

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HOPKINTON**



**2026 ANNUAL TOWN MEETING
WARRANT ARTICLES AND MOTIONS**

Saturday, May 2, 2026

9:00 AM

Hopkinton Middle School Auditorium

88 Hayden Rowe

(Voter Registration Deadline: April 22, 2026)

The Middle School is accessible. If accessibility accommodations/modifications are needed, please contact the Town Manager's office at 508-497-9701 or [complete this form](#) by April 22, 2026.

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REPORTS

ARTICLE: 1 Acceptance of Town Reports

Sponsor: Select Board

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

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends Approval.

Motion (Select Board): *We move that the Town receive the Reports of Town Officers, Boards and Committees.*

Vote Needed: Simple Majority.

FINANCIAL - FISCAL YEAR 2026

**ARTICLE: 2 FY 2026 Supplemental Appropriations and
Transfers**

Sponsor: Town Manager

To see if the Town will vote to transfer from available funds or otherwise provide a sum or sums of money to supplement operating budgets and various accounts for the fiscal year ending on June 30, 2026.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer the sum of \$1,150,000 (ONE MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS) from Certified Free Cash to supplement the FY2026 Snow and Ice Control Operating Budget; \$125,000 (ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS) from Sewer Enterprise Fund Retained Earnings to supplement the FY2026 Sewer Enterprise Fund Operating Budget; and \$250,000 (TWO HUNDRED FIFTY THOUSAND DOLLARS) from Water Enterprise Fund Retained Earnings to supplement the FY2026 Water Enterprise Fund Operating Budget.*

Vote Needed: Simple Majority

ARTICLE: 3 Unpaid Bills from Prior 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 General Laws Chapter 44, § 64.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Sewer Retained Earnings the sum of \$8,750.58 (EIGHT THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND FIFTY-EIGHT CENTS) for the following bill incurred in a previous year, in accordance with the provisions of Chapter 44, Section 64 of the Massachusetts General Laws, as follows:*

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Sewer	Whitewater	\$8,750.58

Vote Needed: Four-Fifths Majority.

FINANCIAL - FISCAL YEAR 2027

ARTICLE: 4 Rescind Authorized but Unissued Debt

Sponsor: Town Manager

To see if the Town will vote to rescind authorized and unissued debt for projects that are no longer necessary or do not require additional funding.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends No Action.
Appropriation Committee recommends No Action.

Motion (Appropriation Committee): *We move that the Town take no action on this article.*

Vote Required: Simple Majority

ARTICLE: 5 Set the Salary of Elected Officials

Sponsor: Select Board

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

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to fix the salary of the elected Town Clerk for the Fiscal Year beginning July 1, 2026, at \$94,000 (NINETY-FOUR THOUSAND DOLLARS).*

Vote Needed: Simple Majority

ARTICLE: 6 FY 2027 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, 2026, 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.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate:*

- \$ 132,319,571 *to the General Fund; and*
- \$ 362,171 *to the Community Preservation Fund; and*
- \$ 2,768,832 *to the Sewer Enterprise Fund; and*
- \$ 2,968,089 *to the Water Enterprise Fund; and*
- \$ 68,000 *to the Economic Development Special Revenue Fund*

for a total of \$138,486,663 (ONE HUNDRED THIRTY EIGHT MILLION FOUR HUNDRED EIGHTY SIX THOUSAND SIX HUNDRED SIXTY THREE DOLLARS) for the Fiscal Year 2027 Operating Budget of the Town, in the amounts set forth and purposes itemized and described in the Appropriation Committee Report with Recommendations Approved April 14, 2026 the table titled "Line Item Departmental Budgets", in the column titled "Appropriation Committee Recommend", said sums to be spent under the direction

of the respective Town officers, Boards, and Committees, and that amounts appropriated be raised as follows:

GENERAL FUND

Transfers from available funds:

<i>Ambulance Receipts Reserved</i>	\$	550,000
<i>Title V</i>	\$	64,458
<i>Bond Premiums</i>	\$	26,696

<i>Transfers from available funds</i>	\$	651,154
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Local Receipts, Intergovernmental

<i>Revenue and Tax Levy</i>	\$	131,736,417
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GENERAL FUND	\$	132,387,571
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COMMUNITY PRESERVATION FUND

Transfers from available funds, as recommended by the Community Preservation Committee:

<i>CPC Undesignated Fund Balance</i>	\$	362,171
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COMMUNITY PRESERVATION FUND	\$	362,171
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SEWER ENTERPRISE FUND

FY2027 Sewer Enterprise Fund Revenue

SEWER ENTERPRISE SOURCES OF FUNDS	\$	2,462,372
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Indirect Costs to be raised from the FY2027 Sewer Enterprise Fund revenues, appropriated in the General Fund

\$	306,460
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SEWER ENTERPRISE BUDGET	\$	2,768,832
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WATER ENTERPRISE FUND

FY2027 Water Enterprise Revenue

WATER ENTERPRISE SOURCES OF FUNDS	\$	2,533,169
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Indirect costs to be raised from the FY2027 Water Enterprise Fund revenues, appropriated in the General Fund

\$	434,920
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WATER ENTERPRISE BUDGET	\$	2,968,089
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ECONOMIC DEVELOPMENT SPECIAL REVENUE FUND
 FY2027 Economic Development Revenue

ECONOMIC DEVELOPMENT BUDGET \$ 68,000

Vote Needed: Simple Majority

ARTICLE: 7 **FY 2027 Revolving Funds Spending Limits** *Sponsor: Town Manager*

To see if the Town will vote to establish the limit on the total amount that may be expended from each revolving fund established by the General Bylaws, Chapter 13, Article VI, pursuant to General Laws Chapter 44, § 53E½, for the fiscal year beginning on July 1, 2026.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
 Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town 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, 2026, as follows:*

<u>Revolving Fund</u>	<u>Spending Limit for the Fiscal Year 2027</u>
Building Department	\$900,000
Part-Time Wire Inspector	\$200,000
Part-Time Plumbing Inspector	\$200,000
Hazardous Materials	\$20,000
Conservation Commission	\$200,000
Library	\$10,000
Public Safety	\$5,000
Planning Board	\$100,000
Open Space Preservation Commission	\$10,000

<u>Revolving Fund</u>	<u>Spending Limit for the Fiscal Year 2027</u>
Youth and Family Services Department	\$4,000
Zoning Board of Appeals	\$50,000
Department of Public Works (Expenses of operation of the Highway Division.)	\$8,000
Department of Public Works (Expenses of operation of Recycling Center)	\$15,000
Department of Public Works (To purchase Overflow Trash bags and to meet expenses of Waste Collection and Disposal)	\$15,000
Cemetery Commission	\$3,500
Cemetery Lot Fund	\$10,000
School Department 1:1 Laptop Initiative	\$475,000
Fingerprinting Fund	\$500
Senior Center Programs Fund	\$75,000
Police Department	\$115,000
Parks and Recreation	\$175,000
Shared Housing Services Office	\$125,000
Health Department	\$200,000
Finance Department	\$100,000

Vote Needed: Simple Majority

ARTICLE DESCRIPTION: The Town is required per Massachusetts General Law Chapter 53 E ½ to annually set the expenditure limits in these revolving funds. The Parks and Recreation fund has increased from \$170,000 to \$175,000. The Police Department fund has increased from \$15,500 to \$115,000 to allow for the continued funding of detail software as well as the possible purchase of a cruiser in alignment with the changes proposed in Article 25.

ARTICLE: 8 PEG Access and Cable Related Funding Sponsor: Town Manager

To see if the Town will vote to appropriate, transfer from available funds, or otherwise provide, a sum or sums of money from the PEG Access and Cable Related Fund Revolving Account, established pursuant to General Laws Chapter 44, §53F¾, and any other sources, to support public, educational, or governmental access cable television services.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer \$154,027.86 (ONE HUNDRED FIFTY-FOUR THOUSAND TWENTY SEVEN DOLLARS AND EIGHTY SIX CENTS) from the PEG Access and Cable Related Fund Revolving Account and \$242,968.14 (TWO HUNDRED FORTY TWO THOUSAND NINE HUNDRED SIXTY EIGHT DOLLARS AND FOURTEEN CENTS) from Certified Free Cash for the purposes specified in Article 8 of the Warrant.*

Vote Needed: Simple Majority

ARTICLE: 9 Transfer to Other Post-Employment Benefits Liability Trust 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 Other Post-Employment Benefits Liability Trust Fund.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$896,888 (EIGHT HUNDRED NINETY-SIX THOUSAND EIGHT HUNDRED EIGHTY-EIGHT DOLLARS) from Certified Free Cash to be credited to the Other Post-Employment Benefits Liability Trust Fund.*

Vote Needed: Simple Majority

ARTICLE: 10 Transfer to the 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.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash the sum of \$700,000 (SEVEN HUNDRED THOUSAND DOLLARS) for the purpose of increasing the General Stabilization Fund, said sums to be used, upon further appropriation, for any lawful purpose.*

Vote Needed: Simple Majority

ARTICLE: 11 Transfer to the Capital Expense Stabilization Fund Sponsor: Town Manager

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

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends No Action.
Appropriation Committee recommends No Action.

Motion (Appropriation Committee): *We move that the Town take no action on this article.*

Vote Needed: Simple Majority

ARTICLE: 12 PILOT Agreement, Frankland Road Solar Farm Sponsor: Town Manager

To see if the Town will vote in accordance with Chapter 59, Section 5, Clause forty-fifth of the Massachusetts General Laws, to approve a Payment in Lieu of Taxes (PILOT) Agreement for Personal Property with Frankland Road Solar, LLC, for a period of twenty-five (25) years, whereby Frankland Road Solar, LLC will pay the Town a sum of monies per year relative to

personal property on a portion of land located at 69 Frankland Road, shown on Assessors Map U7-7-0, said PILOT Agreement being on file in the Town Clerk's Office, and further to allow the Select Board or the Town Manager to negotiate any amendments necessary to said PILOT Agreement to reflect any changes in the size of the parcel of land or size of the system so long as the payments reflected in the PILOT Agreement rise or lower commensurately.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
 Appropriation Committee recommends Approval.

