

**WARRANT**  
**TOWN OF HOLLISTON**  
**ANNUAL TOWN MEETING**

Commonwealth of Massachusetts  
Middlesex, ss.  
Town of Holliston

To any Constable of the Town of Holliston, Greetings:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of the Town of Holliston who are qualified to vote in Town affairs to meet in the Holliston High School auditorium on:

|                   |                                   |
|-------------------|-----------------------------------|
| <b>Monday,</b>    | <b>May 6, 2019</b>                |
| <b>Tuesday,</b>   | <b>May 7, 2019 (if necessary)</b> |
| <b>Wednesday,</b> | <b>May 8, 2019 (if necessary)</b> |
| <b>Thursday,</b>  | <b>May 9, 2019 (if necessary)</b> |

at 7:30 p.m. to act on the following Articles, to wit:

**ARTICLE 1: HEAR REPORT OF THE BOARD OF SELECTMEN**

**SPONSORED BY: Board of Selectmen**

To hear and act on the report of the Selectmen.

**EXPLANATION:** The Board of Selectmen will provide a report on activities of the Board since the last Annual Town Meeting on May 7, 2018. This is a standard article that allows reports commissioned by the Town to be heard.

**ARTICLE 2: HEAR REPORT OF THE FINANCE COMMITTEE**

**SPONSORED BY: Finance Committee**

To hear and act on the report of the Finance Committee.

**EXPLANATION:** The Chairman of the Finance Committee will provide a report regarding the Town's overall financial condition.

**ARTICLE 3: AUTHORIZE TREASURER/COLLECTOR TO SELL  
FORECLOSED TAX TITLE PROPERTIES**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to authorize the Town Treasurer/Collector, subject to the approval of the Selectmen, to sell property acquired through foreclosure of tax titles by the Town and other real estate, after first giving notice of the time and place of the sale by posting such notice of sale in some convenient place in the Town, by publishing such notice of such sale in a newspaper having general circulation in the Town and by posting such notice on a Holliston Cable Access Television (HCAT) bulletin board and on the Town's website at least fourteen (14)

days before the sale. The Treasurer/Collector shall also give notice of such sale to the Executive Director of the Holliston Housing Authority, the Chair of the Holliston Housing Trust and the Chair of the Holliston Housing Committee or its subsequent equivalent by first class letter at least forty-five (45) days before the sale. The Treasurer/Collector may hold a public auction and may reject any bid which she/he deems inadequate, and any such advertisement, notice or indication that real property is to be offered for sale by the Town of Holliston, or any department, commission, or other subdivision of the Town shall include the following statement: "Buyers should be aware that the Town of Holliston does not guarantee this property to be in conformity with existing zoning bylaws."

Whenever the proceeds of the sale or other disposal of real estate, other than that acquired through tax title foreclosure, by the Town of Holliston exceed five hundred dollars, the same shall be applied to the payment of indebtedness incurred in acquiring such real estate or shall be added to the sinking fund, if any, from which said indebtedness is payable, or if no such indebtedness is outstanding will be applied to the Town's Capital Expenditure Fund as established by Chapter 46 of the Acts of 1993. The proceeds of a sale in excess of five hundred dollars of any park land by the Town shall be used only by the Town for acquisition of land for park purposes or for capital improvements to park land; or take any action relative thereto.

**EXPLANATION:** From time to time, the Treasurer/Collector takes personal property (mostly real estate) with the approval of the Land Court due to delinquency to make property tax payments. This article would allow the Treasurer/Collector to dispose of those properties.

**ARTICLE 4:           REVISE AND ADOPT A NEW CONSOLIDATED PERSONNEL BY-LAW**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to revise the existing Personnel By-law and adopt a new Personnel By-Law to be consistent with the Special Act and to bring the By-law into compliance with State and Federal regulations; or take any action relative thereto.

**EXPLANATION:** When the Town Administrator Special Act was adopted by the Town and approved by the State Legislature the Personnel By-Law was not updated to reflect these changes. Approval of this Article would address the inconsistencies and modernize the By-law.

The proposed revisions can be viewed on the Town's web site at [www.townofholliston.us](http://www.townofholliston.us). Copies are also available at the Library, Town Hall, Senior Center and will be available at Town Meeting.

**ARTICLE 5:           AMEND GENERAL BY-LAW, PERSONNEL BOARD**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to amend Article XXXII, Personnel Board. Of the General By-laws by deleting it in its entirety

**EXPLANATION:** The proposed amendment will be consistent with the adoption of the new Personnel By-law which does not include a Town Personnel Board.

