



**Hopkinton Annual Town Meeting  
May 2, 2022**

**WARRANT ARTICLES AND MOTIONS**

**REPORTS**

<b>ARTICLE: 1</b>	<a href="#">Acceptance of Town Reports</a> (link to Annual Town Report)  <a href="#">ESBC2 - Elmwood School Building Project</a>	<i>Sponsor: Select Board</i>
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To hear 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 accept the Reports of Town Officers, Boards and Committees.*

**Vote Needed:** Simple Majority.

**FINANCIAL – FISCAL YEAR 2022**

<b>ARTICLE: 2</b>	<b>FY 2022 Supplemental Appropriations and Transfers</b>	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to transfer from available funds or otherwise provide a sum or sums of money to supplement operating budgets and various accounts for the fiscal year ending on June 30, 2022.

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 (1) transfer the sum of \$560,000 (FIVE HUNDRED SIXTY THOUSAND DOLLARS) from Certified Free Cash to the Fiscal Year 2022 Snow and Ice Control Budgets; (2) \$30,323 (THIRTY THOUSAND THREE HUNDRED TWENTY-THREE DOLLARS) from Certified Free Cash to the Fiscal Year 2022 Fire Department Operating Budget.*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 3</b>	<b>Unpaid Bills from Prior Fiscal Years</b>	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to pay unpaid bills from prior fiscal years, in accordance with the provisions of Chapter 44, Section 64, of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

**Required Recommendation:** 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 \$3,253.22 (THREE THOUSAND TWO HUNDRED FIFTY-THREE DOLLARS AND TWENTY-TWO CENTS) for the following bills incurred in a previous year, in accordance with the provisions of Chapter 44, Section 64 of the Massachusetts General Laws, as follows:*

<b>Department #</b>	<b>Vendor</b>	<b>Amount</b>
Facilities	Amazon	\$109.00
Finance	Massachusetts Association of Assessing Officers	\$175.00
Police	MHQ	\$1,802.80
Parks and Rec	Verizon	\$545.67
Police	R.A.D	\$175.00
Police	Hiller’s Cleaners	\$445.75
	<b>TOTAL</b>	<b>\$3,253.22</b>

**Vote Needed:** Four-Fifths Majority.

**FINANCIAL – FISCAL YEAR 2023**

<b>ARTICLE: 4</b>	<b>Set the Salary of Elected Officials</b>	<i>Sponsor: Select Board</i>
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To see if the Town will vote to fix the salary or compensation of all the elected officials of the Town in accordance with Chapter 41, Section 108, of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

**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, 2022, at \$75,732.81 (SEVENTY-FIVE THOUSAND SEVEN HUNDRED THIRTY-TWO DOLLARS AND EIGHTY-ONE CENTS).*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 5</b>	<a href="#">Fiscal Year 2023 Operating Budget</a> (Appropriation Committee slides)	<i>Sponsor: Town Manager</i>
	<a href="#">Fiscal Year 2023 Operating Budget</a> (School slides)	

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, 2022, 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:*

- \$100,099,363 *to the General Fund; and*
- \$242,724 *to the Community Preservation Fund; and*
- \$2,092,300 *to the Sewer Enterprise Fund; and*
- \$2,062,265 *to the Water Enterprise Fund*

*for a total of \$104,496,652 (ONE HUNDRED-FOUR MILLION FOUR HUNDRED NINETY-SIX THOUSAND SIX HUNDRED FIFTY-TWO DOLLARS) for the purposes itemized and described in the Fiscal Year 2023 Operating Budget of the Town, in the amounts set forth in the Appropriation Committee Report with Recommendations Approved April 13, 2022 the column titled "Appropriation Committee Recommendation" for the Fiscal Year beginning July 1, 2022, in the column titled "Appropriation Committee Recommendations," 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>		41,015
 <i>Transfers from available funds</i>	\$	655,473
 <i>Local Receipts, Intergovernmental Revenue and Tax Levy</i>	\$	99,443,890
 <b>GENERAL FUND</b>	\$	100,099,363

**COMMUNITY PRESERVATION FUND**

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

<i>CPC Undesignated Fund Balance</i>	\$	208,755
<i>Recreation Reserve</i>		33,969

<b>COMMUNITY PRESERVATION FUND</b>	\$	242,724
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**SEWER ENTERPRISE FUND**

*FY2023 Sewer Enterprise Fund Revenue*

<b>SEWER ENTERPRISE SOURCES OF FUNDS</b>	\$	2,092,300
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*Indirect Costs to be raised from the FY2023 Sewer Enterprise Fund revenues, appropriated in the General Fund*

\$	324,382
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<b>SEWER ENTERPRISE BUDGET</b>	\$	2,416,682
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**WATER ENTERPRISE FUND**

*FY2023 Water Enterprise Revenue*

<b>WATER ENTERPRISE SOURCES OF FUNDS</b>	\$	2,062,265
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*Indirect costs to be raised from the FY2023 Water Enterprise Fund revenues, appropriated in the General Fund*

\$	432,973
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<b>WATER ENTERPRISE BUDGET</b>	\$	2,495,238
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**Vote Needed:** Simple Majority

<b>ARTICLE: 6</b>	<b>Establish Shared Housing Services Office Revolving Fund</b>	<i>Sponsor: Town Manager</i>
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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 53E½ of Chapter 44 of the *Massachusetts General Laws*, by adding a row to the table in Section 13-15 as follows:

<u>Revolvin g Fund</u>	<u>Department , Board, Committee or Officer Authorized to Spend from Fund</u>	<u>Fees, Charges or Other Receipts Credited to the Fund</u>	<u>Program or Activity Expenses Payable from Fund</u>	<u>Restriction s or Conditions on Expenses Payable from Fund</u>	<u>Other Requirements / Reports</u>	<u>Fiscal Years</u>
Shared Housing Services Office	Town Manager’s Office	Funds from member municipalitie s	Consultant services pursuant to the SWAP/TRIC Shared Housing Services Office Intermunicipal Agreement	None	None	The Fiscal Year 2023 and subsequen t years

Pass any vote or take any act relative thereto.

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

**Motion (Select Board):** *We move 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 53E½ of Chapter 44 of the Massachusetts General Laws, by adding a row to the table in Section 13-15 as follows:*

<u>Revolving Fund</u>	<u>Department, Board, Committee or Officer Authorized to Spend from Fund</u>	<u>Fees, Charges or Other Receipts Credited to the Fund</u>	<u>Program or Activity Expenses Payable from Fund</u>	<u>Restrictions or Conditions on Expenses Payable from Fund</u>	<u>Other Requirements/ Reports</u>	<u>Fiscal Years</u>
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<i>Shared Housing Services Office</i>	<i>Town Manager's Office</i>	<i>Funds from member municipalities</i>	<i>Consultant services pursuant to the SWAP/TRIC Shared Housing Services Office Intermunicipal Agreement</i>	<i>None</i>	<i>None</i>	<i>The Fiscal Year 2023 and subsequent years</i>
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**Vote Needed:** Simple Majority.

**ARTICLE: 7    FY 2023 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 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, 2022.

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 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, 2022, as follows:*

<b><u>Revolving Fund</u></b>	<b><u>Spending Limit for the Fiscal Year 2023</u></b>
Building Department	\$300,000
Part-Time Wire Inspector	\$100,000
Part-Time Plumbing Inspector	\$100,000
Hazardous Materials	\$20,000
Conservation Commission	\$200,000
Library	\$10,000

<u>Revolving Fund</u>	<u>Spending Limit for the Fiscal Year 2023</u>
Public Safety	\$5,000
Planning Board	\$70,000
Open Space Preservation Commission	\$10,000
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)	\$8,000
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	\$10,000
Parks and Recreation	\$130,000
Shared Housing Services Office	\$125,000



**Vote Needed:** Simple majority.

<b>ARTICLE: 8</b>	<b>Establish MGL Ch. 44, § 53F<sup>3</sup>/<sub>4</sub> PEG Access and Cable Related Fund Account</b>	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to accept the provisions of Chapter 44, Section 53F<sup>3</sup>/<sub>4</sub> of the *Massachusetts General Laws* to establish in the treasury a separate revenue fund to be known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for Fiscal Year 2023, which begins on July 1, 2022.

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 accept the provisions of Chapter 44, Section 53F<sup>3</sup>/<sub>4</sub> of the Massachusetts General Laws to establish in the treasury a separate revenue fund to be known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for the Fiscal Year 2023, which begins on July 1, 2022.*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 9</b>	<b>PEG Access and Cable Related Fund Revolving Account Funding</b>	<i>Sponsor: Town Manager</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 the PEG Access and Cable Related Fund Revolving Account, and, further, to appropriate a sum or sums of money from said Fund 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 \$346,947 (THREE HUNDRED FORTY-SIX THOUSAND NINE HUNDRED FORTY-SEVEN DOLLARS) from Certified Free Cash to the PEG Access and Cable Related Fund Revolving Account, and,*



<b>Purpose</b>	<b>Date of Vote</b>	<b>Article Number</b>	<b>Unissued</b>
Fire Station	5/6/1996	24	\$3,000.00
DPW Facility Architectural Costs	5/6/2002	27	\$30,000.00
Police Station	5/6/2002	50	\$540.00
Water Pollution Abatement Facility Projects	5/6/2002	58	\$11,538.00
Purchase of Tractor	5/5/2003	16	\$102.00
Water Pollution Abatement Facility Projects	5/5/2003	17	\$16,853.00
West Main Street Water Storage Tank Rehabilitation	5/4/2009	45	\$67,950.00
Purchase of DPW Truck and Sander	5/4/2009	46	\$5,385.00
Streetlight Purchase	5/6/2009	1	\$27,888.00
Waste Water Treatment Facility	12/14/2009	2	\$11,233.00
South Street Wastewater Lift Station Study	5/2/2011	26	\$27,000.00
Purchase of Tractor-Mower	5/6/2013	22	\$12,150.00
Purchase of Trackless Municipal Tractor	5/6/2013	30	\$2,500.00
North Mill Street Slope Stabilization	5/6/2013	34	\$20,000.00
Library Construction	5/5/2014	15	\$2,598.35
DPW Facility	5/4/2015	15	\$798.74
New Early Elementary School 135 Hayden Rowe	10/26/2015	1	\$2,724,613.08
Recreation Indoor Fruit St. Athletic	10/26/2015	8	\$500,000.00
Middle School Auditorium Upgrades	5/2/2016	24	\$795.53
Suppl Early Elementary School 135 Hayden Rowe	1/30/2017	2	\$1,500,000.00
Campus Master Plan - Phase 1 School Bus Parking	5/7/2018	21	\$25,000.00
Fruit Street Lighting (CPC)	5/7/2018	27	\$600,000.00
Security Cameras	5/6/2019	28	\$15,000.00
<b>Total</b>			<b>\$5,604,944.70</b>

**Vote Needed:** Simple Majority.

**ARTICLE: 12 Chapter 90 Highway Funds**

*Sponsor: Town Manager*

To see if the Town will vote to appropriate a sum or sums of money from the proceeds due to the Town pursuant to Chapter 90 of the *Massachusetts General Laws* for the purposes of repair,

construction, maintenance and preservation of the Town's roads and bridges, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Department of Transportation; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

**Required Recommendation:** Select Board recommends Approval  
Appropriation Committee recommends Approval.  
Capital Improvement Committee will make a recommendation at Town Meeting.

**Motion: (Appropriation Committee)** *We move that the Town vote to appropriate \$646,229 (SIX HUNDRED FORTY-SIX THOUSAND TWO HUNDRED TWENTY-NINE DOLLARS) from the proceeds due to the Town pursuant to Chapter 90 of the Massachusetts General Laws for the purposes of repair, construction, maintenance and preservation of the Town's roads and bridges, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Department of Transportation; said sum to be spent under the direction of the Town Manager.*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 13</b> <b>Authorize Petition for Special Legislation for Limited Means Tested Sewer and Water User Discounts</b> <i>Sponsor: Town Manager</i>
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To see if the Town will vote to authorize and request the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for passage of special legislation substantially as provided below; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board votes to approve amendments thereto; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition:

AN ACT AUTHORIZING SEWER AND WATER USER DISCOUNTS IN THE TOWN OF HOPKINTON

SECTION 1. Notwithstanding any general or special law to the contrary, the Town of Hopkinton Select Board may discount fees charged to income eligible residents for the use of the Town's water and sewer systems.