Motion (Select Board): *We move that the Town vote in accordance with Chapter 59, Section 5, Clause forty-fifth of the Massachusetts General Laws, to approve a Payment in Lieu of Taxes (PILOT) Agreement, for Personal Property with Frankland Road Solar, LLC, for a period of twenty-five (25) years, whereby Frankland Road Solar, LLC will pay the Town a sum of monies per year relative to personal property on a portion of land located at 69 Frankland Road, shown on Assessors Map U7-7-0, said PILOT Agreement being on file in the Town Clerk's Office, and further to allow the Select Board or the Town Manager to negotiate any amendments necessary to said PILOT Agreement to reflect any changes in the size of the parcel of land or size of the system so long as the payments reflected in the PILOT Agreement rise or lower commensurately.*

Vote Needed: Simple Majority

CAPITAL EXPENSES AND PROJECTS

ARTICLE: 13 Capital Improvements *Sponsor: Town Manager*

To see if the Town will vote to raise and appropriate, transfer from available funds, transfer from the Capital Stabilization Fund, or otherwise provide a sum or sums of money to fund the following capital purchases and projects:

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>
1	Land Purchase at 280 Cedar Street	Town Manager
2	End User Computer Hardware Refresh	Information Technology
3	Core Server & Data Center Upgrades	Information Technology
4	Electronic Voting Machines	Town Clerk
5	Police Vehicle Replacements: 3 Patrol Cruisers	Police

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>
6	Taser Upgrades (Five Year Plan)	Police
7	Fire Vehicle Replacements: 2 SUV or Command Vehicles	Fire
8	Replace Cardiac Monitors	Fire
9	Student Services Van	School
10	School Technology Upgrades and Replacements	School
11	Classroom Equipment	School
12	Senior Center - Miscellaneous Exterior Repairs & Install Gutter Guards	Facilities
13	Police Station HVAC Improvements	Facilities
14	Fruit Street Garage (Assessment & Design)	Facilities
15	Senior Center HVAC (Assessment & Design)	Facilities
16	Facilities Vehicle Replacements: Pickup & SUV	Facilities
17	Equipment Replacements at Senior Center	Facilities
18	Town Hall Existing Ductless Mini Split System Replacements	Facilities
19	Town Hall Heating Assessment	Facilities
20	Elmwood School Reuse Study	Facilities
21	DPW Vehicle Replacement: F-550 Dump Truck (S-12)	Public Works
22	Grove Street Drainage Repairs and Sidewalk (Design, Permitting & Construction)	Public Works
23	Roadway Repaving: Briarcliff Dr. Area	Public Works
24	Pavement Management Plan Update	Public Works
25	Vehicle Undercarriage Pressure Washer	Public Works
26	Grist Mill Dam (North Mill St) Rehabilitation	Public Works
27	NPDES MS4 Stormwater Catchment Investigations	Public Works
28	Roadway Improvement Woody Island and Twin Island (Survey & Conceptual Plan)	Public Works

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>
29	Lake Whitehall Quality Improvements	Public Works
30	Senior Center Carpet Replacement	Senior Center
31	Senior Center Dining Facility Exit Door	Senior Center
32	Fencing at Sandy Beach	Parks & Recreation

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.

Appropriation Committee recommendation will be made at Town Meeting.

Capital Improvement Committee recommends Approval.

Motion 1 (Appropriation Committee): *We move that the Town vote to appropriate \$2,000,000 (TWO MILLION DOLLARS) from Certified Free Cash for the purchase of land at 280 Cedar Street (Parcel R4-17-0) including, but not limited to, any and all costs, fees, and expenses related to legal, engineering, remediation, and demolition; said sum to be spent under the direction of the Town Manager.*

Vote Needed: Two-thirds Majority

Motion 2 (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash \$8,149,356.59 (EIGHT MILLION ONE HUNDRED FORTY NINE THOUSAND THREE HUNDRED FIFTY SIX DOLLARS AND FIFTY NINE CENTS), from Ambulance Receipts Reserved \$215,681 (TWO HUNDRED FIFTEEN THOUSAND SIX HUNDRED EIGHTY ONE DOLLARS), and appropriate from previously approved but unexpended capital projects \$84,029.41 (EIGHTY FOUR THOUSAND TWENTY NINE DOLLARS AND FORTY ONE CENTS) as specified in the table below titled Re-Appropriation of Surplus Capital to supplement costs for the following capital purchases and projects, to be expended in the specified amounts and under the specified direction as set forth in the table below, and, further, that where such an expenditure contemplates the replacement of aging vehicles or equipment, Town officials shall, as they deem in the Town's best interests and subject to their discretion, endeavor to dispose of any vehicles or equipment to be replaced in a manner that offsets the replacement costs, in accordance with applicable law and policy:*

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
2	End User Computer Hardware Refresh	Information Technology	Town Manager	Certified Free Cash	\$33,557

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
3	Core Server & Data Center Upgrades	<i>Information Technology</i>	Town Manager	<i>Certified Free Cash</i>	\$75,000
4	Electronic Voting Machines	<i>Town Clerk</i>	Town Manager	<i>Certified Free Cash</i>	\$31,600
5	Police Vehicle Replacements: 3 Patrol Cruisers	<i>Police</i>	Town Manager	<i>Certified Free Cash</i>	\$244,158
6	Taser Upgrades (Five Year Plan)	<i>Police</i>	Town Manager	<i>Certified Free Cash</i>	\$155,000
7	Fire Vehicle Replacements: 2 SUV or Command Vehicles	<i>Fire</i>	Town Manager	<i>Certified Free Cash</i>	\$186,196
8	Replace Cardiac Monitors	<i>Fire</i>	Town Manager	<i>Ambulance Receipts</i>	\$215,681
9	Student Services Van	<i>School</i>	School Superintendent	<i>Certified Free Cash</i>	\$95,000
10	School Technology Upgrades and Replacements	<i>School</i>	School Superintendent	<i>Certified Free Cash</i>	\$150,000
11	Classroom Equipment	<i>School</i>	School Superintendent	<i>Certified Free Cash</i>	\$217,000
12	Senior Center - Miscellaneous Exterior Repairs & Install Gutter Guards	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$25,000
13	Police Station HVAC Improvements	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$1,500,000
14	Fruit Street Garage (Assessment & Design)	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$75,000
15	Senior Center HVAC (Assessment & Design)	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$250,000

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
16	Facilities Vehicle Replacements: Pickup & SUV	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$100,00
17	Equipment Replacements at Senior Center	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$40,875
18	Town Hall Existing Ductless Mini Split System Replacements	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$35,000
19	Town Hall Heating Assessment	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$24,500
20	Elmwood School Reuse Study	<i>Facilities</i>	Town Manager	<i>Certified Free Cash</i>	\$75,000
21	DPW Vehicle Replacement: F-550 Dump Truck (S-12)	<i>Public Works</i>	Town Manager	<i>Certified Free Cash</i>	\$295,000
22	Grove Street Drainage Repairs and Sidewalk (Design, Permitting & Construction)	<i>Public Works</i>	Town Manager	<i>Certified Free Cash</i>	\$1,000,000
23	Roadway Repaving: Briarcliff Dr. Area	<i>Public Works</i>	Town Manager	<i>Certified Free Cash</i>	\$885,000
24	Pavement Management Plan Update	<i>Public Works</i>	Town Manager	<i>Certified Free Cash</i>	\$50,000
25	Vehicle Undercarriage Pressure Washer	<i>Public Works</i>	Town Manager	<i>Certified Free Cash</i>	\$115,000
26	Grist Mill Dam (North Mill St.) Rehabilitation	<i>Public Works</i>	Town Manager	<i>Certified Free Cash</i>	\$1,450,000

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
27	NPDES MS4 Stormwater Catchment Investigations	Public Works	Town Manager	Certified Free Cash	\$275,000
28	Roadway Improvement Woody Island and Twin Island (Survey & Conceptual Plan)	Public Works	Town Manager	Certified Free Cash	\$150,000
29	Lake Whitehall Quality Improvements	Public Works	Town Manager	Certified Free Cash	\$587,500
30	Senior Center Carpet Replacement	Senior Center	Town Manager	Certified Free Cash	\$35,000
31	Senior Center Dining Facility Exit Door	Senior Center	Town Manager	Certified Free Cash	\$48,000
32	Fencing at Sandy Beach	Parks & Recreation	Town Manager	Certified Free Cash	\$30,000

<u>RE-APPROPRIATION OF SURPLUS CAPITAL</u>					
<u>Town Meeting</u>	<u>Article</u>	<u>Project</u>	<u>Source</u>	<u>Surplus</u>	<u>Item Match</u>
May 6, 2024	16	Fruit St Garage Repairs	Free Cash	\$5,639.00	25
May 6, 2024	16	CPR Machine	Free Cash	\$3,941.34	25
May 6, 2024	16	Sweeper	Free Cash	\$574.61	25
May 6, 2024	16	DPW F350 M1 Truck	Free Cash	\$943.11	25
May 6, 2024	01	DPW Truck	Free Cash	\$142.45	25
May 1, 2023	14	Downey Place Drainage Improvements	Free Cash	\$61,149.30	25

<u>RE-APPROPRIATION OF SURPLUS CAPITAL</u>					
<u>Town Meeting</u>	<u>Article</u>	<u>Project</u>	<u>Source</u>	<u>Surplus</u>	<u>Item Match</u>
May 2, 2022	19	PD Roof Replacement Cost Growth	Free Cash	\$834.60	25
May 2, 2022	19	Senior Center Dining Facility Feasibility Study	Free Cash	\$10,805.00	25

Vote Needed: Simple Majority

ARTICLE: 14	One-Time Expenditures	<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 fund the following one-time expenses:

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>
1	Turbidity Meter	Land Use
2	Stadia Rod	Land Use
3	Upgrade/Replace Priority Cameras at the Police Dept	Information Technology
4	Library Carpet Replacement – Bottom Floor	Facilities
5	Records Software	Town Clerk
6	Replacement of Fence at Center Trail	Town Manager
7	Consultant Services for Emergency Response Study	Town Manager
8	Consultant Services for Townwide Strategic Planning	Town Manager

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
 Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash \$102,425 (ONE HUNDRED TWO THOUSAND FOUR HUNDRED TWENTY FIVE DOLLARS), to be expended in the specified amounts and under the specified direction as set forth in the table below, and, further, that where such an expenditure contemplates the replacement of aging vehicles or equipment, Town*

officials shall, as they deem in the Town's best interests and subject to their discretion, endeavor to dispose of any vehicles or equipment to be replaced in a manner that offsets the replacement costs, in accordance with applicable law and policy:

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
1	Turbidity Meter	Land Use	Town Manager	Certified Free Cash	\$2,100
2	Stadia Rod	Land Use	Town Manager	Certified Free Cash	\$125
3	Upgrade/Replace Priority Cameras at the Police Department	Information Technology	Town Manager	Certified Free Cash	\$13,200
4	Library Carpet Replacement (Bottom Floor)	Facilities	Town Manager	Certified Free Cash	\$13,000
5	Records Software	Town Clerk	Town Manager	Certified Free Cash	\$9,000
6	Replacement of Fence at Center Trail	Town Manager	Town Manager	Certified Free Cash	\$21,000
7	Consultant for Emergency Response	Town Manager	Town Manager	Certified Free Cash	\$24,000
8	Consultant for Strategic Planning	Town Manager	Town Manager	Certified Free Cash	\$20,000

Vote Needed: Simple Majority

ARTICLE: 15 Water Enterprise Capital Improvements

Sponsor: Director of Public Works

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money to fund the following Water Enterprise capital purchases and projects, including any and all costs, fees, and expenses related to the same. Said sum to be spent under the direction of the Town Manager.