**ARTICLE 6: PAY UNPAID BILLS****SPONSORED BY: Board of Selectmen**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for unpaid bills from prior years; or take any action relative thereto.

| <b>Vendor</b>           | <b>Fiscal Year</b> | <b>Amount</b> | <b>Board</b> |
|-------------------------|--------------------|---------------|--------------|
| Mead, Talerman & Costa  | 2018               | \$1,036.46    | Selectmen    |
| Thomas Chipman Electric | 2018               | \$201.00      | Selectmen    |

**EXPLANATION:** Sometimes, for a variety of reasons, we are unable to pay bills at the end of a fiscal year. The reasons may include late submission or late submission for a Reserve Fund Transfer request to the Finance Committee by a Board, Committee, Commission or Department.

**ARTICLE 7: CURRENT FISCAL YEAR TRANSFERS****SPONSORED BY: Board of Selectmen**

To see if the Town will vote to transfer from available funds a sum of money for the purpose of supplementing various accounts of the Town's Fiscal Year 2019 annual operating budget, previously voted by the Town under Article 16, of the Warrant for the 2018 Annual Town Meeting, and under Article 1 of the Warrant for the October 29, 2018 Special Town Meeting; or take any action relative thereto.

**EXPLANATION:** Occasionally, there are unforeseen budget expenses that require an additional appropriation. This Article would allow for an additional appropriation if it is needed.

**ARTICLE 8: AUTHORIZE BOARD OF SELECTMEN TO SELL  
SURPLUS EQUIPMENT****SPONSORED BY: Board of Selectmen**

To see if the Town will vote to authorize the Board of Selectmen to hold a public auction for the purpose of disposing of surplus departmental equipment; or take any action relative thereto.

**EXPLANATION:** This standard article allows the Town to sell used vehicles, equipment or other personal property.

**ARTICLE 9: AUTHORIZATION TO EXPEND CHAPTER 90 FUNDS (STATE  
AID FOR HIGHWAYS PROGRAM)****SPONSORED BY: Board of Selectmen**

To see if the Town will vote to authorize the Department of Public Works, with the approval of the Board of Selectmen, to use and expend sums received from the Commonwealth of Massachusetts as reimbursements under the Chapter 90 State Aid to Highways program for further construction, reconstruction and improvements, including surface treatments of approved public ways within the Town; or take any action relative thereto.

**EXPLANATION:** Annually, the Commonwealth provides state assistance to cities and towns in support of road reconstruction and maintenance projects. Holliston is projected to receive \$511,502 during FY20. This article would allow the Selectmen to receive and expend these funds.

**ARTICLE 10: REVOLVING FUND SPENDING LIMITS****SPONSORED BY: Board of Selectmen**

To see if the Town will vote to authorize the spending limits of the following revolving funds established under the Town Bylaw and General Laws Chapter 44, Section 53E ½:

| <b>Revolving Fund</b>           | <b>Spending Limit</b>                                |
|---------------------------------|--|
| Wetlands Filing Fee             | \$40,000   |
| Council on Aging                | \$5,000  |
| Composting Kit                  | \$3,000  |
| Response and Recovery           | \$25,000   |
| Abutters List                   | \$5,000  |
| Building Inspection             | \$100,000  |
| Town Hall Rental                | \$25,000   |
| Senior Center Van               | \$10,000   |
| Agricultural Commission         | \$10,000   |
| Sealer of Weights and Measures  | \$5,000  |
| Fluorescent Bulb Recycling      | \$3,000  |
| Banner                          | \$5,000  |
| Accident Fee                    | \$5,000  |
| Inoculation                     | \$20,000   |
| Cost of Prosecution             | \$30,000   |
| Nutrition                       | \$10,000   |
| Pinecrest Golf Course           | \$200,000  |
| Technology Repair and Replenish | \$75,000; or take any other action relative thereto. |

**EXPLANATION:** Over the years, several revolving accounts have been established, adopted and re-authorized by Town Meeting. This article authorizes continued use through the end of FY20. These accounts are funded through user fees and permits to provide services at no budgetary costs to the Town.

**ARTICLE 11: PROPERTY TAX EXEMPTIONS****SPONSORED BY: Board of Assessors**

To see if the Town will vote to accept the provisions of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, authorizing the Board of Assessors to grant an increase of one hundred percent (100%) to all exemptions from property taxes excluding those granted under clause 18 of section 5 of Chapter 59 of the Massachusetts General Laws for the fiscal year commencing July 1, 2019; or take any action relative thereto.

**EXPLANATION:** State law allows cities and towns to provide property tax exemptions to Veterans, the blind and income eligible seniors. The law dictates a base exemption of \$500 for the seniors and allows the communities to increase that exemption up to 100% or \$1,000. Holliston has voted annually to allow an additional 20% exemption, which is \$600. This proposed article would increase the percentage to the maximum level of 100%.

**ARTICLE 12:           CIRCUIT BREAKER INCOME ADJUSTMENT TO  
DEFERRAL APPLICANTS**

**SPONSORED BY: Board of Assessors**

To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under G.L. c.59 Section 5, Clause 41A from \$20,000 to the amount established annually by the Commissioner of Revenue as the income limit to qualify for the "circuit breaker" state income tax credit for the proceeding state tax year (single seniors who are not heads of households, head of household, and for married couples filing a joint return), with such increase to be effective for deferrals granted for taxes assessed for all fiscal years beginning on July 1, 2019.

