



COMMONWEALTH OF MASSACHUSETTS
TOWN OF HOPKINTON
ANNUAL TOWN MEETING WARRANT
MONDAY, MAY 4, 2015

(Voter Registration Deadline: Tuesday, April 14, 2015, 8:00 p.m.)

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 Monday, May 18, 2015, 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 18, 2015 Election

Office	Term (Years)
Selectmen (2)	3
Board of Assessors (1)	3
Board of Health (1)	3
Board of Health (1)	1 (unexpired term to 2016)
Board of Library Trustees (1)	3
Cemetery Commissioner (1)	3
Commissioner of Trust Fund (1)	3
Housing Authority (1)	5
Parks and Recreation Commission (2)	3
Parks and Recreation Commission (1)	2 (unexpired term to 2017)
Planning Board (1)	5
Planning Board (1)	3 (unexpired term to 2018)
School Committee (2)	3

AND, also, to vote "Yes" or "No" on the following questions appearing on the ballot in accordance with Chapter 59, Section 21C of the *Massachusetts General Laws*:

Board of Selectmen Chairman Todd A. Cestari
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Question 1: Shall the Town of Hopkinton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to construct a new Department of Public Works headquarters facility?

Question 2: Shall the Town of Hopkinton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order fund engineering designs and construction services related to making roof repairs at the Hopkins and High Schools?

Question 3: Shall the Town of Hopkinton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to acquire a fee interest in a parcel of land located at 135 Hayden Rowe Street and shown as parcel U23-28-0 on the Assessors Map?

Question 4: Shall the Town of Hopkinton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to acquire a fee interest in a parcel of land located at 147 Hayden Rowe Street and shown as parcels U23-32-0, U23-33-0 and U23-35-A on the Assessors Map?

Question 5: Shall the Town of Hopkinton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to acquire a fee interest in a portion of the parcel of land located at 15 Claflin Avenue and shown as parcel U16-14-0 on the Assessors Map?

Question 6: Shall the Town of Hopkinton be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to acquire a fee interest in a portion of the parcel of land located at 102 Fruit Street and shown as parcel R6-5-0 on the Assessors Map as shown on a plan?

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

AND, further, to meet at the Hopkinton Middle School Auditorium at 88 Hayden Rowe Street, on Monday, May 4, 2015, at 7:00 p.m., then and there to act upon the following Articles:

REPORTS

ARTICLE 1: 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 2015

Board of Selectmen Chairman Todd A. Cestari 
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ARTICLE 2: FY 2015 Supplemental Appropriations*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 supplement operating budgets for the fiscal year ending June 30, 2015.

Pass any vote or take any act relative thereto.

ARTICLE 3: FY 2015 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, 2015.

Pass any vote or take any act relative thereto.

ARTICLE 4: Tercentennial Funds*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 the Celebrations Special Fund established pursuant to Chapter 44, Section 53I of the *Massachusetts General Laws* for the purpose of celebrating the Town's 300th Anniversary.

Pass any vote or take an act relative thereto.

ARTICLE 5: 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.

FINANCIAL – FISCAL YEAR 2016**ARTICLE 6: Property Tax Exemption Increase***Sponsor: Board of Assessors*

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, 2015, 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 7: Set the Salary of Elected Officials*Sponsor: Personnel Committee*

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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.

ARTICLE 8: Fiscal 2016 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, 2015, 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.

ARTICLE 9: FY 2016 Revolving Funds

Sponsor: Town Manager

To see if the Town will vote to authorize or re-authorize the use of revolving funds containing receipts from the fees charged to users of the services provided by the various Boards, Committees, Departments or Offices of the Town, pursuant to Chapter 44, Section 53E 1/2, of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

ARTICLE 10: 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 11: 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 12: Other Post Employment Benefits Liability Trust Fund

Sponsor: Town Manager

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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 be credited to the Other Post Employment Benefits Liability Trust Fund.

Pass any vote or take any act relative thereto.

ARTICLE 13: Local Hotel Tax Amendment

*Sponsor: Town Manager &
Board of Selectmen*

To see if the Town will vote to amend its local room occupancy excise tax under Chapter 64G, Section 3A, of the *Massachusetts General Laws* to the rate of 6%.

Pass any vote or take an act relative thereto.

CAPITAL EXPENSES AND PROJECTS

ARTICLE 14: 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:

<u>Purchase or Product</u>	<u>To be spent under the direction of:</u>
Purchase of Portable Radios	Police Chief
Replacement of Police Cruisers	Police Chief
Replacement Cardiac Monitor	Fire Chief
Purchase Public Safety Dispatch Equipment	Town Manager
Upgrades to Roadway Light System to Energy Efficient LED Lighting	Department of Public Works
Cleanup of Snow Dump	Director of Public Works
Purchase of Loader Mounted Snow Blower	Director of Public Works
Sewer System Capacity and Business Analysis	Director of Public Works
Fruit Street Aquifer Analysis	Director of Public Works
Whitehall Wells Test Wells Installation	Director of Public Works
Elmwood Farm Parking Area	Town Manager
Expansion of Police Department Parking Lot	Town Manager

Pass any vote or take any act relative thereto.

ARTICLE 15: Department of Public Works Facility

*Sponsor: Permanent Building
Committee & Board of Selectmen*

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 purpose of constructing a new Department of Public Works headquarters facility; said sum to be spent under the direction of the Town Manager.

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Pass any vote or take an act relative thereto.

ARTICLE 16: Fire Truck Replacement

*Sponsor: Town Manager &
Fire Chief*

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 fire truck to replace the current "Rescue 1" truck, accessories and related costs; said sum to be spent under the direction of the Fire Chief.

Pass any vote or take an act relative thereto.

ARTICLE 17: Purchase of Dump Truck

*Sponsor: Town Manager &
Director of Public Works*

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 ten-wheel dump truck, accessories and related costs; said sum to be spent under the direction of the Town Manager.

Pass any vote or take an act relative thereto.

ARTICLE 18: Purchase of Water Utility Vehicle

*Sponsor: Town Manager &
Director of Public Works*

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 pickup truck, accessories and related costs for the Water Department; said sum to be spent under the direction of the Town Manager.

Pass any vote or take an act relative thereto.

ARTICLE 19: Water Main Replacement – Cedar Street


*Sponsor: Town Manager &
Director of Public Works*

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 an act relative thereto.

**ARTICLE 20: Fruit Street Water Facility Engineering – Well
Blending**

*Sponsor: Town Manager &
Director of Public Works*

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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 design of a well blending system at the Fruit Street water facility; said sum to be spent under the direction of the Town Manager.

Pass any vote or take an act relative thereto.