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>
1	Rehabilitation of Well #1	Public Works
2	Grove Street Tank (Construction)	Public Works
3	Water Main Replacement: East Main St. Area (Construction)	Public Works
4	Vehicle W9 Supplemental Expense	Public Works
5	Water Main Replacement: Briarcliff Dr. Area (Design, Permitting & Bid Support)	Public Works
6	Portable Generator	Public Works

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvement Committee recommends Approval.

Motion 1 (Appropriation Committee): *We move that the Town vote to transfer from Water Enterprise Fund Retained Earnings \$738,368.70 (SEVEN HUNDRED THIRTY EIGHT THOUSAND THREE HUNDRED SIXTY EIGHT DOLLARS AND SEVENTY CENTS); and appropriate from previously approved but unexpended capital projects \$11,631.30 (ELEVEN THOUSAND SIX HUNDRED THIRTY ONE DOLLARS AND THIRTY CENTS) as specified in the table below titled Re-Appropriation of Surplus Capital to supplement costs for the following capital purchases and projects, to be expended in the specified amounts and under the specified direction as set forth in the table below, and, further, that where such an expenditure contemplates the replacement of aging vehicles or equipment, Town officials shall, as they deem in the Town's best interests and subject to their discretion, endeavor to dispose of any vehicles or equipment to be replaced in a manner that offsets the replacement costs, in accordance with applicable law and policy:*

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
1	Rehabilitation of Well #1	Public Works	Town Manager	Water Enterprise Retained Earnings	\$515,000
4	Vehicle W9 Supplemental Expense	Public Works	Town Manager	Water Enterprise Retained Earnings	\$60,000

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
6	Portable Generator	Public Works	Town Manager	Water Enterprise Retained Earnings	\$175,000

<u>RE-APPROPRIATION OF SURPLUS CAPITAL</u>					
<u>Town Meeting</u>	<u>Article</u>	<u>Project</u>	<u>Source</u>	<u>Surplus</u>	<u>Item Match</u>
May 1, 2023	21	Dump Truck	Water Enterprise Retained Earnings	\$3,867.95	4
May 5, 2025	17	Truck Replacement W1	Water Enterprise Retained Earnings	\$7,763.35	4

Vote Needed: Simple Majority

Motion 2 (Appropriation Committee): *We move that the Town vote to authorize the Town Treasurer, with the approval of the Select Board, to borrow \$12,305,000 (TWELVE MILLION THREE HUNDRED FIVE THOUSAND DOLLARS) in accordance with Chapter 44, Section 8 of the Massachusetts General Laws, or any other enabling authority and to issue bonds or notes of the Town therefor; provided, however, that, while any bonds or notes issued in connection with such borrowing shall be general obligations of the Town, it is the intent of the Town that principal and interest payments on such bonds or notes be made from the Water Enterprise Fund; to be expended in the specified amounts and under the specified direction as set forth in the table below, and, further, that where such an expenditure contemplates the replacement of aging vehicles or equipment, Town officials shall, as they deem in the Town's best interests and subject to their discretion, endeavor to dispose of any vehicles or equipment to be replaced in a manner that offsets the replacement costs, in accordance with applicable law and policy:*

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
2	Grove Street Tank (Construction)	Public Works	Town Manager	Debt	\$2,100,000
3	Water Main Replacement: East Main St. Area (Construction)	Public Works	Town Manager	Debt	\$9,805,000

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
5	Water Main Replacement: Briarcliff Dr. Area (Design, Permitting & Bid Support)	Public Works	Town Manager	Debt	\$400,000

Vote Needed: Two-Thirds Majority

ARTICLE: 16	Sewer Enterprise Capital Improvements	<i>Sponsor: Director of Public Works</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money to fund the following Sewer Enterprise capital purchases and projects, including any and all costs, fees, and expenses related to the same. Said sum to be spent under the direction of the Town Manager.

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>
1	Sewer Meter Station Upgrade: Westborough Connection	Public Works
2	Fruit Street Waste Water Treatment Facility: Safety and Control Upgrades	Public Works
3	Sewer System Evaluation Survey: West Main St. Pump Station Tributary	Public Works

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvement Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Sewer Enterprise Fund Retained Earnings \$820,000 (EIGHT HUNDRED TWENTY THOUSAND DOLLARS); to be expended in the specified amounts and under the specified direction as set forth in the table below, and, further, that where such an expenditure contemplates the replacement of aging vehicles or equipment, Town officials shall, as they deem in the Town's best interests and subject to their discretion, endeavor to dispose of any vehicles or equipment to be replaced in a manner that offsets the replacement costs, in accordance with applicable law and policy:*

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>To be spent under the direction of</u>	<u>Funding Source</u>	<u>Amount</u>
1	Sewer Meter Station Upgrade: Westborough Connection	Public Works	Town Manager	Sewer Enterprise Retained Earnings	\$500,000
2	Fruit Street Waste Water Treatment Facility: Safety and Control Upgrades	Public Works	Town Manager	Sewer Enterprise Retained Earnings	\$70,000
3	Sewer System Evaluation Survey: West Main St. Pump Station Tributary	Public Works	Town Manager	Sewer Enterprise Retained Earnings	\$250,000

Vote Needed: Simple Majority

ARTICLE: 17 **Costa Bros. Masonry Litigation Settlement** *Sponsor: Select Board*

To see if the Town will vote to pursuant to General Bylaws Ch. 28, § 28-4 to authorize the Select Board to settle a suit requiring a payment of more than \$1,000, and to raise and appropriate, transfer from available funds, appropriate from excess bond premiums, or otherwise provide a sum or sums of money to fund the payment of a settlement reached in the matter of Costa Bros. Masonry, Inc. v. Suretec Ins. Co. d/b/a Markel Surety & others including any and all costs, fees, and expenses related to the same. Said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board will make a recommendation at Town Meeting.
Appropriation Committee will make a recommendation at Town Meeting.

Motion (Select Board): Motion will be made at Town Meeting.

Vote Needed: Simple Majority

ARTICLE: 18 Authorization of Drainage Improvements for Hawthorne Lane Area *Sponsor: Citizen Petition*

To see if the Town will vote to authorize and direct the Department of Public Works to design and install appropriate drainage improvements, including but not limited to a French drain connected to the existing culvert system in the vicinity of 8-10 Hawthorne Lane, or take any other action relative thereto.

Pass any vote or take any act relative thereto.

Motion (Petitioner): *We move that the Town vote to authorize the Department of Public Works to design and install drainage improvements, include a French drain system tied into the existing culvert, in the Hawthorne Lane area to mitigate recurrent flooding and to appropriate such funds as may be necessary, or take any other action relative thereto.*

Vote Needed: Simple Majority

COMMUNITY PRESERVATION FUNDS

ARTICLE: 19 Community Preservation Funds *Sponsor: Community Preservation Committee*

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 but not to exceed 5% of the estimated annual revenues for Fiscal Year 2027, for committee administrative expenses and other expenses in the fiscal year beginning on July 1, 2026.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Community Preservation Committee recommends Approval.

Motion (Community Preservation Committee): *We move that the Town vote to reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for Committee-sponsored projects and expenses in the Fiscal Year 2027, with each item to be considered a separate reservation:*

*From the Fiscal Year 2027 estimated revenues for the Recreation Reserve
\$211,000 (TWO HUNDRED ELEVEN THOUSAND DOLLARS)*

*From the Fiscal Year 2027 estimated revenues for the Historic Resources Reserve
\$211,000 (TWO HUNDRED ELEVEN THOUSAND DOLLARS)*

*From the Fiscal Year 2027 estimated revenues for the Community Housing Reserve
\$211,000 (TWO HUNDRED ELEVEN THOUSAND DOLLARS)*

*From the Fiscal Year 2027 estimated revenues for the Open Space Reserve
\$211,000 (TWO HUNDRED ELEVEN THOUSAND DOLLARS)*

*From the Fiscal Year 2027 estimated revenues for the Budgeted Reserve
\$1,267,000 (ONE MILLION TWO HUNDRED SIXTY SEVEN THOUSAND
DOLLARS)*

Vote Needed: Simple Majority

**ARTICLE: 20 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 Community Preservation budget for Fiscal Year 2027; and, further to appropriate from the Community Preservation Fund, a sum or sums of money or borrow pursuant to Chapter 44B, Section 11 of the Massachusetts General Laws, or any other enabling authority, for the following Community Preservation projects or purposes, including the acquisition of interests in land, all as recommended by the Community Preservation Committee, and to authorize the Town to enter into all agreements and execute any and all instruments necessary to acquire, convey or accept, as the case may be, appropriate historic preservation for historic resources and conservation restrictions for open space, in accordance with General Laws chapter 184, to comply with the requirements of General Laws chapter 44B, §12 for the same:

Item	Project
A	Amend Uses of Cricket/Baseball Field Grant
B	Headstone Preservation at Town Cemeteries
C	Phase 1 of Rehabilitation of 11 Ash Street Building
D	Benches and Picnic Tables at Various Parks and Recreation Facilities
E	Lighting at the Pickleball/Tennis Court at Fruit Street Fields
F	Restoration of the Floor in the Library's Ellsworth Conference Room

G	Restoration of the Limestone Entrance at Town Hall
H	Land Purchase: Winter Street, Assessors Map R16-20-0
I	Land Purchase: 280 Cedar Street, Assessors Map R4-17-0

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
 Appropriation Committee recommendation will be made at Town Meeting.
 Capital Improvement Committee recommends Approval, with the exception of Items A and C.
 Community Preservation Committee recommends Approval.

Motion #1 – Non-Land Purchase Articles: (Community Preservation Committee)

We move that the Town vote, pursuant to Chapter 44B of the Massachusetts General Laws, to accept the report and recommendations of the Community Preservation Committee on the Fiscal Year 2027 Community Preservation budget, and to appropriate the following sums from Community Preservation Fund available funds for the following projects:

- A. Amend the allowable uses of the Community Preservation Committee grant approved at the May 1, 2023 Annual Town Meeting, Article 24, Item J, to include the study of alternate locations for the cricket field and/or the baseball field and prepare engineering drawings, seek town board approval, and construction bid documents for the new or revised location, said finding to be subject to the following conditions: 1. Total authorized by this and Fiscal Year 2024 vote is \$1,000,000. 2. That the grant expires on July 1, 2027 unless otherwise extended by the Community Preservation Committee. 3. Grant to be spent under the joint direction of the Parks and Recreation Commission and The Community Preservation Committee. 4. That a memorandum of understanding is accepted by the applicant (Parks and Recreation Commission) acknowledging compliance with CPC requirements. 5. A project budget and schedule is submitted to the Community Preservation Committee prior to the expenditure of awarded funds.

