



**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HOPKINTON
ANNUAL TOWN MEETING WARRANT
September 12, 2020**

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 meet on the grounds of Hopkinton High School, 90 Hayden Rowe, on September 12, 2020, at 9:30 A.M., then and there to act upon the following Articles:

FINANCIAL – FISCAL YEAR 2020

ARTICLE: 1	FY 2020 Supplemental Appropriations and Transfers	<i>Sponsor: Town Manager</i>
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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 and various accounts for the fiscal year ending June 30, 2020.

Pass any vote or take any act relative thereto.

ARTICLE: 2	Unpaid Bills from Previous Fiscal Years	<i>Sponsor: Town Manager</i>
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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 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.

Select Board Chair Brendan Tedstone _____
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FINANCIAL – FISCAL YEAR 2021

ARTICLE: 3	Excess Bond Premium	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to appropriate the remaining excess bond premium from the Town's \$9,175,000 (NINE MILLION, ONE HUNDRED AND SEVENTY FIVE THOUSAND DOLLARS) General Obligation Municipal Purpose Loan of 2019 bonds, dated November 26, 2019, and \$9,500,000 (NINE MILLION, FIVE HUNDRED THOUSAND DOLLARS) General Obligation Municipal Purpose Loan of 2020 bonds, dated June 25, 2020, to capital projects of the Town for which such bonds were issued or for which borrowing has been authorized, so as to reduce the borrowing authorizations accordingly, or to other capital projects of the Town.

Pass any vote or take any act relative thereto.

ARTICLE: 4	Personal Property	<i>Sponsor: Board of Assessors</i>
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To see if the Town will vote to amend its vote taken on May 2, 2016 at the Annual Town Meeting through which the Town (i) accepted the provisions of Chapter 59, Section 5, Clause Fifty-fourth of the *Massachusetts General Laws* and (ii) established a minimum value of personal property subject to taxation in the amount of \$1,000 (ONE THOUSAND DOLLARS), by modifying the threshold minimum value for personal property subject to taxation to \$2,500 (TWO THOUSAND FIVE HUNDRED DOLLARS) for all fiscal years beginning on or after July 1, 2020.

Pass any vote or take any act relative thereto.

ARTICLE: 5	Set the Salary of Elected Officials	<i>Sponsor: Select Board</i>
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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: 6	Fiscal 2021 Operating Budget	<i>Sponsor: Town Manager</i>
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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 July 1, 2020; said sums to be expended for said purposes under the direction of the respective Town Officers, Boards and Committees.

Pass any vote or take any act relative thereto.

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ARTICLE: 7	FY 2021 Revolving Funds Spending Limits	<i>Sponsor: Town Manager</i>
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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 Chapter 13 of the General Bylaws pursuant to Section 53E½ of Chapter 44 of the *Massachusetts General Laws* for the fiscal year beginning July 1, 2020.

Pass any vote or take any act relative thereto.

ARTICLE: 8	Chapter 90 Highway Funds	<i>Sponsor: Town Manager</i>
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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, the acquisition of easements and other interests in real property related to the laying out of ways, 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: 9	Transfer to Other Post-Employment Benefits Liability Trust Fund	<i>Sponsor: Town Manager</i>
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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 for the purpose of increasing the Other Post-Employment Benefits Liability Fund, to be used, upon further appropriation, for any lawful purpose.

Pass any vote or take any act relative thereto.

CAPITAL EXPENSES AND PROJECTS

ARTICLE: 10	Lease East Main Street Parcel for International Marathon Center	<i>Sponsor: Select Board</i>
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To see if the Town will vote to authorize the Select Board to lease a certain parcel of land situated on East Main Street in the Town of Hopkinton, Middlesex County, Massachusetts, shown as LOT A-2-D and as containing 19.0 acres of land on a plan entitled “Legacy Farms Road North, Hopkinton, Massachusetts Issued For Definitive Subdivision Plan and Local Approvals”, dated May 25, 2012, prepared by Vanasse, Hangen & Brustlin, Inc. (Sheets C-4 through C 12), recorded with Middlesex South District Registry of Deeds in Plan Book 2012, Plan 943 (9 Sheets) for a term not to exceed 99 years, for the purpose of constructing, maintaining, and operating an International Marathon Center or facility as reasonably determined by the Select Board, and on such terms and conditions as the Select Board deem to be in the best interests of the Town, to the winner of a competitive bid selection process pursuant to Chapter 30B of the *Massachusetts General Laws*.