**EXPLANATION:** The statute was modified on November 7, 2016. The modification allows for this local option to adopt the "circuit breaker" state income to accommodate for property owners who are interested in Tax Deferral but whose income is greater than \$20,000.

**ARTICLE 13:           AMEND INTEREST RATE PER ANNUM  
SPONSORED BY:       Board of Assessors**

To see if the Town will vote to amend the interest rate per annum from 8% to 6% under the provisions of Massachusetts General Laws Chapter 59, Section 5, clause 41A, which regulates tax deferral for homeowners 65 years or older, pursuant to the authority contained in Chapter 136 of the Acts of 2005, thereby amending said clause 41A; or take any action relative thereto.

**EXPLANATION:** Residents who are 65 and older may take advantage of this option at an annual rate of 6%. This Article requires annual approval at Town Meeting.

**ARTICLE 14:           AMEND INCOME REQUIREMENTS  
SPONSORED BY:       Board of Assessors**

To see if the Town will vote to accept the provisions of section 51 of Chapter 184 of the Acts of 2002, amending the income requirements under Massachusetts General Laws Chapter 59, section 5, clause 41C; or take any action relative thereto.

**EXPLANATION:** This would allow the Town to increase the statutory income requirements to

\$20,000 for single and \$30,000 for married couples from \$10,000-\$12,000. The Article was originally adopted by the Town in 2006. This Article requires annual approval at Town Meeting.

**ARTICLE 15: FISCAL YEAR 2020 BUDGET**

**SPONSORED BY: Finance Committee (Omnibus Budget)**

To see what money the Town will vote to raise and appropriate or transfer from available funds to meet expenses and outlays to Town departments, salaries of Town Officers, sundry and miscellaneous but regular expenditures, for a Reserve Fund and to appoint trustees or caretakers or authorize the Selectmen to appoint caretakers of the cemeteries of the Town not otherwise provided for, the ensuing year; or take any action relative thereto.

**EXPLANATION:** See Report of the Finance Committee.

**ARTICLE 16: TRANSFER FROM AVAILABLE FUNDS A SUM OF MONEY FOR THE CAPITAL EXPENDITURE FUND**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Capital Expenditure Fund; or take any action relative thereto.

**EXPLANATION:** It has been the custom of the Town to annually transfer from reserves a sum of money to the Capital Expenditure Fund to be used at the October Special Town Meeting to fund capital expenditure requests.

**ARTICLE 17: CAPITAL EXPENDITURES**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the purpose of capital expenditures, including replacement and new vehicles and equipment, for the Schools, Board of Selectmen, Town Clerk, Fire and Public Works Departments (Highway/Water Departments), and authorize the Board of Selectmen to trade or sell used equipment toward part of the purchase price; or take any action relative thereto.

| <b>Department</b> | <b>Item/Activity</b>                         | <b>Estimated Cost</b> |
|-------------------|--|-----------------------|
| DPW               | 1 Dump Truck                                 | \$142,000             |
| Town Clerk        | Records Management System                    | \$26,400              |
| Selectmen         | Replace Town Hall Front Doors                | \$23,000              |
| Schools           | Chromebooks                                  | \$165,000             |
| Schools           | Networking Infrastructure                    | \$32,583              |
| Schools           | Kamitian Field Visitor's Bleachers           | \$50,000              |
| Schools           | Placentino/Miller Parking Lot Repairs        | \$25,000              |
| Schools           | Wheelchair Bus/Van                           | \$55,000              |
| Schools           | Curriculum Materials for Elementary Pilot    | \$40,000              |
| Schools           | Exterior Security Camera System              | \$100,000             |
| Selectmen         | Trash and Recycling Carts                    | \$302,500             |
| Fire Department   | Modifications to municipal fire alarm system | \$25,000              |

**EXPLANATION:** The Town normally authorize purchases for capital items at the October Special Town Meeting. However, from time to time, departments need to purchase capital items



in advance of that date, usually due to seasonal issues or due to other operational issues and requirements.

**ARTICLE 18: REPORT OF THE COMMUNITY PRESERVATION COMMITTEE**

**SPONSORED BY: Community Preservation Committee**

To see if the Town will vote to act on the report of the Community Preservation Committee on the fiscal year 2020 community preservation budget and to appropriate or reserve for later appropriation monies from Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the year:

**Reserves**

|                            |          |
|----------------------------|----------|
| Community Housing Reserve  | \$65,900 |
| Open Space Reserve         | \$65,900 |
| Historic Resources Reserve | \$65,900 |

**Appropriations**

|   |                     |
|---|---------------------|
| Administrative Functions to support the Committee | \$ 8,000            |
| Lake Winthrop Beach Erosion                       | \$40,000            |
| <b>Total:</b>                                     | <b>\$48,000; or</b> |

take any action relative thereto.