- B. \$20,000 (TWENTY THOUSAND DOLLARS) from funds reserved Historical Preservation for Headstone Preservation at Town Cemeteries to include but not limited to: Bear Hill, Mt. Auburn, Clinton St, Evergreen and Main Street with the following conditions: 1. That the grant expires on July 1, 2028 unless extended by the Community Preservation Committee. 2 Grant to be spent under the joint direction of the Cemetery Commission and the Community Preservation Committee. 3. That a memorandum of understanding is accepted by the applicant (Cemetery Commission) acknowledging compliance with CPC requirements. 4. A project budget and schedule is submitted to the Community Preservation Committee prior to expenditure

of awarded funds.

- C. \$2,400,000 (TWO MILLION FOUR HUNDRED THOUSAND DOLLARS) from funds reserved for Historical Preservation and Undesignated Reserve for Phase 1 of Rehabilitation of building at 11 Ash Street, with the rehabilitated building to become a shared resource for town departments, with Parks and Recreation, Youth and Family Services and an Art hub. Phase 1 to include demolition of hazardous waste material and demolition work oversight. The award of funds is subject to the following conditions: 1. That the grant expires on July 1, 2029 unless extended by the Community Preservation Committee. 2. Grant to be spent under the joint direction of the Permanent Building Committee and the Community Preservation Committee. 3. That a memorandum of understanding is accepted by the applicant (Permanent Building Committee) acknowledging compliance with CPC requirements. 4. A project budget and schedule is submitted to the Community Preservation Committee prior to expenditure of awarded funds.
- D. \$25,000 (TWENTY-FIVE THOUSAND DOLLARS) funds reserved for Recreation Reserve for benches and picnic tables at various parks and recreation facilities. Locations to include: Town Common, Sandy Beach and EMC Park/Skate park. The award is subject to the following conditions: 1. That the grant expires on July 1, 2028 unless extended by the Community Preservation Committee. 2. Grant to be spent under the joint direction of the Parks and Recreation Commission and the Community Preservation Committee. 3. That a memorandum of understanding is accepted by the applicant (Parks and Recreation Commission) acknowledging compliance with CPC requirements. 4. A project budget and schedule is submitted to the Community Preservation Committee prior to expenditure of awarded funds.
- E. \$250,000 (TWO HUNDRED FIFTY THOUSAND DOLLARS) from funds reserved for Recreation Reserve for Lighting at the Pickleball/Tennis Court at Fruit Street Fields, with such award being subject to the following conditions: 1. That the grant expires on July 1, 2028 unless extended by the Community Preservation Committee. 2. Grant to be spent under the joint direction of the Parks and Recreation Commission and the Community Preservation Committee. 3. That a memorandum of understanding is accepted by the applicant (Parks and Recreation Commission) acknowledging compliance with CPC requirements. 4. A project budget and schedule is submitted to the Community Preservation Committee prior to expenditure of awarded funds.
- F. \$25,000 (TWENTY-FIVE THOUSAND DOLLARS) from funds reserved for Historical Preservation for the restoration of the floor in the Library's Ellsworth Conference Room as the Historical Commission has deemed the building to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2028 unless extended by the Community Preservation Committee. 2. Grant to be spent under the joint direction of Hopkinton Public Library and the Community Preservation Committee. 3. That a memorandum of understanding is accepted by the applicant (Hopkinton Public Library) acknowledging compliance with CPC requirements. 4. A project budget and schedule is submitted to the Community Preservation Committee prior to expenditure of awarded funds.

- G. \$10,000 (TEN THOUSAND DOLLARS) from funds reserved for Historical Preservation for the restoration of the limestone entrance at 18 Main Street Town Hall as the Historical Commission has deemed the building to be Historically Significant, with the following conditions: 1. That the grant expires on July 1, 2028 unless extended by the Community Preservation Committee. 2. Grant to be spent under the joint direction of the Facilities & Engineering Department and the Community Preservation Committee. 3. That a memorandum of understanding is accepted by the applicant (Facilities & Engineering Department) acknowledging compliance with CPC requirements. 4. A project budget and schedule is submitted to the Community Preservation Committee prior to the expiration of awarded funds.

Vote Needed: Simple Majority

Motion #2 – Land Purchase Articles: (Community Preservation Committee) *We move that the Town vote, pursuant to Chapter 44B of the Massachusetts General Laws, to accept the report and recommendations of the Community Preservation Committee on the Fiscal Year 2027 Community Preservation budget, and to appropriate the following sums from Community Preservation Fund available funds for the following projects:*

- H. \$35,000 (THIRTY-FIVE THOUSAND DOLLARS) from funds reserved for Open Space Reserve for the land purchase, legal fees and surveying costs of the Congregation Church Property (Winter Street, Assessors Map R16-20-0), with the following conditions: 1. That the grant expires on July 1, 2027 unless extended by the Community Preservation Committee. 2. Grant to be spent under the joint direction of the Town Manager's Office and the Community Preservation Committee. 3. Grant includes all legal, administrative and survey cost for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years that allows trails to be constructed. Land will be held by the Open Space Preservation Commission.
- I. \$225,000 (TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS) from state grant account #2601222-579900-ELMFM and the Open Space Reserve for the land purchase, legal fees, planning study to divide the parcel and surveying costs of the Carbone Property (280 Cedar Street, Assessors Map R4-17-0), with the following conditions: 1. That the grant expires on July 1, 2028 unless extended by the Community Preservation Committee. 2. Grant to be spent under the joint direction of the Town Manager's office and the Community Preservation Committee. 3. Grant includes all legal, administrative and survey cost for the purchase of the land and the division of land to identify the CPC - funded area. 4. That a planning study be conducted to determine the open space boundaries of the parcel. 5. That a Conservation Restriction be placed on the open space portion of the land within six years that allows trails to be constructed. 6. The Land to be acquired will be held by the Open Space Preservation Commission. 7. That the Town funds the remainder of the purchase price. 8. The Ashland parcel is included. 9. The Open Space portion is 5 +/- acres parcel and there is access to Cedar Street and ability to use parking on the other parcel.

Vote Needed: Simple Majority

ZONING BYLAW AMENDMENTS

ARTICLE: 21 **Amend MBTA Communities Multi-Family Overlay District (MCMOD) Bylaw** *Sponsor: Planning Board*

To see if the Town will vote to amend Zoning Bylaw, Chapter 210, Article XXXVI, by implementing the changes as depicted in the following:

ARTICLE XXXVI

MBTA Communities Multi-Family Overlay District (MCMOD) Bylaw

§ 210-251. Purpose and Intent.

The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:

- A. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels.
- B. Locate housing within walking distance of public transit and other amenities to promote general public health, reduce the number of vehicular miles traveled, support economic development, and meet community-based environmental goals, including reducing greenhouse gasses and improving air quality.
- C. Support and encourage further public investment in public transit and pedestrian- and bike-friendly infrastructure.
- D. Increase the municipal tax base through private investment in new residential developments.

§ 210-252. Establishment and Applicability.

This MCMOD is an overlay district having a land area of approximately ~~54.6~~ **54.9** acres in size that is superimposed over the underlying zoning district(s) and is shown on the Zoning Map.

- A. Applicability of MCMOD.
An applicant may develop multi-family housing located within a MCMOD in accordance with the provisions of this Article.
- B. Subdistricts.
The MCMOD is composed of ~~three (3)~~ **two (2)** subdistricts, as defined by the Assessor Parcel numbers below and shown on the MBTA Communities Multi-family Overlay

(1) The Preserve Subdistrict
Map R4 Block 8 Lot 0

(2) Downtown- **Walcott Valley** Subdistrict

Map U11 Block 23 Lot 0

Map U16 Block 80 Lot 0

Map U16 Block 85 Lot 0

Map U16 Block 86 Lot 0

Map U16 Block 86 Lot A

Map U16 Block 87 Lot 0

Map U16 Block 87 Lot A

~~**Map U16 Block 88 Lot 0**~~

Map U16 Block 97 Lot 0

Map U16 Block 98 Lot 0

Map U16 Block 99 Lot 0

Map U16 Block 107 Lot 0

Map U16 Block 108 Lot 0

Map U16 Block 109 Lot 0

Map U16 Block 110 Lot 0

Map U16 Block 111 Lot 0

Map U16 Block 115 Lot 0

Map U16 Block 116 Lot 0

Map U16 Block 117 Lot 0

Map U16 Block 118 Lot 0

Map U16 Block 121 Lot 0

Map U16 Block 124 Lot 0

Map U16 Block 125 Lot 0

Map U16 Block 127 Lot 0

Map U16 Block 128 Lot 0

Map U16 Block 129 Lot 0

Map U16 Block 130 Lot 0

Map U16 Block 131 Lot

Map U16 Block 144 Lot 0

Map U16 Block 145 Lot 0

Map U16 Block 146 Lot 0

Map U16 Block 147 Lot 0

Map U16 Block 148 Lot 0

Map U16 Block 149 Lot 0

Map U16 Block 151 Lot 0

Map U16 Block 152 Lot 0

Map U16 Block 153 Lot 0

Map U16 Block 153 Lot 4

Map U16 Block 220 Lot 0

Map U16 Block 221 Lot 0

Map U16 Block 222 Lot 0

Map U16 Block 223 Lot 0

Map U16 Block 250 Lot 0

Map U16 Block 254 Lot 0

Map U16 Block 255 Lot 0

Map U16 Block 256 Lot 0

Map U16 Block 257 Lot 0

~~(3) **Walcott Valley Subdistrict**~~

~~**Map U11 Block 23 Lot 0**~~

C. Underlying Zoning.

The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right or by special permit in the MCMOD. Uses that are not identified in Section 210-254 are governed by the requirements of the underlying zoning district(s).

§ 210-253. Definitions.

For purposes of this Article, the following definitions shall apply to MCMOD developments:

Affordable housing unit. A dwelling unit that qualifies as a Local Initiative Unit under the

Commonwealth's Local Initiative Program (760 CMR 45.00) and meets the requirements of a subsidized housing unit for purposes of listing in the Subsidized Housing Inventory under GL. C.40B Sec. 20-23.

Affordable housing. Housing that contains Affordable Units as defined by this Article.

Applicant. A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

As-of-right. Development that may proceed under the Zoning Bylaw in place at the time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Compliance Guidelines. Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act as further revised or amended from time to time.

Dwelling unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EOHLC. The Massachusetts Executive Office of Housing and Livable Communities (formerly known as Department of Housing and Community Development, or DHCD), or any successor agency.

Mixed-use development. Development containing a mix of residential uses and non-residential uses, including, commercial, institutional, industrial, or other uses.

Multi-family housing. A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.

Multi-family zoning district. A zoning district, either a base district or an overlay district, in which multi-family housing is allowed as of right.

Open Space. Open space shall consist of landscaping, naturally vegetated areas, trails, and/or shared open areas with permeable hardscape. All open space must be an outdoor area on the ground, outside of the building footprints, which is open to the sky and which is designed and used for outdoor living and/or recreation and shall not include parking or vehicle circulation areas. Vegetated and/or landscaped setbacks may be included as Open Space.