ARTICLE 21: Grove Street Water Tank Replacement – Engineering	<i>Sponsor: Town Manager & Director of Public Works</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 engineering designs, bid documents, and construction services related to the replacement of two water tanks currently located at the Grove Street water facility; said sum to be spent under the direction of the Town Manager.

Pass any vote or take an act relative thereto.

ARTICLE 22: Fruit Street Auxiliary Facility – Construction	<i>Sponsor: Parks & Recreation Commission</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 engineering designs, bid documents, and construction services related to construction of a concession area, restrooms and storage facilities at the Fruit Street Athletic Fields; said sum to be spent under the direction of the Parks & Recreation Commission.

Pass any vote or take an act relative thereto.

ARTICLE 23: Joint Information Technology	<i>Sponsor: School Committee and 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 to provide equipment, materials, labor and services necessary or appropriate to acquire the third phase of a Voice-over Internet Protocol (VoIP) communication system including network equipment and other technology equipment; said sum to be spent under the joint direction of the School Committee and the Town Manager.

Pass any vote or take an act relative thereto.

ARTICLE 24: School Safety & Security	<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 or sums of money for the installation of certain security, warning, and monitoring equipment in each of the school buildings; said sum to be spent under the direction of the School Committee.

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Pass any vote or take an act relative thereto.

ARTICLE 25: Joint Safety and Security Upgrades

*Sponsor: School Committee and
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 to upgrade security at Town and School facilities; said sum to be spent under the direction of the School Superintendent and the Town Manager.

Pass any vote or take an act relative thereto.

ARTICLE 26: Fire Alarm Upgrades – Middle School

Sponsor: School Committee

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 to upgrade the fire alarm system at the Hopkinton Middle School; said sum to be spent under the direction of the School Committee.

Pass any vote or take an act relative thereto.

ARTICLE 27: Roof Repairs – Hopkins and High Schools

Sponsor: School Committee

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 and construction services related to making roof repairs at the Hopkins and High Schools; said sum to be spent under the direction of the Permanent Building Committee.

Pass any vote or take an act relative thereto.

ARTICLE 28: Resurfacing Basketball & Tennis Courts

Sponsor: School Committee

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 engineering designs, bid documents, and construction services related to resurfacing the outdoor basketball and tennis courts at the Middle & High School campus; 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 29: Community Preservation Recommendations

*Sponsor: Community Preservation
Committee*

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2016 Community Preservation budget and to appropriate from the Community

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Preservation Fund a sum of money, not to exceed 5% of the Fiscal Year 2016 estimated annual revenues, to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2016; 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) A sum of money from funds reserved for Historic Preservation to preserve Town records; said sum to be spent under the direction of the Town Clerk and the Community Preservation Committee.
- b) A sum of money from funds reserved for Active Passive Recreation to acquire two pieces of property as follows: (1) that parcel of land containing 3.839 acres and described as a portion of the former New York, New Haven and Hartford Railroad between Franklin and Ashland, which begins at the Southerly line of Granite Street in Hopkinton and described in Schedule A of a deed from Penn Central to Mary Wyckoff recorded on July 6, 1988 and recorded with the Middlesex Registry of Deeds in Book 19173, Page 304; and (2) that parcel of land containing 1.452 acres and described as the northwesterly side of Hayden Rowe Street, Lot 2B on a plan entitled "Compiled Plan of Land in Hopkinton, MA" prepared for Mary Wyckoff by J.D. Marquedant & Associates, Inc. and dated May 2, 2006 and recorded in the Middlesex Registry of Deeds as Plan #609 of 2006; said sum to be spent under the direction of the Town Manager and the Community Preservation Committee.
- c) A sum of money from funds reserved for Open Space to install signage to identify trailheads at the Deneen-Austin Powder Conservation Area, Douglas B. Sands Memorial Trail, Susan D. Gozzaldi Memorial Trail, and the Fruit Street North Section trailhead, said sum to be spent under the direction of the Open Space Preservation Commission and the Community Preservation Committee.
- d) A sum of money from funds reserved for Open Space to create the Sylvan Way Conservation Restriction Endowment; said sum to be spent under the direction of the Open Space Preservation Commission and the Community Preservation Committee.
- e) A sum of money from funds reserved for Historic Preservation to repair for the McFarland Sanger House; said sum to be spent under the direction of the Historical Commission and the Community Preservation Committee.
- f) A sum of money from funds reserved for Active Passive Recreation for a parking engineering study related to access and parking at Fruit Street; said sum to be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.
- g) A sum of money from funds reserved for Active Passive Recreation for a parking engineering study related to access and parking for access to Legacy Farms; said sum to be spent under the direction of the Parks & Recreation Commission and the Community Preservation Committee.

h) A sum of money from funds reserved for Active Passive Recreation and Unreserved Funds for construction of a concession area, restrooms and storage facilities at the Fruit Street Athletic Fields for Active Passive Recreation; said sum to be spent under the direction of the Parks & Recreation Commission and the Community Preservation Committee, and that to meet this appropriation, the Treasurer be authorized to borrow a sum or sums of money for 10 years as authorized pursuant to M.G.L. c.44B, §11.

i) A sum of money from funds reserved for Historic Preservation to scan and digitize the Town's cemetery records; said sum to be spent under the direction of the Historical Commission and the Community Preservation Committee.

j) A sum of money from funds reserved for Historic Preservation to preserve the Toll House Historic Site; said sum to be spent under the direction of the Historical Commission and the Community Preservation Committee.

k) A sum of money from Unreserved Funds to construct a pavilion at the Hopkins School playground for recreation purposes; said sum to be spent under the direction of the School Committee and the Community Preservation Committee.

l) A sum of money from funds reserved for Historic Preservation to renovate the Claflin Memorial Fountain; said sum to be spent under the direction of the Parks & Recreation Department.

Pass any vote or take an act relative thereto.

ZONING BYLAW AMENDMENTS

ARTICLE 30: Amend Open Space Mixed Use Overlay District to replace 200,000 sq. ft of commercial with 180 age restricted units

Sponsor: Planning Board

To see if the Town will vote to amend Article XXVI, Open Space Mixed Use Development Overlay District, of the Zoning Bylaws as follows:

1. Amend § 210-163(B) by inserting the following item 1:

(1) Article XVIA (Senior Housing Development) and renumbering the remaining items appropriately.

2. Insert in alphabetical order into § 210-164, Definitions, the following definition:

SENIOR HOUSING DEVELOPMENT - A multifamily residential land use consisting of multiple dwelling units on one single contiguous parcel, operated with the intent that at least one resident of every unit be 55 years of age or older.

3. Amend the table in § 210-165, Uses, by deleting the row beginning with the term "Multifamily Dwellings" and inserting, in place thereof, a row beginning with the term "Multifamily Dwellings other

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than Senior Housing Developments" that has a "Y" in the columns for the Residential Subdistrict, the Commercial Subdistrict and the Village Center Subdistrict.

