the Town wide security plan; said sum to be spent under the direction of the School Committee.

Pass any vote or take an act relative thereto.

**ARTICLE : Middle School Auditorium HVAC**

*Sponsor: School Committee*

To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum of \$200,000 (TWO HUNDRED THOUSAND DOLLARS) for the upgrade of the HVAC system in the Middle School auditorium; said sum to be spent under the direction of the School Committee.

Pass any vote or take an act relative thereto

**COMMUNITY PRESERVATION FUNDS**

**ARTICLE: Community Preservation Funds**

*Sponsor: Town Manager*

To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues a sum or sums of money in the amounts recommended by the Community Preservation Committee for committee administrative expenses and other expenses in Fiscal Year 2018, with each item to be considered a separate appropriation.

Pass any vote or take an act relative thereto.

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To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money, not to exceed 5% of the Fiscal Year 2019 estimated annual revenues, to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2019; and, further, to reserve for future appropriation a sum of money from the Community Preservation Fund for open space, historic resources, and community housing purposes; and, further, to appropriate from the Community Preservation Fund, or borrow pursuant to Chapter 44B, Section 11, of the Massachusetts General Laws, or any other enabling authority, a sum or sums of money for the following Community Preservation projects or purposes, including the acquisition of interests in land, all as recommended by the Community Preservation Committee:

a.) \$25,000 (TWENTY FIVE THOUSAND DOLLARS) from funds reserved for Historical Preservation for the preservation of land records, dated from 1710 to 1843; said sum to be spent under the direction of Hopkinton Town Clerk and the Community Preservation Committee.

b.) \$4,650 (FOUR THOUSAND SIX HUNDRED FIFTY DOLLARS) from funds reserved for Passive Recreation to complete a conservation restriction for the East Main Street Methodist Church property, with said sum to be used for surveying the land and paying a nonprofit to hold, monitor and enforcement the restriction (endowment funding); said sum to be spent under the direction of the Hopkinton Area Land Trust and the Community Preservation Committee; said sum to be spent under the direction of Hopkinton Area Land Trust and the Community Preservation Committee.

c.) \$6,200 (SIX THOUSAND TWO HUNDRED DOLLARS) from funds reserved for Open Space to complete a conservation restriction for the Wyckoff property and Echo Trail, with said sum to be used for surveying the land and paying a nonprofit to hold, monitor and enforcement the restriction (endowment funding); said sum to be spent under the direction of the Hopkinton Area Land Trust and the Community Preservation Committee; said sum to be spent under the direction of the Hopkinton Area Land Trust and the Community Preservation Committee.

d.) \$8,655 (EIGHT THOUSAND SIX HUNDRED FIVE DOLLARS) from funds reserved for Open Space to complete a conservation restriction for the Welzel Property, with said sum to be used for surveying the land and paying a nonprofit to hold, monitor and enforcement the restriction (endowment funding); said sum to be spent under the direction of the Hopkinton Area Land Trust and the Community Preservation Committee.

e.) \$50,000 (FIFTY THOUSAND DOLLARS) from funds reserved for Passive/Active Recreation for cameras at Sandy Beach, Fruit Street and EMC Park in order to deter vandalism; said sum to be spent under the direction of Parks and Recreation Commission and the Community Preservation Committee.

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f.) \$150,00 (ONE HUNDRED FIFTY THOUSAND DOLLARS) from funds reserved for Passive Recreation for the design and construction of a dog park at Hayden Rowe; said sum to be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.

Pass any vote or take an act relative thereto.