Parking, structured. A structure in which vehicle parking is accommodated on multiple stories; a vehicle parking area that is underneath all or part of any story of a structure; or a vehicle parking area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Parking, surface. One or more parking spaces without a built structure above the space. A solar panel designed to be installed above a surface parking space does not count as a built structure for the purposes of this definition.

Section 3A. Section 3A of the Zoning Act.

Special permit granting authority. The Special Permit Granting Authority shall include the Select Board, Board of Appeals, or the Planning Board, as designated by the Zoning Bylaw for the issuance of special permits.

Sub-district. An area within the MCMOD that is geographically smaller than the MCMOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

§ 210-254. Permitted Uses.

A. Uses Permitted As-of-Right. The following uses are permitted as-of-right within the MCMOD.

(1) Multi-family housing.

B. Uses Permitted by Special Permit. The following uses require a Special Permit from the Planning Board.

(1) Mixed-use development. Uses that may be allowed in a mixed-use development are as follows:

a. Ground Floor: Community space; Educational uses; Personal services; Retail; Experiential retail, including retail associated with dance or exercise studios, music studios, photography studios, or other combination of education, services, and retail; Restaurant, café, and other eating establishments without a drive-through; Office, professional office, medical and dental offices, and co-working space Artists' studios, maker space, and small-scale food production (no more than 5,000 sf), and retail associated with each use.

b. Any Floor: Residential.

C. Accessory Uses. The following uses are considered accessory as-of-right to any of the by-right or permitted uses in Section 210-254.A or 210-254.B.

(1) Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

(2) Any use meeting the definition of "Accessory Use" under §210-4 of this Chapter.

§ 210-255. Dimensional Standards.

A. Dimensional Standards.

Notwithstanding anything to the contrary in this Zoning Bylaw, the dimensional requirements applicable in the MCMOD are as follows:

(1) The Preserve Subdistrict

- a. Minimum Lot Size: 15,000 square feet.
- b. Maximum Height: 40 feet.
- c. Minimum Open Space: 30%.
- d. Floor Area Ratio: N/A.
- e. Maximum Lot Coverage: 45%.
- f. Minimum Frontage: 100 feet.
- g. Front Yard Setback: 30 feet.
- h. Side Yard Setback: 10 feet.
- i. Side Yard Setback abutting residential lots: 20 feet.
- j. Rear Yard Setback: 20 feet.
- k. Maximum Dwelling Units per Acre: 15 units.

(2) Downtown- **Walcott Valley** Subdistrict

- a. Minimum Lot Size: 5,000 square feet.
- b. Maximum Height: 35 feet.
- c. Minimum Open Space: None.
- d. Floor Area Ratio: N/A.
- e. Maximum Lot Coverage: 75%.
- f. Minimum Frontage: 50 feet.
- g. Front Yard Setback: 5 feet.
- h. Side Yard Setback: 0 feet.
- i. Side Yard Setback abutting residential districts or lots: 10 feet.
- j. Rear Yard Setback: 20 feet.
- k. Maximum Units per Acre: 15.

~~(3) Walcott Valley Subdistrict~~

- ~~a. Minimum Lot Size: 15,000 square feet.~~
- ~~b. Maximum Height: 40 feet.~~
- ~~c. Minimum Open Space: 30%.~~
- ~~d. Floor Area Ratio: N/A.~~
- ~~e. Maximum Lot Coverage: 45%.~~
- ~~f. Minimum Frontage: 100 feet.~~
- ~~g. Front Yard Setback: 30 feet.~~
- ~~h. Side Yard Setback: 10 feet.~~
- ~~i. Side Yard Setback abutting residential lots: 20 feet.~~
- ~~j. Rear Yard Setback: 20 feet.~~
- ~~k. Maximum Dwelling Units per Acre: 15 units.~~

B. Multi-Building Lots. In the MCMOD, lots may have more than one principal building.

C. Exceptions. The limitation on height of buildings shall not apply to chimneys, ventilators, mechanical equipment, towers, silos, or spires, whose features are in no way used for human occupancy and do not constitute more than 25% of the ground floor area of the

building.

- D. Exceptions - Renewable Energy Installations. The Planning Board or Special Permit Granting Authority may waive the height and setbacks in Section 210-255.E. Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.
- E. Planning Board Authority to Waive Provisions
The Planning Board shall have the authority to waive provisions of Section 210-255.A, upon a determination that such action is in the public interest and a waiver would be consistent with the purpose and intent of this Article.

§ 210-256. Off-Street Parking.

These parking requirements are applicable to development in the MCMOD.

- A. Number of Parking Spaces. The following maximum number of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:
 - (1) Multi-family: 1.25 parking spaces per dwelling unit.
 - (2) Mixed-Use/Commercial (non-residential): 2 parking spaces per 1,000 sf GFA.
- B. Bicycle Parking. The following minimum number of covered bicycle storage spaces shall be provided by use:
 - (1) Multi-family: 1 space per dwelling unit.
 - (2) Mixed-Use/Commercial (non-residential): 2 spaces per 1,000 sf GFA.
- C. Bicycle Storage. For a multi-family development of 25 units or more, or a mixed-use development of 25,000 square feet or more, at least 25% of the required bicycle parking spaces shall be covered and integrated into the structure(s) of the building(s).
- D. Electric Vehicle Parking. Where applicable, the proposed development shall comply with Section 210-124.1 of the Zoning Bylaw.
- E. Shared Parking within a Mixed-Use Development. Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process, if the applicant can demonstrate that shared spaces will meet parking demand by using accepted methodologies.

§ 210-257. General Development Standards.

- A. Applicability. Development standards in the MCMOD are applicable to all multi-family development within the MCMOD. These standards are components of the Site Plan

Review process in Section 210-259, Site Plan Review.

B. Site Design.

- (1) Connections. Sidewalks shall provide direct connections among building entrances, the public sidewalk (if applicable), bicycle storage, and parking. Additionally, sidewalks shall be provided along the entire frontage of the subject property along existing public ways. The Planning Board may approve alternative provisions or waive the requirements of this Standard in situations where sidewalk construction or use is not feasible or practical.
- (2) Vehicular access. Where feasible, curb cuts shall be minimized, and shared driveways encouraged.
- (3) Open Space.
 - a. Within the The Preserve ~~and Walcott Valley~~ Subdistricts, a minimum of thirty percent (30%) of the parcel shall be provided as open space.
 - b. MCMOD developments in the Downtown- Walcott Valley Subdistrict may provide common space for residents as part of the development, however, the open space requirement shall not apply to these developments.
 - c. Open space shall be used solely for recreation (active or passive), conservation, or agriculture purposes by residents and/or the public. Trails are considered an acceptable use. Where appropriate, multiple uses of open space is encouraged.
 - d. All landscaped and hardscaped areas shall be permanently maintained with proper care, so that residents may utilize these areas as designed.
 - e. Open space may not be used for components of sewage disposal systems serving the development, unless the areas containing these systems have been designed and constructed to support viable passive recreational opportunities, and that these passive recreational opportunities are allowed by the property owner/property manager.
 - f. The required setbacks shall be maintained in a landscaped or naturally vegetated state, intended to screen and buffer the development from abutting and neighboring uses and may be included within the open space. This vegetated setback requirement may be eliminated where the proposed development abuts existing permanent open space.
- (4) Screening for Parking. Surface parking adjacent to a public sidewalk or residentially-zoned land shall be screened by a landscaped buffer of sufficient width to allow the healthy establishment of native trees, shrubs, and/or perennials, but no less than ten feet. The buffer may include a fence or wall of no more than six feet in height unless there is a significant grade change between the parking and the sidewalk.
- (5) Parking Surface Materials. The parking surface may be concrete, asphalt, bricks, or

pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.

- (6) Plantings. Plantings shall only include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, shall be prohibited.
- (7) Lighting. On-site lighting shall conform to the provisions of Section 210-136.1.N of the Zoning Bylaw.
- (8) Mechanicals. Mechanical equipment at ground level shall be screened by fencing and/or plantings, or a combination thereof. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.
- (9) Dumpsters. Dumpsters shall be screened by fencing and/or plantings, or a combination thereof. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.
- (10) Stormwater management. The proposed stormwater management system for the development shall conform to strategies that demonstrate compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and additional requirements under the Hopkinton MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal stormwater system. An Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements shall be provided to the Planning Board.

C. Buildings: General.

- (1) Position relative to principal street. The primary building shall have its principal façade and entrance facing the principal street. See also Section 210-257.G. Buildings: Corner Lots.
- (2) Entries. Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.

D. Buildings: Multiple buildings on a lot.

- (1) For a mixed-use development, uses may be mixed within the buildings or in separate buildings.
- (2) Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- (3) A paved pedestrian network shall connect parking to the entries to all buildings and

- the buildings to each other, as well as to the sidewalk along the frontage of the property, unless otherwise waived by the Planning Board.
- (4) The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.
 - (5) The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.
- E. Buildings: Mixed-use development.
- (1) In a mixed-use building, access to and egress from the residential component shall be clearly differentiated from access to other uses. Such differentiation may occur by using separate entrances or egresses from the building or within a lobby space shared among different uses.
 - (2) Paved pedestrian access from the residential component shall be provided to residential parking and amenities and to the public sidewalk, as applicable.
 - (3) Materials for non-residential uses shall be stored inside or under cover and shall not be accessible to residents of the development.
 - (4) Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- F. Buildings: Shared Outdoor Space. Multi-family housing and mixed-use development shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, terrace, or Open Space. Shared outdoor space within the footprint of a building shall not count towards the project's minimum Open Space requirement.
- G. Buildings: Corner Lots. A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.
- (1) Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
 - (2) All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.
 - (3) Fire exits serving more than one story shall not be located on either of the street-facing façades.
- H. Buildings: Infill Lots. If the adjacent buildings are set back at a distance that exceeds the minimum front yard requirements, infill buildings shall meet the requirements of Section 210-255. Dimensional Standards. Otherwise, infill buildings may match the setback line of either adjacent building, or an average of the setback of the two buildings to provide consistency along the street.
- I. Buildings: Principal Façade and Parking. Parking shall be subordinate in design and

location to the principal building façade.

- (1) Surface parking. Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
- (2) Integrated garages. The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.
- (3) Parking structures. Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings or mixed-use development shall be subordinate in design and placement to the multi-family or mixed-use building(s) on the lot.

J. Planning Board Authority to Grant Waivers. Upon the request of the Applicant and subject to conformance with Section 210-255. Dimensional Standards and the Compliance Guidelines, the Planning Board may waive the requirements of this Section 210-257. General Development Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD.

§ 210-258. Affordability Requirements

- A. Any development within the MCMOD shall conform to the requirements of Article XI, Inclusionary Development, of these Zoning Bylaws, with the exception that the MCMOD shall require 10% of the total units be established as affordable housing units and where fractional units are the result, the number of affordable units shall be rounded down to the nearest whole number where the calculation of 10% of the units results in a half-unit (0.5) or less. Where the calculation of 10% of the units results in more than a half-unit, the number of units shall be rounded up to the nearest whole number. For example, in MCMOD developments of 15 units, one affordable unit (as defined in Chapter 210) shall be created (1.5 units rounded down to one unit); in developments of 16 units, two affordable units shall be created (1.6 units rounded up to two units); and so on.
- B. In the event that the Executive Office of Housing and Livable Communities (EOHLC) determines that the calculation detailed above does not comply with the provisions of Section 3A of MGL c.40A, the following standard shall apply.