4. Further amend the table in § 210-165, Uses, by deleting the "SP" in the Commercial Subdistrict column for the row beginning with the term "Attached dwellings including garden apartments", and insert therefore a "Y".

5. Further amend the table in § 210-165, Uses, by deleting the row beginning with the term "Senior Housing" and inserting, in place thereof, a row beginning with the term "Senior Housing Development" that has a "Y" in the column for the Residential Subdistrict, a "Y" in the column for the Commercial Subdistrict and a "Y" in the column for the Village Center Subdistrict.

6. Amend § 210-166, Intensity of Use Limitations, by deleting the first paragraph of subsection A and inserting a new subsection A as follows:

A. Dwelling Uses within the OSMUD District shall be limited to 940 new Dwelling Units constructed after May 5, 2008, plus 180 Dwelling Units in Senior Housing Developments constructed after May 4, 2015, provided, however, that the owner or owners of any such additional Dwelling Unit in Senior Housing Developments shall require, through deed restrictions, condominium documents, leases, rental agreements or other appropriate instruments, the form and adequacy of which has been approved by the Planning Board, that no child under the age of 18 may be a resident in any such Dwelling Unit. No more than 50 of the 1120 new Dwelling Units so constructed may be single-family dwellings, and the remainder shall be multi-family dwellings, including attached dwellings, garden apartments, units in mixed-use buildings and Senior Housing Developments.

Neither the dwellings located at 80, 82, 83 nor 90 East Main Street or 26 Clinton Street, nor the Group Home located at 44 Wilson Street, all of which were in existence as of the effective date of this Article, shall be deemed to be a Dwelling Unit for the purposes of this Intensity of Use limitation. However, in the event that any such dwelling is converted to or reconstructed as a multi-family dwelling use, the resulting number of Dwelling Units in excess of one (1) on any such property shall be counted towards the Intensity of Use limitation.

No Accessory Family Dwelling Unit for which the Board of Appeals grants a Special Permit pursuant to § 210-126 shall be deemed to be a separate Dwelling Unit for purposes of this Intensity of Use limitation.

7. Amend § 210-167, Affordable Housing, by deleting subsection A in its entirety and inserting a new subsection A as follows:

A. Except as otherwise provided in the following paragraph of this Section, not fewer than sixty (60) Dwelling Units within the OSMUD District shall be Affordable Housing, which shall be located within one or more Development Projects containing, in the aggregate, not fewer than two hundred forty (240) Dwelling Units eligible for inclusion in the Massachusetts Department of Housing and Community Development's Subsidized Housing Inventory. These requirements

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shall be in addition to the Affordable Housing requirements provided in Subsection C of this Section.

Notwithstanding the foregoing, if, prior to the issuance of a building permit for a Development Project that contains Affordable Housing, either (i) M.G.L. c. 40B, §§ 20 through 23 is no longer in effect, or (ii) the rules, regulations or guidelines of the Massachusetts Department of Housing and Community Development issued pursuant to M.G.L. c. 40B, §§ 20 through 23 no longer provide that all of the units in a rental development that contains at least 25% affordable housing units are eligible for inclusion on the Subsidized Housing Inventory, then not fewer than ninety-four (94) Dwelling Units within the OSMUD District shall be developed as Affordable Housing, in addition to the Affordable Housing requirements provided in Subsection C of this Section.

8. Add a new subsection C to § 210-167 as follows:

C. In addition to the Affordable Housing requirements provided in Subsection A of this Section, to the extent that the Senior Housing Developments create a total number of Dwelling Units within the OSMUD District in excess of 940, those Senior Housing Developments shall require the provision of, in the aggregate, one Dwelling Unit of Affordable Housing for every 10 Dwelling Units in Senior Housing Developments, but not to exceed twenty (18) Dwelling Units of Affordable Housing in the aggregate. The additional Dwelling Units of Affordable Housing required under this section may be provided anywhere within the OSMUD District.

9. Amend § 210-168, Dimensional Requirements by changing the tables in subsections A and B by altering the column headings to read "Residential Subdistrict (R) and Commercial Subdistrict (C) [Dwelling Uses]", "Commercial Subdistrict (C) [Commercial Uses]" and "Village Center Subdistrict (VC)".

10. Further amend § 210-168, subsection A by deleting the second sentence following the table and beginning with the words "When a Commercial Subdistrict..." in its entirety and replacing it with the following:

When a Commercial Subdistrict abuts a Residential Subdistrict within the OSMUD District, a setback of at least 50 feet between buildings in the Commercial Subdistrict used for commercial purposes and the boundary of the Residential Subdistrict shall be provided.

11. Amend § 210-168, subsection C by deleting the first sentence in its entirety and replacing it with the following:

All buildings in the Commercial Subdistrict used for commercial purposes shall be located a minimum of 100 feet from any lot outside the OSMUD District used for residential purposes at the time of the Site Plan Review application.

12. Add a new subsection D(5) to Section 210-173 as follows:

(5) Adequate mitigation has been provided with respect to any conditions impacting on-site safety, whether such conditions are created on-site or off-site.

13. Delete subsection C of § 210-175 in its entirety and inserting, in place thereof, a new item subsection C as follows:

C. All land within the OSMUD District shall be subject to the provisions of this Chapter as in effect on the effective date of the amendments added to this Chapter by the 2015 Annual Town Meeting.

Pass any vote or take any act relative thereto.

ARTICLE 31: Adjust boundary line between Downtown Business District & Residence A District off B Street *Sponsor: Planning Board*

To see if the Town will vote to amend the Zoning Map by changing the boundary between the Downtown Business (BD) District and the Residence A (RA) District to run concurrently with existing property lines on the following parcels:

<i>Parcel Location</i>	<i>From</i>	<i>To</i>
4 B Street (Assessors Map U16 Block 103 Lot 0)	Downtown Business (BD) and Residence A (RA)	Residence A (RA)
6 B Street (Map U16 Block 102 Lot 0)	Downtown Business (BD) and Residence A (RA)	Residence A (RA)
8 B Street (Map U16 Block 101 Lot 0)	Downtown Business (BD) and Residence A (RA)	Residence A (RA)
10 B Street (Map U16 Block 100 Lot 0)	Downtown Business (BD) and Residence A (RA)	Residence A (RA)
23 Walcott Street (Map U16 Block 98 Lot 0)	Downtown Business (BD) and Residence A (RA)	Residence A (RA)

Pass any vote or take any act relative thereto.