<b>ARTICLE:</b>	<b>Community Preservation Recommendations – Land Acquisitions and Borrowing</b>	<i>Sponsor: Community Preservation Committee</i>
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To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2019 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money, not to exceed 5% of the Fiscal Year 2019 estimated annual revenues, to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2019; and, further, to reserve for future appropriation a sum of money from the Community Preservation Fund for open space, historic resources, and community housing purposes; and, further, to appropriate from the Community Preservation Fund, or borrow pursuant to Chapter 44B, Section 11, of the Massachusetts General Laws, or any other enabling authority, a sum or sums of money for the following Community Preservation projects or purposes, including the acquisition of interests in land, all as recommended by the Community Preservation Committee:

a.) \$143,000 (ONE HUNDRED FORTY THREE THOUSAND DOLLARS) from funds reserved for Open Space for the acquisition of 20.86 acres of land located between 180 and 182 Hayden Rowe (Colella Farm); said sum to be spend under the direction of the Open Space Preservation Commission and the Community Preservation Committee.

b.) \$198,00 (ONE HUNDRED NINETY EIGHT THOUSAND DOLLARS) from funds reserved for Open Space, to acquire 37.83 acres of land between St. John’s Cemetery and Hopkinton State Park; said sum to be spend under the direction of the Upper Charles Trail Committee and the Community Preservation Committee.

c.) Up to \$2,700,000 (TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS) from funds reserved for Recreation for the Hopkinton Athletic Field Complex Phase 1; said sum to be spent under the direction of Hopkinton School Committee and the Community Preservation Committee, and for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$720,000 (SEVEN HUNDRED TWENTY THOUSAND DOLLARS) in accordance with Chapter 44B, Section 11 of the Massachusetts General Laws, or any other enabling authority; provided, however, that payment of debt service on the bonds and notes for this purpose shall be made from CPC reserve funds.

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d.) \$600,000 (SIX HUNDRED THOUSAND DOLLARS) from funds reserved for Passive/Active Recreation for Fruit Street lighting; said sums to be spent under the direction of Parks and Recreation Commission and the Community Preservation Committee, 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 44B, Section 11 of the Massachusetts General Laws, or any other enabling authority; provided, however, that payment of debt service on the bonds and notes for this purpose shall be made from CPC reserve funds.

Pass any vote or take an act relative thereto.

<b>ARTICLE:</b>	<b>Community Preservation Funds Overpayment (place-holder)</b>	<b>Sponsor:</b>
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[Insert Language]

**ZONING BYLAW AMENDMENTS**

<b>ARTICLE:</b>	<b>Special Permit Duration</b>	<b>Sponsor: Planning Board</b>
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To see if the Town will vote to amend the Zoning Bylaw as follows:

1. By amending Article XII, Water Resources Protection Overlay District, by deleting Subsection F of §210-71 and inserting a new Subsection F as follows:

F. Special permit time limitations. A special permit shall lapse if a substantial use thereof has not commenced except for good cause within a period of time not to exceed the maximum amount allowed by law.

2. By amending Article XXXIV, Special Permit Granting Authority, by deleting Subsection C of §210-223 and inserting a new Subsection C as follows:

C. A Special Permit shall lapse within a period of time not to exceed the maximum allowed by law, unless good cause is shown why substantial use thereof, or related construction, has not begun; provided, however, that an applicant may request an extension of the term of a Special Permit from the SPGA, and the SPGA may extend such term as it deems appropriate.

Pass any vote or take any action relative thereto.

<b>ARTICLE:</b>	<b>Statutory Protection for Building Permits and Special Permits</b>	<b>Sponsor: Planning Board</b>
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To see if the Town will vote to amend Article XXIII, Amendments, of the Zoning Bylaw, by deleting §210-154, Conformance of permits to subsequent amendments, in its entirety and inserting a new §210-154 as follows:

§210-154. Conformance of permits to subsequent amendments.  
Construction or operations under a building or special permit shall conform to any subsequent amendment of this chapter unless the use or construction is commenced within the period of time specified in *MGL c.40A s.6* after the issuance of the permit and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as possible.

Pass any vote or take any act relative thereto.