SECTION 2. This act shall take effect upon its passage.

Pass any vote or take any act relative thereto.

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

**Motion: (Select Board)** *We move that the Town vote to authorize and request the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for passage of special legislation substantially as provided below; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board votes to approve amendments thereto; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition:*

AN ACT AUTHORIZING SEWER AND WATER USER DISCOUNTS IN THE TOWN OF  
HOPKINTON

*SECTION 1. Notwithstanding any general or special law to the contrary, the town of Hopkinton Select Board may discount fees charged to income eligible residents for the use of the town's water and sewer system.*

*SECTION 2. This act shall take effect upon its passage.*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 14</b>	<b>Transfer to Other Post-Employment Benefits Liability Trust Fund</b>	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the Other Post-Employment Benefits Liability Fund.

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 \$420,250 (FOUR HUNDRED TWENTY THOUSAND TWO HUNDRED-FIFTY DOLLARS) from Certified Free Cash to be credited to the Other Post-Employment Benefits Liability Trust Fund.*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 15</b>	<b>Transfer to the General Stabilization Fund</b>	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the General Stabilization Fund, to be used, upon further appropriation, for any lawful purpose.

Pass any vote or take any act relative thereto.

**Required Recommendation:** Select Board recommends Approval.

Appropriation Committee recommends Approval of a motion for no action.

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

**Vote Needed:** Simple Majority.

<b>ARTICLE: 16</b>	<b>Transfer to the Capital Expense Stabilization Fund</b>	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the Capital Expense Stabilization Fund, to be used, upon further appropriation, for any lawful purpose.

Pass any vote or take any act relative thereto.

**Required Recommendation:** Select Board recommends Approval.  
Appropriation Committee recommends Approval of a motion for no action.

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

**Vote Needed:** Simple Majority.

<b>ARTICLE: 17</b>	<b>Create School Special Education Reserve Fund</b>	<i>Sponsor: Select Board</i>
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To see if the Town will vote to accept the provisions of Chapter 40, Section 13E of the *Massachusetts General Laws* to establish a School Special Education Reserve Fund for the purposes of supporting the fluctuating cost of out of district Special Education; provided, further, that the funds shall be used, without further appropriation, for unanticipated or unbudgeted costs of special education and recovery high school programs, out-of-district tuition or transportation. The balance in such reserve fund shall not exceed 2 per cent of the annual net school spending of the school district; and further, that monies shall be distributed from the Reserve Fund only after a majority vote of the School Committee and a majority vote of the Select Board.

Pass any vote or take any act relative thereto.

**Required Recommendation:** Select Board recommends Approval.  
Appropriation Committee recommends Approval.  
School Committee will make a recommendation at Town Meeting.

**Motion (Select Board):** *We move that the Town vote to accept the provisions of Chapter 40, Section 13E of the Massachusetts General Laws to establish a School Special Education Reserve Fund for the purposes of supporting the fluctuating cost of out of district Special Education; provided, further, that the funds shall be used, without further*

*appropriation, for unanticipated or unbudgeted costs of special education and recovery high school programs, out-of-district tuition or transportation. The balance in such reserve fund shall not exceed 2 per cent of the annual net school spending of the school district; and, provided, further, that funds shall be distributed from the Reserve Fund only after a majority vote of the School Committee and a majority vote of the Select Board.*

**Vote Needed:** Simple Majority.

**ARTICLE: 18** [Transfer to the School Special Education Reserve Fund](#)

*Sponsor: Select Board*

To see if the Town will transfer a sum or sums of money for the purpose of funding the School Special Education Reserve Fund.

Pass any vote or take any act relative thereto.

**Required Recommendation:** Select Board recommends Approval.  
Appropriation Committee recommends Approval.  
School Committee will make a recommendation at Town Meeting.

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

*(1) raise and appropriate the sum of \$179,175 (ONE HUNDRED THOUSAND SEVENTY-NINE ONE HUNDRED SEVENTY-FIVE DOLLARS)*

*and*

*(2) transfer \$914,849 (NINE HUNDRED FOURTEEN THOUSAND EIGHT HUNDRED FORTY-NINE DOLLARS) from Certified Free Cash*

*together a sum of \$1,094,024 (ONE MILLION NINETY-FOUR THOUSAND TWENTY-FOUR DOLLARS) for the purpose of funding the School Special Education Reserve Fund.*

**Vote Needed:** Simple Majority.

**CAPITAL EXPENSES AND PROJECTS**

**ARTICLE: 19** **Pay-As-You-Go Capital Expenses**

*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 Pay-As-You-Go capital purchases and projects:

<b>Item</b>	<b>Purchase or Product</b>	<b>To be spent under the direction of</b>
1	<a href="#">High School Auditorium Stage and Lighting</a>	School Superintendent
2	<a href="#">Districtwide Computer Network Switches</a>	School Superintendent
3	<a href="#">School Wetlands Order of Conditions – Restoration of Wetlands (Add to ATM 2018, Art. 14)</a>	School Superintendent
4	<a href="#">End User Computer Hardware Renewal</a>	Town Manager
5	<a href="#">Datacenter Upgrades and Redundancy</a>	Town Manager
6	<a href="#">Videoconferencing Updates</a>	Town Manager
7	<a href="#">Electronic Document Management System</a>	Town Manager
8	<a href="#">Public Safety Radio System Feasibility Study</a>	Town Manager
9	<a href="#">Police Patrol Cruiser Replacement (3)</a>	Town Manager
10	<a href="#">Fire Station Roof HVAC Replacement, Add to ATM 2017 Art. 20</a>	Town Manager
11	<a href="#">Police Station Roof Replacement Cost Growth</a>	Town Manager
12	<a href="#">Police Station Mechanical System Upgrades</a>	Town Manager
13	<a href="#">Senior Center Dining Facility Expansion – Design</a>	Town Manager
14	<a href="#">Center School Reuse Design</a>	Town Manager
15	<a href="#">Street Sweeper (S-23) Replacement</a>	Town Manager
16	<a href="#">Sidewalk Replacement, Walcott Street</a>	Town Manager
17	<a href="#">Super Duty Pickup/Dump Truck Replacement</a>	Town Manager
18	<a href="#">Tree Truck, Add to ATM 2019, Art. 19</a>	Town Manager



Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval of items 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18.

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

(1) *\$2,013,653.94 (TWO MILLION THIRTEEN THOUSAND SIX HUNDRED FIFTY-THREE DOLLARS AND NINETY-FOUR CENTS) from Certified Free Cash*

*and*

(2) *\$114,486.06 (ONE HUNDRED FOURTEEN THOUSAND FOUR HUNDRED EIGHTY-SIX DOLLARS AND SIX CENTS) from the following unspent capital appropriations, which will thereby exhaust all the available funds from the original appropriations:*

<b><i>Article</i></b>	<b><i>Town Meeting</i></b>	<b><i>Project</i></b>	<b><i>Amount</i></b>
16	5/8/2021	Fire Engine #4 Refurbishment	\$110,000
14	5/7/2018	Replace Police Vehicles	\$2,024.47
17	5/6/2019	Replace DPW Trucks	\$1,605.96
17	5/6/2019	End User Hardware Replacement	\$274.96
17	5/6/2019	Replace Fire Chief Car	\$580.67

*for a total of \$2,128,140 (TWO MILLION ONE HUNDRED TWENTY-EIGHT THOUSAND ONE HUNDRED FORTY DOLLARS) for the following capital purchases and projects, to be expended in the specified amounts and under the specified direction as set forth as follows:*

<b><u>Item</u></b>	<b><u>Purchase or Product</u></b>	<b><u>Department</u></b>	<b><u>Amount</u></b>	<b><u>To be spent under the direction of</u></b>
1	High School Auditorium Stage and Lighting	School Department	\$325,000	School Superintendent
2	Districtwide Computer Network Switches	School Department	\$75,000	School Superintendent
3	School Wetlands Order of Conditions – Restoration of Wetlands (Add to ATM 2018, Art. 14)	School Department	\$60,000	School Superintendent
4	End User Computer Hardware Renewal	Technology Department	\$66,750	Town Manager
5	Datacenter Upgrades and Redundancy	Technology Department	\$58,000	Town Manager
6	Videoconferencing Updates	Technology Department	\$22,390	Town Manager
7	Electronic Document Management System	Technology Department	\$70,000	Town Manager
8	Public Safety Radio System Feasibility Study	Communications Department	\$100,000	Town Manager
9	Police Patrol Cruiser Replacement (3)	Police Department	\$180,000	Town Manager
10	Fire Station Roof HVAC Replacement, Add to ATM 2017 Art. 20	Facilities Department	\$252,000	Town Manager
11	Police Station Roof Replacement Cost Growth	Facilities Department	\$187,000	Town Manager
12	Police Station Mechanical System Upgrades	Facilities Department	\$96,000	Town Manager
13	Senior Center Dining Facility Expansion - Design	Facilities Department	\$35,000	Town Manager
14	Center School Reuse Design	Facilities Department	\$100,000	Town Manager
15	Street Sweeper (S-23) Replacement	Public Works Department	\$270,000	Town Manager

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>Amount</u>	<u>To be spent under the direction of</u>
16	Sidewalk Replacement, Walcott Street	Public Works Department	\$45,000	Town Manager
17	Super Duty Pickup/Dump Truck Replacement	Public Works Department	\$86,000	Town Manager
18	Tree Truck, Add to ATM 2019, Art. 20	Public Works Department	\$100,000	Town Manager

**Vote Needed:** Simple Majority.

**ARTICLE: 20** [Water Tank Cleaning](#)

*Sponsor: Director of Public Works;  
Town Manager*

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 for the cleaning of the Town's water tanks; 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 recommends Approval.  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to appropriate the sum of \$50,000 (FIFTY THOUSAND DOLLARS) from the Water Enterprise Fund Retained Earnings for the cleaning of the Town's water tanks, including any planning, design, engineering, or associated costs or expenses related thereto said sum to be spent under the direction of the Town Manager.*

**Vote Needed:** Simple Majority.

**ARTICLE: 21** [Vehicle Replacement](#)

*Sponsor: Director of Public Works;  
Town Manager*

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 for the replacement of one pickup truck; 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 recommends Approval.