ARTICLE 32: Amend Industrial B District to allow indoor recreation uses by right, and to adopt a definition of indoor recreation uses *Sponsor: Planning Board*

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

1. Insert the following new definition into § 210-4, Definitions, in appropriate alphabetical order:

INDOOR RECREATION – A facility, within a permanent building or structure, designed and equipped for the conduct of sports, athletic and other leisure-time activities; provided that all activities are conducted entirely within the building and no noise generated within the facility may be heard at the property line. Such activities may include swimming, skating, indoor skydiving, soccer, bowling and other similar uses; but

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shall not include arcades and billiard halls unless accessory to another indoor recreation use.

2. Amend § 210-37.9, Uses allowed by special permit, by inserting a new subsection K as follows:

K. Indoor recreation uses.

Pass any vote or take any act relative thereto.

ARTICLE 33: Housekeeping article to move definition of Lots in Two or More Residential Districts	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend the Zoning Bylaws as follows:

1. By deleting the definition of "Lots in Two or More Residence Districts" from Section 210-4, Definitions, in its entirety; and
2. By inserting a new Section 117.1 as follows:

§ 210-117.1 Lots in two or more residence districts


If a lot is located in two or more residence districts, all of the lot shall be considered as lying entirely within the district having the largest area and frontage requirements.

ARTICLE 34: Amend Downtown Business District to allow parking between principal buildings and the street by special permit	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Article VIA, Downtown Business (BD) District, of the Zoning Bylaws by deleting subsection A from Section 210-20.4. Off-Street Parking, in its entirety, and inserting a new subsection A as follows:

- A. No off-street parking shall be located between the principal building and Main Street. Off-street parking may be located between the principal building and other streets only upon the grant of a special permit by the Planning Board. The Planning Board may grant the special permit only if it finds that:
 - (1) The proposed parking will not be detrimental to the surrounding neighborhood, and
 - (2) The proposed location and design of the parking will enhance the downtown streetscape.

For the purposes of this subsection, the term "streetscape" shall refer to all elements that constitute the physical makeup of a street, and that as a group, define its character, including building facades,

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frontage and placement; the paved street; street furniture; landscaping, including trees and other plantings; awnings; signs and lighting.

Pass any vote or take any act relative thereto.

ARTICLE 35: Amend Open Space and Landscape Preservation Development

Sponsor: Planning Board

To see if the Town will vote to amend Article XVII, Open Space and Landscape Preservation Development, as follows:

1. Delete subsection A of § 210-108 in its entirety and insert, in place thereof, a new subsection A as follows:
 - A. Any parcel of land that is located within a Residence B, Residence Lake Front or Agricultural zoning district and that may be developed as a conventional subdivision may be considered for an open space and landscape preservation development subject to a special permit issued by the Planning Board.
2. Delete subsection A of § 210-110 in its entirety and insert, in place thereof, a new subsection A as follows:
 - A. Size: The total area of the tract proposed for open space and landscape preservation development shall be at least 10 acres or 5 acres if located adjacent to open space that will be expanded by the proposed plan if such open space is already protected by an existing conservation restriction or similar deed restriction, or will be protected by such a restriction in accordance with a pending application to the Planning Board or a condition of a Planning Board approval
3. Delete the first sentence of § 210-113.C(4) and insert, in place thereof a new first sentence as follows:

Buffer areas shall remain substantially in their current natural state; provided, however, that such areas may include new trails and trailhead parking areas as may be approved by the Planning Board.

Pass any vote or take any act relative thereto.

ARTICLE 36: Amend site plan review bylaw pertaining to site lighting

Sponsor: Planning Board

To see if the Town will vote to amend Article XX, Site Plan Review, by deleting subsection N from § 210-136.1 in its entirety and inserting a new subsection N as follows:

N. Levels of illumination shall be provided as follows:

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1. No property may have exterior lighting that exceeds the average illumination level recommended by the Illuminating Engineering Society of North America for such use as set forth in "Lighting Facilities for Parking Facilities," Illuminating Engineering Society, 2014 and "The Lighting Handbook," 10th Ed., Illuminating Engineering Society, 2011.
2. For pole mounted lights in parking and driveway areas, the height of the light source shall not exceed 15 feet, which shall be measured from the ground at the base of the pole to the bottom of the fixture.
3. Pedestrian area lighting shall utilize fully shielded fixtures, and the height of light source shall not exceed 12 feet, measured from the ground at the base of the pole to the bottom of the fixture.
4. No exterior lighting may interfere with the safe movement of motor vehicles on public ways or private ways open to the public.
5. Mercury vapor lamps shall be prohibited.
6. Uplighting shall be permitted only when used in one of the following manners:
 - (a) To light a primary entrance, when the fixture or lamp is wall-mounted under an architectural element (e.g., roofs over walkways, entries or overhanging, nontranslucent eaves) so that the uplighting is fully captured;
 - (b) To light local, state or national flags; or
 - (c) To highlight or illuminate a building facade or landscaping, or to highlight or illuminate statues or monuments.
7. Floodlighting shall be permitted only if a fully shielded fixture is utilized and no lighting will fall onto the property of others.
8. Safety and security lighting shall use motion sensors, photocells, or photocells or timers to control duration of nighttime illumination.
9. Exterior lighting of recreation facilities shall utilize fully shielded fixtures and, except as authorized by Special Permit or Site Plan Approval, shall be turned off by 10:00 p.m. or at the conclusion of an activity begun before 10:00 p.m.; provided, however, that in any event the exterior lighting shall be turned off by midnight.
10. Blinking, flashing, moving, revolving and flickering lights, as well as lighting that changes intensity or color shall be prohibited except for lighting for public safety or traffic control and lighting required by the U.S. Federal Aviation Administration for air traffic control and warning purposes.

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11. Notwithstanding any provisions of this subsection to the contrary, sidewalks that run along the perimeter of a site and are in a public right of way or on abutting property may be illuminated, and illumination may spill onto abutting non-residential property if requested in writing by the abutting property owner.

Exterior lighting that does not conform to the provisions of this subsection may be allowed by special permit from the Planning Board if the Planning Board finds that such exterior lighting will be consistent with the Purposes of this Article, or that there are other demonstrable community, health, safety or welfare benefits that will be served by the exterior lighting. No special permit may be granted pursuant to this subsection unless the Planning Board determines that the proposed exterior lighting is appropriate for the size and use of the property, any buildings thereon, and the neighborhood setting.

Pass any vote or take any act relative thereto.

ARTICLE 37: Housekeeping article on modifying Design Review Board Bylaw

Sponsor: Planning Board

To see if the Town will vote to amend Section 210-143 of the Zoning Bylaws by inserting, at the end of the first sentence thereof, the following:

provided, however, that the Design Review Board shall not have jurisdiction to review applications for signs over which a Historic District Commission has review authority.

Pass any vote or take any act relative thereto.