<b>ARTICLE:</b>	<b>Fine for Zoning Violations</b>	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Article XXXIV, Administration and Enforcement, of the Zoning Bylaw, by deleting §210-158, Penalty, in its entirety, and inserting a new §210-158. Penalty as follows:

§210-158. Penalty.  
Whoever violates any provision of this chapter or any of the conditions under which a permit is issued by the Director of Municipal Inspections or any decision rendered by the Board of Appeals under the provisions of this chapter shall be liable to a fine of not more than the amount specified in *M.G.L. c.40A, s.7* per day for each violation.

Pass any vote or take any act relative thereto.

<b>ARTICLE:</b>	<b>Amendments to Conversion Bylaw</b>	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Article XVIII, Supplementary Regulations, of the Zoning Bylaw, by deleting §210-125, Conversions of residential property, in its entirety, and inserting a new §210-125 as follows:

§210-125. Conversions of residential property.  
The conversion of any house for rental purposes to accommodate not more than two dwelling units may be undertaken in any zoning district except an Industrial A (IA) or Industrial B (IB) District upon grant of a special permit by the Board of Appeals, provided that the exterior is not materially altered, the dwelling shall be owner-occupied, and provided that each dwelling unit so created contains a floor area of at least 600 square feet. Two parking spaces shall be provided on the site for each dwelling unit.

Pass any vote or take any act relative thereto.

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**ARTICLE: Hotel Overlay District Land Area** *Sponsor: Planning Board*

To see if the Town will vote to amend the Zoning Map, by amending the Hotel Overlay District as follows:

1. By expanding the Hotel Overlay District to include the parcels within the Industrial A District shown on a map entitled "\_\_\_\_\_", dated \_\_\_\_\_, which is on file with the Town Clerk; (SEE DRAFT MAP #1)
2. By expanding the Hotel Overlay District to include the area in an Industrial B District shown on a map entitled "\_\_\_\_\_", dated \_\_\_\_\_, which is on file with the Town Clerk; (SEE DRAFT MAP #2)
3. By removing the area from the Hotel Overlay District which is depicted on a map entitled "\_\_\_\_\_", dated \_\_\_\_\_, which is on file with the Town Clerk". (SEE DRAFT MAP #3)

Pass any vote or take any action relative thereto.

**ARTICLE: Maximum Building Height – Industrial A District** *Sponsor: Planning Board*

To see if the Town will vote to amend Article VIII, Industrial A District, of the Zoning Bylaw, by deleting §210-32, Height of Buildings, in its entirety, and inserting a new §210-32 as follows:

No building or structure shall exceed 60 feet, unless such building or structure is within 400 feet of the right of way of the section of Hayward St. located to the west of South St. In such cases, no building or structure shall exceed 40 feet, whichever is less. This limitation of height shall apply at the curb grade of the principal front of the building.

Pass any vote or take any act relative thereto.

**ARTICLE: Maximum Building Height – Industrial B District** *Sponsor: Planning Board*

To see if the Town will vote to amend Article XIII A, Industrial B District, of the Zoning Bylaw by deleting §210-37.6, Height of Buildings, in its entirety, and inserting a new §210-37.6 as follows:

No building or structure shall exceed 45 feet. This limitation of height shall apply at the curb grade of the principal front of the building.

Pass any vote or take any act relative thereto.

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**ARTICLE: Maximum Building Height – Hotel Overlay District Near Parkwood Drive** *Sponsor: Planning Board*

To see if the Town will vote to Article XIII A, Industrial B District, of the Zoning Bylaw by inserting a second paragraph in §210-37.6, Height of Buildings:

Notwithstanding the foregoing, no building or structure within the Hotel Overlay District and the Industrial B District located north of West Main Street and east of Parkwood Drive shall exceed 60 feet.

Pass any vote or take any act relative thereto.