Appropriation Committee recommends Approval.  
 Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to appropriate \$60,000 (SIXTY THOUSAND DOLLARS) from the Water Enterprise Fund Retained Earnings for the replacement of one pickup truck; said sum to be spent under the direction of the Town Manager.*

**Vote Needed:** Simple Majority.

**ARTICLE: 22** [MWRA Connection Design Work](#)

*Sponsor: Director of Public Works;  
 Town Manager*

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 for a design study, engineering and construction, and all other associated costs and expenses related thereto regarding the Town’s connection to the MWRA water supply; 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 recommends Approval.  
 Appropriation Committee recommends Approval.  
 Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that \$1,300,000 (ONE MILLION THREE HUNDRED THOUSAND DOLLARS) is appropriated for a design study, engineering and construction, and all other associated costs and expenses related thereto regarding the Town’s connection to the MWRA water supply, such sum to be spent under the direction of the Town Manager; that to meet this appropriation such amount shall be transferred from the unexpended proceeds of the following Town bonds dated and issued for the purposes as set forth below, which projects have been completed or abandoned and for which no liability remains, and the Select Board is authorized to take any other action necessary to carry out this project.*

<u>Purpose</u>	<u>Amount to be Transferred</u>	<u>Date of Bonds</u>	<u>Vote Date</u>	<u>Article</u>
MWRA Connection through the Town of Ashland	\$1,000,000.00	12/01/2016	05/02/2016	22
Main Street Water Main	145,279.63	05/15/2014	05/03/2010	19
Fruit Street Well Blending Facility	56,517.47	11/15/2017	05/01/2017	23
Main Street Water Main	50,965.29	05/15/2014	05/06/2013	35
Water Mains	698.74	08/01/2006	05/04/2005	25

Water Well	9,225.64	07/15/2008	05/03/2005	21
Fruit Street Well Generator	<u>37,313.23</u>	03/01/2013	05/02/2011	22
<i>Total</i>	<u>\$1,300,000</u>			

**Vote Needed:** Simple Majority.

**ARTICLE: 23** [PFAS Filtration System](#)

*Sponsor: Director of Public Works;  
Town Manager*

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 for the installation of a PFAS Filtration System in Well #6, including any planning, design, engineering, construction or associated costs or expenses related thereto; 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 recommends Approval.  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to appropriate \$600,000 (SIX HUNDRED THOUSAND DOLLARS) from the Water Enterprise Fund Retained Earnings for the installation of a PFAS Filtration System in Well #6, including any planning, design, engineering, construction or associated costs or expenses related thereto; said sum to be spent under the direction of the Town Manager.*

**Vote Needed:** Simple Majority.

**ARTICLE: 24** [Fruit Street Well Facility Roof Replacement](#)

*Sponsor: Director of Public Works;  
Town Manager*

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 for the replacement of the Fruit Street Well Facility Roof including any planning, design, engineering, construction or associated costs or expenses related thereto; 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 recommends Approval.  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to appropriate \$40,000 (FORTY THOUSAND DOLLARS) from the Water Enterprise Retained Earnings for the replacement of the Fruit Street Well Facility Roof including any planning, design, engineering, construction or associated costs or expenses related thereto; said sum to be spent under the direction of the Town Manager.*

**Vote Needed:** Simple Majority.

**ARTICLE: 25** [Fire Engine 2 Replacement](#)

*Sponsor: Fire Chief; Town Manager*

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 for the purpose of replacing Fire Engine 2, including equipment related to the operation of said fire engine.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval.  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to raise and appropriate the sum of \$736,318 (SEVEN HUNDRED THIRTY-SIX THOUSAND THREE HUNDRED EIGHTEEN DOLLARS) for the purpose of replacing Fire Engine 2; and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds and notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized hereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote; said sum to be spent under the direction of the Fire Chief.*

**Vote Needed:** Two-Thirds Majority.

**ARTICLE: 26** [Woodville Fire Station Repair Work](#)

*Sponsor: Fire Chief; Town Manager*

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 perform upgrades and repairs in the vicinity of the Woodville Fire Station (Fire Station 2).

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval.  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to appropriate \$400,000 (FOUR HUNDRED THOUSAND DOLLARS) for the payment of costs for the renovation of the Woodville Fire Station, including any planning, design, engineering, construction or associated costs or expenses related thereto, such sum to be spent under the direction of the Fire Chief; and that to meet this appropriation, such amount shall be transferred from the unexpended proceeds of the following Town bonds dated and issued for the purposes as set forth below, which projects have been completed or abandoned and for which no liability remains, and the Select Board is authorized to take any other action necessary to carry out this project, provided, however, that the transfer and appropriation authorized hereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½, so-called) amounts required to pay the principal and interest on the loan proceeds transferred by this vote.*

<b>Purpose</b>	<b>Amount to be Transferred</b>	<b>Date of Bonds</b>	<b>Vote Date</b>	<b>Article</b>
Elmwood Modular	\$ 2,962.26	6/25/2020	12/9/2019	4
Hopkins Modular	397,037.74	6/25/2020	12/9/2019	5
<i>Total</i>	<u>\$400,000.00</u>			

**Vote Needed:** Two-Thirds Majority.

**ARTICLE: 27** [Air Handling Unit Replacement](#)

*Sponsor: School Committee*

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 for the replacement of air handling units, including any planning, design, engineering, construction or associated costs or expenses related thereto; said sum to be spent under the direction of the School Committee.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval.  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to raise and appropriate the sum of \$475,000 (FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS) for the replacement of air handling units, including any planning, design, engineering, construction or associated costs or expenses related thereto; and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds and notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized hereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote; said sum to be spent under the direction of the School Committee.*

**Vote Needed:** Two-Thirds Majority.

**ARTICLE: 28** [Fruit Street Turf Field Replacement](#)

*Sponsor: Park and Recreation Commission*

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 for the replacement of the Fruit Street Turf Field including any planning, design, engineering, construction or associated costs or expenses related thereto; said sum to be spent under the direction of the Park and Recreation Commission.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval.  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval

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

*(1) \$400,000 (FOUR HUNDRED THOUSAND DOLLARS) from the Parks and Recreation Fruit Street 53 E1/2 Account*

*And*

*(2) \$1,271,543 (ONE MILLION TWO HUNDRED SEVENTY-ONE THOUSAND FIVE HUNDRED FORTY-THREE DOLLARS); and, for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any*



*other enabling authority and to issue bonds and notes of the Town therefor, and that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of the issuance of such bonds or notes, may be applied to payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized hereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote.*

*Together a total sum of \$1,671,543 (ONE MILLION SIX HUNDRED SEVENTY-ONE THOUSAND FIVE HUNDRED FORTY-THREE DOLLARS) for the replacement of the Fruit Street Turf Field including any planning, design, engineering, construction or associated costs or expenses related thereto; said sum to be spent under the direction of the Town Manager.*

**Vote Needed:** Two-Thirds Majority.

**ARTICLE: 29** [Marathon School Addition Cost Increase](#)

*Sponsor: School Committee*

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 for the payment of increased costs related to the Marathon School Addition project, approved by vote of the 2021 Annual Town Meeting, pursuant to Article 17 of said Town Meeting's warrant, including any planning, design, engineering, construction or associated costs or expenses related thereto; said sum to be spent under the direction of the School Committee.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval.  
Appropriation Committee recommends Approval.  
Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to appropriate \$695,900 (SIX HUNDRED NINETY-FIVE THOUSAND NINE HUNDRED DOLLARS) for the payment of increased costs related to the Marathon School Addition project, approved by vote of the 2021 Annual Town Meeting, pursuant to Article 17 of said Town Meeting's warrant, including any planning, design, engineering, construction or associated costs or expenses related thereto, said sum to be spent under the direction of the School Committee; and that to meet this appropriation, such amount shall be transferred from the unexpended proceeds of the bonds of the Town dated November 15, 2017 for construction, reconstruction, renovation, alteration, and associated improvements of the Hopkinton Marathon School, including expenses related to said design and services, provided, however, that the transfer and appropriation authorized hereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by*

Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½, so-called) amounts required to pay the principal and interest on the loan proceeds transferred by this vote..

**Vote Needed:** Two-Thirds Majority.

<b>ARTICLE: 30</b>	<b>Lake Maspenock Dam Area Repair Work</b>	<i>Sponsor: Town Manager</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 perform repair work on the Lake Maspenock Dam area.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval.  
 Appropriation Committee recommends Approval.  
 Capital Improvements Committee recommends Approval

**Motion: (Appropriation Committee)** *We move that the Town vote to appropriate \$400,000 (FOUR HUNDRED THOUSAND DOLLARS) for the payment of costs of the Lake Maspenock dam repair project, including any planning, design, engineering, construction or associated costs or expenses related thereto, such sum to be spent under the direction of the Town Manager; and that to meet this appropriation, such amount shall be transferred from the unexpended proceeds of the following Town bonds dated and issued for the purposes as set forth below, which projects have been completed or abandoned and for which no liability remains, and the Select Board is authorized to take any other action necessary to carry out this project, provided, however, that the transfer and appropriation authorized hereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2 ½, so-called) amounts required to pay the principal and interest on the loan proceeds transferred by this vote.*

<u>Purpose</u>	<u>Amount to be Transferred</u>	<u>Date of Bonds</u>	<u>Vote Date</u>	<u>Article</u>
High School Addition	\$339,995.51	6/25/2020	12/9/201 9	3
Hopkins Modular	60,004.49	6/25/2020	12/9/201 9	5
<i>Total</i>	<u>\$400,000.00</u>			

**Vote Needed:** Two-Thirds Majority.

**COMMUNITY PRESERVATION FUNDS**

**ARTICLE: 31 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 and not to exceed 5% of the estimated annual revenues for Fiscal Year 2023, for committee administrative expenses and other expenses in the Fiscal Year beginning on July 1, 2022, with each item to be considered a separate appropriation.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board will make a recommendation at Town Meeting.  
Appropriation Committee recommends Approval.  
Community Preservation Committee recommends Approval.

**Motion (Appropriation 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 2023, with each item to be considered a separate reservation:*

*From the Fiscal Year 2023 estimate revenues for Recreation Reserve  
\$175,315*

*From the Fiscal Year 2023 estimated revenues for Historic Resources Reserve  
\$175,315*

*From the Fiscal Year 2023 estimated revenues for Community Housing Reserve  
\$175,315*

*From the Fiscal Year 2023 estimated revenues for Open Space Reserve  
\$175,315*

*From the Fiscal Year 2023 estimated revenues for Budgeted Reserve  
\$1,051,890*

**Vote Needed:** Simple Majority.

**ARTICLE: 32 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 2023; and, further, to appropriate from the Community Preservation Fund, a sum or sums of money for the following Community Preservation projects or purposes, including the acquisition of interests in land, all as recommended by the Community Preservation Committee, and to authorize the Town Manager, the Select Board, Conservation Commission, Town Clerk, Trail Coordination and Management Committee, Open Space Preservation Commission and Upper Charles Trail Committee 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 restrictions for historic resources and conservation restrictions for open space, in accordance with Chapter 184 of the Massachusetts General Laws, to comply with the requirements of Chapter 44B, Section 12 of the Massachusetts General Laws for the same:

- A. A sum or sums of money from funds reserved for Community Housing for a Shared Housing Services Office for Affordable Housing. Funded from the Community Housing Reserve with the following conditions: 1. That the grant expires on July 1, 2023 unless extended by the Community Preservation Committee. 2. All administrative costs will be funded not from the CPA funds. 3. The funds to be spent under the direction of the Town Manager and the Community Preservation Committee.
- B. A sum or sums of money from funds reserved for Historical Preservation for restoration and digital archive of town records as the Historical Commission voted that the records are a Historic Resources. Funded from the Historic Resource Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Town Clerk and the Community Preservation Committee.
- C. A sum or sums of money from funds reserved for Recreation Funds for drainage improvements and stone dust trail surface for the Middle School Cross Country Course. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.
- D. A sum or sums of money from funds reserved for Undesignated Funds for construction of parking on Pond Street for the Town Forest and Cameron Woods Open Space property. Funded from the Undesignated funds with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.
- E. A sum or sums of money from Undesignated funds for engineering and construction documents for the Campus Connector Trail Segments 5 and 6. Funded from the Undesignated Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. The Upper Charles Trail Committee is encouraged to apply for a MA Trails Grant to assist in funding this

project. 3. The Upper Charles Trail Committee will submit preliminary design of Segment 6 to the Select Board for their approval prior to expending final design/bidding funds on Segment 5 and 6. 4 The funds to be spent under the direction of the Upper Charles Trail Committee and the Community Preservation Committee.

- F. A sum or sums of money from funds reserved for Recreation Reserve for additional features for the Skatepark at EMC Park. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2023 unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.
- G. A sum or sums of money from funds reserved for Undesignated Reserve for pickleball and tennis courts with parking lot at Fruit Street recreation area. Funded from the Undesignated Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of Parks and Recreation Commission and The Community Preservation Committee.
- H. A sum or sums of money from funds reserved for engineering studies and cost estimates for construction of bathrooms and if needed construct a portion of the sewer line under the Skate Park at EMC Park. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2023 unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of Parks and Recreation Commission and the Community Preservation Committee.
- I. A sum or sums of money for the purchase of the “Conroy” property, conservation restriction and legal expenses of Open Space and Recreation on Saddle Hill Road in Hopkinton, MA, containing 88.29 acres, more or less, identified as Assessor’s Parcels R7 5 0 and R7 7 0 and more particularly described in a certain deed recorded in the Middlesex South District Registry of Deeds in Book 70082, Page 23 and Book 76408, Page 400; Funded from the Open Space Reserve with the following conditions: 1. Grant expires on July 1, 2024 unless extended by the Community Preservation Committee. Land will be managed by the Open Space Preservation Commission. The funds to be spent under the direction of the Town Manager and the Community Preservation Committee.
- J. A sum or sums of money from funds reserved for Undesignated Funds for survey and boundary marking of Cameron Woods; Funded from Undesignated Funds with the following conditions: 1. That the grant expires on July 1, 2023 unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Open Space Preservation Commission and the Community Preservation Committee.

