



@waylandfincom

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

FINANCE COMMITTEE

GORDON CLIFF

NANCY FUNKHOUSER

JEN GORKE

CAROL MARTIN (Vice Chair)

KLAUS SHIGLEY

GEORGE UVEGES

DAVE WATKINS (Chair)

FINANCE COMMITTEE **Monday, September 12, 2016, 6:25 P.M.** **Wayland Town Building**

Proposed Agenda

*Note: Items may not be discussed in the order listed or at the specific time estimated.
Times are approximate. The meeting likely will be broadcast and videotaped for
later broadcast by WayCAM and may be recorded by others.*

- 6:25 pm 1.) Call to Order by Chair
Review Agenda for the Public
Announcements
- 6:27 pm 2.) Public Comment
Members' Response to Public Comment
- 6:30 pm 3.) Special Town Meeting Article Workshop
- 7:15 pm 4.) Discussion of Debt and Financial Advisory Services - Finance Director, Treasurer Collector,
UniBank, Town Administrator
- 7:45 pm 5.) Report from Finance Director
- 8:00 pm 6.) Executive Session Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to
Discuss Strategy with Respect to Health Insurance and Successor Bargaining in regards to
the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library
Association, the Police Union, the Fire Union, the Wayland Teachers Association, the
Wayland Educational Secretarial Association, the School Custodians Union, and the Food
Service Association.
Discuss potential declassification of executive session minutes pursuant to M.G.L. Ch. 30(a)
§ 21(a)(7): Vote to Release Previously Considered Minutes for 5-9-2016 and Vote to Approve
Minutes for 8-29-2016. Pertaining to the Above Subjects, because a Public Discussion of
These Matters will have a Detrimental Effect on the Bargaining, Negotiating, or Litigating
Position of the Town.
- 8:30 pm 7.) Discuss Fall 2015 Special Town Meeting
Discussion of STM article submissions,
Assign articles to members to draft comments,
Possible Vote on Current Year Transfer and Prior Year Unpaid Bills articles.
- 9:00 pm 8.) Discuss Mission Statement for possible vote.
Discuss Members Responsibilities for possible vote.
Discuss Town Financial Strategy for possible vote.
- 9:20 pm 9.) Review Issues & Actions List – Finance Chair
- 9:25 pm 10.) Discuss Chair and Vice Chair's Update
Members' Reports, Concerns, and Topics and Schedule for Future Meetings
Protocol for Requesting Town Employees' Time, OBEB information for the warrant,
Analysis of government fund balances as to nature of restrictions, IT budget and how it
ties into individual department requirements, decision process, Investment program for
funds held by Town
- 9:30 pm 11.) Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting, If Any
- 9:35 pm 12.) Meeting Minutes - Review and vote to approve: 6/20 - Wolin, 8/1-Martin, 8/29-Cliff
- 9:40 pm 13.) Adjourn Meeting

Finance Committee Meeting

September 12, 2016

- 1) Responsibilities
- 2) Minutes 08/01/16
- 3) Minutes 08/29/16
- 4) Fall Town Meeting Information

Responsibilit(ies)y

The primary responsibilities of the Wayland Finance Committee are to: each year is to prepare the Omnibus Budget and review and comment on articles submitted for inclusion in the Annual Town Meeting Warrant. In carrying out this role, the Finance Committee considers both the short and long term fiscal position of the Town with guidance from the following mission statement and financial strategy.

1. Prepare, submit, and present the omnibus operating budget to Annual Town Meeting.
2. Prepare, submit, and present a five-year capital improvement program to Annual Town Meeting.
3. Prepare and submit a "Report of the Finance Committee" to Annual Town Meeting.
4. Consider all articles in the Town Meeting warrant and make reports on warrant articles to Town Meeting at it deems for the best of the Town.
5. Approve (or deny) requests for transfers from the Reserve Fund Budget.
6. Recommend to the Board of Selectmen that we pursue a debt exclusion (if deemed advisable).
7. Recommend to the Board of Selectmen that we change the tax rate structure (if deemed advisable).
8. Prepare and submit a report to be included in the Town's "Annual Reports" document.
9. Review reports on receipts and expenditures vs. budget and recommend corrective actions (if deemed advisable).
10. Act as advisors to town entities/officials on matters which have a significant financial component.

Finance Committee
David Watkins (Chair)
Gordon Cliff
Nancy Funkhouser
Jen Gorke
Carol Martin
Klaus Shigley
George Uveges

Finance Committee
Minutes
August 1, 2016

Attendance: D. Watkins, G. Cliff, C. Shigley, J. Gorke, G. Uveges, C. Martin and B. Keveny (Finance Director). N. Funkhouser participated remotely from 8:04 until adjournment.

Call to Order: The meeting was called to order by Chair David Watkins in the Selectmen's Meeting Room at the Town Building at 7:00pm. Mr. Watkins reviewed the agenda items to be discussed, indicated the meeting was being recorded by WayCam and that Ms. Funkhouser would be participating remotely due to geographic distance reasons.

Public Comment: None

Committee's Response to Public Comment: N/A

Review Issues & Actions List: Chair Watkins distributed an action/issues list of items as an example of how the FinCom could track ongoing projects/efforts. A brief discussion ensued during which it was suggested a due date column be added and the list refined to include only on-going projects.

Returning to the list, Mr. Watkins distributed copies of the request forms for New and Modified Positions for review. After a brief discussion, the committee suggested the impact of FTE status be included on the modified position request form. Mr. Watkins also distributed the Outstanding & Authorized/Unissued Debt Schedule dated 4/10/16 that has been recently posted to Treasurer's website for possible discussion at the 8/29th meeting.

Review Dates for Annual Schedule: Chair Watkins asked members to alert him of any schedule conflicts. Ms. Martin suggested the October schedule be revisited to avoid conflicts with October holidays.

Review Budget Schedule to be distributed to Department Heads, Town Administrator (Nan Balmer): Town Administrator Nan Balmer distributed and discussed her memo to Department Heads concerning the FY18 Budget Schedule as well as a summary of Budget Duties under Town Code and by Job Description. Ms. Balmer indicated she would be meeting with Department Heads to discuss the FY18 budget cycle, including operating budget, capital budget and potential new positions. The Committee thanked Ms. Balmer for such a thorough document.

Concerning the Town Administrator's review of capital projects, Ms. Martin asked what set of criteria were being used to approved capital projects. Ms. Balmer indicated that she would be evaluating capital projects to ensure appropriateness. Mr. Cliff queried if the schedule presented included the School capital requests. Ms. Balmer indicated her review would include capital requests from the Facilities Department which oversees school projects.

Review Final Capital Memo and Deadlines: Finance Director Brian Keveny indicated the capital memo as approved by the Finance Committee was sent to Department Heads. Chair Watkins reiterated the FinCom hopes to close the capital budget by December 5th and vote a draft capital budget by December 15th. The Committee recognize this is a departure from prior years and agreed to be diligent in communicating these deadlines. Mr. Watkins stated it is a role of the liaisons to work with the department heads to ensure the FinCom has all the information it needs in order to conduct timely capital and budget reviews.

A discussion ensued regarding the role of the FinCom liaison. Chair Watkin stated FinCom members are available to each board and department head in ensure and enhance communication concerning operating budgets, capital budgets and to assist in article write up. For all other questions and issues, Ms. Balmer stated that in order to avoid several members asking staff members similar questions, that all questions be presented at meetings and/or to the Chair. It was noted that in all other matters, the Chair is the voice of the FinCom and that individual members do not represent the Committee.

Review of outstanding Capital Projects (CM): As a follow up concerning the scope of the capital projects to be reviewed and possibly closed on September 30th, Ms. Martin indicated there are 38 outstanding capital projects that were approved prior to or in FY14, representing approximately \$6.5-7M of appropriations. The Committee asked Ms. Martin to continue to work with Mr. Keveny and make interim reports on the status of these projects. Mr. Cliff inquired if this project overlapped the FY18 Capital process. The Committee felt overlap, if any, was only in regards to these 38 projects which should be sorted out prior to the Committee's review of the FY18 capital requests.

Special Assignment Discussion - Website Review (GC): Mr. Cliff stated he has been working on this project with Mr. Keveny and recommended this discussion be tabled until Mr. Keveny was present. He explained that the proposed web page headers are centered around the major duties/responsibilities of the Finance Committee. He added that a secondary goal was to develop an archive or communication tool. Mr. Watkins asked member to review the suggested web page titles prior to next meeting.

Special Discussion: Committee Protocols (DW): Chair Watkins distributed the Draft: Operating Guidelines for Finance Committee, indicating it was a starting point. Mr. Uveges inquired if the Board of Selectmen (BOS) also had governance guidelines. Ms. Balmer replied the BoS would most likely have a similar set of guidelines as being presented to the Fincom Com but no formal vote has taken place. She added if so, it would probably be in the form of a handbook.

Mr. Watkins did a quick run through the various topics including Open Meeting Law, Minutes, use of email to Conduct Town Business, Code of Ethics and Code of Conduct. He asked Committee Members to review the materials for discussion at a future meeting. Mr. Shigley stated as a new member this was a helpful resource.

Writing & Presentation Assignment Review (DW) - Including Review Draft Mission, Goal & Objectives, Town Annual Report FY17 STM Material, FY18 ATM Material, Warrant Hearings (STM & ATM): Mr. Watkins led the Committee in a discussion of the written documents the Committee is responsible for each year including the ATM Warrant/Annual Report and Mission statement. He suggested the Committee take a broad view of these items and determine how much of this writing could be done in advance rather than during budget season.

A discussion ensued concerning potential differences between the Report of the Finance Committee that appears in the Annual Warrant and the FinCom's Annual Report. It was agreed Annual Reports are

archived and at the minimum should be the report submitted for the Annual Warrant. It was noted the the Annual Reports should also contain "forward" information and related implications. Ms. Martin volunteered to follow up concerning a submission to the Annual Report.

Discussing the other FinCom reports, a brief discussion ensued which resulted in the follow assignments: Mr. Cliff will tackle updating the Report of the Finance Committee. Ms. Martin will work with Mr. Keveny to submit and write any potential FinCom articles for the upcoming Special Town Meeting including Current Year transfers and Prior Year unpaid bills. Ms. Gorke will review the Mission Statement. Mr. Uveges, Ms. Gorke and Mr. Cliff will collaborate and submit a draft of Member Responsibilities. Mr. Shigley volunteered to work on Financial Strategy.

Members' reports, concerns and topics for future meetings: Mr. Shigley indicated that he ran some debt service to budget ratios using the information on the Treasurer's website. He further stated he had several debt related questions and was looking forward to hearing from the Treasurer and Financial Analyst at a future meeting. Ms. Funkhouser wondered if the Committee felt serving as the Police Liaison would be a conflict of interest due to her position as Crossing Guard. Mr. Cliff wondered if having his daughter work as summer/seasonal Recreation employee would be viewed as a conflict of interest. Both were urged to file Appearance of Conflict of Interest forms and abstain from voting on issues from which they would derive or potentially derive a direct benefit.

Chair's update: Mr. Watkins stated the next meeting is 8/29th at which the Town Administrator and Finance Director would present their FY18 budget guideline recommendation.

Topics Not reasonably anticipated by the Chair 48 hours in advance of meeting: None

Meeting Minutes Review: The Committee reviewed the Minutes of January 28 and July 18, 2016. Ms. Martin moved the Minutes of July 18th be approved as amended. Motion seconded by Uveges. Motion Passed: 7-0. Roll Call vote was:

Funkhouser	Yes	Shigley	Yes	Gorke	Yes		
Uveges	Yes	Watkins	Yes	Cliff	Yes	Martin	Yes

Ms. Martin moved the Minutes of January 28th be approved as amended. Mr. Cliff seconded. Chair Watkins indicated that only those who were members on 1/28th could vote. Motion Passed 4-0-3. Roll Call vote was:

Funkhouser	Yes	Shigley	Abstain	Gorke	Abstain		
Uveges	Abstain	Watkins	Yes	Cliff	Yes	Martin	Yes

Adjourn: Mr. Cliff moved to adjourn at 9:55pm. Ms. Martin seconded. Roll call vote: 7-0 as follows:

Funkhouser	Yes	Shigley	Yes	Gorke	Yes		
Uveges	Yes	Watkins	Yes	Cliff	Yes	Martin	Yes

Respectfully Submitted,

Carol Martin

Documents:

Source D. Watkins:

Issue/Action List dated 7/18/2016

New Position Request Form

Position Modification Request Form

Outstanding & Authorized/Unissued Debt dated 4/10/16

Proposed/draft Schedule & Milestones dated 8/1/16

FY18 Meeting Minutes Assignments

Draft: Operating Guidelines for Finance Committee

Outline of Written Materials

Copy of Mission Statement and Mission

Copy Board of Selectmen's 2015 Annual Report

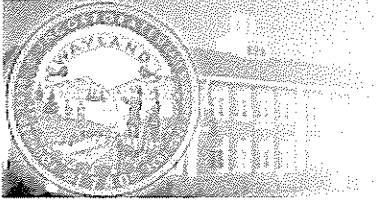
Memo: Department Head Budget Schedule/Summary of Budget Duties under Town Code and by Job Description (source Nan Balmer)

Source: B. Keveny

Current Finance Committee Website title page

Proposed Finance Committee Website title page

Draft Minutes: January 28, 2016



Town of Wayland Massachusetts

Finance Committee

G. Cliff
N. Funkhouser
J. Gorke
C. Martin (Vice Chair)
K. Shigley
G. Uveges
D. Watkins (Chair)

Finance Committee Meeting Minutes August 29, 2016

Attendance: G. Cliff, N. Funkhouser, C. Martin, K. Shigley, G. Uveges, D. Watkins (Chair), and Finance Director Brian Keveny.