ARTICLE 38: Sign bylaw amendments

Sponsor: Planning Board

To see if the Town will vote to amend Article XXVII, Signs, as follows:

1. Insert new subsections H, I, J and K into § 210-178 as follows:

- H. Signs may be externally illuminated by steady, stationary light shielded and directed solely at the sign; signs may be reverse lit or backlit; or signs may consist of translucent channel lit letters and characters. Internally illuminated signs are prohibited, other than signs consisting of translucent channel lit letters/characters, shall be prohibited.
- I. Signs attached to a building shall be placed and aligned to define or enhance the building's architectural elements. Sign design shall be reasonably compatible with the mounting location, height, proportions and materials of other signs on the same lot.
- J. Unless specifically authorized by this Article, there shall be no signs displayed off the premises of the use that is the subject of the sign.

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- K. No sign that is mounted to be flush with a building wall shall be more than 6 inches in depth.

Pass any vote or take any act relative thereto.

ARTICLE 39: Housekeeping article to consolidate and coordinate special permit language	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend the Zoning Bylaw as follows:

1. Amend Article VI, Business (B) District, by deleting § 210-19 thereof in its entirety and inserting, in its place, a new § 210-19 as follows:

§ 210-19. Uses allowed by Special Permit.

- A. The following uses shall be allowed in a B District upon the granting of a Special Permit by the Board of Appeals:
- (1) Gasoline service stations and automobile repair garages operating in compliance with all federal, state, and municipal regulatory requirements, expressly including the accessory use of retail sale of propane; provided, however, that the maximum size of any propane storage tank authorized by Special Permit issued pursuant to this section shall not exceed 2,000 gallons.
 - (2) Single and multifamily residences and buildings used for dwelling purposes; provided, however, that all residential uses shall comply with the dimensional requirements contained in Article II, Residence A (RA) District.
 - (3) Live commercial entertainment.
 - (4) Car wash facilities.
 - (5) Theaters, halls and clubs.
- B. The following uses shall be allowed in a B District upon the granting of a Special Permit by the Planning Board:
- (1) Drive-in, drive-through, or drive-up uses, excluding the dispensing of food or drink; provided, however that:
 - a. An adequate dedicated area for at least four vehicles to queue shall be provided on the premises, and
 - b. Notification of the public hearing for such Special Permit shall be mailed to the owners of all properties within 1,000 feet of the premises.

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- (2) Off-street parking facility.
- (3) Registered Marijuana Dispensary (RMD).

2. Amend Article VIA, Downtown Business (BD) District, by deleting § 210-20.3 thereof in its entirety and inserting, in its place, a new § 210-20.3 as follows:

§ 210-20.3. Uses allowed by Special Permit.

A. The following uses shall be allowed in a BD District upon the granting of a Special Permit by the Board of Appeals:

- (1) Gasoline service stations and automobile repair garages operating in compliance with all federal, state, and municipal regulatory requirements, expressly including the accessory use of retail sale of propane; provided, however, that the maximum size of any propane storage tank authorized by Special Permit issued pursuant to this section shall not exceed 2,000 gallons.
- (2) Single and multifamily residences and buildings used for dwelling purposes; provided, however, that all residential uses shall comply with the dimensional requirements contained in Article II, Residence A (RA) District.
- (3) Live commercial entertainment.
- (4) Car wash facilities.
- (5) Theaters, halls and clubs.

B. The following uses shall be allowed in a BD District upon the granting of a Special Permit by the Planning Board:

- (1) Drive-in, drive-through, or drive-up uses, excluding the dispensing of food or drink; provided, however that:
 - a. An adequate dedicated area for at least four vehicles to queue shall be provided on the premises, and
 - b. Notification of the public hearing for such Special Permit shall be mailed to the owners of all properties within 1,000 feet of the premises.
- (2) Off-street parking facility.

3. Amend Article VII, Rural Business (BR) District, by deleting § 210-24 thereof in its entirety and inserting, in its place, a new § 210-24 as follows:

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§ 210-24. Uses allowed by Special Permit.

- A. The following uses shall be allowed in the BR District upon the granting of a Special Permit by the Board of Appeals:
- (1) Filling station and routine automobile maintenance, but not including major repairs.
 - (2) Single-family residence.
 - (3) Live commercial entertainment and places of assembly.
 - (4) Veterinary clinic.
 - (5) Continuing Care Retirement Community Facilities/Assisted Living Facilities/Nursing Home Facilities.
- B. The following uses shall be allowed in a BR District upon the granting of a Special Permit by the Planning Board:
- (1) Drive-in, drive-through, or drive-up uses, excluding the dispensing of food or drink; provided, however that:
 - a. An adequate dedicated area for at least four vehicles to queue shall be provided on the premises, and
 - b. Notification of the public hearing for such Special Permit shall be mailed to the owners of all properties within 1,000 feet of the premises.
 - (2) Registered Marijuana Dispensary (RMD).

4. Amend Article VIII, Industrial A (IA) Districts, by deleting § 210-35 thereof in its entirety and inserting, in its place, a new § 210-35 as follows:

§ 210-35. Uses allowed by Special Permit.

- A. The following uses shall be allowed in an IA District upon the grant of a Special Permit by the Board of Appeals.
- (1) Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants with a Biosafety Level of Level 3 (involving specific combinations of work practices, safety equipment and facilities appropriate for infectious agents that may be transmitted by the respiratory route which can cause serious infection), as determined in accordance with the Guidelines of the U.S. Centers for Disease Control.

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- (2) Conference centers with or without a residential dormitory component.
- (3) Veterinary clinics.
- (4) Automobile and truck rental and repair, but not including automobile and truck sales.
- (5) As an accessory use, facilities for storage of gasoline, kerosene, fuel oil, volatile gases and other such substances, except as otherwise prohibited by this Chapter.
- (6) Recycling centers; provided, however, that recycling activities are not located within 100 feet of a residential zoning district, and provided further that a buffer area containing natural material and forming an effective year-round screen between the recycling activities and the residential zoning district shall be required.
- (7) Continuing care retirement community/assisted living facility/nursing home facility.

B. The following uses shall be allowed in an IA District upon the grant of a Special Permit by the Planning Board:

- (1) Registered Marijuana Dispensary (RMD).

5. Amend Article VIIIA, Industrial B (IB) District, by deleting § 210-37.9 thereof in its entirety and inserting, in its place, a new § 210-37.9 as follows:

§ 210-37.9. Uses allowed by Special Permit.