- (1) Any development within the MCMOD shall conform to the requirements of Article XI, Inclusionary Development, of these Zoning Bylaws, with the exception that the MCMOD shall require 10% of the total units be established as affordable housing units and where fractional units are the result, the number of affordable units shall be rounded down to the next whole number. For example, in MCMOD developments of 12 units, one affordable unit (as defined in Chapter 210) shall be created (1.2 units rounded down to one unit); in developments of 17 units, one affordable unit shall be created (1.7 units rounded down to one unit); and so on.

§210-259. Site Plan Review.

- A. Applicability. Site Plan Review is required for any project proposed within the MCMOD.

An application for Site Plan Review shall be reviewed by the Permitting Authority (Planning Board) for consistency with the purpose and intent of Sections 210-254. Permitted Uses through 210-258. Affordability.

- B. Submission Requirements. As part of any application for Site Plan Review for a project within the MCMOD, the Applicant must submit the following documents to the Planning Board:
- (1) Application and fee for Site Plan Review.
 - (2) Site plans that show the position of the building on the site, points of vehicular access to and from the site and vehicular circulation on the site, stormwater management, utilities, and landscape treatments, including any screening of adjacent properties, and other information commonly required by Municipality for Site Plan Review.
 - (3) Elevations of the building(s) showing the architectural design of the building.
 - (4) All site plans shall be prepared by a certified architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts. All landscape plans shall be prepared by a certified landscape architect registered in the Commonwealth of Massachusetts. All building elevations shall be prepared by a certified architect registered in the Commonwealth of Massachusetts. All plans shall be signed and stamped, and drawings prepared at a scale of one inch equals forty feet (1"=40') or larger, or at a scale as approved in advance by the Planning Board.
 - (5) Narrative of compliance with the applicable design standards of this Article.
- C. Timeline. The Planning Board shall hold a public hearing within 65 days of the filing of any application for a MCMOD Site Plan and shall file a decision within 90 days of the close of the hearing. Notice of the time, place, and subject matter of the public hearing shall be given by the Planning Board, at the expense of the Applicant, to the Applicant and to all owners of land abutting the land being the subject of such application as appearing on the most recent tax list on file at the Assessors Office. In addition, the Planning Board shall also give notice of the time, place, and subject matter of the public hearing, at the expense of the Applicant, by advertisement in a newspaper of general circulation in the Town, once in each of two successive weeks, the first publication being not less than 14 days before the day of such hearing. The Planning Board may, when appropriate, seek the input of other municipal boards or officials. In general, site plan review should be completed no more than six months after the submission of the application, unless extended by written permission of the Applicant.
- D. Site Plan Approval. Site Plan approval for uses listed in Section 210-254. Permitted Uses shall be granted upon determination by the Planning Board that the following conditions have been satisfied. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied.
- (1) The Applicant has submitted the required fees and information as set forth in Hopkinton's requirements for a Building Permit and Site Plan Review; and
 - (2) The project as described in the application meets the development standards set forth in Section 210-257. General Development Standards, unless any requirements

have been waived by the Planning Board.

- E. Project Phasing. An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Planning Board, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Section 210-258. Affordability Requirements.

Section 210-260. Severability.

If any provision of this Article is found to be invalid by a court of competent jurisdiction, the remainder of Article shall not be affected but shall remain in full force. The invalidity of any provision of this Article shall not affect the validity of the remainder of the Hopkinton Zoning Bylaw.

Pass any vote or take any act relative thereto.

Required Recommendations: Planning Board recommends Approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 21 of the 2026 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

ARTICLE: 22	Fees-in-Lieu-of Affordable Housing Unit	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend Zoning Bylaw, Chapter 210, Article XI, Section 62 by implementing the changes as depicted in the following:

§ 210-62. Fees-in-Lieu-of Affordable Housing Unit Provision.

- A. The Planning Board may authorize an applicant, as a condition for the grant of a Special Permit to contribute funds to the Town of Hopkinton Affordable Housing Trust Fund to be used for the development of affordable housing in lieu of constructing and offering affordable units within the locus of the proposed development or at an off-site locus only if allowed by the Planning Board through the grant of a Special Permit.
 - (1) Calculation of fee-in-lieu-of units. For each affordable unit not constructed or provided through one or a combination of the methods specified in this Article, the fee shall be an amount equal to **the difference between the median single-family home sales price in Hopkinton for the most recent calendar year and** the purchase price of a three-bedroom home that is affordable to a qualified affordable housing unit purchaser, as contained in the LIP guidelines regardless of what type of dwelling units are proposed, approved or constructed in the development.

~~CENTRAL STATION — An office to which remote alarm and supervisory signaling devices are connected and where operators supervise alarms and transmit them to the Hopkinton Fire Department.~~

~~FIRE ALARM MALFUNCTION — The transmittal of a fire alarm to a central station, alarm monitoring service or directly to the Hopkinton Fire Department, which alarm is caused by improper installation of a fire alarm system, a mechanically defective fire alarm system, lack of maintenance or some other reason that causes a fire alarm to sound even though there is no actual fire or situation that reasonably could evolve into a fire.~~

~~FIRE ALARM SYSTEM — Any heat activated, smoke activated, flame energy activated or other such automatic device capable of transmitting a fire alarm signal to a central station, to an alarm monitoring service or to the Hopkinton Fire Department.~~

~~FIRE ALARM SYSTEM OWNER — An individual or entity which owns the title to and/or has on their business or residential premises a fire alarm system equipped to send a fire alarm signal to a central station, to an alarm monitoring service or directly to the Hopkinton Fire Department.~~

~~FIRE CHIEF — The Chief of the Hopkinton Fire Department or designated representative.~~

§ 55-10. Fines for system malfunctions.

If there is a fire alarm system malfunction, the Fire Chief may assess a fine against a fire alarm system owner for each malfunction occurring during any 12 month period according to the following schedule:

- A. Amount of fine.
 - (1) First through third malfunction: no charge. Upon recording of the third false alarm by the Hopkinton Fire Department, the Fire Chief shall notify the owner of the building, in writing ~~and by certified mail or by email to an acknowledged account~~, of such fact, and at that time inform the owner of this article and of the Department's policy with regard to the charging for false alarms.
 - (2) Fourth ~~through sixth malfunction and above~~: \$250.
- B. Any false alarm which is the result of the failure of the property owner, occupant or their agents to notify the Hopkinton Fire Department of repair, maintenance or testing of an internal fire alarm system within the protected premises shall cause a penalty to be assessed in accordance with Subsection A of this section.
- C. For the purposes of this article, a false alarm shall be defined as follows:
 - 1. The operation of a faulty smoke or heat detection device.
 - 2. Faulty control panel or associated equipment.
 - 3. A water pressure surge in an automatic sprinkler equipment.
 - 4. Accidental operation of an automatic sprinkler system.
 - 5. An action by an employee of the owner or occupant of the protected premises or a contractor employed by the owner or the occupant, causing accidental activation of an internal fire alarm system.

- D. Property owners will be billed once a month for the malfunction activity occurring during the previous month. All fines assessed hereunder shall be paid to the Town Treasurer for deposit into the general fund.

§ 55-11. Appeal procedure.

Any fire alarm system owner who is aggrieved by an action taken by the Fire Chief under this article may, within 10 days of such action, file an appeal, in writing, to the Select Board of the Town of Hopkinton (the Board). After public notice, the Board shall hold a hearing, after which it may suspend, affirm, annul or modify the action taken by the Fire Chief giving its written reasons therefore. The Board shall send its decision to the owner by first class mail within 10 days after the hearing. The decision of the Board shall be a final administrative decision. The owner shall have 30 days from the date of the written decision to seek judicial review in a court of appropriate jurisdiction.

§ 55-12. Adoption of regulations and legal action by the Fire Chief.

The Fire Chief may promulgate such regulations as may be required or as may be necessary to implement this article. The Fire Chief is authorized to pursue such legal action as may be necessary or advisable to enforce this article in accordance with Massachusetts law.

~~§ 55-13. Disconnection upon failure to pay fine; proceedings~~

~~Failure to pay a fine assessed under this article within 60 days may result in disconnection of the fire alarm system. In such event, notice may be sent to the owner's insurance company and other appropriate code officials. The Town of Hopkinton may then initiate collection proceedings available to it under law.~~

§ 55-13 14. Severability.

The provisions of this article shall be deemed to be severable, and if any of its provisions shall be held unenforceable by any law court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

Pass any vote or take any act relative thereto.

Motion (Select Board): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 23 of the 2026 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

To see if the Town will vote to amend Chapter 174, Article VII, “Driveways”, of the General Bylaws by implementing the changes depicted in the following:

ARTICLE VII
Driveways

§ 174-25. Construction of Driveways.

This Article shall apply to all driveway permits issued after the adoption of this Article. No driveway permit shall be issued unless the requirements of this Article shall have been complied with. The provisions of this Article shall not apply to roadways or driveways in Garden Apartment or Village Housing developments, **or roadways and driveways approved by the Planning Board by site plan, subdivision approval, or special permit.**

§ 174-26. Permits.

Any person, organization, public agency or other entity proposing the construction of a **new** driveway **on a public way or modifying an existing driveway with access within the public right-of-way** shall first obtain a driveway permit from the Department of Public Works. The Department may require the submission of an application, fee, and other materials containing such information which it determines to be necessary prior to issuing a permit.

§ 174-27. Regulations

- A. ~~The slope of a driveway within 20 feet of the edge of the pavement of a public or private way shall not exceed 10%.~~ **Design and construction of driveways shall be in compliance with publicly available driveway specifications issued by the Department of Public Works, Fire Department, and the Town’s Subdivision Rules & Regulations.**

- B. No driveway for which a permit has been issued under this Article shall be constructed or maintained so as to allow the discharge of stormwater runoff onto a public ~~or private~~ way of the Town, including the travel way, parking lanes, sidewalk, or other public appurtenances thereto, and thereby to cause flooding, icing, erosion or sedimentation, accumulation of debris, or other negative effects that unreasonably impair the use and function of the way. If, in the opinion of the Director of Public Works (the “DPW Director”), the use and function of a way has been so impaired, the property owner shall be responsible for mitigating the condition by implementing such measures as are necessary to prevent the discharge onto the way. Prior to the implementation of mitigation measures, the owner may consult the DPW Director to review any measures that would be implemented outside the way. Any measures which would be

implemented within the layout of the way must be approved in advance by the DPW Director.

