

PACKET

AUGUST 20

2018



NAN BALMER
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
LOUIS M. JURIST
CHERRY C. KARLSON
DOUGLAS A. LEVINE

REVISED

BOARD OF SELECTMEN Monday, August 20, 2018

7:00 p.m.

Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road

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.

- 7:00 pm 1. Call to order by Chair
- Review of agenda for the public
- 7:05 pm 2. Announcements and public comment
- 7:10 pm 3. Petitioners Workshop
- 7:30 pm 4. Meet with Planning Board on Special Town Meeting Articles; Vote to refer articles back to the Planning Board:
1. Zoning By-Law: Marijuana Prohibition
 2. Zoning By-Law: Marijuana Establishment District A-Boston Post Road
 3. Zoning By-Law: Marijuana Establishment District B-Mixed Use Overlay District(Town Center)
 4. Zoning By-Law: Marijuana Establishment District C-Cochituate Village
 5. Zoning By-Law: Marijuana Temporary Moratorium to December 2019
 6. Zoning By-Law: Amend Flood Plain Maps
 7. Zoning By-Law: Pre-existing non-conforming use of land with six or more dwelling units (Launcher Way)
- 7:50 pm 5. Executive Session: Enter into Executive Session
- I. Pursuant to Massachusetts General Laws Chapter 30A, Section 21(a)(6), to Consider the Purchase, Exchange, Taking, Lease or Value of Real Property in Regard to the Rivers Edge Project at 484-490 Boston Post Road

BOARD OF SELECTMEN

Monday, August 20, 2018

7:00 p.m.

Wayland Town Building

Selectmen's Meeting Room

41 Cochituate Road

Proposed Agenda – Page Two

- 8:00 pm 6. Ballot Question Language: Vote to approve ballot question language for October 2, 2018 Special Election to decide whether the Town will adopt a prohibition against marijuana establishments in Wayland.
- 8:05 pm 7. Warrant for 2018 State Primary: Vote to sign
- 8:10 pm 8. Special Act: Discuss Selectmen's individual meetings with the boards and the committees
- 8:20 pm 9. Citizens Academy: Update from Selectman Antes
- 8:25 pm 10. Articles sponsored by the Board of Selectmen: Board Vote to Sponsor:
1. Pay Previous Year Unpaid Bills
2. Current Year Transfers
3. Clarification of Circuit Breaker Language
- 8:30 pm 11. Town Administrator's Report
1. Correspondence
a. Lake Terrace and Morrill Roads: Police Chief Recommendation
b. Wayland Rod and Gun Club Chapter 61B Land
2. Transition to new Town Administrator
- 8:35 pm 12. Minutes: Review and vote to approve minutes of August 6, 2018
- 8:40 pm 13. Consent Calendar: Review and vote to approve (see separate sheet)
- 8:45 pm 14. Correspondence Review
- 8:50 pm 15. Selectmen's reports and concerns
- 8:55 pm 16. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any
- 9:00 pm 17. Adjourn



Wayland
MASSACHUSETTS

3.) Petitioners
Workshop

Published on *Wayland MA* (<https://www.wayland.ma.us>)

[Home](#) > Petitioners Workshop

Petitioners Workshop

Petitioners Workshop

Citizens interested in submitting a petition for the Special Town Meeting are invited to take part in a workshop on Monday, August 20 during the Board of Selectmen's Meeting at the Wayland Town Building. The Selectmen will be available to discuss potential articles and the submission process. The time of the workshop will be listed on the Board of Selectmen's agenda.

Source URL: <https://www.wayland.ma.us/home/news/petitioners-workshop>

WARRANT ARTICLE PROCESS: Guide for Petitioners

Citizens have the right to submit articles for consideration by the Town Meeting. Such articles must be in writing and signed by ten or more registered voters for Annual Town Meeting (ATM) or 100 or more registered voters for Special Town Meeting (STM), using the attached form.

All petitioners' articles must be submitted in accordance with the law on or before January 15 or such time as may be fixed by the Board of Selectmen, and all such articles for Special Town Meeting must be so presented on or before the date fixed by the Selectmen for closing of the warrant, August 30, 2018 this year. All petitioners' articles having the required number of qualified signatures must be included in the Town Meeting Warrant by state statute.