**ARTICLE: Accessory Family Dwelling Unit** *Sponsor: Planning Board*

To see if the Town will vote to amend the Zoning Bylaw by deleting §210-126, Accessory Family Dwelling Unit, and inserting a new §210-126 as follows:

§210-126. Accessory Family Dwelling Unit

- A. Purpose. The intent and the purpose of this section is to permit accessory family dwelling units in single-family residential districts subject to the standards and procedures hereinafter set forth. It is also the intent to assure that the single-family character of the neighborhood will be maintained and that the accessory unit remains subordinate to the principal living quarters.
- B. Definitions.
- Accessory family dwelling unit - A second dwelling unit subordinate in size to the principal single-family dwelling unit on a lot, and which is located within either the principal single-family dwelling or an accessory structure on the lot and which complies with the requirements of this Section.
  - Mini accessory family dwelling unit – An accessory family dwelling unit that is located entirely within a single-family dwelling and which does not exceed 800 square feet of gross floor area.
  - Standard accessory family dwelling unit – An accessory family dwelling unit not included within the definition of a mini accessory family dwelling unit.
- C. Use limitations. The accessory family dwelling unit may not be occupied by more than three persons nor have more than two bedrooms. The owner of record of the lot shall occupy either the principal dwelling unit or the accessory family dwelling unit as their primary residence, except for bona fide temporary absences. For lots owned by a corporation, partnership, trust or association, the requirements of this Section regarding the owner of record of the lot shall instead be met by an officer or director of the corporation, a partner in the partnership, a trustor, trustee or beneficiary of the trust, or a member of the

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association. The dwelling unit not occupied by the owner of record of the lot shall be occupied by an additional family only if a member of the additional family is related by blood, marriage or adoption to the owner of the lot, or a member of the additional family is 60 years of age or older. Other than the principal dwelling unit and the accessory family dwelling unit, there shall be no additional dwelling units on a lot upon which an accessory family dwelling unit is to be located.

- D. Disposal of sewage. Adequate provision shall be made for the disposal of sewage, waste and drainage generated by the occupancy of such accessory unit in accordance with the requirements of the Board of Health.
- E. Ingress, egress, access. Adequate provision, as determined by the Director of Municipal Inspections, shall be provided for separate ingress and egress to the outside of each unit. To the extent possible, exterior passageways and accessways shall not detract from the single-family appearance of the dwelling. Except for an accessory family dwelling unit located in a detached accessory structure, an interior doorway shall be provided between the principal dwelling unit and the accessory family dwelling unit as a means of access for purposes of supervision and emergency response. All stairways to additional stories shall be enclosed within the exterior walls of the structure. For an accessory family dwelling unit located in a detached accessory structure, the Accessory Family Dwelling Unit shall be located within reasonable distance to the principal dwelling unit and sufficient access shall be provided and maintained between the principal dwelling unit and the accessory family dwelling unit for purposes of supervision and emergency response.
- F. Parking. Provisions for off-street parking of residents and guests of both units shall be provided in such a fashion as consistent with the character of the neighborhood.
- G. Mini accessory family dwelling unit. A mini accessory family dwelling unit is permitted by right.
- H. Standard Accessory Family Dwelling Unit. A standard accessory family dwelling unit shall require the grant of a special permit by the Board of Appeals. Such unit may be within an existing or new single-family dwelling, may be attached to the single-family dwelling, or may be in a detached accessory structure. The Board of Appeals may grant a special permit provided that the following criteria, in addition to those listed in items A through F above, are met:
  - (1) The accessory family dwelling unit shall not exceed 1,000 gross square feet, provided that the area of the accessory unit does not exceed one-third the entire gross floor area of the single-family dwelling.
  - (2) Floor plans of the accessory unit and principal single-family dwelling, and a certified site plan showing the dwelling unit on the lot and its relationship to other structures and premises within 200 feet of the lot, shall be filed with the application for a special permit.

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Special Permits shall be reviewed and granted in accordance with the provisions of § 210-223. No building permit shall be issued in accordance with the special permit issued under this section until the special permit has been recorded in the Registry of Deeds by the applicant and evidence of such recording has been submitted to the Director of Municipal Inspections.