- C. As part of its driveway permit review process, the Department of Public Works (DPW) shall endeavor to ensure that the roadway opening ~~at the public or private way~~ is adequate for proper public safety emergency vehicle access. As it deems necessary, the DPW may consult with the Fire Department for its input. After issuance of the driveway permit and a Building Permit, the Director of Municipal Inspections shall conduct a site visit to review the layout of the driveway once it is roughed in and before project completion, to ensure that it is adequate for proper public safety emergency vehicle access. The Director of Municipal Inspections shall consult with the Fire Department if it appears that public safety emergency vehicle access may be impaired. In those instances where the Fire Department has been consulted and determines that a public safety emergency vehicle cannot adequately access the property, the driveway permit holder shall prepare a plan for accommodating safety vehicles that is acceptable to the Fire Department and the Director of Municipal Inspections, and shall be responsible for implementing the plan prior to issuance of an occupancy permit for buildings to be serviced by the driveway.
- D. ~~No d~~Driveway permits shall be ~~issued without the written approval of the Fire Department, which may be~~ subject to such conditions as the Fire Department may deem necessary for the protection of the public health and safety. The Fire Department shall prepare publicly available driveway permit guidelines and parameters that it shall consider in its review of ~~every~~ driveway permit application.

§ 174-28. Enforcement

The Director and the Public Works Highway Manager (the "Manager") shall have the authority to enforce this Article. Any person who violates any provision of this Article shall be notified as soon as practicable by the Director or Manager. Such notice shall advise such person that if the violation is not corrected and impacts mitigated within a specified period of time, such person shall be punished by a fine of not more than \$100.00. Each day or portion thereof during which a violation continues after the expiration of the specified time period contained in the notice shall constitute a separate offense. As an alternative to criminal prosecution in a specific case, the Director or Manager may issue a citation under the noncriminal disposition procedure set forth in Chapter 1, Article II of the Town of Hopkinton Bylaws.

Pass any vote or take any act relative thereto.

Motion (DPW Director): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 24 of the 2026 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

ARTICLE: 25 Amend Bylaw to Expand Uses of Police Revolving Fund

Sponsor: Town Accountant

To see if the town will vote to amend Chapter 13, Finances, of the General Bylaws of the Town of Hopkinton, Article VI, Section 13-15 entitled “Authorized Revolving Funds”, for the purpose of expanding the credited funds and uses of the Police Department revolving fund for use by certain Town departments, boards, committees or officers, pursuant to Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, as follows:

Revolving Fund	Department, Board, Committee or Officer Authorized to Spend from Fund	Fees, Charges, or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Other Requirement s/ Reports	Fiscal Years
Police Department	Police Chief, <u>Deputy Police Chief,</u> and Police Lieutenants	Detail Administrative <u>and cruiser</u> fees	To meet expenses of the Police Department related to scheduling, assignment and billing software for detail work <u>and cruiser replacement and maintenance costs.</u>	None	Fiscal Year 2018 and subsequent years

Pass any vote or take any act relative thereto.

Motion (Select Board): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 25 of the 2026 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

ARTICLE DESCRIPTION: The proposed amendment would create an additional revenue stream for cruiser replacements, currently funded with free cash. Revenue from detail administrative fees and cruiser fees would be deposited into the revolving fund to cover detail-related administrative expenses including the annual software cost and allow for replacement cruiser purchases when sufficient funds are available.

ARTICLE: 26 Amend Bylaw to Establish Revolving Fund for Municipal Aggregation Fund Sponsor: Select Board

To see if the town will vote to amend Chapter 13, Finances, of the General Bylaws of the Town of Hopkinton, Article VI, Section 13-15 entitled “Authorized Revolving Funds”, for the purpose of establishing and authorizing a new revolving fund for use by certain Town departments, boards, committees or officers, pursuant to Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, by adding a row to the table in Section 13-15 as follows:

Revolving Fund	Department, Board, Committee or Officer Authorized to Spend from Fund	Fees, Charges, or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Other Requirements/ Reports	Fiscal Years
Municipal Aggregation	Town Manager’s Office	Funds received via the Town’s Municipal Aggregation Program	Energy related expenses	None	Fiscal Year 2027 and subsequent years.

Pass any vote or take any act relative thereto.

Motion (Select Board): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 26 of the 2026 Annual Town Meeting Warrant and to establish the limit on the total amount that may be expended from said revolving fund pursuant to Section 53E½ of Chapter 44 of the Massachusetts General Laws for the Fiscal Year beginning July 1, 2026, as \$60,000 (SIXTY THOUSAND DOLLARS).*

Vote Needed: Simple Majority

ARTICLE DESCRIPTION: The proposed revolving fund would hold revenue collected from the Municipal Aggregation program. The fund will support the Town’s commitment to a Net Zero resolution by 2045. Municipal aggregation “adder” funds may only be used for expenses related to the program and local energy projects. The revolving fund will keep these funds separate to ensure they are spent properly, and for reporting purposes.

ARTICLE: 27 Amend Bylaw to Establish Revolving Fund for Municipal Electric Vehicle Charging *Sponsor: Select Board*

To see if the town will vote to amend Chapter 13, Finances, of the General Bylaws of the Town of Hopkinton, Article VI, Section 13-15 entitled “Authorized Revolving Funds”, for the purpose of establishing and authorizing a new revolving fund for use by certain Town departments, boards, committees or officers, pursuant to Section 53E1/2 of Chapter 44 of the Massachusetts General Laws, by adding a row to the table in Section 13-15 as follows:

Revolving Fund	Department, Board, Committee or Officer Authorized to Spend from Fund	Fees, Charges, or Other Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Other Requirements/ Reports	Fiscal Years
Municipal Electric Vehicle Charging Stations	Town Manager’s Office	Fees, charges and receipts received from use of municipal electric vehicle charging stations	Expenses associated with electric vehicle charging stations, including repair and maintenance.	None	Fiscal Year 2027 and subsequent years.

Pass any vote or take any act relative thereto.

Motion (Select Board): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 27 of the 2026 Annual Town Meeting Warrant and to establish the limit on the total amount that may be expended from said revolving fund pursuant to Section 53E½ of Chapter 44 of the Massachusetts General Laws for the Fiscal Year beginning July 1, 2026, as \$25,000 (TWENTY-FIVE THOUSAND DOLLARS).*

Vote Needed: Simple Majority

ARTICLE DESCRIPTION: The proposed revolving fund would hold the revenue collected from use of future publicly available, municipal EV charging stations for the expenses related to EV charging stations.

ARTICLE: 28 Adopt New Bylaw - Use of Trails and Shared Use Paths *Sponsor: Select Board*

To see if the Town will vote to amend the General Bylaws by adopting a new Chapter 191, Use of Trails and Shared Use Paths, as follows:

Chapter 191

Use of Trails and Shared Use Paths

§191-1. Purpose.

The purpose of this chapter is to allow and regulate the use of vehicles, including electric mobility devices, on certain Town trails in a manner that promotes safety, accessibility, and equitable use while protecting trail and environmental resources.

§191-2. Jurisdiction.

This chapter shall apply to the use of electric mobility devices on trails, shared-use paths located on Town-owned property.

§191-3. Definitions.

ELECTRIC MOBILITY DEVICE - Any device designed to transport a person and powered in whole or in part by an electric motor, including but not limited to electric bicycles, electric scooters, and electric wheelchairs or other personal mobility devices.

SHARED USE PATH - Off-road infrastructure (sometimes also called trails, multi-use paths or bike paths) that are physically separated from motorized vehicle traffic and designed for use by people of all ages and abilities.

VEHICLE - A thing used or capable of being used as a means of transportation of persons or property that move or roll on one or more wheels. For the purposes of this bylaw, the term "vehicle" shall not refer to automobiles, trucks, and the like.

§191-4. Regulations.

A. Electric Mobility Devices.

Electric mobility devices shall be permitted on all Town-owned Shared Use Paths, subject to the requirements of this Chapter. The Trails Committee, following a public hearing, shall designate the Shared Use Paths which will be subject to these regulations, and shall publish and post the names and locations of the designated Shared Use Paths on the Town website.

B. Speed Limit.

A speed limit of 10 miles per hour shall be established on the Shared Use Paths identified in Sec. 191-4.A. The speed limit shall apply to all vehicles, including electric mobility devices. The speed limit shall be posted with signage.

C. Conduct.

No vehicle shall be operated in a manner that endangers or unreasonably interferes with other users or causes avoidable damage to trail surfaces. Operators shall travel at a safe speed

appropriate to conditions, visibility, trail width, and the presence of other users, and shall yield to pedestrians at all times.

§191-5. Enforcement.

The Police Department shall be responsible for the enforcement of this chapter. Enforcement actions shall prioritize education and voluntary compliance. Any person who violates any provision of this chapter may be subject to a written warning for the first violation, a fine of \$100 for the second violation, confiscation of the vehicle for 15 days for the third violation, and confiscation of the vehicle for 6 months for the fourth and subsequent violation.

Pass any vote or take any act relative thereto.

Motion (Select Board): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 28 of the 2026 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority

ARTICLE: 29	Require Civil Fingerprinting for Common Victualler Licensees	<i>Sponsor: Select Board</i>
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To see if the Town will vote to amend Chapter 87, Civil Fingerprinting, of the General Bylaws, by inserting "Common Victualler License" into Section 87-2, as follows:

§ 87-2. Licenses Subject to Fingerprinting.

Any applicant for a license to engage in any of the following occupational activities shall have a full set of fingerprints taken by the Police Department for the purpose of conducting a state and national fingerprint-based criminal history records check:

Ice Cream Truck Vendor

Common Victualler License

Pass any vote or take any act relative thereto.

Motion (Select Board): *We move that the Town take no action on this article.*

Vote Needed: Simple Majority

LAND ACQUISITION AND DISPOSITION

ARTICLE: 30 Lease of 148 Lumber Street

*Sponsor: Historical
Commission*

To see if the Town will vote to authorize the Select Board to lease all or a portion of the town-owned property at 148 Lumber Street, Assessors Map R29 Block 10 Lot D, for a term not to exceed 99 years, subject to the requirements of Chapter 30B of the Massachusetts General Laws, under such terms as it may determine.

Pass any vote or take any other act related thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvement Committee recommends Approval.

Motion (Historical Commission): *We move that the Town vote to authorize the Select Board to lease all or a portion of 148 Lumber Street, Assessors Map R29 Block 10 Lot D for a term not to exceed 99 years, on such terms and conditions as the Select Board deem to be in the best interests of the Town, subject to the requirements of Chapter 30B of the Massachusetts General Laws.*

Vote Needed: Two-Thirds Majority

ARTICLE: 31 Disposition of 0 Woody Island Road

Sponsor: Select Board

To see if the Town will vote to authorize the Select Board, on behalf of the Town, to sell or otherwise dispose of 0 Woody Island Road, as shown on Assessors Map L36 Block 10 Lot 0 consisting of approximately 5,227 square feet of land; as well as all buildings and appurtenances thereon, under such terms as it may determine.