Pass any vote or take any act relative thereto.

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

Appropriation Committee recommends Approval of Motion #1.

Appropriation Committee will make a recommendation on Motion #2 at Town Meeting.

Community Preservation Committee recommends Approval of Motion #1.

Community Preservation Committee will make a recommendation on Motion #2 at Town Meeting.

Capital Improvements Committee recommends Approval of items F, G and H.

Capital Improvements Committee will make a recommendation on item I at Town Meeting.

**Motion #1 (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 2023 Community Preservation budget, and to appropriate the following sums from Community Preservation Fund available funds for the following projects:*

- A. *\$23,000 (TWENTY-THREE THOUSAND DOLLARS) from funds reserved for Community Housing for a Shared Housing Services Office for Affordable Housing. Funded from the Community Housing Reserve with the following conditions: 1. That the grant expires on July 1, 2023, unless extended by the Community Preservation Committee. 2. All administrative costs will be funded not from the CPA funds. 3. The funds to be spent under the direction of the Town Manager and the Community Preservation Committee.*
- B. *\$20,000 (TWENTY THOUSAND DOLLARS) from funds reserved for Historical Preservation for restoration and digital archive of town records as the Historical Commission voted that the records are a Historic Resources. Funded from the Historic Resource Reserve with the following conditions: 1. That the grant expires on July 1, 2024, unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Town Clerk and the Community Preservation Committee.*
- C. *\$18,000 (EIGHTEEN THOUSAND DOLLARS) from funds reserved for Recreation Funds for drainage improvements and stone dust trail surface for the Middle School Cross Country Course. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2024, unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee*
- D. *\$15,000 (FIFTEEN THOUSAND DOLLARS) from funds reserved for Undesignated Funds for construction of parking on Pond Street for the Town Forest and Cameron Woods Open Space property. Funded from the Undesignated funds with the*

*following conditions: 1. That the grant expires on July 1, 2024, unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.*

- F. \$50,000 (FIFTY THOUSAND DOLLARS) from funds reserved for Recreation Reserve for additional features for the Skatepark at EMC Park. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2023, unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.*
  
- G. \$775,000 (SEVEN HUNDRED SEVENTY-FIVE THOUSAND DOLLARS) from funds reserved for Undesignated Reserve for pickleball and tennis courts with parking lot at the Fruit Street recreation area. Funded from the Undesignated Reserve with the following conditions: 1. That the grant expires on July 1, 2024, unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of Parks and Recreation Commission and The Community Preservation Committee.*
  
- H. \$50,000 (FIFTY THOUSAND DOLLARS) from funds reserved for engineering studies and cost estimates for construction of bathrooms and if needed construct a portion of the sewer line under the Skate Park at EMC Park. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2023, unless extended by the Community Preservation Committee. 2. The funds to be spent under the direction of Parks and Recreation Commission and the Community Preservation Committee.*
  
- J. \$10,000 (TEN THOUSAND DOLLARS) from funds reserved for Undesignated Funds for survey and boundary marking of Cameron Woods; Funded from Undesignated Funds with the following conditions: 1. That the grant expires on July 1, 2023, unless extended by the Community Preservation Committee 2. The funds to be spent under the direction of the Open Space Preservation Commission and the Community Preservation Committee.*

**Vote Needed:** Simple Majority.

**Motion #2 (Community Preservation Committee):** The Town has not yet determined a final purchase price for the “Conroy” property referred to in item I. Therefore, the final motion will be provided at Town Meeting.

**Vote Needed:** Two-Thirds Majority.

## **ZONING BYLAW AMENDMENTS**

**ARTICLE: 33 One Single-Family Dwelling per Lot**

*Sponsor: Planning Board*

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

1. To amend Article I, General Provisions, Section 210-3, General Applicability, by inserting the following at the end of the section:

No lot may be used for more than one single-family dwelling, except as may be otherwise permitted herein.

2. To amend Article I, General Provisions, Section 210-4, Definitions, by inserting the following after the definition for "Off-Street Parking":

Principal Use - The primary or main use of land, building, or structure, as distinguished from an accessory use, building, or structure.

Pass any vote or take any act relative thereto.

**Required Recommendation:** 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 33 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Two-Thirds Majority.

**ARTICLE: 34 Maximum Gross Floor Area, Industrial A District**

*Sponsor: Planning Board*

To see if the Town will vote to amend the Zoning Bylaws by amending Article VIII, Industrial A (IA) District, Section 210-28, Size and Setback Requirements, subsection (4), substantially as follows:

- (4) Maximum gross floor area: ~~50%~~ **80%** of lot area.

Pass any vote or take any act relative thereto.

**Required Recommendation:** 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 34 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Two-Thirds Majority.

**ARTICLE: 35 Off-Street Parking**

*Sponsor: Planning Board*

To see if the Town will vote to amend the Zoning Bylaws by amending Article XVIII,



Supplementary Regulations, Section 210-124, Off-street parking, B. Parking requirements, substantially as follows:

(1) The following off-street parking requirements shall apply to the uses listed below:

Type of Use	Number of Spaces
Animal Shelter	3 spaces per 1,000 square feet of gross floor area
Bed & breakfast	1 space for each unit available for occupancy
Child care facility	1 <b>space</b> for every 10 children of rated capacity of the facility plus 1 <b>space</b> for each staff person on the largest shift
Conference center	2 spaces for every 3 seats
Continuing Care Retirement Facility/Assisted Living/Nursing Home Facilities	1 <b>space</b> for every 3 beds, plus 1 <b>space</b> for each employee on the largest shift
Dog Day Care Facility	1 <b>space</b> per 3 dogs
General office, medical and dental office, <del>research and development and industrial uses</del>	3 <b>spaces</b> per 1,000 square feet of gross floor area
<b>Laboratory, research and development, and industrial uses</b>	<b>1 space per 800 square feet of gross floor area</b>
Health services facility	3 spaces per 1,000 square feet of gross floor area
Hotel, motel, inn	1.2 spaces for each unit available for occupancy
Museums	2 spaces per 1,000 square feet of gross floor area of public floor area, not including corridors and other service areas
Nursing home	1 <b>space</b> for every 3 beds plus 1 <b>space</b> for each employee on the largest shift
Places of assembly	1 <b>space</b> for every 2 seats plus 1 <b>space</b> for each employee on the largest shift

Recreational uses	1 <b>space</b> for every 5 occupants as permitted by State Building Code
Residential component of mixed use buildings	1 <b>space</b> for every bedroom
Restaurant with customer seats	1 space for every 3 seats plus 1 space for every 2 employees on the largest shift. The term “seats” shall include all customer seats, indoor and outdoor, seasonal and year-round, on the premises.
Restaurant without customer seats	3 spaces, or 1 space for every 300 square feet of gross floor area plus 1 space for every 2 employees on the largest shift, whichever is greater. The term “seats” shall include all customer seats, indoor and outdoor, seasonal and year-round, on the premises.
Retail uses	4 <b>spaces</b> per 1,000 square feet of gross floor area
Warehouse uses	1 <b>space</b> per <del>12</del> ,000 square feet of gross floor area
Pass any vote or take any act relative thereto.	

**Required Recommendation:** 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 35 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Two-Thirds Majority.

<b>ARTICLE: 36</b>	<b>Housekeeping/Gender Neutral References</b>	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend the Zoning Bylaws substantially as follows:

1. To amend Article XXI, Design Review Board, Section 210-142.A, by striking the word “Chairman” in item (1) and replacing it with the word “Chair”;
2. To amend Article XXII, Board of Appeals, Section 210-146, by amending Subsection C as follows:

Members. The Board of Appeals shall consist of five regular members and four associate members. They shall be appointed by the Select Board for terms of five years each in such manner that the term of one regular member shall expire each year. The Board shall annually elect a **Chairman Chair** and a Vice **Chairman Chair** from among its regular members, and a Clerk from among its regular or associate members. A member can only be removed for cause by the Select Board and only after written charges have been made and a public hearing has been held. The **Chairman Chair** may designate an associate member to sit on the Board in case of the absence, inability to act or interest on the part of a member thereof, or in the event of a vacancy on said Board, in which case an associate member may sit as a member of the Board until said vacancy is filled.

3. To amend Article XXI, Board of Appeals, Section 210-146, by amending Subsection E as follows:

Meetings. Meetings of the Board shall be held at the call of the **Chairman Chair** and also when called in such other manner as the Board shall determine in its rules. The **Chairman Chair** or, in the absence of the **Chairman Chair**, the Acting **Chairman Chair**, may administer oaths, summon witnesses and call for the production of papers.

4. To amend Article XXI, Board of Appeals, Section 210-151.D by striking the word "him" in the last sentence and replacing it with the word "them".
5. To amend Article XXIV, Administration and Enforcement, Section 156, Investigation; notice to desist violation, as follows:

If the Director of Municipal Inspections shall be informed, or have reason to believe that any provision of this chapter or any permit thereunder has been, is being or is likely to be violated, ~~he they~~ shall make or cause an investigation to be made of the facts, including an inspection of the property where the violation may exist. When the Director receives a written request to enforce this chapter against any alleged violator, the Director shall reply in writing within 14 days, stating ~~his the~~ action **taken**, or nonaction, and the reasons therefor. If ~~he finds~~ any violation **is found**, ~~he shall give~~ immediate notice **shall be given** in writing to the owner or ~~his their~~ duly authorized agent and to the occupant of the premises ~~and which~~ shall order that any violation of the provisions of this chapter immediately cease.

Pass any vote or take any act relative thereto.

**Required Recommendation:** 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 36 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Two-Thirds Majority.

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

1. To amend Article II, Residence A (RA) District, Section 210-6, as follows:

- A. Single-family dwellings.
- B. Places of worship and other religious uses.
- C. Public schools, public libraries ~~and~~ museums, private schools for scholastic subjects only, including nursery schools.
- D. Membership clubs, lodges, social recreational and community center buildings, and grounds for games and sports, except those having as a principal purpose any activity which is usually carried on as a business (fairs and public benefits excluded).
- E. The renting of rooms or the furnishing of table board in an owner-occupied single family dwelling.
- F. Home professional office.
- G. Home personal service.
- H. Municipal uses.
- I. Agriculture, horticulture, floriculture, or viticulture on any lot of 5 acres or more. Agriculture, horticulture, floriculture or viticulture on a lot of less than 5 acres, provided that: a) the sale of products or plants is confined primarily to those raised on the premises, b) the use is not noxious, injurious or offensive to the neighborhood, and c) farm animals are kept in an enclosure or building 50 feet or more from any street line and 30 feet or more from any side lot line.
- J. Reserved
- K. Accessory uses.

2. To amend Article II, Residence A (RA) District, Section 210-7, as follows:

The following uses shall be allowed in an RA District upon the granting of a special permit by the Board of Appeals.

- A. Funeral homes.
- B. Public or semipublic institutions of a philanthropic or charitable character, nursing homes, acute care and rehabilitation facilities, and elderly housing.

C. Above-ground structures or facilities related to the distribution, collection, transmission or disposal, for a fee, of water, sanitary sewage, gas, television services, data, telephone services, or electric power; provided, however, that no special permit shall be required pursuant to this section for structures or facilities accessory to a residential use; for wireless communication facilities or the proposed extension in height, addition of cells, antenna or panels of a wireless communication facility, as defined in Section 210-4; for wind energy systems, meteorological towers or any part thereof, as defined in Section 210-197; or for commercial solar photovoltaic installations or any part thereof, as defined in Section 210-4.

3. To amend Article III, Residence B (RB) District, Section 210-9, as follows:

The following land uses and building uses shall be permitted in an RB District. Any uses not so permitted are excluded unless otherwise permitted by law or by the terms hereof.