A. The following uses shall be allowed in an IB District upon the grant of a Special Permit by the Board of Appeals:

- (1) Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants with a Biosafety Level of Level 3 (involving specific combinations of work practices, safety equipment and facilities appropriate for infectious agents that may be transmitted by the respiratory route which can cause serious infection), as determined in accordance with the Guidelines of the U.S. Centers for Disease Control.
- (2) Conference centers with or without a residential dormitory component.
- (3) Parking Facilities for Public School Buses Serving Hopkinton Residents

- (4) Restaurants where all patrons are seated, and (1) that contain more than 100 seats; or (2) that are open for business after 11:00 PM.
- (5) Veterinary clinics.
- (6) Automobile and truck rental and repair, but not including automobile and truck sales.
- (7) Facilities for storage as an accessory use of gasoline, kerosene, fuel oil, volatile gases and other such substances, unless prohibited elsewhere in this Chapter.
- (8) Recycling centers, provided that such activities on the lot are not located within 100 feet of a residential zoning district, and a buffer area containing natural material will form an effective year-round screen between the industrial uses and the residential zone.
- (9) Continuing care retirement community/assisted living facility/nursing home facility.

B. The following uses shall be allowed in an IB District upon the grant of a Special Permit by the Planning Board:

- (1) Registered Marijuana Dispensary (RMD).

6. Amend Article XI, Flexible Community Development Bylaw, by deleting § 210-59 thereof in its entirety and inserting, in its place, a new § 210-59 as follows:

§ 210-59. Administration.

A development shall require the grant of a Special Permit from the Planning Board. A Special Permit shall be granted if the proposal meets the requirements of this Chapter. If a development requires a Special Permit pursuant to any other provision of this Chapter, a separate Special Permit shall not be required. The Planning Board shall prepare and, after a public hearing, adopt and file regulations with the Town Clerk, which shall include submission requirements, timelines, procedures and provisions necessary to implement this Article.

7. Amend Article XII, Water Resources Protection Overlay District, by deleting Subsection C(4) from § 210-71, Special Permits, and inserting, in place thereof, a new Subsection C(4) as follows:

- (4) The SPGA shall hold a public hearing in accordance with the provisions of this Chapter.

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8. Amend § 210-75 of Article XIII, Garden Apartments in Residential Districts, by deleting Subsections A(1)(c) and A(1)(g) thereof in their entirety and inserting a new Subsection A(1)(c) as follows:

(c) The Planning Board shall hold a public hearing and file its decision in accordance with the provisions of this Chapter.

9. Amend § 210-75.4 of Article XIII A, Village Housing in Residential Districts, by deleting Subsections A(1)(c) and A(1)(g) thereof in their entirety and inserting a new Subsection A(1)(c) as follows:

(c) The Planning Board shall hold a public hearing and file its decision in accordance with the provisions of this Chapter.

10. Amend Article XIV, Campus Style Development, by deleting § 210-88 thereof in its entirety.

11. Amend § 210-105.4 of Article XVI A, Senior Housing Development, by deleting Subsections A(1)(c) and A(1)(g) thereof in their entirety and inserting a new Subsection A(1)(c) as follows:

(c) The Planning Board shall hold a public hearing and file its decision in accordance with the provisions of this Chapter.

12. Amend Article XVII, Open Space and Landscape Preservation Development, by deleting § 210-116 thereof in its entirety.

13. Amend Article XVIII, Supplementary Regulations, as follows:

A. By deleting the second sentence of § 210-117.2.B in its entirety.

B. By deleting Subsection D(2) of § 210-120 in its entirety and inserting, in place thereof, a new Subsection D(2) as follows:

(2) The Planning Board shall conduct its review, hold a public hearing and file its decision with the Town Clerk as required by the provisions of this Chapter.

C. By amending § 210-124 as follows:

(1) Deleting the first sentence of Subsection C (2) in its entirety and inserting a new first sentence as follows:

Before granting the Special Permit, the Planning Board shall determine that all parking spaces associated with a use are within practical walking distance.

- (2) Deleting the third sentence of Subsection D in its entirety and inserting a new third sentence as follows:

Before granting the Special Permit, the SPGA shall determine that the provision of parking spaces proposed will be adequate for all parking needs.

14. Amend Article XXII, Appeals, as follows:

- A. Change the title of the Article from "Appeals" to "Board of Appeals."
- B. Delete item (2) of § 210-146.B in its entirety and insert a new item (2) as follows:
- (2) Special Permits. Pursuant to MGL c.40A, § 9, to act as the Special Permit Granting Authority in accordance with Article XXXIV.
- C. Delete the first sentence of § 210-149 in its entirety and insert a new first sentence as follows:
- Public hearings shall be held pursuant to MGL c.40A, § 11, on all appeals and applications or petitions for variance.
- D. Delete subsection B of § 210-151 in its entirety and insert a new subsection B as follows:
- B. The decision of the Board of Appeals on all appeals and applications or petitions for variance shall be made within 100 days after the date of filing.
- E. Delete subsection A of § 210-152 in its entirety and assign new letter designations to the remaining subsections of said section as appropriate.

15. Amend Article XXVI, Open Space Mixed Use Development Overlay District (OSMUD), by amending § 210-172 thereof as follows:

- A. By deleting the first sentence of Subsection A in its entirety and inserting, in place thereof, a new first sentence as follows:
- Except as otherwise provided in this Section, no Construction Activity for any development project to be located on land within the OSMUD District may commence unless authorized by a Master Plan Special Permit issued pursuant to the provisions of this Chapter.
- B. By deleting Subsection C(4) in its entirety and inserting, in place thereof, a new Subsection C(4) as follows:

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- (4) The Planning Board shall hold a public hearing and file its decision with the Town Clerk in conformance with the requirements of this Chapter.
- C. By deleting Subsection D(2) in its entirety and inserting, in place thereof, a new Subsection D(2) as follows:
 - (2) The Master Plan shall serve the purposes of the OSMUD District as described in § 210-162.

16. Amend § 210-194 of Article XXIX, Hotel Overlay District, as follows:

- A. By deleting Subsection B(1) in its entirety and renumber this section accordingly;
- B. By deleting Subsections C and E in their entirety and assigning new letter designations to the remaining subsections of said section as appropriate.

17. Amend § 210-199 of Article XXX, Wind Energy Systems, by deleting Subsection C in its entirety and inserting a new Subsection C as follows:

- D. The Board of Appeals shall conduct its review, hold a public hearing and file its decision with the Town Clerk as required by the provisions of this Chapter.

18. Amend § 210-203 of Article XXXI, Commercial Solar Photovoltaic Installations, as follows:

- A. By deleting Subsection C in its entirety and inserting, in its place, a new Subsection C as follows:
 - C. The Planning Board shall conduct its review, hold a public hearing and file its decision with the Town Clerk as required by the provisions of this Chapter.
- B. By deleting the first paragraph of Subsection D in its entirety and inserting, in its place, a new first paragraph as follows:
 - D. Approval Criteria. Before the Planning Board may issue such Special Permit, it shall determine each of the following:
- C. By deleting Subsection D(4) in its entirety.
- D. By deleting Subsection F in its entirety.