Pass any vote or take any other act related thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvement Committee recommends Approval.

Motion (Select Board): *We move that the Town vote to authorize the Select Board to sell or otherwise dispose of the real property described in Article 31 of the 2026 Annual Town Meeting.*

Vote Needed: Two-Thirds Majority

ARTICLE: 32 Acceptance of Whisper Way as a Public Way Sponsor: Planning Board

To hear the report of the Select Board relative to the laying out of the following named street, under the provisions of General Laws chapter 82, and to see if the Town will vote to accept such street as 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 such acceptance, including such drainage and other ancillary easements as may be necessary for the continued maintenance of the way, and act on all matters relating thereto:

Whisper Way, from Wood Street approximately 995 feet to end.

Pass any vote or take any other act related thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvement Committee recommends Approval.
Planning Board recommends Approval.

Motion (Select Board): *We move that the Town vote to accept the report of the Select Board relative to the laying out and the widening and relocating of Whisper Way and, pursuant to Chapter 82 of the Massachusetts General Laws, to accept that street 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 the laying out of that street as a public way, and further to authorize the Select Board to accept any drainage or other easements that are ancillary to such way. .*

Vote Needed: Two-Thirds Majority

ARTICLE: 33 Acceptance of Linden Street as a Public Way Sponsor: DPW Director

To hear the report of the Select Board relative to the laying out of the following named street, under the provisions of General Laws chapter 82, and to see if the Town will vote to accept such street as and for public ways and to authorize the Select Board to acquire by gift, purchase, or eminent domain any land or interest in land necessary for such acceptance, including such drainage and other ancillary easements as may be necessary for the continued maintenance of the way, and act on all matters relating thereto:

Linden Street, from Curtis Road approximately 560 feet to end.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.

Capital Improvement Committee recommends Approval.
Planning Board recommends Approval.

Motion (Select Board): *We move that the Town vote to accept the report of the Select Board relative to the laying out and the widening and relocating of Linden Street and, pursuant to Chapter 82 of the Massachusetts General Laws, to accept that street 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 the laying out of that street as a public way, and further to authorize the Select Board to accept any drainage or other easements that are ancillary to such way.*

Vote Needed: Two-thirds Majority

ARTICLE: 34 Accept Easement at 64 Grove Street

Sponsor: Director of Public Works & Town Engineer

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain, or otherwise, a permanent easement located as follows:

As shown on a plan entitled "EASEMENT PLAN OF LAND IN HOPKINTON MASSACHUSETTS", prepared by VHB, Inc., a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Hopkinton Assessors' Parcel U19 Lot 154. Said easement to encompass approximately 308 square feet and containing an existing sidewalk.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvement Committee recommends Approval.

Motion (Select Board): *We move that the Town vote to authorize the Select Board to acquire, by gift, purchase, eminent domain, or otherwise, an easement located at 64 Grove Street as shown as "PROPOSED EASEMENT" on a plan entitled "EASEMENT PLAN OF LAND IN HOPKINTON MASSACHUSETTS", prepared by VHB, Inc. and dated April 1, 2026, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Assessors' Parcel U19 Lot 154, and said easement to encompass approximately 308 square feet, containing an existing sidewalk.*

Vote Needed: Two-thirds Majority

**ARTICLE: 35 Grant Easement at 147 Hayden Rowe to
145 Hayden Rowe**

Sponsor: Select Board

To see if the Town will vote to authorize the Select Board to grant an easement located as follows:

As shown on a plan entitled "DRIVEWAY EASEMENT in 147 HAYDEN ROWE ST.", prepared by BSC Group, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Hopkinton Assessors' Parcel U23-32-0. Said easement to be used for a driveway turn around extension for 145 Hayden Rowe.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvement Committee recommends Approval.

Motion (Select Board): *We move that the Town vote to authorize the Select Board grant an easement to 145 Hayden Rowe, Hopkinton Assessors' Parcel U23-31-0, as shown on a plan entitled "DRIVEWAY EASEMENT in 147 HAYDEN ROWE ST.", prepared by BSC Group, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on 147 Hayden Rowe, Hopkinton Assessors' Parcel U23-32-0, said easement to be used for a driveway turn around extension for 145 Hayden Rowe.*

Vote Needed: Two-thirds Majority

**ARTICLE: 36 Grant Easement at 147 Hayden Rowe to
Verizon**

Sponsor: Select Board

To see if the Town will vote to authorize the Select Board to grant an easement located as follows:

As depicted on a plans and other instruments that are available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Hopkinton Assessors' Parcels U23-28-0, U23-32-0, U23-32-0, U23-33-0, U23-35-A and U23-60-0. Said easement to be used for installation and maintenance of utilities.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvement Committee recommends Approval.

Motion (Select Board): *We move that the Town vote to authorize the Select Board to grant an easement to Verizon on the property of 147 Hayden Rowe, Hopkinton Assessors' Parcels U23-28-0, U23-32-0, U23-32-0, U23-33-0, U23-35-A and U23-60-0, as may be necessary or convenient for the installation and maintenance of utilities.*

Vote Needed: Two-thirds Majority

ARTICLE: 37	Grant Easement at 147 Hayden Rowe to Eversource	<i>Sponsor: Select Board</i>
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To see if the Town will vote to authorize the Select Board to grant an easement located as follows:

As depicted on a plans and other instruments that are available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Hopkinton Assessors' Parcels U23-28-0, U23-32-0, U23-32-0, U23-33-0, U23-35-A and U23-60-0. Said easement to be used for installation and maintenance of utilities.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvement Committee recommends Approval.

Motion (Select Board): *We move that the Town vote to authorize the Select Board to grant an easement to Eversource on the property of 147 Hayden Rowe, Hopkinton Assessors' Parcels U23-28-0, U23-32-0, U23-32-0, U23-33-0, U23-35-A and U23-60-0, as may be necessary or convenient for the installation and maintenance of utilities.*

Vote Needed: Two-thirds Majority

ARTICLE: 38	Acceptance of Auciello Drive and 0 Auciello Drive, Amendment of Chapter 174, Article VI, § 174-22 ("Minor Repair"), Authorization of Limited Appropriation and Policy Direction Related to Private Ways.	<i>Sponsor: Citizen Petition</i>
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To see if the Town will vote to:

1. Accept Auciello Drive, as shown on a plan entitled "As Built Plan and Profile Auciello Oaks Drive Hopkinton, Massachusetts," prepared by Bernard E. Munro, dated January 28, 1998, as a public way pursuant to Massachusetts General Laws Chapter 82; and
2. Accept by gift, or authorize the Select Board to acquire by purchase for a nominal sum of one Dollar (\$1.00) or if necessary by eminent domain, the parcel of land known as 0 Auciello Drive, Hopkinton, Massachusetts, identified as Assessors Map 37, Lot 47, from the owner or

owners of record or from the duly authorized Personal Representative of the Estate of Michael A. Auciello, for the purpose of establishing and maintaining Auciello Drive as a public way; and

3. Authorize the Select Board to execute, acknowledge, deliver, and record any deeds, easements, releases, affidavits, or other instruments deemed necessary or appropriate by Town Counsel to effectuate said acceptance or acquisition, subject to approval of title by Town Counsel; and
4. Provide that acceptance of Auciello Drive as a public way shall not be construed to require immediate reconstruction or upgrading of said way to current Town design standards unless otherwise deemed necessary by the Director of DPW and approved by the Select Board as per Town Bylaws Article VI §174-10 or until funds are appropriated by Town Meeting for such purpose; and
5. Appropriate a sum from Free Cash to fund the purchase and/or installation of limited, supplemental signage at the entrances to private ways or groups of private ways, identifying such ways as "Private Ways" (as defined in Town Bylaws Article VI § 174-23), where deemed appropriate by the Department of Public Works; and authorize coordination with public safety departments or other Town departments where such signage may improve safety, emergency access, or reduce legal risk or liability for the Town; and authorize the Department of Public Works, under the direction of the Town Manager, to determine the specifications, locations, and installation of such signage; and
6. Amend Chapter 174, Article VI, § 174-22 of the General Bylaws of the Town of Hopkinton, entitled "Minor repairs," by striking the phrase "to a sum not to exceed \$1,000 in total on any way in any one fiscal year"; and
7. Authorize the appropriation of funds from available Free Cash or other lawful sources to support a town-wide program for the evaluation, stabilization, and, if applicable, improvement of private ways that are candidates for acceptance as public ways; and that participation in such program shall be discretionary and subject to criteria and priorities established by the Town Manager and Department of Public Works, provided that any such work shall be approved in accordance with Article VI, § 174-10; and
8. Provided further that the evaluation, prioritization, and sequencing of any work undertaken pursuant to this article shall be determined solely by the Department of Public Works in consultation with the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval of Item 1 and Disapproval of Items 2 through 8.
Capital Improvement Committee recommends Disapproval.
Appropriation Committee recommendation will be made at Town Meeting.
Planning Board recommends Disapproval.

Motion 1 (Petitioner): *I move that the Town vote to accept Auciello Drive as a public way, as shown on the plan entitled "As Built Plan and Profile Auciello Oaks Drive, Hopkinton, Massachusetts," dated January 28, 1998, pursuant to Massachusetts General Laws Chapter 82; and further to authorize the Select Board to accept by gift or acquire by purchase for nominal consideration the parcel known as 0 Auciello Drive (Assessors Map 37, Lot 47) for the purpose of establishing and maintaining said way as a public way, and further to authorize the Select Board to execute and record any deeds, easements, or other instruments necessary to effectuate the acceptance or acquisition, subject to approval of Town Counsel; and further that acceptance of Auciello Drive shall not require immediate reconstruction or upgrading to current Town standards unless deemed necessary by the Director of Public Works and approved by the Select Board or funded by Town Meeting.*

Vote Needed: Two-thirds Majority

Motion 2 (Petitioner): *I move that Chapter 174, Article VI, §174-22 of the General Bylaws be amended by striking the phrase "to a sum not to exceed \$1,000 in total on any way in any one fiscal year" and replacing it with "to a sum not to exceed \$10,000 in total on any way in any one fiscal year."*

Vote Needed: Simple Majority

Motion 3 (Petitioner): *I move that the Town appropriate funds from Free Cash to support a discretionary program for the evaluation and stabilization of private ways eligible for acceptance as public ways, under criteria established by the Town Manager and the Department of Public Works; and further to fund the purchase and installation of limited signage identifying private ways, as determined by the Department of Public Works, to improve public safety and reduce potential liability.*

Vote Needed: Simple Majority

ADMINISTRATIVE

ARTICLE: 39 Appoint Trustees of the School Fund

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 or take any act relative thereto.

Motion (Trustees of the School Fund): *We move that the Town vote to appoint the following individuals to fill the vacancies now existing in the Board of Trustees of the School Fund:*

Shavonne Salemo (19 Greystone Lane)

Amanda Ross (2 John Matthew Road)

Vote Needed: Simple Majority