STM Time Line and Process

Date	Action	Responsibility
August 20	<i>Hold a workshop for citizens interested in submitting petition for Special Town Meeting. Potential articles and the submission process may be discussed with the Selectmen.</i>	Board of Selectmen
August 22 – August 30 at 4:30 pm	<i>Submit petitioners' articles for Town Meeting both on paper with signatures and by email (to thegarty@wvland.ma.us) in Microsoft Word. Articles are collected and numbered, and copies are given to the Board of Selectmen, Finance Committee, Moderator, and Town Counsel. Petitioners are encouraged to provide the Finance Committee with draft comments, arguments in favor, and arguments against their articles at the time of submission. Signatures on the petition are verified by the Town Clerk.</i>	Town Administrator
September 5	<i>Attend Finance Committee Warrant Article Workshop. Petitioners should attend to present their articles.</i>	Finance Committee
September	<i>Review articles, determine their order, vote positions on most articles; may meet with petitioners. The Board will discuss substantive articles with petitioners. And attend the Finance Committee's meeting with petitioners.</i>	Board of Selectmen
September	<i>Study each petitioner's article and prepare a report for the Warrant. The Finance Committee meets with petitioners to discuss articles at a public meeting. The Committee may explore alternative means for accomplishing the article's objective. A member of the Committee is assigned to the article to prepare a report for the Warrant, including comments and pro and con arguments and the Committee's recommendation to Town Meeting.</i>	Finance Committee
September - October	<i>Meet with Finance Committee and/or Board of Selectmen to discuss article; write report of no more than 150 words to be printed in the warrant if desired and if the Finance Committee prepares a report. Such discussions help to identify issues that require further work on the part of the petitioner as well as to identify arguments for and against passage.</i>	Petitioners
September	<i>Town Counsel will review articles for form, legislative intent, and procedural compliance and will provide main motion and the quantum of vote required for passage. Town Counsel will not render written opinions or give advice to petitioners about substantive legal issues and will not advise petitioners when there is a potential conflict of interest between the petitioners and the Town.</i>	Town Counsel
November 5	<i>Attend Board of Selectmen warrant article hearing. Petitioners should attend this hearing to review their warrant articles.</i>	Selectmen with Moderator and Finance Committee
November 13 (Day one)	<i>Move the article and make a brief presentation on the merits of the article. Movers of articles have a limited amount of time to explain and present arguments in favor of passage of the article (currently 7 minutes). This presentation is made at the procedural (center) microphone. Petitioners may prepare handouts and slides. (Check for deadline for submission). If the motion differs substantially from the article printed in the warrant, printed copies must be prepared for the moderator and made available for people attending Town Meeting.</i>	Lead Petitioner
STM	<i>Consider each article at Special Town Meeting. Citizens are encouraged to debate the merits of articles, ask questions, and make amendments when appropriate. Please refer to the Moderator's Rules in the warrant for more detailed guidance.</i>	Town Meeting attendees

TOWN OFFICE DATE/ TIME STAMP HERE

PETITIONER'S ARTICLE FORM FOR WAYLAND TOWN MEETING

(Page 1 of 3 pages)

INSTRUCTIONS FOR COMPLETING THE PETITIONER'S ARTICLE FORM:

Please refer to the Guide for Petitioners for complete information including the required number of signatures and for access to Town Counsel to assist the lead petitioner in writing the article in proper legal form. You may also call the Town Administrator at (508) 358-3620.

Date Due: This form for a petition article is due by 4:30 pm in the Board of Selectmen's Office, 41 Cochituate Road Wayland, on the date set by the Board of Selectmen for the closing of the Special Town Meeting Warrant (August 30, 2018 this year). The petition form will be date stamped when it is received by the Town Administrator and forwarded to the Town Clerk for certification of each signature.

Lead Petitioner: The lead petitioner will serve as the spokesperson for the article and will be the contact person for the Finance Committee and the Board of Selectmen, and for the Planning Board if the petition is to create a zoning by-law.