**EXPLANATION:** A report will be provided by the Chairman of the Community Preservation Committee at Town Meeting.

**ARTICLE 19: TRANSFER FROM AVAILABLE FUNDS A SUM OF MONEY FOR THE STABILIZATION FUND**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the Stabilization Fund; or take any action relative thereto

**EXPLANATION:** The Stabilization Fund is a long range financial planning tool that the Town can lawfully set aside revenues and fund large unforeseen expenses. It is similar to a savings account.

**ARTICLE 20: AMEND AGREEMENT FOR THE SOUTH MIDDLESEX REGIONAL VOCATIONAL SCHOOL**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to amend the Agreement among the towns of Ashland, Holliston, Hopkinton, Natick and the City of Framingham, with respect to Establishment of a Regional Vocational School District to incorporate prior amendments to said Agreement, to eliminate outdated provisions, to recognize Framingham's change from a town to a city form of government, and to bring said agreement into alignment with the District's existing practices; or take any action relative thereto.

**EXPLANATION:** The Amendment to the Regional Vocational School Agreement addresses the change from Framingham as a Town to a City.

**ARTICLE 21:           TRANSFER FUNDS FROM WATER RETAINED EARNINGS FOR  
WATER TREATMENT PLANT**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to transfer from Water Retained Earnings \$600,000 to 330450-58065 Water Treatment Plant, for the purposes of planning, permitting, and design engineering for the Water Treatment Plant to be located off 784 Central Street, or take any action relative thereto.

**EXPLANATION:** This transfer would allow for the planning, permitting and design engineering to move forward on the new Water Treatment Plant.

**ARTICLE 22:           LIBRARY PLANNING CONSULTANT**

**SPONSORED BY: Board of Library Trustees**

To see if the Town will vote to raise and appropriate or transfer from available funds \$10,000 to fund a consultant who will determine what the services and facility needs will be for the Holliston Public Library, and needs for the next twenty (20) years, including but not limited to surveys, focus groups, an assessment of the current building and a vision of what the Library should be doing in the 21<sup>st</sup> Century, or take any action relative thereto.

**EXPLANATION:** The Board of Library Trustees will provide a presentation at Town Meeting.

**ARTICLE 23:           SOLAR PANELS AT LANDFILL**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to authorize the Board of Selectmen as permitted with the Board of Health and the Conservation Commission in conjunction with the Board of Health to enter into a twenty year Lease Agreement and PILOT Agreement and/or Contract for the reuse of the former landfill off Marshall Street for the purposes of siting a solar field, or take any action relative thereto.

**EXPLANATION:** Through a grant received from the Department of Environmental Protection the Town was able to hire a consultant to develop, issue and review responses to a recently issued Request for Proposals. If approved and once completed the Town/School electric bills should realize an annual credit.

**ARTICLE 24:           GRANT TRAIL EASEMENT & PARKING LAYOUT “BLAIR  
SQUARE”**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to authorize the Board of Selectmen to accept certain easements in land situated at 81 Railroad Street, owner F. D. Realty Trust, and shown on a plan entitled “Conceptual Trail Easement & Parking Layout Upper Charles Trail Blair Square,” in Holliston,



Massachusetts. Scale 1"=20', dated December 18, 2018, prepared by GLM Engineering Consultants, Inc. more particularly bounded and described as follows:  
Beginning at the easterly side of Casey's closest to Central Street 7.75 feet wide and 131.07 feet long; and at the westerly side of Casey's closest to Church Street 7.75 feet wide and 115.13 feet long; or take any action relative thereto.

**EXPLANATION:** The owners of the property have agreed to offer the Town two (2) easements which would allow for enhanced access and parking to the Upper Charles River Rail Trail. If approved, a total of twenty parking spaces would be created on either side of Casey's.

**ARTICLE 25: BLAIR SQUARE IMPROVEMENTS**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to appropriate from available funds a sum of money in anticipation of grant funds to make improvements to Blair Square including but not limited to parking, signage, drainage and fencing, or take any action relative thereto.

**EXPLANATION:** The Town submitted a grant application under the "2019 MassTrails Grant Program" in the amount of \$92,121.98.

**ARTICLE 26: MAINTENANCE AND REPAIR OF THE UPPER CHARLES RIVER RAIL TRAIL**

**SPONSORED BY: Board of Selectmen**

To see if Town will vote to raise and appropriate or transfer from available funds \$1,000 for the ongoing repair and maintenance of the Upper Charles River Rail Trail, or take any action relative thereto.

**EXPLANATION:** The \$1,000 would allow the Trails Committee to purchase small items like rakes, shovels, and other tools to be used on the Upper Charles River Rail Trail. Items would be stored at the DPW garage.