1. Call to Order

The meeting was called to order at 7:00 PM in the Selectmen's Meeting Room. D. Watkins announced that the meeting was being taped. He reviewed the meeting agenda. There were no announcements.

2. Public Comment (7:04)

Molly Upton, Bayfield Road, thanked the committee for getting an early start on the budget. She suggested that while last year's 2.5% was good we should consider a goal of 2.25% for this year. She noted that Social Security increase this year is expected to be zero.

David Moran, Lincoln Road, urged that in order to make the town attractive to new residents that we ensure that we are being prudent in terms of the size of our budget.

Tom Sciaca, Rolling Lane, said he was also speaking as a retiree and that the biggest single item of his expenses are his tax bill. He said his tax bill has gone up almost 30% in real terms over the past 10 years. He felt that a 2.5% increase now, given how low inflation has been, is contrary to the original goals of proposition 2.5. He urged us to contain our budget increases.

Alice Boelter, Lake Shore Drive, urged us to keep the budget down, particularly the school budget. Linda Segal, Aqueduct Road, pointed out that we need to avoid the "death spiral" of taxing retired residents out of town.

N. Funkhouser read/summarized a number of public comment emails we had received (see attachments).

3. Executive Session (6:45)

D. Watkins moved that we enter into a Joint Executive Session with the School Committee Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(3) to Discuss Strategy with Respect To Health Insurance and Successor Bargaining in regards to the AFSCME Clerical Union, the AFSCME Professional Union, the Teamsters, the Library Association, the Police Union, the Fire Union, the Wayland Teachers Association, the Wayland Educational Secretarial Association, the School

Custodians Union, and the Food Service Association and to discuss potential declassification of executive session minutes pursuant to M.G.L. Ch. 30(a) § 22: and also Vote to Release Previously Considered Minutes for 5-9-2016. C. Martin seconded. Roll call vote: Cliff-yes, Uveges-yes, Shigley-yes, Martin-yes, Funkhouser-yes, Watkins-yes. The Chair declared that we would move into Executive Session and the following people were invited to attend: FinCom members G. Cliff, N. Funkhouser, C. Martin, K. Shigley, G. Uverges, D. Watkins, and Finance Director B. Keveny. Also Asst Town Administrator/HR Director J. Senchyshyn, Town Administrator N. Balmer, Benefits Manager D. Lemoyne, School Committee members J. Downs, B. Fletcher, E. Greico, K. Reichelt, K. Steinberg, Superintendent P. Steinberg, Asst Superintendent B. Crozier and Recording Secretary D. Marobella.

At 7:26 D. Watkins announced that our ordinary public meeting was resuming.

4. Report from Finance Director (7:28)

B. Keveny provided an update on the process of the internal auditor for approval of the town's 2016 financial statements. We are in good shape, and the process is expected to be completed ahead of schedule compared to recent years.

B. Keveny took the committee through the Fiscal 2016 Budget Status Report (see attachments). FinCom members asked a number of question to get clarification on some of the details. Property taxes collected were over 99.5% of budget; some small shortfall is typical and collections of the remaining amounts will get included as unbudgeted revenue in future years. Motor vehicle excise is well over plan; it has been growing rapidly in the past several years. Brian recommends some increase in our projection for overall local receipts, but he cautioned that if we are too aggressive in our projections that the state could challenge our projected amount and require that we increase property taxes to offset it as part of the tax recap process where our property tax rate is finalized.

Brian noted that we have dramatically reduced the amount of expense that gets unspent but encumbered and rolled over into future years, which FinCom members agreed is very good. Turnbacks (unspent appropriations) have also come down significantly as a result of better budgeting. N. Funkhouser agreed that turnbacks have come down substantially though effort from all involved. Free Cash is projected to be about \$4.8 m (6.3% of expenditures); this is as expected but free cash is lower than it has been in the past several years. The rating agencies care about total fund balances being at least 20% of revenues and preferably in the mid 20s or more. G. Cliff asked that Brian provide more details in a future meeting about how the rating agencies calculate that ratio. Brian also reviewed status of the enterprise funds and the revolving funds, which are all good. G. Cliff asked that Brian consider adding the current budget year as a column on these reports.

5. Report Debt Analysis – Treasurer/Collector (8:03)

Treasurer/Collector Zoe Pierce took the FinCom through a number of handouts (see attachments). The 10 year projections for outstanding debt and debt service assume no new debt is issued. FinCom members asked a number of clarifying questions. K. Shigley observed that it was interesting that it seemed that outstanding debt was coming down faster than debt service. Zoe indicated that we have probably done all the debt refunding that it makes sense to do. She asked FinCom members to provide any questions to Dave so he can collect them and we can provide them to UniBank when we meet with them at the next meeting. G. Cliff asked that we make sure any information that Zoe provides in terms of run-off of current debt gets incorporated into the debt projections Brian provides the FinCom, which make assumptions about what borrowing we are likely to do in future years to get a total view of what our actual debt service is likely to be. Zoe agreed that we can do that, but that

FinCom should also get more involved in understanding our actual debt outstanding and our plans for issuing new debt and managing our outstanding debt.

6. Review FY18 Budget Guidelines, Recommendation & Five Year Projection – Town Administrator and Finance Director (8:15)

Town Administrator Nan Balmer took the FinCom through the Considerations for FY 18 Budget Planning presentation (see attachments). FinCom members asked a number of clarifying questions. Overall the presentation recommends a guideline goal of a 2.5% increase for 2018. C. Martin and other FinCom members complemented Nan and the rest of the staff on the quality and quantity of the work.

Brian took the FinCom through the FY18 Budget Data Analysis – Considerations presentation (see attachments). The schedules are based on an assumption of a 2.5% increase in the operating budget. Brian emphasized that any increase in the budget greater than 2.5% will likely need to come from increasing taxation, as other sources are much smaller and are hard to increase. He pointed some categories of expense are likely to grow quickly, particularly insurance and retirement. Brian said the current insurance estimate of a 10% increase might be too high. The analysis implies that an overall general fund increase of 2.5% would require that growth in Town departments and School Department budgets would need to be less than 2%. FinCom members asked questions about Brian's assumptions and analysis to better understand the details.

7. Discussion and possible vote on FY18 Budget Guidelines (9:00)

D. Watkins opened the discussion as a deliberation about what our budget guidelines should be. G. Cliff asked Brian if he had reviewed the operating budget process memo that FinCom and he sent last year (see attachments) and whether that memo would provide a good starting point to work from. Brian said he thought it would with some minor modifications. He observed that last year's memo worked well in that it resulted in initial budget submissions that were quite close to the final approved budget for most departments and overall. FinCom members discussed whether we should finalize guidelines at tonight's meeting (vs. waiting for the next meeting) and what the overall guideline and other information should be. G. Uveges motioned that we set the target at 2.25% recognizing there might be some need for pushback. C. Martin seconded. C. Martin argued that she was more comfortable with 2.5%. G. Cliff agreed. FinCom members voted 2-4 (no votes were Martin, Cliff, Funkhouser, and Shigley). N. Funkhouser moved that we make our FY18 guideline 2.5% and that we modify the rest of the memo per Brian's earlier suggestions and that Brian and Dave work to produce a final version that would be sent out. C. Martin seconded. Motion passed 6-0.

8. Review Issues & Actions List – Finance Chair (9:55)

D. Watkins distributed an updated list (see attachments). He asked for a progress report on each item by the next meeting. C. Martin provided an updated on FinCom submitting material for the Town of Wayland Annual Reports document. The deadline is Sept 30. She pointed out that some of the tables from the Report of the Finance Committee were already included. The FinCom agreed to discuss on the 12th.

9. Chair and Vice Chair's Update (10:00)

D. Watkins provided an update on the upcoming ATFC meeting. He asked that we provide questions/requests for UniBank to him. G. Uveges said he would follow up with Brian on OPEB Valuation. K. Shigley wondered if we could get an early estimate on the impact of changes on our financial statements. G. Uveges requested information on audit and bank accounts. G. Cliff requested that we make sure anything we do doesn't overlap with what the Audit Committee may already be doing. C. Martin asked for information on who might not be able to attend department budget meetings for their liaison areas scheduled from Sep 6-12. C. Martin provided an update on closeouts of capital projects and ClearGov.

10. Topics Not Reasonably Anticipated

None.

11. Meeting Minutes (10:08)

N. Funkhouser moved that Finance Committee release the minutes from the 5/9/16 Executive Session. D. Watkins seconded. Vote 3 yes, 0- no, 3 - abstain. D. Watkins suggested that we may need to revisit to make sure the release is OK with just 3 members voting in favor.

At 10:12 C. Martin moved to adjourn the meeting. D. W Atkins seconded. The vote to adjourn was 6-0 in favor.

Respectfully submitted,

G. Cliff

Attachments:

Public comment emails
Fiscal 2016 Budget Status Report
Treasurer handouts
Considerations for FY 18 Budget Planning
FY18 Budget Data Analysis – Considerations
FY 2017 Operating Budget Process
Issues and Actions List

ARTICLE LIST FOR NOVEMBER 15, 2016 SPECIAL TOWN MEETING

Article	November 2016 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
A	Current Year Transfers	Town Clerk				
B	Pay Previous Fiscal Year Unpaid Bills	Town Clerk				
C	Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials	Board of Selectmen				
D	Petition the State Legislature to Remove all Police Personnel from the Provisions of Civil Service without affecting the Civil Service Rights of Incumbents	Board of Selectmen				
E	Authorize Land Acquisitions for Natural Diversity (LAND) Grant Program Funding to Purchase Conservation Restriction on Mainstone Farm	Community Preservation Committee and Conservation Commission				
F	Landscaping in Parking Areas Zoning Bylaw	Planning Board				
G	Home Occupation	Planning Board				
H	Conservation Cluster Developments	Planning Board				

ARTICLE LIST FOR NOVEMBER 15, 2016 SPECIAL TOWN MEETING

Article	November 2016 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
I	Assisted/Independent Living and Nursing Home	Planning Board				
J	Street Acceptance	Planning Board				
K	Town Wide Recreation Facilities Strategic Plan	Recreation Commission				
L	207/195 Main Street and Middle School Field Feasibility Study	Recreation Commission				
M	Appropriate Funds to Purchase 107 Old Sudbury Road for Water Resources Protection	Board of Public Works				
N	Appropriate Funds to Purchase 9 Glezen Lane for Water Resources Protection	Board of Public Works				
O	Municipal Field Irrigation Waiver Bylaw Change	Board of Public Works				
P	Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Road and Water Main	Petitioners				

ARTICLE FOR SPECIAL TOWN MEETING

SPONSOR: Town Clerk DATE RECEIVED: September 1, 2016

CONTACT PERSON: Nan Balmer TELEPHONE/Day: (508) 358-3620

TELEPHONE/Evening _____

BOARD VOTE: _____

TITLE: Current Year Transfers

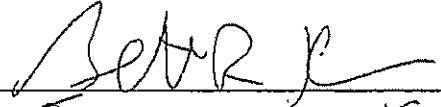
COST: NO COST: _____ COST ESTIMATE AVAILABLE ON: _____

TEXT: To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town Departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise; and to determine which Town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

COMMENTS:

PROS:

CONS:

SIGNATURE OF CHAIR  DATE 9/1/16
Town clerk

ARTICLE FOR SPECIAL TOWN MEETING

SPONSOR: Town Clerk DATE RECEIVED: September 1, 2016

CONTACT PERSON: Nan Balmer TELEPHONE/Day: (508) 358-3620

TELEPHONE/Evening _____

BOARD VOTE: _____

TITLE: Pay Previous Fiscal Year Unpaid Bills

COST: X NO COST: _____ COST ESTIMATE AVAILABLE ON: _____

TEXT: To determine whether the Town will vote to:

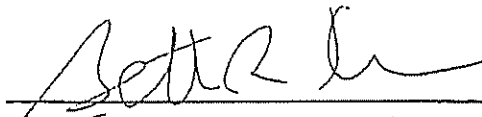
- (a) pay the bills of the prior fiscal years,
- (b) appropriate a sum of money for the payment of the foregoing bills of prior fiscal years; and
- (c) provide for such appropriation by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

COMMENTS:

PROS:

CONS:

SIGNATURE OF CHAIR


Town Clerk

DATE

9/1/16

ARTICLE FOR SPECIAL TOWN MEETING

SPONSOR: Board of Selectmen DATE RECEIVED: August 30, 2016
CONTACT PERSON: Nan Balmer TELEPHONE/Day: (508) 358-3620
TELEPHONE/Evening: _____
BOARD VOTE: 5-0 DATE OF VOTE: August 15, 2016

TITLE: Amend Chapter 36, Section 18 of Town Code, Attendance and Participation of Nonresident Town Officials

COST: _____ NO COST: COST ESTIMATE AVAILABLE ON: _____


TEXT: To determine whether the Town will vote to amend Chapter 36, Section 18 of the Town Code, Attendance and Participation of Nonresident Town Officials, by adding thereto the words "Town Counsel" as follows:

Notwithstanding their place of residence or voter registration status, the Town Administrator, Assistant Town Administrator, Town Counsel, Police Chief, Fire Chief, Finance Director, Director of Public Works, Public Buildings Director and Superintendent of Schools shall have the same right as registered voters of the Town to attend and sit on the floor of Town meetings and answer questions. Said Town officials shall not be considered in determining the presence of a quorum at Town meetings nor shall any of them be permitted to vote unless s/he is a registered voter of the Town.