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Pass any vote or take any act relative thereto.

COMMUNITY PRESERVATION FUNDS

ARTICLE: 11	Community Preservation Funds	<i>Sponsor: Community Preservation Committee</i>
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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 and not to exceed 5% of the estimated annual revenues for Fiscal Year 2021, for committee administrative expenses and other expenses in the fiscal year beginning July 1, 2020, with each item to be considered a separate appropriation.

Pass any vote or take an act relative thereto.

ARTICLE: 12	Community Preservation Recommendations	<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 Community Preservation budget for Fiscal Year 2021; 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, 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. \$20,000 (TWENTY THOUSAND DOLLARS) from funds reserved for Historical Preservation for the preservation of Town Records in the Town Hall basement, with funds being expended based on the age of record, extent of damage, and the importance of contents. Said sum to be spent under the direction of the Hopkinton Town Clerk and the Community Preservation Committee.
- B. \$3,800 (THREE THOUSAND EIGHT HUNDRED DOLLARS) from funds reserved for Historical Preservation for a Historical Property Survey. The Survey will cover all of Summer Street, Main Street odd numbers 81-95, and even numbers 70-92 Main Street (omitting the police station). Said sum to be spend under the direction of the Hopkinton Historic District Commission and the Community Preservation Committee.
- C. \$400,000 (FOUR HUNDRED THOUSAND DOLLARS) from funds reserved for Historical Preservation for improvements to the Exterior of the Hopkinton Center for the Arts, Terry Family Farmhouse, 98 Hayden Rowe, shown as Assessors Map parcel U22 1 0; said sum to be spent under the direction of the Hopkinton Historical Society and the Community Preservation Committee.
- D. \$25,000 (TWENTY FIVE THOUSAND DOLLARS) from funds reserved for Passive/Active Recreation for the construction of an Aikens Park Trail to Stone Bridge segment, located along Rt. 85, shown as

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Assessors Map parcel R4 22 0; said sum to be spent under the direction of the Hopkinton Historical Commission and the Community Preservation Committee.

- E. A sum or sums from funds reserved for Open Space for the purchase of certain parcels and interests in land for the continuation of the Upper Charles Trail: (1) the “Kelleigh” parcel, known as the “Railroad bed,” comprised of tlnD and improvements situated near East Main Street in Hopkinton, MA, containing 2.4 acres, more or less, identified as Assessors Parcel U12 10 0 and more particularly described in a certain deed recorded in the Middlesex South District Registry of Deeds in Book 18533, Page 313; and (2) the “Mezitt” parcel, comprised of trail easements on two parcels of land situated near East Main Street in Hopkinton MA, containing 10.5 acres and 59.5 acres, more or less, identified as Assessors Parcels U12 22 0 and U12 25 0, respectively, and more particularly described in a certain deed recorded in the Middlesex South District Registry of Deeds in Book 13414, Page 7; said sum to be spent under the direction of Select Board and Community Preservation Committee.
- F. \$74,376 (SEVENTY FOUR THOUSAND THREE HUNDRED SEVENTY SIX DOLLARS) from funds reserved for Passive/Active Recreation for the construction of a Campus Trail Connector, located at 0 McDermott Lane (directly across from EMC Playground), shown as Assessors Map parcel U22 5 A; said sum to be spent under the direction of the Upper Charles Trail Committee and the Community Preservation Committee.
- G. \$20,000 (TWENTY THOUSAND SIX DOLLARS) from funds reserved for Passive/Active Recreation for the construction of Hughes Trail Phase 2, Located at the Western End of the Hughes Trail Property, shown as Assessors Map parcel R30-132-0, R30-131-0,R30-2-A and R30-2-0; said sum to be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.
- H. \$75,000 (SEVENTY FIVE THOUSAND DOLLARS) from funds reserved for Open Space for the construction of a Chamberlain to Center Trail segment, connecting the Center Trail Phase 2 at field 13 of the Chamberlain Street sidewalks, shown as Assessors Map parcel U21 3 0; said sum to be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.
- I. \$75,000 (SEVENTY FIVE THOUSAND DOLLARS) from Undesignated funds for a drainage study for a skate park located at 113 Hayden Rowe, shown as Assessors Map parcel U22 19 A; The funds includes the design of the storm water system, design and bid for the skate park. Said sums to be spent under the direction of the Parks and Recreation Department and the Community Preservation Committee.