** This document is available in WORD by e-mailing thegarty@wayland.ma.us*

I. CONTACT INFORMATION

NAME OF LEAD PETITIONER: _____

PHONE _____ E-MAIL _____

II. ARTICLE TITLE, TEXT, & KEY INFORMATION

ARTICLE TITLE: _____

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE: _____

ESTIMATED COST: _____

ARTICLE TEXT TO APPEAR IN WARRANT: To determine whether the Town will vote to:

III. FORM FOR SIGNATURES OF QUALIFIED PETITIONERS

ARTICLE TITLE:			
The following registered voters of the Town of Wayland petition Town Meeting to consider the Town Meeting warrant article named above and described on the preceding page at the Special Town Meeting to begin on Tuesday November 13, 2018.			
#	Print Name Legibly	Signature	Print Street Address
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

Please attach additional forms for petitioners' signatures.

III. EXPLANATORY INFORMATION

1. **DRAFT COMMENTS** – SUGGESTED BY PETITIONER TO FINANCE COMMITTEE *

2. **DRAFT ARGUMENTS IN FAVOR**– SUGGESTED BY PETITIONER TO FINANCE COMMITTEE

3. **DRAFT ARGUMENTS OPPOSED**– SUGGESTED BY PETITIONER TO FINANCE COMMITTEE

4. **PETITIONER'S COMMENTS**: (Article Sponsors may, at their discretion, submit ADDITIONAL comments of up to 150 words which will be included in the warrant if the Finance Committee includes comments.)

2018 SPECIAL TOWN MEETING SCHEDULE

Schedule for fall STM to begin on TUESDAY, NOVEMBER 13, 2018

- August 6 VOTE TO CALL SPECIAL TOWN MEETING AND OPEN WARRANT: The Board of Selectmen will vote on Monday August 6th to call a Special Town Meeting for Tuesday November 13, 2018 and to open the warrant for at least seven days beginning Wednesday, August 22, 2018 at 8:30 am.
- August 8 NOTICE: Notice of the Board's action will be sent to all Town boards and committees. Per Town Code Chapter 36: 1) Within 48 hours of calling a Special Town Meeting, notice of the closing date of the warrant shall be posted at the Town Building, at the public library in Wayland Center, at the Cochituate Fire Station or Cochituate Post Office and at the Happy Hollow School; and 2) Prior to the closing of the warrant, notice of the time and place of the Special Town Meeting shall be published in the Wayland Town Crier and will also be posted at the above locations.
- August 20 PETITIONERS' WORKSHOP: The Board of Selectmen will conduct an information session for individuals considering submission of petitioned articles. Please see separate information sheet on the warrant article process for petitioners.
- August 20 BOARD VOTE ON ARTICLES: Date by which the Board of Selectmen will vote to approve and submit any articles it wishes to sponsor.
- August 20 PLANNING BOARD: The Planning Board meets with the Board of Selectmen on zoning articles and provides the timeline for the Planning Board's hearings and provides the date by which the Board of Selectmen must vote to refer articles back to the Planning Board.
- August 22 WARRANT OPENING: Warrant opens Wednesday, August 22, 2018 at 8:30 a.m. and closes Thursday August 30, 2018 at 4:30 p.m. Articles must be submitted in complete form with all exhibits to the Office of the Board of Selectmen and will be stamped with the date and time received. Articles must be signed by the chair of the sponsoring board or committee or its designee, as authorized by a vote of each public body. (Please refer to additional information for submission and preparation of articles by public bodies of the town and by petitioners.)
- August 30 WARRANT CLOSING: Last day at 4:30 pm for article sponsors and petitioners to submit articles to the Board of Selectmen's Office for Special Town Meeting.
- August 31 DISTRIBUTION OF ARTICLES: Articles will be draft ordered by the Town Administrator and distributed to each member of the Board of Selectmen and the Finance Committee, and to the Moderator, Town Clerk and Town Counsel and will be posted to the Town Meeting page of the website.
- September 5 FINANCE COMMITTEE SPECIAL TOWN MEETING ARTICLE WORKSHOP: Per Town Code, Chapter 19 - 3, the Finance Committee meets with all parties proposing or commenting on all Special Town Meeting articles. The Chair of the Finance Committee will contact the Board of Selectmen's Office to arrange for public notice of this meeting.
- September SELECTMEN BEGIN ARTICLE REVIEW AND VOTES TO INCLUDE ARTICLES IN WARRANT: Through October 19th, the Board of Selectmen will: 1) include

Note – Dates not required by Massachusetts General Laws and Town Code are subject to change.

discussion about proposed articles on every agenda, 2) will vote on whether to include articles in the warrant, 3) will vote on the order the articles will appear in the warrant, and 4) will consider a vote on the Board's position on each article.