COMMENTS:

PROS:

CONS:

SIGNATURE OF CHAIR  DATE 8-30-16

ARTICLE FOR SPECIAL TOWN MEETING

SPONSOR: Board of Selectmen DATE RECEIVED: August 30, 2016

CONTACT PERSON: Nan Balmer TELEPHONE/Day: (508) 358-3620

TELEPHONE/Evening _____

BOARD VOTE: 5-0 DATE OF VOTE: August 15, 2016

TITLE: Petition the State Legislature to Remove all Police Personnel from the Provisions of Civil Service without affecting the Civil Service Rights of Incumbents

COST: _____ NO COST: X COST ESTIMATE AVAILABLE ON: _____

TEXT: To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act exempting all Town of Wayland Police Personnel from the provisions of Civil Service Law substantially the same as the following act:

AN ACT EXEMPTING ALL POLICE PERSONNEL IN THE TOWN OF WAYLAND POLICE DEPARTMENT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW

Section 1: All police personnel in the Town of Wayland Police Department shall be exempt from the provisions of Chapter 31 of the General Laws and related regulations applicable thereto.

Section 2: The provisions of Section 1 of this act shall not impair the civil service status of the present employees of the Town of Wayland Police Department except for the purpose of promotion.

Section 3: This act shall take effect upon its passage.

COMMENTS:

PROS:

CONS:

SIGNATURE OF CHAIR *Cheryl K...* DATE 8-30-16

ARTICLE Q: PETITION THE STATE LEGISLATURE TO REMOVE ALL POLICE PERSONNEL FROM THE PROVISIONS OF CIVIL SERVICE WITHOUT AFFECTING THE CIVIL SERVICE RIGHTS OF INCUMBENTS

Sponsored by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act exempting all Town of Wayland Police Personnel from the provisions of Civil Service Law substantially the same as the following act:

AN ACT EXEMPTING ALL POLICE PERSONNEL IN THE TOWN OF WAYLAND POLICE DEPARTMENT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW

Section 1: All police personnel in the Town of Wayland Police Department shall be exempt from the provisions of Chapter 31 of the General Laws and related regulations applicable thereto.

Section 2: The provisions of Section 1 of this act shall not impair the civil service status of the present employees of the Town of Wayland Police Department except for the purpose of promotion.

Section 3: This act shall take effect upon its passage.

FINANCE COMMITTEE COMMENTS:

In Wayland only Police Department personnel (below the rank of Chief) are covered under the Commonwealth of Massachusetts Civil Service Law Chapter 31. This article seeks to remove Police personnel in the category of: 1) new hires, and 2) those being promoted, from the provisions of civil service. Existing Police personnel remaining in their current status would not be affected by this petition.

At the March 1946 ATM, an article was approved to petition the General Court to remove the Chief of Police from Civil Service. Wayland adopted Civil Service for Police Department personnel by Referendum Town Election on March 1, 1971 with a margin of approval of 57%. No other Wayland personnel, including those in the Fire Department, are subject to the Civil Service process.

Civil Service was enacted in Massachusetts in 1884 with the primary purpose of protecting the hiring and the disciplinary processes from patronage and political interference. State and municipal employees may be hired and promoted under the civil service merit system in accordance with Massachusetts General Law, Chapter 31 and the Personnel Administration Rules of Personnel Administration Rules (PAR's). Civil service appointments are generally made by appointing authorities who select applicants who have taken a competitive examination or have completed a registration process. The civil service system was intended to be guided by "Basic Merit Principles" such as merit hiring and promotion and protection from arbitrary and capricious actions.

Despite the good intentions of Civil Service legislation, Municipalities are opting out of Civil Service because the system has proven to be ineffective and obsolete. The Civil Service Unit under the Commonwealth's Human Resources Division has undergone severe budget cuts in recent years resulting in staff reductions, administrative functions being decentralized, and response time to municipalities becoming very slow and unacceptable.

Acton, Maynard, Sudbury, Wellesley, Westwood, Norwood, Franklin, Walpole, Randolph, Burlington, and Reading have withdrawn from Civil Service over the past few years. Other towns, such as Framingham, are in the process of leaving Civil Service. Today, Wayland is bordered by Weston, Lincoln, and Sudbury which have non-Civil Service Police Departments.

For Wayland, the primary reason for the petition to withdraw from Civil Service is to improve the Town's ability to recruit and hire the best potential candidates. The average length of time to fill the last six open positions for new hires in the Wayland PD was 13 months; in one instance this stretched to 26 months. These excessive hiring durations cause shift shortages with potential impact to public safety, officer holdover shift to shift, and increased overtime costs to the Town.

Additionally, the best candidates are not always available for selection by the town through the civil service process. Under Civil Service a "list" is established for both new hires and internal promotions. For new hires: 1) Candidates take a test with the only requirement having passed a General Educational Development exam and proof of identification; 2) Candidates are scored and placed on the "list" based upon on their test results. Work experience and educational achievement do not play a factor in scoring; 3) Preferences are given for military service and other statutory preferences. Such statutory preferences do not indicate the hiring of an effective, qualified Police Officer; 4) When a "list" is requested from the Commonwealth by Wayland, candidates must personally come into the Police Station and sign the "list" – only those signing the "list" may be interviewed; 5) Civil Service mandates that ONLY the top 3 candidates who signed a "list" are eligible for hiring for a single vacancy (for 2 vacancies, 5 candidates may be considered). Thus, Wayland has no control over the candidate pool. Candidates can be disqualified or "by-passed", but "by-pass" can be a contentious and time consuming process. In one instance the top candidate presented on the Civil Service list was an individual who had been arrested in Wayland on domestic violence charges – and again appeared on the next two issued lists; 6) If none of the top 3 candidates are selected by Wayland's interview committee, and there is not sufficient reason to "by-pass" any of the candidates, Wayland cannot fill its vacancy.

By leaving Civil Service, Wayland could test, rank and interview candidates independently. Candidate pools should increase dramatically and interview and selection would not be limited to only the top three candidates. We would have the ability to diversify our personnel, recruit educated candidates from colleges, choose from a pool of twenty or more candidates and incorporate community and department specific criteria into hiring and exams. The length of time to deploy a new, qualified Police Officer may be greatly reduced.

Secondarily, the promotional process will also be improved. Wayland's recent Civil Service promotional exams have only produced one or two candidates to consider for promotion to a supervisory position. Wayland is fortunate to have qualified Officers who could flourish in supervisory roles, but the Civil Service promotional exams require scoring to take precedence over job related experience, supervisory evaluation of the employee's potential, score on promotional exam, sick leave record, formal education, training and education through career development, disciplinary record, attitude toward the police department and work ethics and initiative. Once removed from Civil Service, the candidates actual on the job performance may become part of the evaluation process in promotion to a higher rank.

Impact on current Police personnel: Police Officers appointed or promoted under Civil Service would retain their Civil Service permanency in their current position. Permanency would not follow an Officer who is promoted to a new position following the withdrawal from Civil Service. Officers would retain their Civil Service rights for as long as they remained in the position appointed under Civil Service.

It should be noted that withdrawing from Civil Service only changes the current collective bargaining agreement in place with the Wayland Police Officers' Association (NEPBA #176) with respect to Civil Service references. The current agreement already provides for a non-Civil Service arbitration process for settling grievances and disciplinary issues.

ARGUMENTS IN FAVOR:

- Wayland could test, rank and interviews candidates independent of Civil Service.
- Candidate pools should improve dramatically in quality and quantity.

- Police Officer interviews and selection would not be limited to just the top 3 candidates.
- Performance and merit would become a meaningful factor in promotions.
- Vacancies would be filled more expeditiously with less cost to the Town.

ARGUMENTS OPPOSED:

- Some may say that municipalities should not have local control over hiring and promotion of employees where a uniform state level process exists.
- The Wayland Police Officers' Union (New England Police Benevolent Association Local #176) opposes removal of Civil Service.

Civil Service – Fact Sheet

Civil Service has been referred to by Massachusetts Police Chiefs and Massachusetts government officials as a process that is cumbersome, time-consuming, expensive and not able to meet today's needs of Massachusetts cities and towns. The Civil Service system is slow, ineffective and inefficient.

Background:

- Of the 351 cities and towns in Massachusetts, less than half employ Civil Service as a means of hiring police officers, making promotions, and resolving disciplinary disputes. The number of Massachusetts communities using Civil Service is dwindling.
- At the March 1946 ATM, an article was approved to petition the General Court to remove the Chief of Police from Civil Service.
- Wayland adopted Civil Service for Police Department by Referendum Town Election on March 1, 1971. The margin of approval was 57%.
- No other Wayland positions, including those in the Fire Department, are subject to the Civil Service process.
- Governor Baker's Municipal Modernization package contained the following section: *Civil Service Exemptions (241) – This section permits municipalities to exempt positions from civil service rules by vote of the governing body or executive, rather than through special legislation as is currently required to obtain an exemption from c. 31.* Unfortunately the section was not included in the legislation.

Withdrawal from Civil Service

- ✓ If Wayland opted to withdraw from Civil Service, there are 2 options:
 - By an article approved at Town Meeting petitioning the legislature for withdrawal.
 - By vote at the annual Town election.

How does Civil Service Work?

- ❖ Civil Service establishes “lists” for both new hires and internal promotions. Let’s focus on a new hire list.
- ❖ Candidates take a test to be a Police Officer. There are no requirements to take the test other than a GED and proof of identification.
- ❖ Candidates are scored and placed on the “list” based upon on their test results. Work experience and educational achievement do not play a factor in scoring.
- ❖ Preferences are given for military service, regardless of performance on the test. Serving in the military does not guarantee to produce an effective, qualified Police Officer.
- ❖ When a “list ” is called by Wayland, candidates must come into the Police Station and sign the “list” indicating their desire to work in Wayland. Candidates for interview can only be selected from those individuals who signed the “list”.
- ❖ Civil Service mandates that ONLY the top 3 candidates who signed a “list” are eligible for hiring. Thus, Wayland has no control over the candidate pool. Candidates can be disqualified or “by-passed”, but “by-pass” can be a contentious and time consuming process. It has proved to be ineffective in Wayland.
- ❖ If none of the top 3 candidates are selected by Wayland’s interview committee, and there is not sufficient reason to “by-pass” any of the candidates, Wayland cannot fill its vacancy.

Civil Service has provided Wayland with many good Police Officers through the years, but Civil Service now comes with a growing list of problems.

- The Civil Service Department of the Commonwealth’s Human Resources Division has undergone severe budget cuts in recent years. Staff has been reduced. Administrative functions have been decentralized. Current response time Civil Service staff is very slow and unacceptable.

- Candidates' placement on a "list" does not take into account their background. Candidates could have criminal histories and still be placed on a "list" by Civil Service. This is a situation that did occur in Wayland.
- Lists are very inconsistent and vary greatly from test to test. Calling for a "list" does not guarantee qualified candidates.
- The slow, cumbersome Civil Service process can result in costly overtime.
- Promotional tests frequently produce limited candidate pools. Promotional "lists" do not take into consideration actual job performance.

What can be done to improve the process?

- ✓ The Town has the ability to withdraw from Civil Service.
- ✓ Wayland could test, rank and interview candidates independent of Civil Service.
- ✓ Candidate pools should improve dramatically. (It is worth noting that the Wayland Fire Department is non-Civil Service and participates in testing in a regional district. Because the regional testing process used for fire candidates is targeted more specifically towards the needs of Wayland, that testing process has historically identified candidates who are a better fit for the town, as contrasted with the more generalized Civil Service exam that is used state-wide).
- ✓ Police Officer interviews and selection would not be limited to just the top 3 candidates.
- ✓ Performance and merit would become a meaningful factor in promotions.
- ✓ Vacancies would be filled more expeditiously.

What about current Officers?

Police Officers appointed or promoted under Civil Service would retain their Civil Service permanency in their current position. Permanency would not follow an Officer who is promoted to a new position following the withdrawal from Civil Service.

Officers would retain their Civil Service rights for as long as they remained in the position appointed under Civil Service.

The current collective bargaining agreement already provides for a non-Civil Service arbitration process for settling grievances and disciplinary issues. From a historical prospective, only 1 disciplinary issue was brought forward using the Civil Service process in the past 10 years.

What about new Officers?

New Officers would be hired as any other Town and School employee. Their terms and conditions of employment would be dependent on the collective bargaining agreement, the By-laws and relevant policies and procedures.



Wayland Police Officers' Union

38 Cochituate Road
Wayland, MA 01778

Board of Selectmen
Town of Wayland
41 Cochituate Rd
Wayland, MA 01778

January 11, 2015

Re: Union's Opposition to Removal of Civil Service
To whom it may concern:

On behalf of the Wayland Massachusetts Police Officers' Association, affiliated with the New England Police Benevolent Association (NEPBA #176), please accept this letter as the Union's formal objection to the removal of civil service.

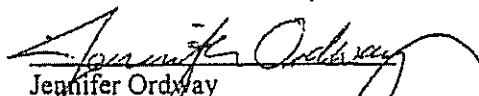
Chapter 31 of the Massachusetts General Laws states that the Civil Service is based on the Basic Merit Principle, defined in the law as the "selecting and advancing of employees on the basis of their relative ability, knowledge and skills, including an open consideration of qualified applicants for initial appointing." This is a noble principle that has provided and continues to provide enormous benefits to the Town of Wayland.

Civil service laws are designed to serve two main functions: First, they establish a set of exams that test the merit of both new hires and promotional candidates. Second, they protect public employees from arbitrary dismissal, discipline, and provide layoff seniority for public employees. Hiring and promoting through civil service rules and regulations ensures that the Town hires only the top qualified candidates and avoids political favoritism. Candidates are not simply ranked based on test scores but they are also awarded additional points based on specific statutory preferences to ensure further fairness and opportunity to applicants seeking to join the field of public law enforcement.