Pass any vote or take any act relative thereto.

ZONING BYLAW AMENDMENTS

ARTICLE: 13	Car Washes, Downtown Business District	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Article VIA, Downtown Business (BD) District, §210-20.3, Uses allowed by Special Permit of the Zoning Bylaws, by striking the words “(4) Car wash facilities” from subsection A thereof, and renumbering the remaining item accordingly.

Pass any vote or take any act relative thereto.

ARTICLE: 14	Industrial B District Housekeeping	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Article VIIIA, Industrial B District, §210-37.9, Uses allowed by Special Permit, of the Zoning Bylaws, by designating the first paragraph thereof as subsection “A,” and by numbering items A through K thereunder as items (1) through (11) respectively.

Pass any vote or take any act relative thereto.

ARTICLE: 15	Wireless Communications Facilities	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Article XVI, Wireless Telecommunications Facilities, of the Zoning Bylaws as follows:

1. By striking the last sentence of Article XVI, Wireless Telecommunications Facilities, §210-100.A in its entirety, and inserting, in place thereof, the following:

Any proposed extension in the height, addition of cells, antenna or panels, or other change to an existing wireless communications facility that does not substantially change the physical dimensions of a tower or base station pursuant to FCC regulations, or construction of a replacement facility, shall not require a special permit.

and

2. By amending §210-101.K, by inserting “new” after “The height of...”

and

3. By amending the first sentence in §210-101.L, by replacing the word “New” with “New facilities.”

and

4. Amending the third sentence of §210-105.B, by inserting the word “new” after the word “No.”

Pass any vote or take any action relative thereto.

ARTICLE: 16	Accessory Dwelling Unit	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Article XVIII, Supplementary Regulations, §210-126 of the Zoning Bylaws as follows:

1. By striking the word “family” in the title of the section;

and

2. By striking the word “family” after the words “to accommodate an additional...”

and

3. By amending subsection C as follows:

Use limitations. Such additional ~~family living~~ dwelling unit shall, at the discretion of the Board of Appeals, accommodate up to a maximum of three persons, provided, however, that the owner of record of the structure ~~is a resident of the structure which~~ that includes the accessory ~~family~~ dwelling unit shall be a resident thereof. ~~The existing unit shall accommodate an additional family unit only if a) a member of the additional family is related by blood, marriage or adoption to the owner of the premises; or b) a member of the additional family is 60 years of age or older.~~ There shall be no other ~~living~~ dwelling unit on the lot upon which such accessory unit is to be located.

and

4. By striking the third sentence (“An interior doorway shall be provided between each dwelling unit as a means of access for purposes of supervision and emergency response.”) in its entirety.

and

5. By amending subsection Ls as follows:

L. Definition. Accessory dwelling ~~family~~ unit shall mean a dwelling unit contained within or being an extension of a single-family ~~structure dwelling~~ to accommodate a caregiver or service provider or an additional family only if a member of the additional family is related ~~by blood, marriage or adoption~~ to the owner of the premises, ~~or a member of the additional family is 60 years of age or older.~~

Pass any vote or take any action relative thereto.

ARTICLE: 17	Nonconforming Lots, Uses and Structures	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Article XIX, Nonconforming Lots, Uses and Structures, §210-128.D., Nonconforming Uses, of the Zoning Bylaws as follows:

1. By inserting a new subsection E immediately following subsection D that reads:

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E. Zoning Enforcement Officer Waiver

The Zoning Enforcement Officer shall waive the requirement for a Special Permit under §210-128, Item A, above, provided the following criteria are met:

- (1) The proposed alteration does not alter the footprint of the existing dwelling;
- (2) The proposed alteration does not alter the overall height of the existing dwelling; and
- (3) All owners of property that lies within 300 feet of the subject property do not object to the proposed alteration, as evidenced by endorsement of a plan (or a copy of the plan) showing the proposed alterations, with dimensions, to be submitted to the Building Department for approval. A certified list of abutters shall be obtained through the Hopkinton Assessing Department.

Pass any vote or take any act relative thereto.