- September 14 TOWN COUNSEL REVIEW OF ARTICLE TEXT: Approximate date by which Town Counsel completes review of submitted articles and any re-drafting of the text of each article, providing the article text in final form. Article text is then transmitted in PDF by the Town Administrator to each Article Sponsor and to the Chairs of the Board of Selectmen and Finance Committee for distribution as appropriate.
- September 14 SPONSOR'S REPORT: Date by which any governmental body or lead petitioner sponsoring an article may submit to the Office of the Board of Selectmen a 150 word report which will be included in the Warrant only if the Finance Committee also provides comment.
- October 1 PERMANENT MUNICIPAL BUILDING COMMITTEE REPORT: Date by which reports are requested to the Board of Selectmen from the PMBC about the status of any capital projects assigned to the PMBC.
- October 9 PLANNING BOARD REPORT: Deadline by which the Planning Board must vote to approve and submit to the Board of Selectmen's Office the Planning Board's approved report on zoning articles.
- October 12 FINANCE COMMITTEE DEADLINE (12:30 pm, close of business) FOR SUBMISSION, THROUGH ITS CHAIR, TO THE BOARD OF SELECTMEN'S OFFICE ALL FINANCE COMMITTEE REPORTS ON SPECIAL TOWN MEETING ARTICLES - No changes will be made after this date.
- October 12 MODERATOR'S RULES: All changes are due from Moderator by this date.
- October 19 WARRANT COMPLETED: Date by which the compilation of the warrant is completed. The final Warrant is scanned, posted on the website and delivered to the members of the Board of Selectmen, the Moderator, the Chair of the Finance Committee, the Town Clerk, Town Counsel and the Finance Director. **Warrant sent to printer.**
- October 26 MOTIONS COMPLETED AND POSTED: A motion on each article is drafted by the Town Administrator and reviewed and finalized by this date by Town Counsel and provided to the Chair of the Board of Selectmen who will distribute to the Town Clerk, Moderator, Finance Committee Chair and article sponsors. Draft motions provided by Town Counsel must be posted on the website for public review and marked with the date of the draft.
- October 29 WARRANT SIGNED: The Board of Selectmen will meet to vote to sign the Warrant.
- October 30 WARRANT POSTED: Date by which the Warrant will be posted at locations listed above and deadline for mailing of the Warrants to all households. (Town Code 36-2A, MGL c. 39, s. 10 - No later than 14 days before STM)

- November 1 PRE-HEARING PLANNING: On or about this date, the Chair of the Board of Selectmen meets with Town Counsel, the Town Administrator, the Moderator, and the Town Clerk to review motions on each article before the 11/5/18 Warrant hearing.
- November 1 LEAGUE OF WOMEN VOTERS ISSUES FORM ON SPECIAL TOWN MEETING
- November 2 by 8:00 p.m. VOTER REGISTRATION DEADLINE: Last day before Town Meeting to register to vote. (This date is scheduled no earlier than 10 days before STM).
- November 5 WARRANT HEARING: The Board of Selectmen will convene a hearing to review the Warrant and each article. In addition to the general public, Article Sponsors, the Moderator, Town Counsel and the Town Clerk are invited to participate. The Board of Selectmen will also review motions on each article. The Office of the Board of Selectmen will provide at least 10 days advance notice of the Warrant Hearing to the public.
- November 7 DEADLINE FOR SUBMISSION OF SLIDES: Any illustrative slides will be submitted to the Assistant Town Administrator who will submit them to the Moderator for approval to show at Town Meeting. (See Town Moderator's requirements for slides)
- November 13 FINAL PREPARATIONS: Moderator's instructions to tellers and list of non-resident employees provided to Moderator and Town Clerk. Warrants, final errata sheets and supplemental material prepared, printed and delivered to Town Meeting site for distribution.
- November 13 SPECIAL TOWN MEETING, TUESDAY 7:00 PM WAYLAND HIGH SCHOOL
- November 20 MODERATOR'S FEEDBACK SESSION: Location and time to be decided.