19. Insert a new Article XXXIV, Special Permit Granting Authority, as follows:

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ARTICLE XXXIV
Special Permit Granting Authority

§ 210-223. Special Permits.

- A. Pursuant to MGL c. 40A, § 9, the Special Permit Granting Authority (SPGA) shall hear and decide applications for Special Permits for which express provision is made in this Chapter. The SPGA may be the Board of Appeals or the Planning Board.
- B. The SPGA shall adopt rules not inconsistent with the General Laws and the provisions of this Chapter for conducting its business and shall file a copy thereof with the Town Clerk.
- C. A Special Permit shall lapse within two years of the grant thereof 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.
- D. Public hearings on all applications for Special Permits shall be held in accordance with MGL c. 40A, § 11.
- E. The decision of the SPGA shall be made within 90 days after the close of the public hearing. The required time limits for a public hearing and the filing of a decision may be extended by written agreement between the applicant and the SPGA, and shall be filed with the Town Clerk.
- F. Failure of the SPGA to act within the specified period shall be deemed to be a grant of the Special Permit.
- G. Unless otherwise specified in this Chapter, a special permit may be granted only if the SPGA determines that:
 - (1) All applicable criteria and standards set forth in this Chapter have been satisfied, and
 - (2) Grant of the Special Permit will be in harmony with the general purpose and intent of this Chapter.
- H. In reviewing an application for a Special Permit, the SPGA shall give due consideration to promoting the public health, safety, convenience and welfare; and shall not permit a use that is injurious, noxious, offensive or detrimental to its neighborhood except as otherwise specified in this Chapter.
- I. Special permits shall be subject to whatever appropriate conditions and safeguards the SPGA may prescribe.

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Pass any vote or take any act relative thereto.

ARTICLE 40: Adjust boundary line between Residence Lake Front District & Rural Business District Hayward Street	<i>Sponsor: Property Owner Petition, William C. Tetlow</i>
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To see if the Town Meeting will vote to amend the Zoning Map by changing the boundary between the Residence Lake Front (RLF) District and the Rural Business (BR) District to include in the BR District the land shown as "Area B" on a plan entitled "Re-Zoning Concept Sketch Plan", dated January 13, 2013, by Faist Engineering, said land being shown on the Assessors map as parcel L37-101-0 and portions of parcels L37-102-0 and L37-125-0.

Pass any vote or take any act relative thereto.

GENERAL BYLAW AMENDMENTS

ARTICLE 41: Tax Collector Tax Authority	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to amend Section 135-2 (Licenses and Permits; Denial for Nonpayment of Taxes) of the Town of Hopkinton General Bylaws as follows (note – cross-through represents language to be eliminated and bold represents new language):

The Town Collector (hereinafter referred to as the "Collector") shall annually furnish to each department, board or commission, (hereinafter referred to as the "licensing authority") that issues licenses or permits, including renewals and transfers, a list of any person, corporation or business enterprise (hereinafter referred to as the "party") that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a ~~six~~**12**-month period and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

Pass any vote or take any act relative thereto.


ARTICLE 42: Secondhand Dealer Bylaw	<i>Sponsor: Police Chief</i>
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To see if the Town will vote to amend the General Bylaws of the Town as follows:

1. By adding a new Chapter as follows:

Chapter 161 SECONDHAND DEALERS

§161-1. License Required.

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No person shall be a collector of or a dealer in junk, old metals or secondhand articles, or a keeper of shop for the purchase, sale or barter of junk, old metals or secondhand articles, unless licensed therefor by the Selectmen.

Pass any vote or take any act relative thereto.

LAND ACQUISITIONS AND DISPOSITIONS

ARTICLE 43: Acquisition of Property at 135 Hayden Rowe Street *Sponsor: Board of Selectmen & Town Manager*

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, property located at 135 Hayden Rowe Street and shown as parcel U23-28-0 on the Assessors Map, said land to be used for general municipal purposes; and further to raise and appropriate, borrow, transfer from available funds or otherwise provide a sum of money for the purpose of such acquisition.

Pass any vote or take any act relative thereto.

ARTICLE 44: Acquisition of Property at 147 Hayden Rowe Street *Sponsor: Board of Selectmen & Town Manager*

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, property located at 147 Hayden Rowe Street and shown as parcels U23-32-0, U23-33-0 and U23-35-A on the Assessors Map, said land to be used for general municipal purposes; and further to raise and appropriate, borrow, transfer from available funds or otherwise provide a sum of money for the purpose of such acquisition.

Pass any vote or take any act relative thereto.

ARTICLE 45: Gift of Easement – 85 West Main Street *Sponsor: Planning Board*

To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift a right of way across, easement or fee interest in a certain parcel of land shown as "Proposed Permanent Easement for Potential Future Roadway Improvements" on a plan entitled "Easement Exhibit for the Thurlow Kensington Company," prepared by Bohler Engineering, a copy of which is available for inspection at the Office of the Town Clerk; said land being a portion of the property located at 85 West Main Street and designated on the Assessors Map as R23-75-0, said land to be used for purposes of an exclusive right turn lane in West Main Street eastbound onto Lumber Street.

Pass any vote or take any act relative thereto.

ARTICLE 46: Acquisition of Easement – 91 West Main Street *Sponsor: Planning Board*

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To see if the Town will vote to authorize the Board of Selectmen to acquire ,by gift, a right of way across, easement or fee interest in a portion of the property located at 91 West Main Street and designated on the Assessors Map as R23-74-0, said land to be used for purposes of an exclusive right turn lane in West Main Street eastbound onto Lumber Street.

Pass any vote or take any act relative thereto.

ARTICLE 47: Acquisition of Property at 15 Claflin Avenue

*Sponsor: Town Manager, Board of
Selectmen & Cemetery
Commission*

To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, a property located at 15 Claflin Avenue and shown as parcel U16-14-0 on the Assessors Map, said land to be used for a cemetery; and further to raise and appropriate, borrow, transfer from available funds or otherwise provide a sum of money for the purpose of such acquisition.

Pass any vote or take any act relative thereto.

ARTICLE 48: Acquisition of Property at 102 Fruit Street

Sponsor: Town Manager

To see if the Town will authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, a property located at 102 Fruit Street and shown as parcel R6-5-0 on the Assessors Map, said land to be used for recreational purposes, water supply and access by the Town to adjacent properties owned by the Town; and further to raise and appropriate, borrow, transfer from available funds or otherwise provide a sum of money for the purpose of such acquisition.

Pass any vote or take any act relative thereto.