Occupancy permit; control. No occupancy of an accessory family dwelling unit shall take place without an occupancy permit issued by the Director of Municipal Inspections. Prior to issuance of an occupancy permit, an affidavit shall be presented to the Director of Municipal Inspections attesting to the fact that the owner of record of the lot will occupy one of the dwelling units on the lot as the owner's primary residence, except for bona fide temporary absences. The initial occupancy permit shall remain in force for a period of two years from the date of issue, provided that ownership of the premises is not changed. Thereafter, permits may be issued by the Director of Municipal Inspections for succeeding two-year periods, provided that the structure and use continue to comply with the relevant provisions of the State Building Code, this Chapter and the special permit, if any. Occupancy permits shall not be transferable upon change in ownership or change in occupancy. In such event, an affidavit shall be presented to the Director of Municipal Inspections attesting to the fact that the circumstances under which an occupancy permit was granted will in the future continue to exist. The owner of record is responsible for initiating each application to the Director of Municipal Inspections. Appropriate fees, as established and recorded, may be assessed for each such renewal review, investigation and processing. All documentation presented hereunder must be in form and content satisfactory to the Director of Municipal Inspections.

Pass any vote or take any action thereto.

<b>ARTICLE:</b>	<b>Recreational Marijuana</b>	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend the Zoning Bylaw as follows:

1. By repealing Article XXIII A, Temporary Moratorium on Marijuana Establishments;
2. By inserting a new Article XXXII A, Recreational Marijuana Establishments, as follows:

Consistent with *M.G.L. c.94G, Section 3(a)(2)*, all types of marijuana establishments as defined in *M.G.L. c.94G, Section 1*, including without limitation marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other type of licensed marijuana-related businesses, shall be prohibited in the Town of Hopkinton.

Pass any vote or take any action thereto.

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

[Insert language]

Pass any vote or take any action thereto.

**GENERAL BYLAW AMENDMENTS**

To see if the Town will vote to amend the General Bylaws of the Town of Hopkinton, as follows:

1. By deleting the term "Nuisance by reason of barking dogs," from Section 1-4, Penalties Enumerated, and inserting, in place thereof, the term "Nuisance Animal Noise;"
2. By deleting the term "Barking or noisome dogs," from Section 1-4, Penalties Enumerated, and inserting, in place thereof, the term "Nuisance noises from domesticated animal or fowl;" and
3. By deleting Chapter 62, Article VIII, Barking Dogs, and inserting, in place thereof, the following:

**Article VIII  
Nuisance Animal Noise**

**§62-14. Disturbance of peace prohibited.**

No person shall keep any domesticated animal, including a dog, or fowl, including a chicken or rooster, that, by reason of excessive barking, howling, crowing or other disturbance, creates a nuisance, disturbs the peace and quiet of any neighborhood, or endangers the health or safety of any person.

**§62-15. Complaints; investigations.**

If any person submits a complaint, in writing, to the Town Manager, the Animal Control Officer or the Police Department that any such domesticated animal or fowl is being kept in violation of Section 62-14, the Animal Control Officer shall be advised of such complaint, shall cause such complaint to be investigated, and may make an appropriate order concerning the restraint or disposal of such domesticated animal or fowl.

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**§62-16. Exemptions**

The provisions of Section 62-14 and Section 62-15 shall not apply to any domesticated animal or fowl that is kept for agricultural purposes, as defined in M.G.L. c.128, §1A, either on land within the Residence A, Residence B, Residence Lake Front, Agricultural, or Professional Office Zoning District; or as part of an agricultural use eligible for the protection of M.G.L. c.40A, §3, ¶1.

**§62-17. Violations and penalties.**

- A. Any person who fails to comply with an order of the Animal Control Officer issued pursuant to Section 62-15 shall be punished by a fine of up to \$300. Every day that a violation continues shall be considered a separate offense.
- B. Any person who violates this Chapter may be penalized by non-criminal disposition as provided by Section 1-4.

Pass any vote or take any act relative thereto.