**ARTICLE 27: ACCEPT MASSACHUSETTS GENERAL LAW, CHAPTER 90, SECTIONS 17C & 18B "SPEED LIMITS"**

**SPONSORED BY: Board of Selectmen**

To see if the Town will vote to adopt the provisions of Massachusetts General Law, Chapter 90, Section 17C & 18B to allow the Board of Selectmen, to set speed limits of 20 mph or 25 mph, on a street-by-street basis in areas defined by state law as "thickly settled or business districts," which are not on a state highway, or take any action relative thereto.

**EXPLANATION:** The Town's public safety team, on November 30, 2018, recommended the Board of Selectmen take action to adopt the 2017 amended law change under M.G.L. c.90 s.17c which gives the Board the authority; if it is "in the interests of public safety and without further authority, establish a speed limit of 20 or 25 miles per hour on any roadway inside a thickly settled or business district in the city or town on any way that is not a state highway."

**ARTICLE 28: ECONOMIC DEVELOPMENT ENHANCEMENT GRANT LEGISLATION**

**SPONSORED BY: Board of Selectmen/Economic Development Committee**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for Special Legislation entitled "Town of Holliston Economic Development Funding Program" Authorizing the Town of Holliston to establish a privately sourced fund for the purpose of creating economic development tools and activities, including but not limited private grant and private loan authorities, and to further authorize the Holliston Economic Development Committee to adopt rules and regulations for the management, acceptance and distribution of funds under the Act; or take any action relative thereto.

Said Legislation to read as follows:

**An Act Creating the Town of Holliston Economic Development Funding Program**

Be it enacted by the Senate and the House of Representatives, in General Court assembled, and by the authority of the same as follows, provided however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general objectives of this petition.

**Town of Holliston Economic Development Funding Program**

It is hereby established in the Town of Holliston an Economic Development Funding Program which will create a private grant fund from which individuals or businesses may apply to borrow privately sourced funds in the form of a loan or receive grants in the form of a gift for use on private property and notwithstanding any other law to the contrary, the Town of Holliston shall be permitted as herein set forth create an Economic Development Funding Program for the purposes set forth below and administered and carried out in accordance herewith.

- I. **Purpose:** The overall purpose in the Town of Holliston Economic Development Funding Program ("Program") shall be to provide assistance to private businesses and individuals in order to encourage and facilitate economic development for the benefit of the public welfare, including creation of jobs, the improvement and enhancement of buildings and infrastructure and to increase the value of the real estate and general tax base.
- II. **Administration:** The Program shall be administered by the Holliston Economic Development Committee, which shall adopt rules and regulations, following at least a fourteen (14) day notice and a public hearing. Said rules and regulations shall establish the qualifications for receipt of a loan, grant, gift, operations, administration and other matters necessary to implement and carry out the Program.
- III. **Funding:** The Town shall not be required to appropriate funds to support the Program though the Board of Selectmen may be permitted to accept private gifts of funds to support the Program to be held in a special revenue account for the benefit of the Program. The Economic Development Committee, with the approval of the Board of Selectmen, may be permitted to establish sub-categories within the special revenue account for a particular purpose established hereunder. All revenues received from any loan made under the Program, including repayment

of loan proceeds, shall be held year to year in the special revenue account and all interest attributable thereto shall be credited to said account.

- IV. **Programs:** The Economic Development Committee, with the approval of the Board of Selectmen, may establish programs hereunder, through regulation, the purpose of which shall be to benefit the public welfare through private grants or loans toward private business exterior improvements, including but not limited to, sign and façade improvements, leasehold improvements, acquisition of land and buildings, new construction, building renovation, landscape and property improvements, machinery and equipment purchases and soft cost expenses related to real estate development. Funds may not be used for the improvements to or within the interior of the business premises.
- V. **Expenditure:** The Economic Development Committee, with the approval of the Board of Selectmen shall be permitted to solicit, accept and award grants and issue loans to businesses and individuals who qualify and are eligible in accordance with the rules and regulations of the Program to be used on private property. Notwithstanding the foregoing, no such grant or loan shall be made until the Economic Development Committee has adopted rules and regulations as noted in Section II above.
- VI. **Reporting:** The Economic Development Committee shall annually provide a report to the Town including but not limited to, the amount of donations or appropriations received, amount of grants or loans made and to whom, and the balance of the funds of the Program.

**EXPLANATION:** Members of the Economic Development Committee will be present at Town Meeting to address any questions.

**ARTICLE 29: AMEND THE TOWN'S GENERAL BY-LAWS**

**SPONSORED BY: Town Clerk**

To see if the Town will vote to amend the General By-Law Marijuana By-Law which currently reads "XLVII" to read "XLV," or take any action relative thereto.

**EXPLANATION:** This is to correct a typographical error.

**ARTICLE 30: AMEND THE ZONING BY-LAW**

**SPONSORED BY: Planning Board**

To see if the Town will vote to amend the Zoning By-law by making the following changes to section I-C, Pre-existing Nonconforming Uses, Structures and Lots; or take any action relative thereto

Item 1. In subsection 2.1.2, add the following sentence: "When a special permit is granted pursuant to this subsection 2, no use variance shall be required."