Although the state Human Resources Division (HRD), which oversees the administration of both state and local civil service testing and hiring, has not given a test for non-public safety personnel in years, such is not the case for public safety personnel. Promotional exams within public safety are given on a regular basis and have continued to serve as an effective process for the hiring, promoting and retention of quality law enforcement employees.

Civil service laws were originally enacted to encourage public Employers to hire and promote candidates based upon a system of merit, rather than political favoritism. It is the Union's position that the Town should continue to hire individuals based on these merit principals as originally intended in chapter 31. Utilizing chapter 31 has shown to be successful in the past for the Town with no evidence to establish otherwise. The Union is opposed to the removal of civil service and insists that the civil service rules and regulations continue to positively and effectively assist the Town in their ultimate goal of only hiring, promoting and retaining the very best candidates.

Respectfully Submitted,
On Behalf of Local #176,


Jennifer Ordway
NEPBA #176 Union President



"Strength Through Unity"



WAYLAND POLICE DEPARTMENT

WAYLAND, MASSACHUSETTS 01778



Memorandum

ROBERT IRVING
CHIEF OF POLICE

1/21/2016

RECEIVED

JAN 21 2016

Board of Selectmen
Town of Wayland

To: Wayland Board of Selectmen

From: Robert Irving, Chief of Police

Subject: Withdrawal from Civil Service

At the April Town Meeting, residents will be asked to decide on the future of Civil Service in Wayland. Wayland is not the only community to face this decision. Town after town in Massachusetts have left the Civil Service system. Acton, Maynard, Sudbury, Wellesley, Westwood, Norwood, Franklin, Walpole Randolph, Burlington, and Reading have withdrawn from Civil Service over the past few years. Other towns, such as Framingham, are in the process of leaving Civil Service. Today, Wayland is bordered by Weston, Lincoln, and Sudbury which have non-Civil Service Police Departments. Towns are opting out of Civil Service because the system has proven to be ineffective and obsolete. Today, Civil Service in Massachusetts is no longer up to the important task of assisting cities and towns to recruit and hire the most talented candidates to staff their Police Departments.

Civil Service was enacted in 1884 with the primary purpose of protecting the hiring and the disciplinary processes from patronage and political interference. Today, we have comprehensive policies and procedures in place to provide these protections. Collective bargaining agreements protect Police Officers from arbitrary dismissal, discipline and unfair labor practices.

When recruiting new Police Officers, the minimal entrance standard for Civil Service is a high school education or GED and a Massachusetts' driver's license. By withdrawing from Civil Service Wayland can improve upon the standards for prospective candidates and create greater flexibility within the hiring process. The Town can set minimum eligibility standards not currently allowable by Civil Service. The Town and the Department can determine the hiring preferences they deem most important. These may include college degrees, residency, military experience, language proficiency, prior academy training and others.

The length of time required to replace an Officer will be greatly improved. In reviewing the past six Police Officers hired by the Department through the Civil Service system, we find that the average length of time from the day an opening occurred to the day the opening was filled by a newly trained officer was thirteen months. This lengthy time frame causes shift shortages, officer holdovers, and overtime hours.

In recruiting under Civil Service, the department is only allowed to consider three potential candidates when filling a vacancy. Limited choices have led to situations where there were no acceptable candidates, resulting in the hiring process starting over.

In an absurd instance Wayland requested and received a Civil Service list in which the number one candidate on the list had been arrested in Wayland for domestic violence charges. When passed over for the position, this candidate appealed the department's decision to the Civil Service Commission. The Commission's decision was to place this candidate at the number one position on the next two lists requested by Wayland. The outcome was a period of 26 months before a replacement officer was hired, trained and filling shifts.

Without Civil Service restrictions; towns can diversify their workforce, recruit educated candidates from colleges to take their exam, choose from a pool of twenty or more candidates and incorporate community and department specific criteria into hiring and exams. The length of time to deploy a qualified Police Officer can be greatly reduced.

While the primary reason for withdrawing from Civil Service is to improve our ability to recruit and hire the best potential candidates, the promotional process will also be improved. Wayland's recent Civil Service promotional exams have only produced one or two candidates to consider for promotion to a supervisory position. Wayland is fortunate to have qualified Officers who could flourish in supervisory roles, but the Civil Service promotional exams do not provide them the opportunity. The high failure rate on promotional exams state-wide greatly reduces the ability to apply appropriate promotional criteria when selecting a candidate for a supervisory position. Factors such as job related experience, supervisory evaluation of the employee's potential, score on promotional exam, sick leave record, formal education, training and education through career development, disciplinary record, attitude toward the police department and work ethics and initiative are often not given consideration because of the limited number of successful candidates who passed the promotional exams. In addition, the cost of taking the exam and the purchase of books and course materials to prepare for a promotional exam is a burden on many Officers. This provides a disincentive for them to participate in the promotional process.

The department has worked very hard over the years to hire and promote the right people for police positions so important to the residents of Wayland. Our

successes have been made in spite of Civil Service, not because of it. Withdrawal from this antiquated system will bring the Town and the Police Department to a point where we can best serve the community by appointing the best qualified and brightest applicants for police positions. If Town Meeting approves the withdrawal from Civil Service, current officers will retain their "Civil Service Status".

It is time for our town to take control of our hiring process for Police Officers and not rely on the state to send three candidates who may not represent what the town expects for its police force. It is time for the Wayland Police Department to join other Police Departments across the Commonwealth and leave the antiquated Civil Service system behind us.

ARTICLE FOR FALL 2016 SPECIAL TOWN MEETING – NOVEMBER 15, 2016

SPONSOR: Community Preservation Comm. and Conservation Comm.

VOTES: Comm. Pres. Comm. 6-0-0 (August 18, 2016) Conservation Commission 5-0-0 (August 4, 2016)

CONTACT PERSON: Gretchen Schuler, Sherre Greenbaum

TELEPHONE/Day: 508-358-7980 TELEPHONE/Evening: 508-245-4115

TITLE: Authorize Land Acquisitions for Natural Diversity (LAND) Grant Program Funding to Purchase Conservation Restriction on Mainstone Farm

COST: \$0 COST ESTIMATE AVAILABLE ON:

TEXT:

To determine whether the Town will vote: to

a.) confirm its vote under Article 30 of the Warrant for the 2016 Annual Town Meeting to (i) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise a conservation restriction in accordance with Massachusetts General Laws Chapter 184, Sections 31-33 restricting the use of the land to conservation and passive outdoor recreation purposes, to be held by the Town of Wayland Conservation Commission pursuant to Massachusetts General Laws Chapter 40, Section 8C and by the Sudbury Valley Trustees, Inc. on a parcel of land located on Old Connecticut Path and Rice Road, Wayland, Massachusetts containing 208.7 acres, more or less, which parcel of land to be covered by said conservation restriction is part of the parcel of land shown on Wayland Assessors Map as Parcel 35-031A and is shown as "87 Old Connecticut Path" on a plan entitled "Subdivision Plan of Land in Wayland Middlesex County Massachusetts" dated December 22, 2015, prepared for Mainstone Land Trust by Samiotes Consultants Inc., and recorded with the Middlesex South Registry of Deeds as Plan No. 100 of 2016 (Sheets 2 and 3 of 3), which plan is the basis for the sketch map attached to the Warrant for the Annual Town Meeting 2016 in Appendix K; (ii) appropriate \$12,000,000 to be expended by the Board of Selectmen for the acquisition of said conservation restriction to be held by the Town of Wayland Conservation Commission and by Sudbury Valley Trustees, Inc.; and (iii) provide for said appropriation by (1) transferring \$2,100,000 from funds set aside in the Community Preservation Fund for open space (2) transferring \$2,900,000 from the uncommitted funds in the Community Preservation Fund; and (3) authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$7,000,000 in anticipation of future Community Preservation Fund revenues pursuant to Massachusetts General Laws Chapter 44B, Section 11;

b.) authorize the Board of Selectmen to expend said funds in conjunction with \$3,000,000 to be provided by the Sudbury Valley Trustees, Inc. for a total project cost of \$15,000,000;

c.) authorize the Conservation Commission to (i) file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under Massachusetts General Laws Chapter 132A, Section 11 and/or any others in any way connected with the scope of this Article; and (ii) enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to affect said purchase; and

d.) authorize the Town Administrator, with the approval of the Board of Selectmen, to accept grant funds and execute contracts, and any amendment thereto, in order to carry out the terms, purposes, and conditions of EEA DCS LAND Grant Program.

PROS: This article is necessary to comply with regulations of the Department of Conservation Services' Local Acquisitions for Natural Diversity (LAND) Grant program. The Town through its Conservation Commission has applied for a \$400,000 LAND grant toward the purchase price of a conservation restriction (CR) on 208+ acres of farmland at Mainstone Farm. As part of the grant application Town Meeting must authorize the submittal and receipt of monies should the town be awarded funds. The authorization also must state the full purchase price. Thus: a) reiterates the vote of Annual Town Meeting 2016 in which the town allocated \$12 million toward the purchase of a CR Mainstone Farm ; b) authorizes the Board of Selectmen to spend those already allocated funds and states the total purchase price of \$15,000,000 of which Sudbury Valley Trustees will raise \$3,000,000; c) authorizes the Conservation Commission on behalf of the Town to apply for the grant and d) authorizes the Town Administrator, with approval of the Board of Selectmen, to accept funds to reimburse the Community Preservation Fund.

Applications for the grant were due July 13, 2016. DCS has indicated that awards are likely to be announced in late November or early December 2016. The grant is to be used to reimburse part of the cost of the CR; thus the funds would not be received from the State until after the CR transaction has been completed. If the town is awarded grant monies those funds would be deposited back into the Uncommitted Balance of the Community Preservation Fund and would be available for use to fund future projects.

CONS: There are no known arguments against this article.

SIGNATURE OF CHAIR *Gretchen J. Schuler, CPC* DATE 8/29/16
SIGNATURE OF CHAIR *Silvie Greenbaum* DATE 8/29/16
Town Counsel Approval _____ DATE _____



ARTICLE FOR SPECIAL TOWN MEETING
Article 1.

RECEIVED

AUG 31 2016

Board of Selectmen
Town of Wayland

SPONSOR: Planning Board DATE RECEIVED: _____

CONTACT PERSON: Sarkis Sarkisian Town Planner TELEPHONE/Day: 508-358-3778

TELEPHONE/Evening: _____

BOARD VOTE: 5-0 DATE OF VOTE: August 22, 2016

TITLE: Landscaping in parking areas Zoning Bylaw

COST: _____ NO COST: x COST ESTIMATE AVAILABLE ON: _____

TEXT:

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

Replace section 506.8.1 to read as follows:

506.8. Landscaping in parking areas.

506.8.1.

A continuous landscape strip of a minimum width of 10 feet shall be provided along the perimeter of a parking lot which is accessory to a non-residential use on a lot that is in or adjacent to a residential district. This strip shall be adequately landscaped and maintained with natural and living materials so as to form an effective year round screen from adjacent properties in said residential districts. The Special Permit Granting Authority or the Site Plan Approval Authority may also require a tight fence.

Existing language below

506.8. Landscaping in parking areas.

506.8.1. Parking lots immediately adjacent to a residence district shall be adequately screened year-round from view from said residence district by trees, hedges or a tight fence.



**ARTICLE FOR SPECIAL TOWN MEETING
Article 2.**

RECEIVED

AUG 31 2016

Board of Selectmen
Town of Wayland

SPONSOR: Planning Board DATE RECEIVED: _____

CONTACT PERSON: Sarkis Sarkisian Town Planner TELEPHONE/Day: 508-358-3778

TELEPHONE/Evening: _____

BOARD VOTE: 5-0 DATE OF VOTE: August 22, 2016

TITLE: Home Occupation

COST: _____ NO COST: _____ COST ESTIMATE AVAILABLE ON: _____

TEXT:

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

(1) In Section 198-04, strike the definition of "HOME OCCUPATION, CUSTOMARY (CUSTOMARY HOME OCCUPATION)" and replace it with the following:

See, Sections 901.1.1 and 901.1.2

(2) Strike Section 901.1.2.4 and replace it with the following new paragraph:

The Customary Home Occupation shall not generate more than ten additional vehicle trips per day, as is predicted by the Institute of Transportation Engineers (ITE) trip generation manual or other competent evidence.

RECEIVED

AUG 31 2016

Board of Selectmen
Town of Wayland



ARTICLE FOR ANNUAL TOWN MEETING
Article 3.

SPONSOR:

Planning Board

DATE RECEIVED:

CONTACT PERSON:

Sarkis Sarkisian Town Planner

TELEPHONE/Day:

508-358-3778

TELEPHONE/Evening:

BOARD VOTE:

5-0

DATE OF VOTE:

August 22, 2016

TITLE:

Conservation Cluster Developments

COST:

NO COST:

COST ESTIMATE AVAILABLE ON:

TEXT:

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

By deleting the text shown below as strikethrough and adding the underlined text, or as otherwise indicated, text that is not being changed is shown for informational purposes only.

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ZONING BYLAW AMENDMENT / CONSERVATION CLUSTER DEVELOPMENTS

1803.1

After notice and public hearing in accordance with law, which public hearing shall be held within 65 days after the filing of the application with the Planning Board, the Planning Board may, after due consideration of the reports and recommendations of the Conservation Commission, Historical Commission and the Board of Health, grant such a special permit, provided that:

Field Code Changed

1803.1.1.

It finds that the proposed plan is in harmony with the purposes and intent of this Zoning Bylaw and this article.

Field Code Changed

1803.1.2.