A. ~~All uses~~Any use permitted in an RA District as set forth in § 210-6 above.

4. To amend Article III, Residence B (RB) District, Section 210-10, as follows:

The following uses shall be allowed in an RB District upon the granting of a special permit by the Board of Appeals.

A. Funeral homes.

B. Home specialty retail.

C. Public or semipublic institutions of a philanthropic or charitable character, nursing homes, acute care and rehabilitation facilities, and elderly housing.

D. Landscaping business and storage/staging facility. Such facility shall be an accessory use to the lawful principal use of the property and shall be located on the same property as the petitioner's dwelling.

E. Above-ground structures or facilities related to the distribution, collection, transmission or disposal, for a fee, of water, sanitary sewage, gas, television services, data, telephone services, or electric power;

5. To amend Article IV, Residence Lake Front (RLF) District, Section 210-12, as follows:

The following land uses and building uses shall be permitted in an RLF District. Any uses not so permitted are excluded unless otherwise permitted by law or by the terms hereof.

A. ~~All uses~~Any use permitted in RA Districts as set forth in §210-6 above.

B. ~~All uses~~Any use permitted in an RB District as set forth in § 210-9.

- C. Private boat, canoe, or motor boathouses.
  - D. Private bathhouses.
  - E. Public recreational and educational uses.
  - F. Accessory uses customarily incident to any permitted use of buildings, structures, or land.
6. To amend Article IV, Residence Lake Front (RLF) District, Section 210-13, as follows:
- The following uses shall be allowed in an RLF District upon the granting of a special permit by the Board of Appeals:
- A. Public boathouses for rental of boats and canoes.
  - B. Public bathhouses.
  - C. Commercial recreational uses of buildings, structures, and land.
  - D. Uses allowed by special permit in § 210-10, with the exception of § 210-10C and D.
7. To amend Article V, Agricultural (A) District, Section 210-115, as follows:
- The following land uses and building uses shall be permitted in an A District. Any uses not so permitted are excluded, unless otherwise permitted by law or by the terms hereof.
- A. Any use permitted in an RA District as set forth in §210-6 above.
  - B. Any use permitted in an RB District as set forth in §§ 210-9 and 210-10 with the exception of §210-10C and D.
  - C. Any use permitted in an RLF District as set forth in §210-12.
  - D. Agriculture, horticulture, floriculture, and viticulture.
  - E. Wood lots, portable wood working mills and machinery.
  - F. Accessory uses.
  - G. Home business workshop.
8. To amend Article V, Agricultural (A) District, Section 210-16, as follows:
- In addition to the foregoing permitted uses, the following uses shall be allowed in an A District upon the granting of a special permit by the Board of Appeals:

- A. Commercial saddle horses or riding stables.
  - B. Public or semipublic institutions of a philanthropic or charitable character, nursing homes, acute care and rehabilitation facilities, and elderly housing.
  - C. Landscaping business and storage/staging facility. Such facility shall be an accessory use to the lawful principal use of the property and shall be located on the same property as the petitioner's dwelling.
  - D. Uses allowed by special permit in §210-13.
9. To amend Article VI, Business (B) District, Section 210-18, as follows:
- The following land uses and building uses shall be permitted in a B District. Any uses not so permitted are excluded, unless otherwise permitted by law or by the terms hereof.
- A. Bed-and-breakfast establishments and inns, with a maximum of 12 guest rooms.
  - B. Retail stores and retail service shops.
  - C. Business or professional offices, medical offices, and banks.
  - D. Municipal uses.
  - E. Funeral homes and mortuaries.
  - F. Restaurants.
  - G. Mixed use buildings comprised of retail space on the first floor, and office space or residential dwelling units on the second and third floors. The residential dwelling units shall have dedicated on-site parking spaces. No dwelling unit shall have less than 600 gross square feet.
  - H. Accessory uses.
10. To amend Article VI, Business (B) District, Section 210-19, as follows:
- A. The following uses shall be allowed in a B District upon the granting of a Special Permit by the Board of Appeals:
    - (1) Gasoline service stations and automobile repair garages operating in compliance with all federal, state, and municipal regulatory requirements, expressly including the accessory use of retail sale of propane; provided, however, that the maximum size of any propane storage tank authorized by Special Permit issued pursuant to this section shall not exceed 2,000 gallons.

(2) Single and multifamily residences and buildings used for dwelling purposes; provided, however, that all residential uses shall comply with the dimensional requirements contained in Article II, Residence A (RA) District.

(3) Live commercial entertainment.

(4) Theaters, halls, and clubs.

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

(1) Drive-in, drive-through, or drive-up uses, excluding the dispensing of food or drink; provided, however that:

a. An adequate dedicated area for at least four vehicles to queue shall be provided on the premises, and

b. Notification of the public hearing for such Special Permit shall be mailed to the owners of all properties within 1,000 feet of the premises.

(2) Off-street parking facility.

(3) Registered Marijuana Dispensary (RMD).

11. To amend Article VIA, Downtown Business (DB) District, Section 210-20.2, as follows: The following land uses and building uses shall be permitted in a BD District. Any uses not so permitted are excluded, unless otherwise permitted by law or by the terms hereof.

A. Bed-and-breakfast establishments and/or inns, with a maximum of 12 guest rooms.

B. Retail stores and retail service shops.

C. Business or professional offices, medical offices, and banks.

D. Municipal uses.

E. Funeral homes and mortuaries.

F. Restaurants.

G. Mixed use buildings comprised of retail space on the first floor, and office space or residential dwelling units on the second and third floors. The residential dwelling units shall have dedicated on-site parking spaces. No dwelling unit shall have less than 600 gross square feet.

H. Accessory uses.



12. To amend Article III, Downtown Business (DB) District, Section 210-20.3, as follows:

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

(1) Gasoline service stations and automobile repair garages operating in compliance with all federal, state, and municipal regulatory requirements, expressly including the accessory use of retail sale of propane; provided, however, that the maximum size of any propane storage tank authorized by Special Permit issued pursuant to this section shall not exceed 2,000 gallons.

(2) Single and multifamily residences and buildings used for dwelling purposes; provided, however, that all residential uses shall comply with the dimensional requirements contained in Article II, Residence A (RA) District.

(3) Live commercial entertainment.

(4) Theaters, halls, and clubs.

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

(1) Drive-in, drive-through, or drive-up uses, excluding the dispensing of food or drink; provided, however that:

a. An adequate dedicated area for at least four vehicles to queue shall be provided on the premises, and

b. Notification of the public hearing for such Special Permit shall be mailed to the owners of all properties within 1,000 feet of the premises.

(2) Off-street parking facility.

13. To amend Article VII, Rural Business (BR) District, Section 210-23, as follows:

The following land uses and building uses shall be permitted in a BR District. Any uses not so permitted are excluded unless otherwise permitted by law or the terms hereof.

A. Restaurants.

B. Retail stores, provided that not more than six employees are on the premises.

C. Business, medical or professional offices, and banks.

D. Retail business: retail service or public utility uses involving manufacturing, clearly

incidental and accessory to a retail use, on the same premises, and the product is customarily sold on the premises, provided that not more than six operators are employed in such manufacturing.

E. On-site residence of owners or employees of a permitted use.

F. Accessory uses.

G. Health services facility.

14. To amend Article VII, Rural Business (BR) District, Section 210-24, as follows:

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

(1) Filling station and routine automobile maintenance, but not including major repairs.

(2) Single-family residence.

(3) Live commercial entertainment and places of assembly.

(4) Veterinary clinic.

(5) Continuing Care Retirement Community Facility~~ies~~/Assisted Living Facility~~ies~~/Nursing Home Facility~~ies~~.

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

(1) Drive-in, drive-through, or drive-up uses, excluding the dispensing of food or drink; provided, however that:

a. An adequate dedicated area for at least four vehicles to queue shall be provided on the premises, and

b. Notification of the public hearing for such Special Permit shall be mailed to the owners of all properties within 1,000 feet of the premises.

(2) Registered Marijuana Dispensary (RMD).

15. To amend Article VIII, Industrial A (IA) District, Section 210-34, as follows:

A. The following land uses are permitted in an IA District.

(1) Research and development; Research centers and laboratory~~ies~~.

(2) Professional and medical offices.

(3) Manufacturing, assembly or processing plants for the following types of industries, provided that none of the activities in Subsection A(3)(a) through (k) will be offensive, injurious or noxious because of gas, dirt, sewage and refuse, vibration, smoke, fumes, dust, odors, discharge of harmful bacteria, radioactive material or chemicals into air, water or septic or site drainage systems, danger of fire or explosion, objectionable noise or other characteristics which are detrimental or offensive or which tend to reduce property values in the same or adjoining districts:

(a) Food and kindred products.

(b) Apparel and related products.

(c) Electronic and electrical products.

(d) Furniture and fixtures.

(e) Printing and publishing.

(f) Lumber and wood products.

(g) Paper converting products.

(h) Primary and fabricated metal industries.

(i) Machinery.

(j) Transportation equipment.

(k) Instruments and related products, or any other light manufacturing enterprise.

(4) Warehousing for distribution.

(5) Landscaping business and storage/staging facility.

(6) Health club.

(7) The preparation, packaging and warehousing for distribution of medical supplies for home intravenous therapy with accessory retail use, provided that the retail use occupies no more than 300 square feet of gross floor area in the aggregate on any one lot.

(8) Accessory uses, including but not limited to cafeterias.

(9) Restaurants.

(10) Health services facility.

(11) Retail stores not to exceed 2,000 square feet, located so as to provide for the convenience of the occupants of the immediate neighborhood, selling items such as groceries, prepared take-out food, toilet articles, cosmetics, candy, sundries, medications, newspapers, magazines and ice cream provided, however, that any such retail store may operate only between the hours of 6:00 A.M. and 10:00 P.M.

(12) Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants with a Biosafety Level of Level 1 (involving specific combinations of work, practices, safety equipment and facilities appropriate for infectious agents that do not ordinarily cause human disease) or Level 2 (involving specific combinations of work practices, safety equipment and facilities appropriate for infectious agents that can cause human disease, but whose potential for transmission is limited), as determined in accordance with the Guidelines of the U.S. Centers for Disease Control.

B. Any uses not so permitted are excluded unless otherwise permitted by law or the terms of this article.

16. To amend Article VIII, Industrial A (IA) District, Section 210-35, as follows:

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

(1) Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants with a Biosafety Level of Level 3 (involving specific combinations of work practices, safety equipment and facilities appropriate for infectious agents that may be transmitted by the respiratory route which can cause serious infection), as determined in accordance with the Guidelines of the U.S. Centers for Disease Control.

(2) Conference centers with or without a residential dormitory component.

(3) Veterinary clinics.

(4) Automobile and truck rental and repair, but not including automobile and truck sales.

(5) As an accessory use, facilities for storage of gasoline, kerosene, fuel oil, volatile gases and other such substances, except as otherwise prohibited by this Chapter.

(6) Recycling centers; provided, however, that recycling activities are not located

within 100 feet of a residential zoning district, and provided further that a buffer area containing natural material and forming an effective year-round screen between the recycling activities and the residential zoning district shall be required.

(7) Continuing care retirement community/assisted living facility/nursing home facility.

(8) Indoor recreation uses.

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

(1) Registered Marijuana Dispensary (RMD).

17. To amend Article VIII A, Industrial B (IB) District, Section 210-37.8, as follows:

A. The following land uses are permitted in an IB District.

(1) Research and development; ~~R~~research centers and laboratoryies.

(2) Professional and medical offices.

(3) Manufacturing, assembly or processing plants for the following types of industries, provided that none of the above activities in Subsection A(3)(a) through (k) will be offensive, injurious or noxious because of gas, dirt, sewage and refuse, vibration, smoke, fumes, dust, odors, discharge of harmful bacteria, radioactive material or chemicals into air, water or septic or site drainage systems, danger of fire or explosion, objectionable noise or other characteristics which are detrimental or offensive or which tend to reduce property values in the same or adjoining districts.

(a) Food and kindred products.

(b) Apparel and related products.

(c) Electronic and electrical products.

(d) Furniture and fixtures.

(e) Printing and publishing.

(f) Lumber and wood products.

(g) Paper converting products.