ARTICLE 49: Grant of Utility Easements - 98 Hayden Rowe Street

*Sponsor: Board of Selectmen &
Town Manager*

To see if the Town will vote to authorize the Board of Selectmen to negotiate and execute a Grant of Easements providing for the laying, construction, reconstruction, operation, maintenance, replacement and removal of an overhead system, underground cables, pipes, conduits, manholes, and such surface testing terminals, pedestals, repeaters, markers, and other appurtenances with wires and/or cables therein within a strip of land ten (10) feet in width beginning at pole T.43-1X/E.43-1X, located on the Southwesterly side of Hayden Rowe Street, and then running in a Southwesterly direction a distance of approximately one hundred seventy (170) feet to the building located at 98 Hayden Rowe Street, and then into an interior utility room, said land being a portion of the property located at 98 Hayden Rowe Street and designated on the Assessor's Map as U22-1-0.

Pass any vote or take any act relative thereto.

ARTICLE 50: Gift of land – Legacy Farms Athletic Field

Sponsor: Planning Board

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To see if the Town will authorize the Board of Selectmen to acquire, by gift, a fee interest in parcel of land shown as Lot A-2-D on a plan entitled "Definitive Subdivision Plan, Legacy Farms Road North & Frankland Road Relocation in Hopkinton, Massachusetts," dated October 12, 2012, prepared by Vanasse Hangen Brustlin, Inc., a copy of which is recorded at the Middlesex South Registry of Deeds as Plan No. 943 of 2012; said land being located off of East Main Street and shown on the Assessor's Map as R13-8-3, said land to be used for open space and recreation purposes.

Pass any vote or take any act relative thereto.

ARTICLE 51: Gift of land – Legacy Farms Municipal Parcel

Sponsor: Planning Board

To see if the Town will authorize the Board of Selectmen to acquire, by gift, purchase, eminent domain or otherwise, a fee interest in a parcel of land shown as Lot A-2-C on a plan entitled "Definitive Subdivision Plan, Legacy Farms Road North & Frankland Road Relocation in Hopkinton, Massachusetts," dated October 12, 2012, prepared by Vanasse Hangen Brustlin, Inc., a copy of which is recorded at the Middlesex South Registry of Deeds as Plan No. 943 of 2012; said land being located off of East Main Street and shown on the Assessor's Map as R13-8-2, said land to be used for general municipal purposes.

Pass any vote or take any act relative thereto.

ARTICLE 52: Gift of Property at 123 East Main Street – "Toll House" Historic Site

Sponsor: Board of Selectmen & Town Manager

To see if the Town will vote to authorize the Board of Selectmen, for no longer than one year from the date of acceptance of this article, to acquire, by gift, a property located at 123 East Main Street and shown as parcel U13-7-A on the Assessors Map, said land to be used for purposes of creating an historical site.

Pass any vote or take any act relative thereto.

ARTICLE 53: Gift of Easement at 287 Hayden Rowe Street

Sponsor: Town Manager

To see if the Town will vote to authorize the Board of Selectmen to negotiate and execute a Grant of Easements providing for a drainage easement on a certain parcel of land shown as "Proposed 20' Drainage Easement" on a plan entitled "Drainage Improvements, 287 Hayden Rowe Street, Hopkinton, Massachusetts", dated January 20, 2015, by Vanasse Hangen Brustlin, Inc., said land being a portion of the property designated on the Assessors Map as R34-28-0 and commonly known as 287 Hayden Rowe Street.

Pass any vote or take any act relative thereto.

ARTICLE 54: Street Acceptances

Sponsor: Planning Board

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*

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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:

Erika Drive, from Pond Street to Valleywood Road
Lyn Path, from Erika Drive to dead end
Tiffany Trail, from Erika Drive to Valleywood Road
Circle Drive, Valleywood Road to dead end
Falcon Ridge Drive, from Snowy Owl Road to Snowy Owl Road
Snowy Owl Road, from Spring Street to Falcon Ridge Drive
Bridle Path, from Ridge Road to dead end.

Pass any vote or take any act relative thereto.

ADMINISTRATIVE

ARTICLE 55: Ashland-Hopkinton Fire and Emergency Services District

Sponsor: Town Manager & Fire Chief

To see if the Town will vote to authorize the Board of Selectmen, on its behalf, to petition the General Court for passage of a special law substantially as provided below. The Legislature may make clerical or editorial changes in form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the Legislature. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

AN ACT RELATIVE TO THE ESTABLISHMENT OF A REGIONAL FIRE, RESCUE AND EMERGENCY MEDICAL SERVICE BY THE TOWNS OF HOPKINTON AND ASHLAND

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the towns of Hopkinton and Ashland, by and through their respective Boards of Selectmen, are hereby authorized to enter into, and thereafter to amend from time to time as the towns mutually agree, an intermunicipal agreement for the establishment of a Regional Fire, Rescue and Emergency Medical Service for the provision of fire fighting, rescue and emergency response services to residents of both towns.

SECTION 2. Notwithstanding any general or special law to the contrary, whenever there is in effect an intermunicipal agreement as authorized by Section 1, the structure, governance and administration of the Regional Fire, Rescue and Emergency Medical Service shall be as set forth in such intermunicipal agreement.

ARTICLE 56: Fruit Street Conceptual Master Plan

Sponsor: Planning Board

Board of Selectmen Chairman Todd A. Cestari
Initial



To see if the Town will vote to accept a new Fruit Street Master Plan entitled "Fruit Street Master Plan", dated March 24, 2015, said Master Plan to supersede the Concept Master Plan adopted by the Town pursuant to Article 12 of the May 5, 2003, Annual Town Meeting, and to authorize the Board of Selectmen to take such action as may be necessary or appropriate to implement the Master Plan.

Pass any vote or take an act relative thereto.

ARTICLE 57: Trustees of the School Trust Fund in the Town of Hopkinton

Sponsor: Trustees of the School Fund

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 7th day of April, 2015.

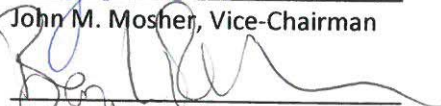
BOARD OF SELECTMEN
TOWN OF HOPKINTON


Todd A. Cestari, Chairman


Michelle A. Gates


John C. Coutinho


John M. Mosher, Vice-Chairman


Benjamin L. Palleiko

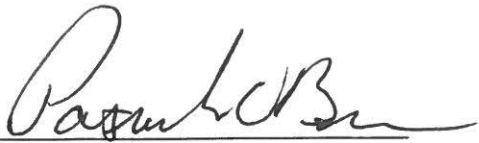
A TRUE COPY
ATTEST:


Geri Holland, Town Clerk

DATE: April 9, 2015

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.

Board of Selectmen Chairman Todd A. Cestari 
Initial



Constable of Hopkinton

Board of Selectmen Chairman Todd A. Cestari 
Initial

Warrant May 4, 2015

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