The area of the tract of land is not less than 5 acres.
[Amended 5-5-2005 ATM by Art. 27]

Field Code Changed

1803.1.3.

Field Code Changed

The ~~total~~ number of lots ~~on which there is to be a single dwelling unit~~ dwelling units on the tract of land, including any affordable units required by Section 2204, does not exceed the larger of the following:

[Amended 5-5-2005 ATM by Art. 29]

~~1803.1.3.1.~~

~~(a) The~~ number of building lots that could be created in the tract shown on such plan without a special permit hereunder), plus one lot for each 10 of such building lots that could otherwise be created; or

~~1803.1.3.2.~~

~~(b) The~~ number of building lots obtained by dividing 90% of the total area of the tract, exclusive of land identified as a protected resource area under the Wayland Wetlands and Water Resources Protection Bylaw (excluding buffer zones) situated within the floodplain or designated as wetlands by the Conservation Commission, by the minimum lot size permitted in the district within which the tract is located, plus one lot for each 10 lots so arrived at from such division.

1803.1.3.1

For purposes of demonstrating the number of lots under subsection 1803.1.3(a) above, an applicant under this Bylaw shall submit a dimensioned lotting plan signed and stamped by a registered professional engineer or land surveyor which shows the maximum number of lots which can be created on a conventional subdivision plan meeting all dimensional and other requirements of the Zoning Bylaw and being in compliance with the Subdivision Rules and Regulations (without any waivers therefrom), which submittal shall include a list of requested walvers necessary to implement the subdivision plan, which the Planning Board shall review and determine whether to grant.

~~1803.1.3.2.~~

Within the Residence Districts, the Planning Board ~~shall~~ may permit allow by special permit structures to be constructed containing more than one dwelling unit, but not more than four dwelling units per structure. The total number of dwelling units ~~for attached buildings~~ shall not exceed the total that is allowed under ~~§ 198-1805~~ 1803.1.3.3.

~~1803.1.3.4.~~

Notwithstanding any provision of this Zoning Bylaw to the contrary, the Planning Board may permit by Special Permit attached and detached dwelling units to be erected on single lot(s). [Added 10-3-2012 STM by Art. 6]

~~1803.1.4.~~

Each of the building lots shown on the plan ~~has~~ shall have adequate frontage, but no less than 50 feet, on a public or private way.

~~1803.1.5.~~

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Each of the building lots shown on the plan shall be of a size and shape as shall to provide a building site that shall be in harmony with the natural terrain and other features of the tract, but no such lot shall have an area of less than 20,000 square feet as shown on the plan.

1803.1.6.

The front, side and rear yards of each lot shall be shown on the plan by dashed lines indicating the area within which a building may be built, provided that all dwellings and accessory buildings, driveways and roadways shall be set back at least 15-50 feet from the perimeter of the tract, except that the Planning Board may reduce this set back to not less than 25 feet if it furthers the interests of this by-law, and 15 feet from any open land, except for that portion of a driveway or roadway that intersects a public or private way for access to the development.

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1803.1.7.

For Conservation Cluster Developments consisting of at least a majority of single-family detached dwellings, At least 35% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be open-designated as Open landLand, and the open land shall include all land not dedicated to roads or building lots. For Conservation Cluster Developments consisting of at least a majority of attached single-family attached dwellings, at least 50% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be designated as open-Open land, and the open land shall include all land not dedicated to roads or building lots. For the purpose of this article, "open land" is defined as a parcel or parcels of land, or an area of water, or a combination of land and water, not including roads or ways, whether public or private. The Open Land shall be reserved to be used for open space, conservation, agriculture, outdoor passive recreation, park purposes or some combination of the foregoing.

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[Amended 5-5-2005 ATM by Art. 29]

1803.1.8.2.

Conveyance of the open-Open landLand.

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1803.1.8.12.1.

The Open landLand shall be conveyed either:

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1803.1.8.1.1.

(a) To the Town or its Conservation Commission, but only if the Town or Conservation Commission agrees to accept title to the Open Land, which shall accept it for park or open space use;

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1803.1.8.1.2.

(b) To the Sudbury Valley Trustees, Inc., and its successors or to another nonprofit conservation organization approved by the Planning Board, the principal purpose of which is the conservation of open space; or

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1803.1.8.1.3.

(c) To a corporation, trust or association owned, or to be owned, by the owners of lots or residential units within the tract, provided that if such a corporation, trust or association holds title, ownership thereof shall pass with conveyance of the lots or residential units.

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1803.1.8.2.2.

If ~~ownership is in title to the Open Land is held by~~ an entity other than the Town, ~~there shall be sufficient rights in the Town to provide that such land shall be kept in an open or natural state,~~ and provisions shall be made satisfactory to the Planning Board ~~so that the Town, through its Conservation Commission, Planning Board, or other board, can enforce any other~~ restrictions or easements imposed upon the ~~open Open land Land~~ by the Planning Board as conditions of its special permit grant.

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1803.1.92.3.

Subject to the approval of the Board of Health, as otherwise required by law, the Planning Board may permit the ~~open Open land Land~~ to be used for subsurface waste disposal where the Planning Board finds that such use will not be detrimental to the character or quality of the ~~open Open land Land~~.

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1803.1.103.

If the ~~land shown on the plan includes land~~ tract of land proposed for the Conservation Cluster development is located in two residence zones or two or more zoning districts, ~~all of the land shall the entire tract,~~ for all purposes of this article Bylaw, be considered as lying entirely within the zone or zoning district having the largest area and frontage requirements, except that if 75% or more of the total area shown on the plan as building lots lies within one residence zone or zoning district, all of the land shall be considered as lying within that zone or zoning district.

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1803.1.11, respectively.

1803.1.114.

No lot shown on the plan for which a permit is granted under this article may be further subdivided, and a notation to this effect shall be shown on the approved, recorded plan. [Amended 5-5-2005 ATM by Art. 29]

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§ 19B-1804 Conditions.

1804.1.

The Planning Board may, in appropriate cases, impose as a condition of the special permit further restrictions, conditions and safeguards upon the tract, or parts thereof, to protect and promote the health, safety, convenience and general welfare of the inhabitants of the Town of Wayland.

§ 198-1805 Decision.

1805.1.

In connection with the granting or denying of a special permit under this article, the Planning Board shall issue to the applicant and shall file with the Town Clerk a written decision that shall include, at a minimum:

1805.1.1.

A determination of the maximum number of lots upon which dwellings could be constructed (without a special permit hereunder) and a determination of the area of the tract usable for residential construction in accordance with § 198-1803.1.3 herein.

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1805.1.2.

A general description of the neighborhood in which the tract lies and the effect of the plan on the area.

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1805.1.3.

The relation of the proposed development to long-range plans of the Town, if any.

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1805.1.5.

The extent to which the proposed open land is of such a size, shape and location and has such adequate access so as to benefit the Town.

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1805.1.6.

If the Planning Board grants the special permit, the finding required by § 198-1803.1.1 above.

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1805.1.7.

If the Planning Board denies the special permit, its reasons for so doing.

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1805.1.8.

If the Planning Board disagrees with the recommendations of the Conservation Commission, Historical Commission or the Board of Health, it shall state its reasons therefor in writing.

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1805.1.9.

If, by the terms of the special permit, the Planning Board permits the open land to be used for subsurface waste disposal, the finding required by § 198-1803.1-~~92.3~~ above.

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1805.2.

Such decision must be reached, filed with the Town Clerk and sent or delivered to the applicant within 90 days after the public hearing held on the application for the special permit, unless said ninety-day deadline is extended in accordance with law. Failure to so act shall be deemed approval in accordance with law.

§ 198-1806 - Common Open Land.

Field Code Changed

1806.1.

If a special permit is granted, the Planning Board shall impose as a condition that the ~~common~~ Open Land shall be conveyed; free and clear of any liens or encumbrances except those that may be permitted by the Planning Board, ~~of any mortgage interest or security interest and~~ subject to a perpetual restriction of the type described above (if applicable), prior to the Planning Board's release of any lots from the subdivision restriction covenant or, if there is no such covenant, prior to the Building Commissioner's issuance of a building permit for any lot, unless the petitioner shall provide a cash performance bond in an amount sufficient to guarantee the conveyance of the Open Land as required by the special permit. The petitioner shall provide satisfactory assurance of said conveyance and recording, in the form of copies of the recorded instruments bearing the recording stamp, and of such freedom from encumbrances. in any event, the Open Land shall be conveyed as required on or before one year after the conveyance of the last lot.

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§ 198-1807 Duration of special permit.

1807.1.

A special permit granted under this article shall lapse within 18 months if substantial construction has not begun by such date, except for a good cause shown and approved by the Planning Board.

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§ 198-1808 Amendments.

1808.1.

Following the granting by the Planning Board of a permit under this article, it may, upon application and for good cause shown, after notice and a public hearing as required for granting a special permit, amend the plan solely to make changes in lot lines shown on the plan; provided, however, that no such amendment shall:

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1808.1.1.

Grant any reduction in the size of the open land as provided in the permit;

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1808.1.2.

Grant any change in the layout of the ways as provided in the permit;

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1808.1.3.

Increase the number of building lots as provided in the permit; or

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1808.1.4.

Decrease the dimensional requirements of any building lot below the minimal required by this Zoning Bylaw.

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ARTICLE FOR ANNUAL TOWN MEETING

RECEIVED

AUG 31 2016

SPONSOR: Planning Board DATE RECEIVED: Board of Selectmen

Town of Wayland

CONTACT PERSON: Sarkis Sarkisian Town Planner TELEPHONE/Day: 508-358-3778

TELEPHONE/Evening: _____

BOARD VOTE: 5-0 DATE OF VOTE: August 22, 2016

TITLE: Assisted/independent living and Nursing home

COST: _____ NO COST: COST ESTIMATE AVAILABLE ON: _____

TEXT:

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

Amend the Table of Permitted Principal Uses by District by changing the designation for Line 24, "Assisted/Independent Living" from "SP" to "No" in Single Residence districts, and by changing the designation for Line 32, "Nursing Home" from "SP" to "No" in Single Residence districts.



ARTICLE FOR SPECIAL TOWN MEETING

RECEIVED

AUG 31 2016

SPONSOR: Planning Board DATE RECEIVED: Board of Selectmen
 CONTACT PERSON: Sarkis Sarkisian TELEPHONE/Day: 508-358-3778
 TELEPHONE/Evening: _____
 BOARD VOTE: 5-0 DATE OF VOTE: August 22, 2016

TITLE: Street Acceptance

COST: _____ NO COST: _____ COST ESTIMATE AVAILABLE ON: _____

TEXT:

To determine whether the Town will vote to accept as a town ways the following streets laid out by the Board of Road Commissioners, Department of Public Works, Board of Selectmen:

- Greenways
- Summer Lane
- Dylan Circle
- Spencer Circle

ARTICLE FOR SPECIAL FALL TOWN MEETING

SPONSOR: RECREATION DATE RECEIVED: 8/29/16

CONTACT PERSON: Jessica Brodie TELEPHONE/Day: 508-358-3662

TELEPHONE/Evening: _____

BOARD VOTE: 4-0-0 DATE OF VOTE: August 22, 2016

TITLE: Town Wide Recreation Facilities Strategic Plan

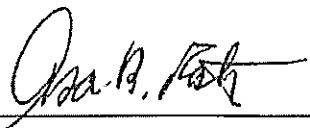
COST: X NO COST: _____ COST ESTIMATE: \$60,000

Funding Source – Recreation Stabilization Fund

Proposed by: Recreation Commission

TEXT:

To determine whether the Town will vote to allow the Recreation Commission to spend a sum of money from the Recreation Stabilization Fund to do a Town Wide Recreation Facilities Strategic Plan.

Signature of Chair  Date: 8-29-16

ARTICLE FOR SPECIAL FALL TOWN MEETING

SPONSOR: RECREATION DATE RECEIVED: 8/29/16

CONTACT PERSON: Jessica Brodie TELEPHONE/Day: 508-358-3662

TELEPHONE/Evening: _____

BOARD VOTE: 4-0-0 DATE OF VOTE: August 22, 2016

TITLE: 207/195 Main Street & Middle School Field Feasibility Study


COST: X NO COST: _____ COST ESTIMATE: \$30,000

_____ Funding Source – Recreation Stabilization Fund

Proposed by: Recreation Commission

TEXT:

To determine whether the Town will vote to allow the Recreation Commission to spend a sum of money from the Recreation Stabilization Fund to do a Feasibility Study to investigate the construction of a potential new Multi-Purpose, Rectangular, Natural grass field at 207 & 195 Main Street in conjunction with the design of a potential new library, as well as to investigate the construction of a potential new multi-purpose, rectangular, artificial turf field where the current Middle School soccer/lacrosse field is situated or the 207 & 195 sites if found to be a feasible option.

Signature of Chair  Date: 8-29-16

RECEIVED

SEP - 1 2016

Board of Selectmen
Town of Wayland

ARTICLE FOR SPECIAL TOWN MEETING

SPONSOR: Board of Public Works DATE RECEIVED: September 1, 2016
CONTACT PERSON: Mike Lowery TELEPHONE/Day: 508-397-8828
TELEPHONE/Evening: Same
BOARD VOTE: 4-0 DATE OF VOTE: Aug. 8th
TITLE: Appropriate Funds to purchase 107 Old Sudbury Road for Water Resource Protection
COST: X NO COST: COST ESTIMATE AVAILABLE ON: Appraisal in process

TEXT:

To determine whether the Town will vote to:

- a.) appropriate a sum of money to acquire, for water purposes, the fee or any lesser interest in the parcel of land located on 107 Old Sudbury Road, Wayland Massachusetts, containing the aggregate 2.06 acres, more or less, and shown as Lot 17-022 in the Town of Wayland Assessors' Atlas;
- b.) authorize the Board of Public Works [*Selectmen?*], with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain, or otherwise, for water purposes, the fee or any lesser interest in all or part of said parcel of land; and
- c.) determine whether said appropriate shall be provided by Water Enterprise Fund, or water borrowings.