Item 2. In subsection 3.2, delete the words "shall also require the issuance of a dimensional variance" and substitute "shall require the issuance of a special permit."

Item 3. In subsection 3.3, delete the words “the nonconforming nature” and substitute “the gross floor area.”

Item 4. In subsection 3.3.1.4, add the following highlighted words at the end of the sentence: When an existing residence does not meet the required side yard setback, an addition may be constructed on the same line as the existing residence, **so long as such addition does not result in any new nonconformity or exacerbate any existing nonconformity.**

Item 5. In subsection 3.4, delete the words “two years” and substitute “three years.”

Item 6. In subsection 3.5.1, delete the words “two years” and substitute “three years.”

Item 7. In subsection 3.5.1.2, delete the words “in volume or area” and substitute the words “in gross floor area.”

Item 8. In subsection 3.5.1.3, delete the words “in volume or area” and substitute the words “in gross floor area.”

Item 9. In Section I-C, delete the words “six months” and substitute “twelve months.”

Item 10. In Section VI-E, Special Permit Granting Authority, add the following new subsection:

6. Lapse. A special permit shall lapse three (3) years from the grant thereof, which shall not include such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good, or take any action relative thereto.

## **ARTICLE 31: AMEND THE ZONING BY- LAW**

### **SPONSORED BY: Planning Board**

To see if the Town will vote to amend the Zoning By-law by making the following miscellaneous changes:

**Item 1. In Section IV-A, General Requirements (Intensity Regulations), delete the word “Reserved” from subsection IV-A.4 and substitute the following:**

On all corner lots, between the sidelines of the intersecting streets and a straight line joining points on such sidelines ten (10) feet distant from their point of intersection or, in the case of a rounded corner, a straight line joining the points of intersection of their tangents, no building or structure may be erected and no vegetation may be maintained three (3) feet above the plane through their curb grades.

**Item 2. In Section V-A, delete sentences 5-9, and move to new Section V-R WIND ENERGY SYSTEMS, as follows:**

The construction and operation of all wind energy systems shall be consistent with all local, state and federal requirements, including but not limited to all applicable safety, construction, environmental, electrical, communications and FAA aviation requirements. The Inspector of Buildings shall be supplied with appropriate plot plans and engineering data to determine compliance. Wind energy systems shall be allowed to exceed the height limitations of principal structures by up to three times if a fall zone equivalent to the tower height is provided on-site. They shall be prohibited in the Village Residential, Village Center Commercial and Commercial zoning districts unless authorized by a Special Permit from the Special Permit Granting Authority (SPGA). The SPGA shall utilize the criteria of Section V-O(4)(a) to guide its findings on such applications.

**Item 3. In Section V-B, Exterior Signs, add the following new subsection:**

**5. Special Permit.** The SPGA may grant a special permit for on-premises larger signs or additional on-premises signs, provided that no substantial detriment shall result to the neighborhood or the Town.

**Item 4. In Section V-C, Off-Street Parking, add the following new entries to subsection 2, renumbering subsection “2.h” to subsection “2.j”:**

- h. Business or professional office: one parking space per 250 square feet of gross floor area.
- i. Medical office or clinic: one parking space per 200 square feet of gross floor area.

**Item 5. In Section V-C, Off-Street Parking, add the following new subsection:**

**4. Special Permit.** The Planning Board may, by special permit, reduce the requirements of this Section if specific site or public safety considerations warrant such a reduction and no substantial detriment shall result.

**Item 6. Amend Section V-N.4 Noise in its entirety and substitute the following therefor:**

4. Noise. No use shall be permitted within the town of Holliston which, by reason of excessive noise generated therefrom, would cause nuisance or hazard to persons or property. Exempt from the provisions of this subsection are (a) vehicles not controlled by an owner or occupant of a lot within the town, (b) temporary construction activities occurring during the hours of 7 a.m. to 6 p.m. on weekdays **and 8 a.m. to 6 p.m. on Saturday**, (c) occasionally used safety signals, warning devices, emergency pressure relief valves, or other such temporary activity, (d) use of power tools and equipment such as lawn mowers, snow blowers, chainsaws, tractors, and similar equipment for the maintenance of property between the hours of 7 a.m. and 8 p.m. on weekdays and 8 a.m. and 6 p.m. on weekends. For the purposes of this by-law the standards in the following ~~table~~ shall apply:

a. ~~———— Noise Standards:~~



Table E-1

For Sounds Generated Continuously

|                               |                         |
|-------------------------------|-------------------------|
| From any Source Not Otherwise | Maximum Permitted Sound |
| Exempted Above, and Measured  | Levels (in dBA*)        |

- |   |    |
|---|----|
| (a) At or beyond the lot line of an adjacent or nearby residence or institutional use, weekdays during the hours of 7a.m. to 6p.m.              | 60 |
| (b) At or beyond the lot line of an adjacent or nearby residence or institutional use, Sundays or during the hours of 6 p.m. to 7 a.m. weekdays | 50 |
| (c) At or beyond the lot line of an adjacent business use   | 65 |
| (d) At or beyond the lot line of an adjacent industrial use   | 70 |

\*dBA shall mean the A-weighted sound pressure levels in decibels, as measured by a general purpose sound level meter complying with the provision of "American National Standards Institute." The instrument shall be properly calibrated and set to the A-weighted response scale, and the meter set to the slow response. Reference pressure shall be 0.0002 microbars.