<b>ARTICLE:</b>	<b>Marijuana Prohibition</b>	<i>Sponsor: Hopkinton Youth and Family Services</i>
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To see if the Town will vote to amend Chapter 58, Alcoholic Beverages, Marijuana or Tetrahydrocannabinol and Tobacco, of the General Bylaws by adding a new Section 58-5, Marijuana Not Medically Prescribed, as follows:

§58-5 Marijuana Not Medically Prescribed

Consistent with M.G.L. c.94G, Section 3(a)(2), all types of non-medical “marijuana establishments,” as defined in M.G.L. c.94G, Section 1(j), including, but not limited to, marijuana cultivators, marijuana testing facilities, independent testing laboratory, marijuana product manufacturers, marijuana retailers, or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Hopkinton.

Pass any vote or take any act relative thereto.

<b>ARTICLE:</b>	<b>Tobacco Bylaw</b>	<i>Sponsor: Board of Health</i>
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[Insert language]

Pass any vote or take any act relative thereto.

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**ARTICLE: Correction of Obsolete Charter References**

*Sponsor: Town Clerk*

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

1. By deleting the words "Section 7-7 of the Hopkinton Town Charter" from Section 24-5, Removal of Officers and Employee, of the General Bylaws, and inserting, in place thereof, the words "the personnel policies of the Town"; and
2. By deleting the words "each Town Agency, as defined by Section 1-9 of the Town Charter," from the first sentence of Section 33-1, Applicability, of the General Bylaws, and inserting, in place thereof, the words "all boards, committees, departments, divisions and offices".

Pass any vote or take any act relative thereto.

**ARTICLE: Nuisance Bylaw**

*Sponsor: Board of Selectmen*

To see if the Town will vote to amend the table in Article VI, Departmental Revolving Funds, Section 13-15 of the General Bylaws by extinguishing or amending some of the revolving funds appearing in such table.

Pass any vote or take any act relative thereto.

**ARTICLE: Departmental Revolving Funds Bylaw**

*Sponsor: Board of Selectmen*

To see if the Town will vote to amend the General Bylaws

Pass any vote or take any act relative thereto.

**ARTICLE: Historic Preservation Bylaw**

*Sponsor: Historical Commission*

To see if the Town will vote to amend the General Bylaws

[Need language]

Pass any vote or take any act relative thereto.

**LAND ACQUISITIONS AND DISPOSITIONS**

**ARTICLE: Street Acceptances**

*Sponsor: Planning Board*

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To hear the report of the Board of Selectmen relative to the laying out and the widening and relocation of the following named streets under the provisions of Chapter 82 of the *Massachusetts General Laws*, and to see if the Town will vote to accept such streets as and for public ways and to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain any land or interest in land necessary for such laying out, and act on all manners relating thereto:

Legacy Farms South  
Cobbler's Way from Front Street to Dead End.  
Singletary Way from Wedgewood Drive to Dead End.

Pass any vote or take any act relative thereto.

**ARTICLE: Easement – 2 Clinton Street**

*Sponsor: Director of Public Works*

To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, an easement located at 2 Clinton Street and as shown on Assessors Map as U18 14 0, said land to be used for general municipal purposes, including stormwater management and sidewalk purposes.

Pass any vote or take any act relative thereto.

**ARTICLE: Hayden Rowe**

*Sponsor: Board of Selectmen*

To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, an easement located at XX Hayden Rowe and as shown on Assessors Map as [redacted], said land to be used for [redacted].

Pass any vote or take any act relative thereto.

**ARTICLE: Land Acquisition - Placeholder**

*Sponsor: Board of Selectmen*

To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, an easement located at XX and as shown on Assessors Map as [redacted], said land to be used for [redacted].

Pass any vote or take any act relative thereto.