PROS:

This parcel adjoins the Water Department land at the Baldwin Pond Wells. and runs 300' along Baldwin Pond. Because of a tax lien, the town expects to negotiate a favorable price for the property. The Board of Public works seeks to acquire this property for two reasons:

1. Protection of the Water Supply: When our wells were first constructed in the early 1900's, there were not any regulations that required wells to be in specially designated areas where no building could take place. Today, Mass DEP urges us to control property which can influence our wells.

The located in the Zone 2 of Baldwin #1, 2 & 3 wells. Roughly an acre is in the 'capture area'* of the wells. It sits on the edge Baldwin Pond, which when water flows in from the Sudbury River, flows into the Zone 1's of the three wells. We have the opportunity to purchase the property at a reasonable price to ensure that it will not be used in the future for any other purposes other than for water supply.

2. Space for future expansion of the water treatment process: The Baldwin Pond treatment plant site is extremely limited due to the close proximity to the pond itself. When the Treatment Plant was built, sacrifices had to be made in regards to the design to get everything to fit on the site. We are currently working to rehabilitate our sand filter beds. We've upgraded many aspects of the process and hope the upgrades solve ongoing post-treatment issues.

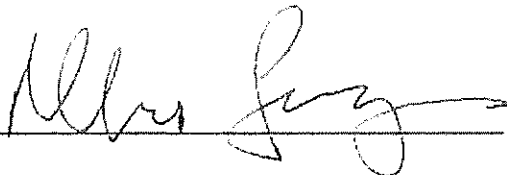
If our upgrades are not sufficient, our engineers have talked about adding another treatment process in between the plant and the filter beds to dewater the sludge before it reaches the sand beds. For this we will need additional space for the new process and possibly an additional sand filter bed. It is also uncertain if contamination from the Raytheon site will ever reach the well capture zone. If it does, additional treatment will be necessary.

*"capture area is defined by DEP as "*That area of an aquifer which contributes water to a well under the most severe pumping and recharge conditions that can be realistically anticipated (180 days of pumping at approved yield, with no recharge from precipitation).*" With the lack of rainfall this year, we have likely drawn from the capture zone outside of the defined Zone 1.

CONS:

Other municipal uses might exist for the property. The town might instead collect the taxes due if the parcel were sold to another buyer.

SIGNATURE OF VICE-CHAIR

 DATE 9-1-2016

Mark Lanza Approval

DATE _____

[requires parcel map]

RECEIVED

SEP - 1 2016

Board of Selectmen
Town of Wayland

ARTICLE FOR SPECIAL TOWN MEETING

SPONSOR: Board of Public Works DATE RECEIVED: September 1, 2016
CONTACT PERSON: Mike Lowery TELEPHONE/Day: 508-397-8828
TELEPHONE/Evening: Same
BOARD VOTE: 4-0 DATE OF VOTE: Aug. 8th
TITLE: Appropriate Funds to purchase 8 Glezen Lane for Water Resource Protection
COST: X NO COST: COST ESTIMATE AVAILABLE ON: Appraisal in process

TEXT:

To determine whether the Town will vote to:

- a.) appropriate a sum of money to acquire, for water purposes, the fee or any lesser interest in the parcel of land located on 8 Glezen Lane, Wayland Massachusetts, containing the aggregate 1.82 acres, more or less, and shown as Lot 18-014 in the Town of Wayland Assessors' Atlas;
- b.) authorize the Board of Public Works [*Selectmen?*], with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain, or otherwise, for water purposes, the fee or any lesser interest in all or part of said parcel of land; and
- c.) determine whether said appropriate shall be provided by Water Enterprise Fund, or water borrowings.

PROS:

This parcel is almost completely within the Zone I wellhead protection zone (400') of the Baldwin Pond wells and treatment plant. The Board of Public works seeks to acquire this property for two reasons:

1. **Protection of the Water Supply:** When our wells were first constructed in the early 1900's, there were not any regulations that required wells to be in specially designated areas where no building could take place. Today, Mass DEP urges us to control property which can influence our wells.

The parcel is almost fully within Zone 1 of Baldwin #1, 2 & 3 wells. It is on the market now. Its septic system failed a Title V inspection.

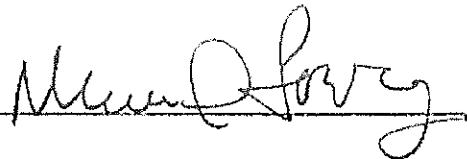
Wayland has a ten-million-dollar investment in the Baldwin Pond treatment plant. If contamination reach the raw water, the DEP may require a long outage to requalify the plant – significantly affecting our ability to deliver water.

2. **Space for future expansion of the water treatment process:** As stated in Article *[insert reference]* for 107 Old Sudbury Road, we may need to expand our treatment process with new sand beds. We may need expansion space in the future if the Raytheon plume comes closer to the well capture zone. This land directly adjoins the treatment facility and is very suitable for such expansions.

CONS:

This is an expensive parcel being sold as a prime site. The seller may not wish to sell the property at a price the town is willing to pay. Conceivably the septic system at the site could have a leach field outside the Zone I or a tight septic holding tank.

SIGNATURE OF VICE-CHAIR



DATE 9-1-2016

Mark Lanza Approval

DATE _____

[requires parcel map]

PROS:

Current Wayland By-Laws prohibit the installation of irrigation systems of greater than 15,000 square feet which are connected to the Town's public water system. This By-Law change would allow systems of greater than 15,000 sq. ft. to be installed for municipal playing fields. This would eliminate the costly and sometimes unfruitful process of digging a well to try and irrigate these recreational areas. The current By-Law is in place to prevent wasteful use of water by residents to maintain green grass in their private yards. This waiver would allow the Town to maintain playing fields which may otherwise suffer in the summer heat. Needing to re-seed playing fields after a hot/dry summer likely costs the town more money than simply irrigating throughout the summer. This happened with the Art King baseball field by Town Building in the summer of 2014. The field had to be completely rehabbed in the fall of 2014 and kept off-line for the entire 2015 season. An additional but even more important benefit is that by being able to maintain better grass, the fields would allow for a safer playing surface for the users of the fields.

The Mass. DEP regulates the Town's ability to withdraw water from the ground for our public water system. Our 20-year permit was due for renewal in 2016, but DEP has pushed this to 2018. In guidelines that are published as of 2016, irrigation for playing fields is one of the exceptions that DEP calls out as an acceptable use of water as it creates a public benefit (as opposed to private lawns).

Finally, the By-Law assures that the fields would be irrigated using modern and prudent conservation practices.

Water used on such fields for irrigation is paid for by the Recreation Department out of their user fees. This would have no effect on tax or water rates.

CONS:

Some may want to conserve as much water as possible for other uses. Some may think that this would lead to an increase in water rates.

SIGNATURE OF CHAIR	<u>Chris Brown</u>	DATE	<u>8/31/2016</u>
Mark Lanza Approval	_____	DATE	_____

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

RECEIVED

AUG 29 2016

LEAD PETITIONER Duane Galbi DATE RECEIVED _____

Board of Selectmen
Town of Wayland

DAY PHONE 781-899-0378 EVENING PHONE _____

TITLE Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Rd and Water Main

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE DPW

ESTIMATED COST saving of \$936,000 (936k)

RECEIVED
TOWN OF WAYLAND
TOWN CLERK
2016 AUG 29

To determine whether the Town will vote to amend its vote under Article 8 of the Warrant for the 2016 Annual Town Meeting relative to the Fiscal Year 2017 Capital Budget to reduce to zero the amount allocated to Capital Budget Item 28: "Department of Public Works, Water - \$936,000. Title: Stonebridge Water Main Project".

#	Print Name Legibly	Signature	Print Street Address
✓1	Harold Souths	<i>[Signature]</i>	23 Forest Hill Rd.
✓2	Duane Galbi	Duane Galbi	190 Stonebridge Rd
✓3	Laili Weisner	<i>[Signature]</i>	10 Lohbally Lane
✓4	John S. Markunas, Jr	<i>[Signature]</i>	129 Plain Rd
✓5	Ikloop Ughetkul	<i>[Signature]</i>	20 Dorcy Rd Wayland
✓6	Brendan Egan	<i>[Signature]</i>	17 Ball Rock
✓7	Mauri Upton	<i>[Signature]</i>	23 B Beechfield
✓8	Bruce Potter	<i>[Signature]</i>	17 Shawmut Ave
✓9	Jean Chang	Jean Chang	15 Mackens Dr
✓10	Catherine Weisner	<i>[Signature]</i>	33 Lukan St
✓11	N LEON BAROLE	<i>[Signature]</i>	7 Adams Ln
✓12	Linda Hamilton	Linda Hamilton	3 Meadowview
✓13	Allan A Wyatt	Allan A Wyatt	157 Concord Rd
✓14	Fancy Lu	<i>[Signature]</i>	22 Lumber Rd

16

✓15 XZAOJZANG XU *[Signature]*

✓16 PRAOPE *[Signature]*

We certify that sixteen (16) above signatures checked this vote the names of qualified voters from this town

TOWN OF WAYLAND
 BOARD OF REGISTRARS
 9 *[Signature]*
 11th Ave
 Peter R. Klein

ARTICLE: Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Rd and Water Main

2016 AUG 29 AM 9:37

#	Print Name Legibly	Signature	Print Street Address
✓1	James Beanevan	James Beanevan	738 Concord Road
✓2	PHILIP KLING	Philip Kling	996 Izen Lane
✓3	Paul Church	Paul Church	38 Oak Hill Rd
✓4	Cathy Stewart	Cathy Stewart	22 Orchard Lane
✓5	Susan Tanner	Susan Tanner	202 West Plain St.
✓6	Len Rideout	Len Rideout	29 Highgate Rd
✓7	Walter Hammer	Walter Hammer	34 Rolling Lane
✓8	Sebastian Upjohn	Sebastian Upjohn	31 Rice Spring Lane
✓9	Dorothy A. Wedlock	DOROTHY A. WEDLOCK	68 CONCORD RD
✓10	Nanci Koutsouris	Nanci Koutsouris	25 Plain Rd
✓11	Neil Gordon	Neil Gordon	1 Trinity Pl
✓12	Neil Gordon	Neil Gordon	1 Trinity
✓13	Meredith Hunter	Meredith Hunter	97 Rowan Cir.
✓14	Meredith Hunter	Meredith Hunter	17 Loker

✓15 JOHN BARTICK JR. JOHN BARTICK JR. 11 MAGUIRE RD

20 ✓16 Grace Russell Grace Russell 4 Plain Rd.

✓17 Bonnie Pomfret Bonnie Pomfret 296 Old Court Hill

✓18 Karen Drury Karen Drury 190 Stonebridge

✓19 Janet J. Janet J. 101 I Oak 17/11

✓20 Phyllis Poorell Phyllis Poorell
 I certify that we certify that the twenty above signatures checked are the names of qualified voters from this town.
 Seth R. Klein

TOWN OF WAYLAND
BOARD OF REGISTRARS
Seth R. Klein

ARTICLE: Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Rd and Water Main

#	Print Name Legibly	Signature	Print Street Address
✓1	Jim Ebbery	<i>[Signature]</i>	4 Folsoms Park
✓2	Erica Ilyin	<i>[Signature]</i>	20 Michael Rd.
✓3	Josephine Bennett	<i>[Signature]</i>	128 West Main St
✓4	JOHN SCHLAFER	<i>[Signature]</i>	76 Hampshire Rd
✓5	ARTHUR ROMANIA	<i>[Signature]</i>	15 SNAKE BROOK RD
✓6	Patricia Arnheim	<i>[Signature]</i>	108 Woodridge Rd
✓7	Sajn Cyrille	<i>[Signature]</i>	3 Heaven Lane
✓8	Chris Winder	<i>[Signature]</i>	11 Colver Rd
✓9	DAVID CAMP	<i>[Signature]</i>	29 Snake Brook Rd
✓10	D. Donald Davi	<i>[Signature]</i>	16 Holiday Rd
✓11	SON COWEN	<i>[Signature]</i>	19 GREEN WAY
✓12	KRISTIE BANNISTER	<i>[Signature]</i>	101 BPR
✓13	Chris Cullen	<i>[Signature]</i>	250 Concord Rd
✓14	James E. Thompson	<i>[Signature]</i>	22 Sycamore Rd

15

✓15 Carl F. Hobart *[Signature]* 69 Old Conn. Path
 ✓16 Durdave. *[Signature]* 70 Highlnd Cr.