(h) Primary and fabricated metal industries.

(i) Machinery.

(j) Transportation equipment.

(k) Instruments and related products, or any other light manufacturing enterprise.

(4) Warehousing for distribution.

(5) Health club.

(6) Landscaping business and storage/staging facility.

(7) The preparation, packaging and warehousing for distribution of medical supplies for home intravenous therapy with accessory retail use, provided that the retail use occupies no more than 300 square feet of gross floor area in the aggregate on any one lot.

(8) Accessory uses, including but not limited to cafeterias.

(9) Building trade shop.

(10) Health services facility.

(11) Restaurants that contains no more than 100 seats and that **areis** not open for business after 11:00 PM.

(12) Retail stores not to exceed 2,000 square feet, located so as to provide for the convenience of the occupants of the immediate neighborhood, selling items such as groceries, prepared take-out food, toilet articles, cosmetics, candy, sundries, medications, newspapers, magazines and ice cream provided, however, that any such retail store may operate only between the hours of 6:00 A.M. and 10:00 P.M.

(13) Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants with a Biosafety Level of Level 1 (involving specific combinations of work, practices, safety equipment and facilities appropriate for infectious agents that do not ordinarily cause human disease) or Level 2 (involving specific combinations of work practices, safety equipment and facilities appropriate for infectious agents that can cause human disease, but whose potential for transmission is limited), as determined in accordance with the Guidelines of the U.S. Centers for Disease Control.

B. Any uses not so permitted **areis** excluded unless otherwise permitted by law or the terms of this article.

18. To amend Article VIIIA, Industrial B (IB) District, Section 210-37.9, as follows:

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

(1) Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants with a Biosafety Level of Level 3 (involving specific combinations of work practices, safety equipment and facilities appropriate for infectious agents that may be transmitted by the respiratory route which can cause serious infection), as determined in accordance with the Guidelines of the U.S. Centers for Disease Control.

(2) Conference centers with or without a residential dormitory component.

(3) Parking Facilities for Public School Buses Serving Hopkinton Residents.

(4) Restaurants that contain more than 100 seats or are open for business after 11:00 PM.

(5) Veterinary clinics.

(6) Automobile and truck rental and repair, but not including automobile and truck sales.

(7) Facilities for storage as an accessory use of gasoline, kerosene, fuel oil, volatile gases and other such substances, unless prohibited elsewhere in this Chapter.

(8) Recycling centers, provided that such activities on the lot are not located within 100 feet of a residential zoning district, and a buffer area containing natural material will form an effective year-round screen between the industrial uses and the residential zone.

(9) Continuing care retirement community/assisted living facility/nursing home facility.

(10) Indoor recreation uses.

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

(1) Registered Marijuana Dispensary (RMD).

19. To amend Article IX, Professional Office (P) District, Section 210-39, as follows:

No new building or structure shall be constructed or used, in whole or in part, and no building or structure, or part thereof, shall be altered, enlarged, reconstructed or used, and no land shall be used in a Professional Office District for any purpose except one or more of

the following:

A. Professional offices, administrative offices, clerical offices, establishments for research and development, or laboratories.

B. Light manufacturing and/or assembly with associated professional, administrative and/or clerical offices for the following types of industries:

(21) Electronic and electrical products.

(32) Robotics and precision instruments.

(43) Computer related products.

(54) Printing and publishing.

(65) Medical equipment and devices.

(76) Telecommunications equipment and devices.

C. Day-care center.

D. Conference center.

E. Agricultural and horticultural uses.

F. Accessory uses customarily incidental to any use permitted herein, including but not limited to cafeterias, health clubs and automatic bank teller machines located within buildings on the site. Such accessory use shall not include restaurants open to the general public.

20. To amend Article IX, Professional Office (P) District, Section 210-40, as follows:

The following uses shall be allowed upon the grant of a special permit by the Board of Appeals:

A. Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants.

B. Health services facility.

C. Residential dormitory component of a conference center.

21. To amend Article IX, Professional Office (P) District, Section 210-41, as follows:

Any uses not so permitted are excluded unless otherwise permitted by law or the terms of



this Chapter.

22. To amend Article X, Floodplain District, Section 210-52, as follows:

The following uses, which create a minimal risk of damage due to flooding and will not constitute obstructions to flood flow, shall be allowed by right in the Floodplain District if they are permitted in the underlying district and do not require structures, fill or storage of materials or equipment:

- A. Agricultural uses.
- B. Forestry and nursery uses.
- C. Outdoor recreational uses, including fishing, boating, and play area.
- D. Conservation of water, plants, and wildlife.
- E. Wildlife management areas, foot, bicycle, and horse paths.
- F. Temporary nonresidential structures used in connection with fishing, growing, harvesting, storage, or sale of crops raised on the premises.
- G. Buildings lawfully existing prior to the adoption of these provisions.

Pass any vote or take any act relative thereto.

**Required Recommendation:** 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 37 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Two-Thirds Majority.

<b>ARTICLE: 38</b> <b>Dimensional Table, Appendix</b>
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<i>Sponsor: Planning Board</i>
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To see if the Town will vote to amend the Zoning Bylaws by inserting the following table as Appendix A at the end of the Zoning Bylaws.

## Appendix A: Dimensional Requirements

Zoning District	Min. Lot Area (sf)	Max. Lot Coverage (%)	Min. Lot Frontage (feet)	Min. Frontage Depth (feet)	Min. Setback from Street Line (feet)	Min. Side Yard (feet)	Min Rear Yard (feet)	Storage Sheds Setback (feet)	Max. Building Height (feet)	Zoning Bylaw Reference
Agricultural (A)	60,000	25%	200	120	60	30	30	10	40 (res.) 35 (non-res.)	§210-14 §210-121
Residence A (RA)	15,000 (with Town water)	25%	100	90	40	10	20	6	40 (res.) 35 (non-res.)	§210-5 §210-121
	22,500 w/o Town water									
Residence B (RB)	45,000	25%	150	100	50	25	20	6	40 (res.) 35 (non-res.)	§210-8 §210-121
Residence Lake Front (RLF)	45,000	25%	150	100	30	25	20	6	40 (res.) 35 (non-res.)	§210-11 §210-121
Business (B)	15,000	60%	0	N/A	20	10	40	N/A	35	§210-17
Downtown Business (BD)	15,000	60%	0	N/A	5	0 (adj. to non-res.)	20 (adj. to non-res.)	N/A	35	§210-20.1
						10 (adj. to res.)	30 (adj. to res.)			
Rural Business (BR)	45,000	25%	200	120	50	10 (adj. to non-res.)	20 (adj. to non-res.)	N/A	35	§210-22
						25 (adj. to res.)	40 (adj. to res.)			
Professional Office (P) <sup>1</sup>	5 acres	60% (60% max GFA)	50	N/A	60 from street		N/A	35 / 3 stories	§210-42	
					100 from residential district					
					50 from commercial or industrial zone					

<sup>1</sup> For the entire development site.

Industrial A (IA)	60,000	40% (50% max GFA <sup>2</sup> )	200	120	60	30	40	N/A	60 <sup>3</sup>	§210-28 §210-32
Industrial B (IB)	60,000	40% (50% max GFA)	200	120	60	30	40	N/A	45 <sup>3</sup>	§210-37.2 §210-37.6

Note: This table is for reference only. In the event of a conflict or inconsistency between this table and Chapter 210, Zoning Bylaws, the latter shall prevail.

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<sup>2</sup> Gross Floor Area

<sup>3</sup> The vertical distance, measured from the curb grade to the highest point of the principal front of a building or structure.

Pass any vote or take any act relative thereto.

**Required Recommendation:** 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 38 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Two-Thirds Majority.

## **GENERAL BYLAW AMENDMENTS**

**ARTICLE: 39**    **Housekeeping/Gender Neutral References**

*Sponsor: Select Board*

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

1. By striking the following instances of the term “Chairman” and inserting, in place thereof, the term “Chair”:
  - a. Chapter 5, Article I, Appropriation Committee, Section 5-3, Officers; regular meetings;
  - b. Chapter 5, Article III, Section 5-11, Chairman, as the title of said Section and in the two instances in which it appears in Section 5-11.
  - c. Chapter 5, Article VI, Section 5-23, Establishment; membership; terms; vacancies; appointments (2 instances).
  - d. Chapter 123, Section 123-4, Historic District Commission, Subsection G (3 instances);
  - e. Chapter 123, Section 123-5, Commission Meetings; Quorum.
2. By striking the term “his or her” and inserting, in place thereof, the term “their”, in Subsection C of Section 5-1 of Chapter 5, Article I, Appropriation Committee.
3. By striking the term “his/her” and inserting, in place thereof, the term “the employee’s” in Section 13-10 of Article V, Payment of Insurance Premiums in Chapter 13, Finances.
4. By deleting the second sentence of Subsection D of Section 28-4 in Chapter 28, Duties of Town Officers, and inserting, in place thereof, the following sentence:

Town Counsel shall receive such salary or compensation as the Select Board may determine; Town Counsel shall be available for advice to all the town departments under the supervision of the Select Board and shall perform such duties as the

Select Board may prescribe.

5. By striking the term “his” and inserting, in place thereof, the term “the” in Chapter 28, Section 28-6, Town Accountant.
6. By striking the term “his/her” and inserting, in place thereof, the term “their”, in the following provisions of Chapter 33, Personnel:
  - a. Subsection C of Section 33-3, Personnel Board;
  - b. Subsection E of Section 33, Personnel Board;
  - c. Subsection F of Section 33, Personnel Board (2 instances);
  - d. Subsection I of Section 33, Personnel Board;
  - e. Subsection B of Section 34, Employee Handbook (2 instances);
7. By amending Chapter 55, Alarm Systems, Article I, Intrusion Alarms, as follows:
  - a. To strike the term “his” and insert in place thereof the term “any” in the first sentence of the definition of False Alarm in Section 55-2, Definitions;
  - b. To strike two instances of the term “his” and insert in place thereof the term “their” in the 5th sentence of Subsection B of Section 55-3, Administrative rules.
  - c. To strike the term “him” and insert in place thereof the term “them” in the first sentence of Subsection D (1) in Section 55-4, Control and curtailment of signals emitted by alarm users;
  - d. To strike the term “he” and insert in place thereof the term “they” in Subsection D (2) of Section 55-4, Control and curtailment of signals emitted by alarm users, ;
  - e. To strike the term “he is” and insert in place thereof the term “they are” in Subsection D (3) of Section 55-4, Control and curtailment of signals emitted by alarm users;
  - f. To strike the term “him” and insert in place thereof the term “them” in the first sentence of Subsection D (4) in Section 55-4, Control and curtailment of signals emitted by alarm users;
  - g. To re-number present Section 55-6, Testing of equipment, to Section 55-5;
  - h. To strike the term “he has” and insert in place thereof the term “they have” in the first sentence of Subsection C of Section 55-6, False alarms.
8. By striking the term “his” and inserting, in place thereof, the term “their” in the definition of Fire Alarm System Owner in Section 55-9, Definitions, in Chapter 55, Alarm Systems, Article II, Fire Alarms.

9. By striking the term “his or her” and inserting, in place thereof, the term “their” in Section 87-3, Police Department Procedure in Chapter 87, Civil Fingerprinting (2 instances);
10. By striking the term “himself” in the first sentence of Section 91-1, Prohibited actions, in Chapter 91, Disorderly Conduct.
11. By amending Chapter 119, Fuel Storage Tanks, as follows:
  - a. To amend Subsection B of Section 119-4, Registration of existing tanks, as follows:

Notification of Fire Department. The Town Clerk must forthwith, give the Fire Chief a copy of the information filed for each tank that is registered according to Subsection A of this section. The Fire Chief or **his their** designee must check this information against Fire Department records, **and: He** may require evidence of the date of purchase and installation if there is any question concerning the age of the tank.
  - b. To strike the instances of the term “his” and insert, in place thereof, the term “their” in the following:
    - 1) Subsection B(1) of Section 119-5, Standards applicable to the installation of new tanks;
    - 2) Subsection A(2) of Section 119-6, Leak detection for existing and new tanks;
    - 3) Subsection B(1) of Section 119-6, Leak detection for existing and new tanks;
    - 4) Subsection E of Section 119-8, Administration.
12. By striking the term “his/her” and inserting, in place thereof, “their” in Subsection 125-2 of Chapter 125, Historic Preservation.
13. By amending Chapter 150, Door to Door Soliciting and Canvassing, as follows:
  - a. To strike the term “his” and insert, in place thereof, the term “their” in Section 150-5.1;
  - b. To strike the term “his” and insert, in place thereof, the term “a” in Section 150-7.3 (a);
  - c. To amend Section 150-7.3 (c) as follows:

Inform the occupant in clear language of the nature and purpose of **his their** business and, if **he is they are** representing an organization, the name and nature of that organization.