- b. Exceptions for Intermittent Noise. The levels (dBA) specified in Table 1 may be exceeded by ten (10) dBA, weekdays during the hours of 7 a.m. to 6 p.m., but not at any other time, for a period not to exceed twenty (20) minutes during any one (1) day.
- e. Impact Noise. Impact noise such as from a punch press, drop forge hammer, or similar equipment, shall be measured using the fast response of the sound level meter, and shall not exceed the levels specified in Table 1 by more than ten (10) dBA.

**Ambient Noise Level.** No person shall operate or cause to be operated any source of sound in a manner that creates a sound level of 10 dBA above ambient, as set forth in 310 CMR 7.10, measured at the property boundary of the receiving land use nor shall any source produce a pure-tone condition at the property line (or at the nearest inhabited buildings). A pure tone condition exists if the sound pressure level, at any given octave band center frequency, exceeds the levels of the two adjacent octave bands by three (3) or more decibels. See <http://www.airandnoise.com/MA310CMR710.html> as may be updated by the Mass. DEP; or take any action relative thereto.

**ARTICLE 32: AMEND THE ZONING BY-LAW**  
**SPONSORED BY: Planning Board**

To see if the Town will vote to amend the Zoning By-law by making the following changes to Section I-E, Definitions; or take any action relative thereto.

**Item 1. Add a new definition of "Building Height" as follows:**

The height of a building shall be measured as the vertical distance from the mean ground level of each side of the building to either the highest point of the exterior in the case of a flat roof or to the peak of the roof in the case of a pitched roof. Chimneys, spires, towers, and other projections not used for human occupancy or storage may extend above the height limits herein fixed except for non-residential structures and wind turbine facilities, which can only exceed the maximum height requirement by special permit granted by the SPGA.

**Item 2. Add a new definition of "Maximum Percentage of Coverage" as follows:**



The Maximum Percentage of Coverage shall mean coverage of the lot by buildings, structures, and accessory structures only, and shall not include coverage by other impervious surfaces.

**Item 3. Add a new definition of “Setback” as follows:**

The required distance of any building or structure to a front, rear, or side lot line. The Setback shall be measured from the lot line to the closest point of any building or structure, excluding the eave; provided, however, that where the eave is greater than two (2) feet in width, the Setback shall be measured to the eave, or take any action relative thereto.

**ARTICLE 33: SUSTAINABILITY COORDINATOR POSITION**

**SPONSORED BY: Petition**

“To see if the Town will vote to direct the Board of Selectmen to create the Regular Part-Time position of Sustainability Coordinator and to appoint a Sustainability Coordinator; and, further to raise and appropriate or transfer from available funds appropriate compensation for this position. The Board of Selectmen shall fix the Sustainability Coordinator’s compensation in a manner consistent with the Personnel Bylaw and related plan and within the amount annually appropriated for that purpose,” or take any action relative thereto.

**ARTICLE 34: OFF PREMISES LIQUOR LICENSE**

**SPONSORED BY: Petition**

To see if the Town will vote to grant a full off premises liquor license to Crafted.

You are directed to notify and warn the inhabitants of said Town who are qualified to vote in Town elections to vote at:

Voters in Precinct 1 vote at the High School gymnasium  
Voters in Precinct 2 vote at the High School gymnasium  
Voters in Precinct 3 vote at the High School gymnasium  
Voters in Precinct 4 vote at the High School gymnasium

on **TUESDAY, MAY 21, 2019**

from 7:00 a.m. to 8:00 p.m. for the following purpose:

To cast their votes in the Town Election for the election of candidates for the following offices:

|  |                                     |
|--|-------------------------------------|
| MODERATOR (three year term)                    | Vote for <b>ONE</b>                 |
| TOWN CLERK (three year term)                   | Vote for <b>ONE</b>                 |
| SELECTMAN & HIGHWAY SURVEYOR (three year term) | Vote for <b>ONE</b>                 |
| BOARD OF ASSESSORS (three year term)           | Vote for <b>ONE</b>                 |
| FINANCE COMMITTEE (three year term)            | Vote for <b>NOT MORE THAN THREE</b> |
| BOARD OF HEALTH (three year term)              | Vote for <b>ONE</b>                 |

|  |                                     |
|--|-------------------------------------|
| HOUSING AUTHORITY (five year term)           | Vote for <b>ONE</b>                 |
| TRUSTEES OF PUBLIC LIBRARY (three year term) | Vote for <b>NOT MORE THAN TWO</b>   |
| PARK COMMISSIONER (three year term)          | Vote for <b>NOT MORE THAN TWO</b>   |
| PLANNING BOARD (five year term)              | Vote for <b>ONE</b>                 |
| SCHOOL COMMITTEE (three year term)           | Vote for <b>NOT MORE THAN THREE</b> |

### **BALLOT QUESTIONS ~ MARIJUANA RETAILERS**

**Question 1:** Shall the Town of Holliston adopt the following amendment of the general bylaws to prohibit recreational Marijuana Retailers?