We certify that fifteen (15) above signatures checked thus are the names of qualified voters from this town

TOWN OF WAYLAND
 BOARD OF REGISTRARS
[Signature]
[Signature]
[Signature]
[Signature]

2016 AUG 29 AM 9:37

RECEIVED
 TOWN OF WAYLAND
 TOWN CLERK

ARTICLE: Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Rd and Water Main

#	Print Name Legibly	Signature	Print Street Address
✓1	Elise Katz	<i>Elise Katz</i>	149 Pelham Place
✓2	Laurie Lam	<i>Laurie Lam</i>	127 Glezen Ln.
✓3	STEPHEN LAM	<i>Stephen Lam</i>	127 GLEZEN LN
✓4	John R. Caulfield	<i>John R. Caulfield</i>	4 Cole Rd.
✓5	Laura Busher	<i>Laura Busher</i>	19 Heathstone Lane
✓6	Deborah McNeill	<i>Deborah McNeill</i>	36 Mathews DR.
✓7	Jim Tozer	<i>Jim Tozer</i>	7 Old Farm City
✓8	Robert Smith	<i>Robert Smith</i>	12 Mason Rd
✓9	Adele Sobel	<i>Adele Sobel</i>	47 Barney Hill Rd.
✓10	Paula M. Dupre	<i>Paula M. Dupre</i>	160 Concord Rd.
✓11	Katherine Chan	<i>Katherine Chan</i>	15 Joyce Road
✓12	Kevin Wong	<i>Kevin Wong</i>	19 Oxbow Rd.
✓13	Herb Summons	<i>Herb Summons</i>	57 Stonebridge Rd
✓14	Peter Johnson	<i>Peter Johnson</i>	8 Pine Rd.

✓15. EMILY MYEROW *Emily Myerow* 14 Red Barn Rd.
 ✓16. *Scannon Burn* *Scannon Burn* 11 West Hill Rd

We certify that fifteen (16) above signatures checked thus ✓ are the names of qualified voters from this town

TOWN OF WAYLAND
 BOARD OF REGISTRARS
Richard H. ...
Elizabeth A. Salinas
Chitra A. ...
Robert R. ...

2016 AUG 29 AM 9:37
 RECEIVED
 TOWN OF WAYLAND
 TOWN CLERK

ARTICLE: Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Rd and Water Main

#	Print Name Legibly	Signature	Print Street Address
✓1	Bill Adams		19 Wood ^{1/2} Rd.
✓2	Roy Fuller		43 Barney Hill Rd.
✓3	AKORAR AFZAL		3 Country Court
✓4	Keith Tully		8 Nob Hill Road
✓5	Michael DeLeon		102 Stonebridge Rd
✓6	Christina Veal		8 Cottage Rd
✓7	DEAN ANGELI		4 1/2 CHERRY RD
✓8	CHAS. W MOORE		4 DEER RUN
✓9	BACCHIONE		166 Main St
✓10	HOLLY LAPP		15 Castle Gate Rd.
✓11	Stewart Maws		8 Hill Brook Rd
✓12	Ian HARRINGTON		15 Castle Gate Rd
✓13	STEVIE WOOD		701 R Street
✓14	ELEN DUFF		92 DUDLEY RD

16

✓15 HENRY STAMPS ROBERT WALL
72 MADISON
142 DRAPEER

✓16 We certify that letters (16) above
signatures checked thus are the names
of qualified voters on this town

RECEIVED
TOWN OF WAYLAND
TOWN CLERK
2015 AUG 29 AM 9:47

TOWN OF WAYLAND
BOARD OF REGISTRARS

ARTICLE: Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access Rd and Water Main

#	Print Name Legibly	Signature	Print Street Address
✓1	Barbara Condon	Barbara Condon	12 Hearthstone Cir
✓2	Thomas Condon	Thomas A Condon	12 Hearthstone Circle
✓3	James Neun	[Signature]	3 Russell Rd
✓4	J. MICHAEL GUNZBERG	J. Michael Guntzberg	7 JENNISON RD
✓5	Aurora Barvera	Aurora Barvera	35 River View Ave.
✓6	Nancy J. Curran	Nancy J. Curran	87 Woodridge Rd.
✓7	Grant Bell	Grant Bell	11 Autumn Lane
✓8	LISA HEGGIN	Lisa Heggin	4 Rye Hill Rd
✓9	Reed Newton	Reed Newton	9 Haven Lane
✓10	Sam Bongiorno	[Signature]	32 Stonebridge Rd
✓11	Jack Beinshowitz	[Signature]	51 SHERMAN BILDOIE RD
✓12	Pete Keller	Pete Keller	24 Concord Road
✓13	JOHN J. PRODELLO	John J. Prodello	12 BAZZICORTE RD.
✓14	Chris Carroll	Chris Carroll	16 Old Farm Rd

6

✓15. Mindy Tang [Signature] 3 Smoke Hill Rd
 ✓16. LAURENCE GREEN [Signature] 6 Torch Lane

We certify that fifteen (15) above
 Signatures checked, these are the
 names of qualified voters from this
 Town

2016 AUG 29 AM 9:37
 TOWN OF WAYLAND
 TOWN CLERK

TOWN OF WAYLAND
 BOARD OF REGISTRARS
 Judith H. Allen
 Elizabeth A. Sabino
 Lillian A. Lee
 Peter R. Klein

RECEIVED
TOWN OF WAYLAND
TOWN CLERK

ARTICLE: Amend FY2017 Capital Budget to Eliminate Funding for Stonebridge Water Access & Water Main

2016 AUG 29 AM 9:27

#	Print Name Legibly	Signature	Print Street Address
✓1	John Cappulucci	John E. Cappulucci	110 Old Farm Rd
✓2	John Paul	John Paul	23 Danon St
✓3	ALFRED J. NANNI JR	Alfred J. Nanni Jr	49 JEFFREY RD
✓4	Molly Foresma	Molly Foresma	63 Stonebridge Rd
✓5	Robert Carver	Robert Carver	35 Sycamore
✓6	SEAN BORSO	Sean B. Bors	11 East Hill Court
✓7	Chris Orth	Chris Orth	8 Shore Drive
✓8	Brad E Keyes	Brad E Keyes	91 E. Plain St.
✓9	Richard Vogel	Richard Vogel	197 Lake Shore Dr.
✓10	Lynne Dunbrack	Lynne Dunbrack	7 Brackett Rd
✓11	Sun-Shine Yuan	Sun-Shine Yuan	93 Woodrife Rd
✓12	Virginia G Steel	Virginia G Steel	22 Sylvan Way
✓13	Paul Rubinfeld	Paul Rubinfeld	6 Harvard Rd
✓14	Colin Steel	Colin Steel	22 Sylvan Way

(19)

- ✓15 Neil Pauplis NEIL PAUPLIS 225 Main St.
- ✓16 Tanya Kinnel Tanya Kinnel 8 Grove St
- ✓17 Kim Rubin Kim Rubin 8 Grove St
- ✓18 Arlene Weiland Arlene Weiland 60 Stonebridge Rd
- ✓19 Andrew Munton Andrew Munton

TOWN OF WAYLAND
BOARD OF REGISTRARS

Judith H. Johnson

12 Elizabeth H. Johnson
Linda A. Johnson

20 DAVID J. MACKENZIE David J. Mackenzie 22 North Park Lane
We certify that numbers (19) above are names of qualified voters from the town.



ARTICLES SUBMITTED FOR ADMISSION TO WARRANT FOR SPECIAL TOWN MEETING

November 15, 2016

The following articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

CURRENT YEAR TRANSFERS

Sponsored by: Town Clerk

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town Departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or federal government, by borrowing, or otherwise; and to determine which Town officer, board, or committee of combination of them, shall be authorized to expend the money or monies appropriated therefor.

PAY PREVIOUS FISCAL YEAR UNPAID BILLS

Sponsored by: Town Clerk

To determine whether the Town will vote to:

- (a) pay the bills of the prior fiscal years,
- (b) appropriate a sum of money for the payment of the foregoing bills of prior fiscal years; and
- (c) provide for such appropriation by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

AMEND CHAPTER 36, SECTION 18 OF TOWN CODE, ATTENDANCE AND PARTICIPATION OF NONRESIDENT TOWN OFFICIALS

Sponsored by: Board of Selectmen

To determine whether the Town will vote to amend Chapter 36, Section 18 of the Town Code, Attendance and Participation of Nonresident Town Officials, by adding thereto the words "Town Counsel" as follows:

Notwithstanding their place of residence or voter registration status, the Town Administrator, Assistant Town Administrator, Town Counsel, Police Chief, Fire Chief, Finance Director, Director of Public Works, Public Buildings Director and Superintendent of Schools shall have the same right as registered voters of the Town to attend and sit on the floor of Town meetings and answer questions. Said Town officials shall not be considered in determining the presence of a quorum at Town meetings nor shall any of them be permitted to vote unless s/he is a registered voter of the Town.

PETITION THE STATE LEGISLATURE TO REMOVE ALL POLICE PERSONNEL FROM THE PROVISIONS OF CIVIL SERVICE WITHOUT AFFECTING THE CIVIL SERVICE RIGHTS OF INCUMBENTS

Sponsored by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to adopt a special act exempting all Town of Wayland Police Personnel from the provisions of Civil Service Law substantially the same as the following act:

AN ACT EXEMPTING ALL POLICE PERSONNEL IN THE TOWN OF WAYLAND POLICE DEPARTMENT FROM THE PROVISIONS OF THE CIVIL SERVICE LAW

Section 1: All police personnel in the Town of Wayland Police Department shall be exempt from the provisions of Chapter 31 of the General Laws and related regulations applicable thereto.

Section 2: The provisions of Section 1 of this act shall not impair the civil service status of the present employees of the Town of Wayland Police Department except for the purpose of promotion.

Section 3: This act shall take effect upon its passage.

AUTHORIZE LAND ACQUISITIONS FOR NATURAL DIVERSITY (LAND) GRANT PROGRAM FUNDING TO PURCHASE CONSERVATION RESTRICTION ON MAINSTONE FARM

Sponsored by: Community Preservation Committee and Conservation Commission

To determine whether the Town will vote: to

- a.) confirm its vote under Article 30 of the Warrant for the 2016 Annual Town Meeting to (i) authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise a conservation restriction in accordance with Massachusetts General Laws Chapter 184, Sections 31-33 restricting the use of the land to conservation and passive outdoor recreation purposes, to be held by the Town of Wayland Conservation Commission pursuant to Massachusetts General Laws Chapter 40, Section 8C and by the Sudbury Valley Trustees, Inc, on a parcel of land located on Old Connecticut Path and Rice Road, Wayland, Massachusetts containing 208.7 acres, more or less, which parcel of land to be covered by said conservation restriction is part of the parcel of land shown on Wayland Assessors Map as Parcel 35-031A and is shown as "87 Old Connecticut Path" on a plan entitled "Subdivision Plan of Land in Wayland Middlesex County Massachusetts" dated December 22, 2015, prepared for Mainstone Land Trust by Samiotes Consultants Inc., and recorded with the Middlesex South Registry of Deeds as Plan No. 100 of 2016 (Sheets 2 and 3 of 3), which plan is the basis for the sketch map attached to the Warrant for the Annual Town Meeting 2016 in Appendix K; (ii) appropriate \$12,000,000 to be expended by the Board of Selectmen for the acquisition of said conservation restriction to be held by the Town of Wayland Conservation Commission and by Sudbury Valley Trustees, Inc.; and (iii) provide for said appropriation by (1) transferring \$2,100,000 from funds set aside in the Community Preservation Fund for open space

These articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

(2) transferring \$2,900,000 from the uncommitted funds in the Community Preservation Fund; and
(3) authorizing the Town Treasurer, with the approval of the Board of Selectmen, to borrow \$7,000,000 in anticipation of future Community Preservation Fund revenues pursuant to Massachusetts General Laws Chapter 44B, Section 11;

- b.) authorize the Board of Selectmen to expend said funds in conjunction with \$3,000,000 to be provided by the Sudbury Valley Trustees, Inc. for a total project cost of \$15,000,000;
- c.) authorize the Conservation Commission to (i) file on behalf of the Town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts deemed necessary under Massachusetts General Laws Chapter 132A, Section 11 and/or any others in any way connected with the scope of this Article; and (ii) enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to affect said purchase; and
- d.) authorize the Town Administrator, with the approval of the Board of Selectmen, to accept grant funds and execute contracts, and any amendment thereto, in order to carry out the terms, purposes, and conditions of EEA DCS LAND Grant Program.

LANDSCAPING IN PARKING AREAS ZONING BYLAW

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

Replace section 506.8.1 to read as follows:

506.8. Landscaping in parking areas.

506.8.1. A continuous landscape strip of a minimum width of 10 feet shall be provided along the perimeter of a parking lot which is accessory to a non-residential use on a lot that is in or adjacent to a residential district. This strip shall be adequately landscaped and maintained with natural and living materials so as to form an effective year round screen from adjacent properties in said residential districts. The Special Permit Granting Authority or the Site Plan Approval Authority may also require a tight fence.

Existing language below

506.8. Landscaping in parking areas.

506.8.1. Parking lots immediately adjacent to a residence district shall be adequately screened year-round from view from said residence district by trees, hedges or a tight fence.

These articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

HOME OCCUPATION

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

- (1.) In Section 198-04, strike the definition of "HOME OCCUPATION, CUSTOMARY (CUSTOMARY HOME OCCUPATION)" and replace it with the following:

See, Sections 901.1.1 and 901.1.2

- (2.) Strike Section 901.1.2.4 and replace it with the following new paragraph:

The Customary Home Occupation shall not generate more than ten additional vehicle trips per day, as is predicted by the Institute of Transportation Engineers (ITE) trip generation manual or other competent evidence.

CONSERVATION CLUSTER DEVELOPMENTS

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

[Key to changes: underlining denotes additions; ~~strikethroughs~~ denotes deletions]

1803.1 After notice and public hearing in accordance with Jaw, which public hearing shall be held within 65 days after the filing of the application with the Planning Board, the Planning Board may, after due consideration of the reports and recommendations of the Conservation Commission, Historical Commission, and the Board of Health, grant such a special permit, provided that:

1803.1.1 It finds that the proposed plan is in harmony with the purposes and intent of this Zoning Bylaw and this article.