ARTICLE: 18	Temporary Signs	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend the Zoning Bylaws as follows:

1. To insert the following after §210-179.E:

F. Business Access during Construction in Right-of-Way

- (1) "Affected business" shall be defined, for the purposes of this section, as a business for which access can be reasonably determined by the Zoning Enforcement Officer to be blocked, hindered, or otherwise adversely affected due to nearby construction within the right-of-way.
- (2) Each affected business may display up to four (4) temporary signs or sandwich boards within 600 feet of the property line for the purpose of directing customers to parking, indicating hours of operation, or displaying messaging such as "open during construction" or other special instructions to customers.
- (3) Temporary signs for affected businesses shall not be limited to the 30-day maximum duration, as set forth within this section, but shall be allowed to remain in place until the business is no longer affected by the construction within the right-of-way, as determined by the Zoning Enforcement Officer.

Pass any vote or take any act relative thereto.

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ARTICLE: 19	Commercial Solar Photovoltaic Installations	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend the Zoning Bylaws as follows:

To amend Article XXXI, Commercial Solar Photovoltaic Installations, §210-201. Applicability, by striking the first sentence in its entirety and replacing it with the following:

For the purposes of this article, there is hereby established within the Town of Hopkinton an overlay district referred to as the CSPVOD delineated on a map entitled “Commercial Solar Photovoltaic Overlay District, Town of Hopkinton,” dated June 1, 2020. This map is hereby made part of the Town of Hopkinton Zoning Bylaw and is on file with the office of the Town Clerk.

Construction and use of a commercial solar photovoltaic installation or any part thereof shall be permitted solely in areas within the CSPVOD and shall be governed by this article.

Pass any vote or take any act relative thereto.

LAND ACQUISITION AND DISPOSITION

ARTICLE: 20	Land Acquisition – Liberty Mutual Property	<i>Sponsor: Ann Karnofsky, Citizens Petition</i>
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To see if the Town will vote to authorize the Select Board to purchase, on such terms and conditions as the Select Board shall deem to be in the best interests of the Town, a parcel of land, known as the Liberty Mutual property, located at 71 Frankland Road, as described in the deed recorded at the Middlesex South Registry of Deeds in book number 74323 at page number 518 and shown on the plan recorded at the Middlesex South Registry of deeds as Plan No. 201 of 2020, provided that the portion of said parcel shown as “Lot 1” on said plan shall be acquired for open space purposes and shall be made subject to a conservation restriction preserving such open space; and, provided further that the portion of said parcel shown as “Lot 2” on said plan shall be acquired for community housing purposes.

Pass any vote or take any act relative thereto.

ARTICLE: 21	Street Acceptance, Legacy Farms North	<i>Sponsor: Planning Board</i>
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To hear the report of the Select Board relative to the laying out Legacy Farms Road North under the provisions of Chapter 82 of the *Massachusetts General Laws*, and to see if the Town will vote to accept Legacy Farms North as and for a public way and to authorize the Select Board to acquire by gift, purchase or eminent domain any land or interest in land necessary for said laying out.

Pass any vote or take any act relative thereto.

Select Board Chair Brendan Tedstone _____
Initial

ADMINISTRATIVE

ARTICLE: 22	Amend Charter to Change Board of Selectmen to Select Board	<i>Sponsor: Select Board</i>
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To see if the Town will vote to authorize the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for passage of special legislation substantially as provided below; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board votes to approve amendments thereto; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition.

An act amending the charter of the Town of Hopkinton to change the name of the board of selectmen to select board

SECTION 1. The charter of the town of Hopkinton, which is on file in the office of the archivist of the Commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out the words "Board of Selectmen", each time they appear, and inserting in place thereof, in each instance, the following words:- Select Board.

SECTION 2. Section 3-1(g) of said charter is hereby amended by striking out the words "remaining Selectmen", and inserting in place thereof the following words:- remaining Select Board members.

SECTION 3. Section 7-4 of said charter is hereby amended by striking out the words "Selectmen's office", and inserting in place thereof the following words:- Select Board's office.

Pass any vote or take any act relative thereto.

Select Board Chair Brendan Tedstone _____
Initial

Warrant

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 _____th day of August, 2020.

SELECT BOARD
TOWN OF HOPKINTON

Brendan Tedstone, Chair

Irfan Nasrullah, Vice-Chair

Brian Herr

Amy Ritterbusch

Mary Jo LaFreniere

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 (1) TOWN HALL, (2) ALL POST OFFICES, (3) THE PUBLIC LIBRARY, (4) THE SENIOR CENTER, AND (5) AT LEAST ONE PUBLIC SAFETY BUILDING, AT LEAST EIGHT (8) DAYS PRIOR TO THE TIME OF HOLDING SAID MEETING.

Constable of Hopkinton

Select Board Chair Brendan Tedstone _____
Initial