**SUMMARY:**

**A “Yes” vote will prohibit recreational Marijuana Retailers and a “No” vote will allow recreational Marijuana Retailers.**

General Laws Chapter 94G, Section 3, allows towns in the Commonwealth to approve by-laws prohibiting the operation of certain marijuana establishments. An affirmative vote would *not* prohibit Medical Marijuana Establishments or Recreational Marijuana Cultivators, Marijuana Testing Facilities, Marijuana Product Manufacturers, or any other type of licensed marijuana-related business. The above question, if voted in the affirmative (“Yes” vote), would ratify the Town Meeting’s enactment of the general bylaw amendment which would prohibit the Marijuana Retailers in Holliston, defined in Chapter 94G, § 1 as “...an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.” If voted in the negative (“No” vote), Marijuana Retailers would be allowed in the Town of Holliston.

**TEXT OF GENERAL BY-LAW**

**Section 21.** Consistent with G.L. c. 94G, § 3(a)(2), “Marijuana Retailers” as defined in G.L. c. 94G, § 1 shall be prohibited within the Town of Holliston. This By-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to Massachusetts General Laws Chapter 40, section 21, as amended, or by noncriminal disposition pursuant to Massachusetts General Laws Chapter 40, section 21D, as amended, by the Board of Selectmen, the Town Administrator, or their duly authorized agents, or any police officer. The fine for violation of this By-law shall be \$300.00 for each offense.

This section shall be effective upon passage by the voters at a Town Election.

Yes     ☐                      No     ☐

**Question 2:** Shall the Town of Holliston adopt the following amendments of the zoning bylaws to prohibit recreational Marijuana Retailers?

SUMMARY:

A “Yes” vote will prohibit recreational Marijuana Retailers and a “No” vote will allow recreational Marijuana Retailers.

General Laws Chapter 94G, Section 3, allows towns in the Commonwealth to approve by-laws prohibiting the operation of certain marijuana establishments. An affirmative vote would not prohibit Medical Marijuana Establishments or Recreational Marijuana Cultivators, Marijuana Testing Facilities, Marijuana Product Manufacturers, or any other type of licensed marijuana-related business. The above question, if voted in the affirmative (“Yes” vote), would ratify the Town Meeting’s enactment of the zoning bylaw amendment which would prohibit the Marijuana Retailers in Holliston, defined in Chapter 94G, § 1 as “...an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.” If voted in the negative (“No” vote), Marijuana Retailers would be allowed in the Town of Holliston.

TEXT OF BYLAW

Section III- Use Regulations, subsection G. Industrial and Outdoor Uses

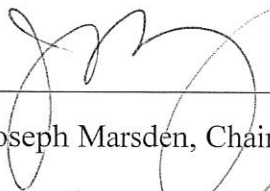
|                         | AR-1 | AR-2 | R-1 | VR | C-1 | VC | I | APT |
|-------------------------|------|------|-----|----|-----|----|---|-----|
| 8. Marijuana Retailers. | N    | N    | N   | N  | N   | N  | N | N   |

This section shall be effective upon passage by the voters at a Town Election.

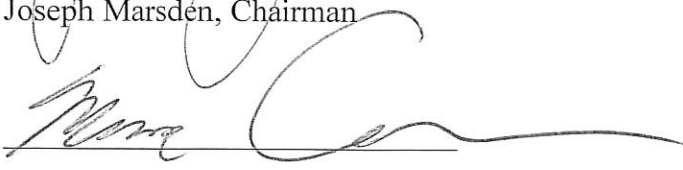
Yes ☒ No ☐

And you are directed to serve this Warrant by posting true copies thereof, attested, on and within the Town Hall seven days at least before the date of said meeting. Hereof fail not and make return of this Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this <sup>16<sup>th</sup></sup> day of April A.D. 2019.

  
\_\_\_\_\_  
Joseph Marsden, Chairman

BOARD OF

  
\_\_\_\_\_  
Mark Ahronian, Vice Chairman

SELECTMEN

  
\_\_\_\_\_  
John Cronin, Clerk

I have this \_\_\_\_\_ day of April 2019 posted true copies, attested, of the within Warrant on and within the Town Hall, as herein directed.

\_\_\_\_\_  
Constable

A true record, ATTEST:

\_\_\_\_\_  
Elizabeth Greendale, Town Clerk