1803.1.2 The area of the tract of land is not less than 5 acres. [Amended 5-5-2005 ATM by Art. 27]

1803.1.3 The total number of ~~lots on which there is to be a single dwelling unit~~ dwelling units on the tract of land, including any affordable units required by Section 2204, does not exceed the larger of the following: [Amended 5-5-2005 ATM by Art. 29]

~~1803.1.3.1~~ (a) ~~¶~~the number of building lots that could be created in the tract shown on such plan without a special permit hereunder, plus one lot for each 10 of such building lots that could otherwise be created; or

~~1803.1.3.2~~ (b) ~~¶~~the number of building lots obtained by dividing 90% of the total area of the tract, exclusive of land identified as a protected resource area under the Wayland Wetlands and Water Resources Protection Bylaw (excluding buffer zones) ~~situated within the floodplain or designated as~~

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--

~~wetlands by the Conservation Commission~~, by the minimum lot size permitted in the district within which the tract is located, plus one lot for each 10 lots so arrived at from such division.

1803.1.3.1 For purposes of demonstrating the number of lots under subsection 1803.1.3(a) above, an applicant under this Bylaw shall submit a dimensioned lotting plan signed and stamped by a registered professional engineer or land surveyor which shows the maximum number of lots which can be created on a conventional subdivision plan meeting all dimensional and other requirements of the Zoning Bylaw and being in compliance with the Subdivision Rules and Regulations, which submittal shall include a list of requested waivers necessary to implement the subdivision plan, which the Planning Board shall review and determine whether to grant.

1803.1.3.32 Within the Residence Districts, the Planning Board ~~shall~~ may permit allow by special permit structures to be constructed containing more than one dwelling unit, but not more than four dwelling units per structure. The total number of dwelling units ~~for attached buildings~~ shall not exceed the total that is allowed under § 198-18051803.1.43.

1803.1.3.4 3 Notwithstanding any provision of this Zoning Bylaw to the contrary, the Planning Board may permit by Special Permit attached and detached dwelling units to be erected on single lot(s). [Added 10-3-2012 STM by Art. 6]

1803.1.4 Each of the building lots shown on the plan ~~has~~ shall have adequate frontage, but no less than 50 feet, on a public or private way.

1803.1.5 Each of the building lots ~~shown on the plan is~~ shall be of a size and shape as shall provide a building site that shall be in harmony with the natural terrain and other features of the tract, but no such lot shall have an area of less than 20,000 square feet as shown on the plan.

1803.1.6 The front, side and rear yards of each lot shall be shown on the plan by dashed lines indicating the area within which a building may be built, ~~provided that a~~ All dwellings ~~and~~ accessory buildings, driveways and roadways shall be set back at least ~~15~~ 50 feet from the perimeter of the tract, except that the Planning Board may reduce this set back to not less than 25 feet if it furthers the interests of this by-law, and 15 feet from any open land, except for that portion of a driveway or roadway that intersects a public or private way for access to the development.

1803.1.7 For Conservation Cluster Developments consisting of at least a majority of single-family detached dwellings, ~~A~~ at least 35% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be ~~open~~ designated as Open Land, ~~and the open land shall include all land not dedicated to roads or building lots.~~ For Conservation Cluster Developments consisting of at least a majority of ~~attached~~ single-family attached dwellings, at least 50% of the land area of the tract, exclusive of land set aside for road and drainage areas, shall be designated as Open Land, ~~and the open land shall include all land not dedicated to roads or building lots.~~ For the purpose of this article, "open land" is defined ~~as a parcel or parcels of land, or an area of water, or a combination of land and water, not including roads or ways, whether public or private,~~ The Open Land shall be reserved to be used for open space, conservation, agriculture, outdoor passive recreation, park purposes or some combination of the foregoing. [Amended 5-5-2005 ATM by Art. 29]

These articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

1803.1.8.2 Conveyance of ~~the open~~ Open Land.

1803.1.8.12.1 The Open Land shall be conveyed either:

~~1803.1.8.1.1~~ (a) To the Town or its Conservation Commission, but only if the Town or Conservation Commission agrees to accept title to the Open Land, ~~which shall accept it for park or open space use;~~

~~1803.1.8.1.2~~ (b) To the Sudbury Valley Trustees, Inc., and its successors or to another nonprofit conservation organization approved by the Planning Board, the principal purpose of which is the conservation of open space; or

~~1803.1.8.1.3~~ (c) To a corporation, trust or association owned, or to be owned, by the owners of lots or residential units within the tract, provided that if such a corporation, trust or association holds title, ownership thereof shall pass with conveyance of the lots or residential units.

~~1803.1.8.22.2~~ If ownership in title to the Open Land is held by an entity other than the Town, there shall be sufficient rights in the Town to provide that such land shall be kept in an open or natural state, and provisions shall be made satisfactory to the Planning Board so that the Town, through its Conservation Commission, Planning Board, or other board, can enforce any other restrictions or easements imposed upon the open Open Land by the Planning Board as conditions of its special permit grant.

~~1803.1.9.2.3~~ Subject to the approval of the Board of Health, as otherwise required by law, the Planning Board may permit the ~~open~~ Open Land to be used for subsurface waste disposal where the Planning Board finds that such use will not be detrimental to the character or quality of the ~~open~~ Open Land.

~~1803.1.10.3~~ If the land shown on the plan includes land tract of land proposed for the Conservation Cluster development is located in two residence zones or two or more zoning districts, all of the land shall the entire tract, for all purposes of this article Bylaw, be considered as lying entirely within the zone or zoning district having the largest area and frontage requirements, except that if 75% or more of the total area shown on the plan as building lots lies within one residence zone or zoning district, all of the land shall be considered as lying within that zone or zoning district. [Amended 5-5-2005 ATM by Art.29 3

1803.1.11, respectively.

~~1803.1.11.4~~ No lot shown on the plan for which a permit is granted under this article may be further subdivided, and a notation to this effect shall be shown on the approved, recorded plan. [Amended 5-5-2005 ATM by Art. 29]

§ 198-1804. Conditions.

1804.1 The Planning Board may, in appropriate cases, impose as a condition of the special permit further restrictions, conditions and safeguards upon the tract, or parts thereof, to protect and promote the health, safety, convenience and general welfare of the inhabitants of the Town of Wayland.

These articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

§ 198-1805. Decision.

1805.1 In connection with the granting or denying of a special permit under this article, the Planning Board shall issue to the applicant and shall file with the Town Clerk a written decision that shall include, at a minimum:

1805.1.1 A determination of the maximum number of lots upon which dwellings could be constructed (without a special permit hereunder) and a determination of the area of the tract usable for residential construction in accordance with § 198-1803.1.3 herein.

1805.1.2 A general description of the neighborhood in which the tract lies and the effect of the plan on the area.

1805.1.3 The relation of the proposed development to long-range plans of the Town, if any.

1805.1.4 The extent to which the proposed development is designed to take advantage of the natural terrain of the tract.

1805.1.5 The extent to which the proposed open land is of such a size, shape and location and has such adequate access so as to benefit the Town.

1805.1.6 If the Planning Board grants the special permit, the finding required by § 198-1803.1.1 above.

1805.1.7 If the Planning Board denies the special permit, its reasons for so doing.

1805.1.8 If the Planning Board disagrees with the recommendations of the Conservation Commission, Historical Commission, or the Board of Health, it shall state its reasons therefor in writing.

1805.1.9 If, by the terms of the special permit, the Planning Board permits the open land to be used for subsurface waste disposal, the finding required by § 198-1803.4-~~92.3~~3 above.

1805.2 Such decision must be reached, filed with the Town Clerk and sent or delivered to the applicant within 90 days after the public hearing held on the application for the special permit, unless said ninety-day deadline is extended in accordance with law. Failure to so act shall be deemed approval in accordance with law.

§ 198-1806. ~~Common~~ Open land.

1806.1 If a special permit is granted, the Planning Board shall impose as a condition that the ~~common~~ Open Land shall be conveyed; free and clear of any liens or encumbrances except those that may be permitted by the Planning Board, of any mortgage interest or security interest and subject to a perpetual restriction of the type described above (if applicable), prior to the Planning Board's release of any lots from the subdivision restriction covenant or, if there is no such covenant, prior to the Building Commissioner's issuance of a building permit for any lot, unless the petitioner shall provide a

These articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.

cash performance bond in an amount sufficient to guarantee the conveyance of the Open Land as required by the special permit. The petitioner shall provide satisfactory assurance of said conveyance and recording, in the form of copies of the recorded instruments bearing the recording stamp, and of such freedom from encumbrances. In any event, the Open Land shall be conveyed as required on or before one year after the conveyance of the last lot.

§198-1807. Duration of special permit.

1807.1 A special permit granted under this article shall lapse within 18 months if substantial construction has not begun by such date, except for a good cause shown and approved by the Planning Board.

§ 198-1808. Amendments.

1808.1 Following the granting by the Planning Board of a permit under this article, it may, upon application and for good cause shown, after notice and a public hearing as required for granting a special permit, amend the plan solely to make changes in lot lines shown on the plan; provided, however, that no such amendment shall:

1808.1.1 Grant any reduction in the size of the open land as provided in the permit;

1808.1.2 Grant any change in the layout of the ways as provided in the permit;

1808.1.3 Increase the number of building lots as provided in the permit; or

1808.1.4 Decrease the dimensional requirements of any building lot below the minimal required by this Zoning Bylaw.

ASSISTED/INDEPENDENT LIVING AND NURSING HOME

Sponsored by: Planning Board

To determine whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions:

Amend the Table of Permitted Principal Uses by District by changing the designation for Line 24, "Assisted/Independent Living" from "SP" to "No" in Single Residence districts, and by changing the designation for Line 32, "Nursing Home" from "SP" to "No" in Single Residence districts.

<p>These articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.</p>
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STREET ACCEPTANCE

Sponsored by: Planning Board

To determine whether the Town will vote to accept as a town ways the following streets laid out by the Board of Road Commissioners, Department of Public Works, Board of Selectmen:

Greenways
Summer Lane
Dylan Circle
Spencer Circle

TOWN WIDE RECREATION FACILITIES STRATEGIC PLAN

Sponsored by: Recreation Commission

To determine whether the Town will vote to allow the Recreation Commission to spend a sum of money from the Recreation Stabilization Fund to do a Town Wide Recreation Facilities Strategic Plan.

207/195 MAIN STREET AND MIDDLE SCHOOL FIELD FEASIBILITY STUDY

Sponsored by: Recreation Commission

To determine whether the Town will vote to allow the Recreation Commission to spend a sum of money from the Recreation Stabilization fund to do a Feasibility Study to investigate the construction of a potential new Multi-Purpose, Rectangular, Natural grass field at 207 and 195 Main Street in conjunction with the design of a potential new library, as well as to investigate the construction of a potential new multi-purpose, rectangular, artificial turf field where the current Middle School soccer/lacrosse field is situated or the 207 and 195 sites if found to be a feasible option.

MUNICIPAL FIELD IRRIGATION WAIVER BYLAW CHANGE

Sponsored by: Board of Public Works and Recreation Commission

191-6 (c) Municipal field waiver

Any municipally-owned field which uses prudent water conservation practices shall be exempt from the 15,000 square foot limit for new installations or expansions of existing irrigation systems. All irrigation improvements will be limited to the playing field area. All irrigation systems are subject to applicable regulations as well as approval by the Board of Public Works as Water Commissioners.

Nothing in this by-law shall limit the authority of the Board of Public Works to implement water restrictions, including for municipal irrigation systems.

<p>These articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.</p>
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APPROPRIATE FUNDS TO PURCHASE 107 OLD SUDBURY ROAD FOR WATER RESOURCE PROTECTION

Sponsored by: Board of Public Works

To determine whether the Town will vote to:

- a.) appropriate a sum of money to acquire, for water purposes, the fee or any lesser interest in the parcel of land located on 107 Old Sudbury Road, Wayland Massachusetts, containing the aggregate 2.06 acres, more or less, and shown as Lot 17-022 in the Town of Wayland Assessors' Atlas;
- b.) authorize the Board of Public Works [*Selectmen?*], with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain, or otherwise, for water purposes, the fee or any lesser interest in all or part of said parcel of land; and
- c.) determine whether said appropriate shall be provided by Water Enterprise Fund, or water borrowings.

APPROPRIATE FUNDS TO PURCHASE 8 GLEZEN LANE FOR WATER RESOURCE PROTECTION

Sponsored by: Board of Public Works

To determine whether the Town will vote to:

- a.) appropriate a sum of money to acquire, for water purposes, the fee or any lesser interest in the parcel of land located on 8 Glezen Lane, Wayland Massachusetts, containing the aggregate 1.82 acres, more or less, and shown as Lot 18-014 in the Town of Wayland Assessors' Atlas;
- b.) authorize the Board of Public Works [*Selectmen?*], with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain, or otherwise, for water purposes, the fee or any lesser interest in all or part of said parcel of land; and
- c.) determine whether said appropriate shall be provided by Water Enterprise Fund, or water borrowings.

AMEND FY2017 CAPITAL BUDGET TO ELIMINATE FUNDING FOR STONEBRIDGE WATER ACCESS ROAD AND WATER MAIN

Sponsored by: Petitioners

To determine whether the Town will vote to amend its vote under Article 8 of the Warrant for the 2016 Annual Town Meeting relative to the Fiscal Year 2017 Capital Budget to reduce to zero the amount allocated to Capital Budget Item 28: "Department of Public Works, Water - \$936,000. Title: Stonebridge Water Main Project."

These articles were submitted for consideration for inclusion in the Warrant for the Special Town Meeting to begin on Tuesday, November 15, 2016. Please note these articles are not in their final order, and are subject to nonsubstantive revisions between now and the time the Warrant is finalized.