- d. To strike the term “himself” and insert, in place thereof, the term “themselves” in Subsection 150-9.2 of Section 150-9;
14. By striking the term “by him” in the first sentence of Section 188-6 of Chapter 188, Unregistered Motor Vehicles.
15. By striking the following instances of the term “his” and inserting, in place thereof, the term “their”, in Chapter 195, Wastewater Collection System, as follows:
- a. Section 195-17, Pretreatment facilities operations, in Article III, Control of Prohibited Wastes;
  - b. Section 195-19, Protection from accidental discharge, in Article III, Control of Prohibited Wastes;
  - c. Section 195-23, Equalization basin, in Article IV, Use of System for Discharge of Industrial Waste;
  - d. Section 195-24, Control manhole, in Article IV, Use of System for Discharge of Industrial Waste;
  - e. Section 195-25, Measuring device, in Article IV, Use of System for Discharge of Industrial Waste;
  - f. Section 195-26, Grease, oil and sand interceptors, in Article IV, Use of System for Discharge of Industrial Waste;
  - g. Section 195-36, Bypassing of pretreatment facilities, in Article IV, Use of System for Discharge of Industrial Waste;
  - h. Subsection F in Section 195-41, Records and Monitoring, in Article V, Permit System for Industrial Discharge;
  - i. Section 195-42, Duration of permits, in Article V, Permit System for Industrial Discharge;
  - j. The first sentence of Section 195-44, Revocation of permit, in Article V, Permit System for Industrial Discharge;
  - k. Subsection A of Section 195-44, Revocation of permit, in Article V, Permit System for Industrial Discharge;
  - l. Subsection F of Section 195-61, Septage receiving procedures, in Article VI, Septage Waste Disposal;
  - m. Section 195-75, Negative finding; objection to decision, in Article VII, Penalties and Enforcement Procedures for Industrial Users and Septage Haulers.

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 39 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Simple Majority.

<b>ARTICLE:</b> 40	<b>Amend General Bylaws Section 62-2 - Dog Licensing</b>	<i>Sponsor: Town Clerk</i>
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To see if the Town will vote to amend Section 62-2 “Deadline; penalty” of the General Bylaws of the Town of Hopkinton by deleting the word “*penalty*” in sentences one and two and inserting the term “*late fee*” in its place, by deleting “*\$50.00*” from the second sentence and inserting “*\$25.00*” in its place, by deleting the phrase “*household irrespective of the number of dogs which reside in the household which have*” and inserting “*dog which has*” in its place, and by inserting the following language as a new sentence after the end of the last sentence:

*“This fee shall not apply to any dog that has turned six months of age after April 1st of such year. Additionally, any dog not licensed on or before July 1st of such year, will be deemed in violation of M.G.L. c. 140 § 137, shall be assessed a penalty of \$50.00 in accordance with M.G.L. c. 140 § 141 in addition to the applicable license and/or late fees, to be enforced by the Animal Control Officer and/or the Chief of Police. All fees and penalties under this section will be collected by the Town Clerk’s Office.”*

So that the amended bylaw will read substantially as follows:

*“Any person who is the owner or a keeper of a dog or dogs six months of age or older in the Town of Hopkinton and fails to license said dog or dogs on or before April 1st of each year shall be subject to a late fee in addition to the applicable license fee. The amount of the late fee shall be \$25.00 per dog which has not been licensed on or before April 1st of such year. This fee shall not apply to any dog that has turned six months of age after April 1st of such year. Additionally, any dog not licensed on or before July 1st of such year, will be deemed in violation of M.G.L. c. 140 § 137, shall be assessed a penalty of \$50.00 in accordance with M.G.L. c. 140 § 141 in addition to the applicable license and/or late fees, to be enforced by the Animal Control Officer and/or the Chief of Police. All fees and penalties under this section will be collected by the Town Clerk’s Office.”*

Pass any vote or take any act relative thereto.

**Motion (Town Clerk):** *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 40 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Simple Majority.



**LAND ACQUISITION AND DISPOSITION**

**ARTICLE: 41**    [Accept Easement - 2 Oakhurst Road](#)

*Sponsor: Select Board*

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain or otherwise, an easement located at 2 Oakhurst Road as shown as "Proposed Bus Stop Easement" on a plan entitled "Site Plan, 2 Oakhurst Road, Hopkinton, MA", prepared by United Consultants Inc. and dated August 10, 2020 rev. November 30, 2020, 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' Map as R28 73 0, and said easement to be used for a school bus waiting area.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval  
Capital Improvements Committee will make a recommendation at Town Meeting.  
Appropriation Committee recommends Approval.

**Motion: (Select Board)** *We move that the Town vote to authorize the Select Board to acquire, by gift, an easement located at 2 Oakhurst Road as shown as "Proposed Bus Stop Easement" on a plan entitled "Site Plan, 2 Oakhurst Road, Hopkinton, MA", prepared by United Consultants Inc. and dated August 10, 2020 rev. November 30, 2020, 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' Map as R28 73 0, and said easement to be used for a school bus waiting area.*

**Vote Needed:** Simple Majority.

**ARTICLE: 42**    [Accept Gift of Land - Fitch Ave.](#)

*Sponsor: Select Board*

To see if the Town will vote to authorize the Select Board to acquire, by gift, a fee interest in a certain parcel of land, consisting of a 0.98 acre parcel as shown as Lot E on a plan entitled "Plan of Land Hopkinton, Massachusetts" prepared by GLM Engineering Consultants, Inc. and dated September 2, 2021, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property located at 4, 6, 8 and Lot D Fitch Ave. and as a portion of property shown on Assessors Map as U22 71 0, U22 72 0, U22 73 0 and U22 74 0, and said land to be used for open space and recreation purposes.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval  
Capital Improvements Committee will make a recommendation at Town Meeting.  
Appropriation Committee recommends Approval.

**Motion: (Select Board)** *We move that the Town vote to authorize the Select Board to acquire, by gift, a fee interest in a certain parcel of land, consisting of a 0.98 acre parcel as shown as Lot E on a plan entitled "Plan of Land Hopkinton, Massachusetts" prepared by GLM Engineering Consultants, Inc. and dated September 2, 2021, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property located at 4, 6, 8 and Lot D Fitch Ave. and as a portion of property shown on Assessors Map as U22 71 0, U22 72 0, U22 73 0 and U22 74 0, and said land to be used for open space and recreation purposes.*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 43</b>	<b>Accept Gift of Land - Chamberlain-Whalen Subdivision</b>	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to authorize the Select Board to acquire, by gift, a fee interest in a certain parcel of land, consisting of a 44.804 acre parcel of land as shown as "Open Space Parcel A" on a plan entitled "Definitive Subdivision Plan, Chamberlain Street and Whalen Road, Town of Hopkinton" prepared by Bohler Engineering and dated December 11, 2017, revised May 18, 2021, a copy of which is available for inspection at the Office of the Town Clerk. Said land to be under the jurisdiction of the Open Space Preservation Commission.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval  
Appropriation Committee recommends Approval  
Capital Improvements Committee recommends will make a recommendation at Town Meeting.

**Motion: (Planning Board)** *We move that the Town vote to authorize the Select Board to acquire, by gift, a fee interest in a certain parcel of land, consisting of a 44.804 acre parcel of land as shown as "Open Space Parcel A" on a plan entitled "Definitive Subdivision Plan, Chamberlain Street and Whalen Road, Town of Hopkinton" prepared by Bohler Engineering and dated December 11, 2017, revised May 18, 2021, a copy of which is available for inspection at the Office of the Town Clerk. Said land to be under the jurisdiction of the Open Space Preservation Commission.*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 44</b>	<b>Land Acquisition - Conroy Property, Saddle Hill Road</b>	<i>Sponsor: Open Space Preservation Commission</i>
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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 acquisition of the Conroy property on Saddle Hill Road, containing 88.29 acres, more or less, identified as Assessor's Parcels R7 5 0 and R7 7 0 and more particularly described in a certain deed recorded in the Middlesex South District Registry of Deeds in Book 70082, Page 23 and Book 76408, Page 400 for the purposes of

preservation and for providing open space for passive recreation. Said sum to be spent under the direction of the Open Space Preservation Commission.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval.  
Appropriation Committee will make a recommendation at Town Meeting.  
Capital Improvements Committee recommends will make a recommendation at Town Meeting.

**Motion: (Open Space Preservation Commission)** The Town has not yet determined a final purchase price for this property. Therefore, the final motion will be provided at Town Meeting and it is anticipated it will be substantially as follows:

*We move that the Town vote to authorize the Select Board to purchase the Conroy property on Saddle Hill Road, identified as Assessor's Parcels R7 5 0 and R7 7 0, to [FUNDING SOURCE AND PURCHASE PRICE TO BE DETERMINED] for the purpose of said acquisition, for the purposes of preservation and for providing open space for passive recreation. Said land to be under the jurisdiction of the Open Space Preservation Commission. Said sum to be spent under the direction of the Open Space Preservation Commission.*

**Vote Needed:** Two-Thirds Majority.

**ARTICLE: 45 Land Acquisition - 71 Frankland Road, Rear**

*Sponsor: Citizens' Petition*

To see if the Town will vote to authorize the Select Board, pursuant to Chapter 79 of the *Massachusetts General Laws*, to acquire by eminent domain, for any municipal or lawful purpose, the property known and numbered as 0 and 71 Frankland Road, Hopkinton Assessors Map U7-7-0, R9-4-0, and R9-5-0, and, further, to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum or sums of money for said acquisition including all engineering, appraisals, legal and other related costs. The only way to get an answer from Seaboard Solar will be to take the large undeveloped parcel by eminent domain. Eminent Domain refers to the power of the government to take private property and convert it into public use. The Fifth Amendment provides that the government may only exercise this power if they provide just compensation to the property owners.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Disapproval.  
Appropriation Committee recommends Disapproval.  
Capital Improvements Committee will make a recommendation at Town Meeting.

**Motion:** We move that the Town vote to authorize the Select Board, pursuant to Chapter 79 of the Massachusetts General Laws, to acquire by eminent domain, a fee simple interest a portion of the property known and numbered as 0, 69, and 71 Frankland Road, Hopkinton Assessors Map U7-7-0, R9-4-0, and R9-5-0, and as described in certain deeds recorded in the Middlesex County Registry of Deeds in book 74323, page 518, and, together with and subject to all rights, restrictions and easements of record, on such terms and conditions as the Select Board may determine, and, further, to raise and appropriate the sum of \$700,000 [SEVEN HUNDRED THOUSAND DOLLARS] or whatever price is determined to the just cost by an appraisal commission by the Town for said acquisition, including all engineering, appraisals, legal and other costs related to the same, provided further, that said land shall be used for trails and habitat, and provided, further, that said acquisition is being authorized by Town Meeting because (1) it is important to preserve the only large forested parcel of land on the Ashland side of Town and to expand the HALT deer run sanctuary to approximately 100 acres of significant trails and habitat; (2) eminent domain is urgently needed to keep a portion of these parcels of land from being clear cut by Seaboard Solar, which will not negotiate a selling price for this land with the Town; and (3) we need to balance recreational resources between the Ashland side of the Town and other parts the Town and not leave the Ashland side with three solar commercial installations, a double housing development, an no open space, and provided, further, that passage of this motion shall allow the Town to immediately act to acquire said property and to protect it from clear-cutting to allow its use for trails and habitat.