**ARTICLE: Utility Easement**

*Sponsor: Board of Selectmen*

To see if the Town will vote to authorize the Board of Selectmen to transfer the care, custody, control and management of Hayden Rowe, as shown on Assessor's Map as Lot U23, 28 0, and as shown on a plan [redacted], from the Board of Selectmen for public purposes, to the Board of Selectmen for public purposes and the purpose of conveyance, and to authorize the Board of Selectmen, pursuant to *M.G.L.*

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c.40, §3, to convey an easement in such land to Verizon New England and NSTAR Electric Company, and upon such terms and conditions as the Board of Selectmen deem to be in the best interest of the Town.

Pass any vote or take any action relative thereto.

**ARTICLE: Easement – Main Street Corridor** *Sponsor: Director of Public Works*

To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, an easement located at [redacted] and as shown on Assessors Map as [redacted], said land to be used for general municipal purposes, including stormwater management and sidewalk purposes.

Pass any vote or take any act relative thereto.

**ARTICLE: 61 Main Street - Crosspoint** *Sponsor: Director of Public Works*

[Placeholder]

Pass any vote or take any act relative thereto.

**ADMINISTRATIVE**

**ARTICLE: PILOT Agreement – Clean Energy Collective** *Sponsor: Board of Selectmen*

To see if the Town will vote in accordance with Chapter 59, Section 38H of the *Massachusetts General Laws*, to approve a Payment in Lieu of Taxes (PILOT) Agreement, as negotiated by the Board of Selectmen, as authorized by the vote taken under Article 4 of the 2017 January 30, 2017 Special Town Meeting, with Clean Energy Collective, for a period of 20 years, whereby [redacted] will pay the Town a sum of monies per year relative to a portion of land located at [redacted], and which is related to the proposed construction and operation of a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately [redacted] kW-DC, said PILOT Agreement being on file in the Town Clerk’s Office, and further to allow the Board of Selectmen or the Town Manager to negotiate any amendments necessary to said PILOT Agreement to reflect any changes in the size of the parcel of land or size of the system so long as the payments reflected in the PILOT Agreement rise or lower commensurately.

Pass any vote or take any act relative thereto.

**ARTICLE: Westboro Sewer Contract** *Sponsor: Director of Public Works*

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[Insert language]

<b>ARTICLE:</b> Trustees of the School Trust Fund in the Town of Hopkinton	<i>Sponsor: Trustees of the School Fund</i>
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To see if the Town will choose members to fill the vacancies now existing in the Board of Trustees of the School Fund in the Town of Hopkinton.

Pass any vote of take any action thereto.

HEREOF FAIL NOT, and make the due return of this warrant, with your doings thereon to the Clerk of said Town of Hopkinton, at the time and place aforesaid.

Given under our hands this \_\_\_<sup>th</sup> day of April, 2018.

Board of Selectmen Chairman John Coutinho \_\_\_\_\_  
Initial

Warrant

BOARD OF SELECTMEN  
TOWN OF HOPKINTON

\_\_\_\_\_  
John M. Coutinho, Chairman

\_\_\_\_\_  
Claire B. Wright, Vice-Chairman

\_\_\_\_\_  
Brian Herr

\_\_\_\_\_  
Todd A. Cestari

\_\_\_\_\_  
Brendan Tedstone

A TRUE COPY  
ATTEST:

\_\_\_\_\_  
Connor Degan, Town Clerk

DATE: \_\_\_\_\_

I HEREBY CERTIFY THAT I HAVE SERVED THE FOREGOING WARRANT BY POSTING A TRUE AND ATTESTED COPY THEREOF IN THE TOWN HOUSE, IN EACH OF THE CHURCHES IN THE TOWN, IN EACH OF THE POST OFFICES AND IN EACH OF THE ENGINE HOUSES OF THE TOWN AT LEAST EIGHT (8) DAYS PRIOR TO THE TIME OF HOLDING SAID MEETING.

\_\_\_\_\_  
Constable of Hopkinton

Board of Selectmen Chairman John Coutinho \_\_\_\_\_  
Initial

Warrant