**Vote Needed:** Two-Thirds Majority.

## ADMINISTRATIVE

**ARTICLE: 46**    **Accept M.G.L. c. 40U § 3**

*Sponsor: Fire Chief*

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40U in its entirety, allowing for the administration of fines as a result of violations of any rule, regulation, order, or bylaw regulating the housing, sanitary or municipal snow and ice removal requirements of the Town; and further to amend the General Bylaws by inserting a new Article VI in Chapter 1, General Provisions as:

### ARTICLE VI

#### Administration of Fines for Certain Violations

##### **§ 1-8. Adoption of G.L. c.40U**

The procedures for the payment and collection of unpaid municipal fines, as set forth in G.L. c. 40U are hereby adopted.

##### **§ 1-9. Municipal Hearing Officer**

The Town Manager shall appoint a Municipal Hearing Officer to conduct hearings of

alleged violations of the Bylaws specified in this Bylaw.

**§ 1-10. Violations Subject to this Bylaw**

The following Bylaws and the specified penalties attached thereto shall be included within the procedure established under this Bylaw. Each day a violation is committed or permitted to continue shall constitute a separate offense and may be penalized as such hereunder:

BYLAW	SUBJECT
§ 93-1	Dumping on public and private land
§ 113-1	Hard-wired detectors required upon sale or transfer of certain buildings
§ 174-7	Obstruction of streets and sidewalks prohibited
§ 174-29	Discharge of Water onto a Public Way Prohibited

**§ 1-11. Enforcement**

Notwithstanding the provisions of this Bylaw, the Town may enforce its Bylaws and regulations or enjoin violations thereof through any lawful process, including but not limited to, any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c.40, §21D and Section 1-4 of the Town’s General Bylaws, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.

Pass any vote or take any act relative thereto.

**Motion: (Select Board)** *We move that the Town vote to accept the provisions of Massachusetts General Laws Chapter 40U in its entirety, allowing for the administration of fines as a result of violations of any rule, regulation, order, or bylaw regulating the housing, sanitary or municipal snow and ice removal requirements of the Town; and further to amend the General Bylaws by inserting a new Article VI in Chapter 1, General Provisions as set forth in Article 46 of the 2022 Annual Town Meeting Warrant.*

**Vote Needed:** Simple Majority.

<b>ARTICLE: 47</b>	<b>Accept M.G.L. c. 41 § 110A</b>	<i>Sponsor: Town Clerk</i>
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To see if the Town will vote to accept the provisions of Chapter 41 § 110A of the Massachusetts General Laws, thereby authorizing any public office in the Town to remain closed on any or all Saturdays as may be determined from time to time.

Pass any vote or take any act relative thereto.

**Motion (Town Clerk):** *We move that the Town vote to accept the provisions of Chapter 41 § 110A of the Massachusetts General Laws.*

**Vote Needed:** Simple Majority.

To see if the Town will vote to establish a Commission on Disability by accepting the provisions of Chapter 40, § 8J of the *Massachusetts General Laws* and amending the General Bylaws by inserting as Chapter 5, Article IX the following text:

**ARTICLE IX**  
**Commission on Disability**

**§ 5-30. Title and purpose.**

- A. The name of this commission is the Commission on Disability (hereafter referred to as the Commission).
- B. The purpose of the Commission is to coordinate or carry out programs in coordination with programs of the Massachusetts Office on Disability and advise the Select Board on the same to bring about full and equal participation in all aspects of life in the Town of Hopkinton for people with disabilities.
- C. The purpose of these bylaws is to establish principles, policies, and procedures for the governance of this Commission.

**§ 5-31. Powers and duties.**

- A. Research, understand, evaluate, and advocate local issues, challenges and opportunities encountered by people with disabilities.
- B. Coordinate the activities of other local groups organized to meet the needs of people with disabilities.
- C. Review and make recommendations about policies, procedures, services and activities of departments and agencies of the Town as they affect people with disabilities.
- D. Work in cooperation with the departments and agencies of the Town to bring about maximum participation of people with disabilities.
- E. Initiate, monitor, and promote legislation at the city, state and federal level which advances the equal status of people with disabilities.
- F. Encourage public awareness of disability issues.
- G. Provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses and organizations in all matters pertaining to disability.

- H. Recruit and recommend prospective Commission members to the Town Manager.
- I. File an annual report, which shall be printed in the Town's annual report.

**§ 5-32. Membership.**

- A. The Commission shall consist of seven members appointed by the Town Manager, subject to the approval of the Select Board. Four members shall consist of people with disabilities. One member shall be a member of the immediate family of a person with a disability. One member shall be either an elected or appointed official of the Town.
- B. The members shall initially serve the following terms: (1.) Two members shall serve one-year terms; (2.) Two members shall serve two-year terms; and (3.) Three members shall serve three-year terms. After the initial term, all members shall serve three-year terms.
- C. Resignation shall be made by notifying the chairperson in writing.
- D. The Town Manager shall fill any vacancy for the remainder of the unexpired term in the same manner as an original appointment.
- E. Any members of said Commission may, after a public hearing, if so requested, be removed for cause by the appointing authority.
- F. All members shall have full voting rights.

**§ 5-33. Officers.**

- A. The officers shall include a chairperson, vice chairperson, and secretary.
- B. Officers shall be elected annually by the majority vote of the Commission.
- C. One member may hold more than one office.

**§ 5-34. Meetings.**

- A. Regular meetings shall be held at least ten times a year.
- B. A quorum shall consist of three members.

Pass any vote or take any act relative thereto.

**Required Recommendations:** Select Board recommends Approval.

**Motion: (Select Board)** *We move that the Town vote to establish a Commission on Disability by accepting the provisions of Chapter 40, § 8J of the Massachusetts General Laws and amending the General Bylaws by inserting as Chapter 5, Article IX the text as printed in Article 49 of the Warrant, with the exception that “three” in item B of § 5-34. Meetings shall be deleted, and “four” inserted in its place.*

**Vote Needed:** Simple Majority.

**ARTICLE: 49 Amend Vote of Town Meeting - Registrar Stipend**

*Sponsor: Town Clerk*

To see if the Town will vote to amend the vote of the April 1991 Special Town Meeting on article 11 of said Town Meeting's warrant adopting the provisions of *M.G.L. c.41, s.19J* to retain the Town's adoption of the provisions of said section 19J but to strike that portion of the vote setting the amount of such compensation for the Town Clerk as \$600 and, further, that compensation to the Town Clerk pursuant to said section 19J shall hereafter be set at this and each successive Town Meeting in May in an amount not to exceed the limits set in said section 19J.

Pass any vote or take any act relative thereto.

**Motion: (Town Clerk)** *We move that the Town vote to amend the vote of the April 1991 Special Town Meeting on article 11 of said Town Meeting's warrant adopting the provisions of M.G.L. c.41, s.19J to retain the Town's adoption of the provisions of said section 19J but to strike that portion of the vote setting the amount of such compensation for the Town Clerk as \$600 and, further, that compensation to the Town Clerk pursuant to said section 19J shall hereafter be set at this and each successive Town Meeting in May in an amount not to exceed the limits set in said section 19J.*

**Vote Needed:** Simple Majority.

**ARTICLE: 50 Prudent Investment Legislation**

*Sponsor: Town Manager*

To see if the Town will vote to authorize and request the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for passage of special legislation substantially as provided below, allowing the investment of the Town's Trust Funds in accordance with Sections 3, 4, 5, 8, and 9 of Chapter 203C of the *Massachusetts General Laws*, removing the requirement to invest only in the Massachusetts Legal List of Investments; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board votes to approve amendments thereto; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition.

AN ACT AUTHORIZING CERTAIN INVESTMENTS BY THE TREASURER OF THE TOWN OF HOPKINTON

*Be it enacted by the Senate and House of Representatives in General Court assembled,*



*and by the authority of the same, as follows:*

SECTION 1. Notwithstanding Section 54 of Chapter 44 of the General Laws or any other general or special law to the contrary, the treasurer of the town of Hopkinton may invest trust funds that are in the custody of the treasurer in accordance with Sections 3, 4, 5, 8, and 9 of Chapter 203C of the General Laws.

SECTION 2. This act shall take effect upon its passage.

Pass any vote or take any act relative thereto.

**Motion: (Select Board)** *We move that the Town vote to authorize and request the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for passage of special legislation substantially as provided below, allowing the investment of the Town's Trust Funds in accordance with Sections 3, 4, 5, 8, and 9 of Chapter 203C of the Massachusetts General Laws, removing the requirement to invest only in the Massachusetts Legal List of Investments; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board votes to approve amendments thereto; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition.*

AN ACT AUTHORIZING CERTAIN INVESTMENTS BY THE TREASURER OF THE  
TOWN OF HOPKINTON

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

SECTION 1. Notwithstanding Section 54 of Chapter 44 of the General Laws or any other general or special law to the contrary, the treasurer of the town of Hopkinton may invest trust funds that are in the custody of the treasurer in accordance with Sections 3, 4, 5, 8, and 9 of Chapter 203C of the General Laws.

SECTION 2. This act shall take effect upon its passage.

**Vote Needed:** Simple Majority.

**ARTICLE: 51** [Tax Increment Financing Agreement - Lykan Bioscience](#)

*Sponsor: Select Board*

To see if the Town will vote, pursuant to Massachusetts General Law Chapter 40, Section 59, and Chapter 23A, Sections 3A through 3F, and the applicable regulations thereunder, to:(a) approve a Tax Increment Financing Agreement ("TIF Agreement") between the Town, Lykan Bioscience Holdings, LLC, and Southfield Properties III, LLC for property shown on Assessors Map R 29, Block

9, Lot A, which TIF Agreement provides for real estate tax and personal property tax exemptions at the exemption rate schedules set forth therein; and (b) authorize the Select Board to execute the TIF Agreement, and any documents related thereto, and to approve submission to the Massachusetts Economic Assistance Coordinating Council (EACC) of the TIF Agreement, and any documents related thereto, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and related submissions, and to take such other actions as necessary or appropriate to implement those documents, and carry out the purposes of this article.

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, pursuant to Massachusetts General Law Chapter 40, Section 59, and Chapter 23A, Sections 3A through 3F, and the applicable regulations thereunder, to:(a) approve a Tax Increment Financing Agreement (“TIF Agreement”) between the Town, Lykan Bioscience Holdings, LLC, and Southfield Properties III, LLC for property shown on Assessors Map R 29, Block 9, Lot A, which TIF Agreement provides for real estate tax and personal property tax exemptions at the exemption rate schedules set forth therein; and (b) authorize the Select Board to execute the TIF Agreement, and any documents related thereto, and to approve submission to the Massachusetts Economic Assistance Coordinating Council (EACC) of the TIF Agreement, and any documents related thereto, all relating to the project as described in the TIF Agreement, and any necessary documents relating thereto, and related submissions, and to take such other actions as necessary or appropriate to implement those documents, and carry out the purposes of this article.*

**Vote Needed:** Simple Majority.

**ARTICLE: 52** [PILOT Agreement, Wilson Street Solar Farm](#)

*Sponsor: Select Board*

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, as negotiated by the Select Board, with GHTJA04 LLC, for a period of twenty-five (25) years, whereby GHTJA04 LLC will pay the Town a sum of monies per year relative to a portion of land located at 17 Wilson Street, shown as Assessors’ Maps U12 1 A, U12 2 A, U11 30 0 and U11 26 B, and which is related to the proposed construction and operation of a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 1.8 megawatts, 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, as negotiated by the Select Board, with GHTJA04 LLC, for a period of twenty-five (25) years, whereby GHTJA04 LLC will pay the Town a sum of monies per year relative to a portion of land located at 17 Wilson Street, shown as Assessors' Map Maps U12 1 A, U12 2 A, U11 30 0 and U11 26 B, and which is related to the proposed construction and operation of a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 1.8 megawatts, 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.

<b>ARTICLE: 53</b>	<b>Trustees of the School Fund in the Town of Hopkinton</b>
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*Sponsor: Select Board*

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:** *We move that the Town vote to choose members to fill the vacancies now existing in the Board of Trustees of the School Fund in the Town of Hopkinton.*

**Vote Needed:** Simple Majority.