OTHER IMPORTANT DATES:

- | | |
|-------------------|--|
| Monday 9/3/18 | LABOR DAY |
| Tuesday 9/4/18 | STATE PRIMARY |
| Monday 9/10/18 | ROSH HASHANAH |
| Tuesday 9/11/18 | ROSH HASHANAH |
| Wednesday 9/19/18 | YOM KIPPUR (from Tuesday 9/18 sundown) |
| Tuesday 10/2/18 | SPECIAL ELECTION (MARIJUANA) |
| Monday 10/8/18 | COLUMBUS DAY |
| Tuesday 11/6/18 | GENERAL ELECTION |
| Sunday 11/11/18 | VETERANS DAY (CLOSED MONDAY 11/12/18) |

OTHER DATES THAT MAY BE SET BY THE BOARD OF SELECTMEN:

Dates for Board of Selectmen to schedule any additional Special Town Meetings.

MEETINGS AND OFFICIAL ACTIONS WHICH REQUIRE SPECIAL NOTICE TO THE PUBLIC INCLUDING BUT MAY NOT BE LIMITED TO FOLLOWING :

Petitioners Workshop, Date of Town Meeting, Opening and Closing of the Warrant, Finance Committee Article Workshop, Board of Selectmen Warrant Article Hearing, Special Election, Planning Board Hearings on zoning articles, and budget presentations by Town Administrator and Finance Committee, Moderator's Feedback Session

For Petitioner's Access
to Counsel
please see IV.

MANAGEMENT OF THE LEGAL AFFAIRS OF THE TOWN

I. GENERAL AUTHORITY, RESPONSIBILITY, AND ACCOUNTABILITY

The Board of Selectmen shall supervise the legal affairs of the Town and shall have full authority as the agent of the Town to employ Counsel to commence, prosecute and defend suits in the name of the Town unless otherwise especially ordered by a vote of the Town. (See section 58-1 of the Town Code as amended in 2014.)

The Town Administrator is responsible for oversight of Town legal activities. (See Section 60.2.1 of the Town Code). Oversight includes but is not limited to managing access to Town Counsel, procurement of legal services, management of the legal budget and making recommendations to the Selectmen for approval of legal bills.

Town Counsel will maintain a log of all ongoing legal matters assigned to Town Counsel and will make a semi-annual report to the Board of Selectmen on the status of each matter. Legal bills will be presented in line item form on each subject upon which Counsel advises. Legal bills will specifically reference legal costs applicable to enterprise funds or the School Committee.

II. APPOINTMENT OF TOWN COUNSEL

The Board of Selectmen will appoint by majority vote an attorney or law firm, on the basis of qualifications and cost, to serve as Wayland Town Counsel to provide legal advice to the Board of Selectmen, Town Administrator, Town Departments, and other appointed and elected governmental bodies of the Town.

Town Counsel will be available to advise the School Department which may also be represented by separate Counsel appointed by the School Committee.

The Board may, as it sees fit, seek proposals from attorneys and law firms to serve in the capacity of Town Counsel. The Board of Selectmen will approve the contract terms for the engagement of Town Counsel, which will include but not be limited to terms for evaluation, reappointment and removal.

III. ACCESS TO TOWN COUNSEL

All requests for access to Town Counsel from Departments, Boards and Committees shall be approved by the Town Administrator or the Board of Selectmen as indicated below. Except for Town Meeting petitioners, citizen requests for access to Town Counsel are not generally granted.

1. Requests for Advice on Routine Legal Matters

Governmental bodies, municipal officials, and department directors may request advice from Town Counsel on routine legal matters through a written or electronic request to the Town Administrator. The request will include a specific legal question and sufficient background information to understand the request. Such written requests are necessary only for new legal matters and can be waived at the discretion of the Town Administrator. The purpose of this requirement is to use Counsel to respond to legal questions only and to promote the appropriate use of other available

legal resources including but not limited to legal resources available through offices of state government.

2. Requests for Formal Written Legal Opinions

The Town Administrator may request a written legal opinion when necessary to comply with what he or she believes is the general direction of the Board of Selectmen. Other governmental bodies, municipal officials, and department directors may request formal written legal opinions through a written or electronic request to the Town Administrator who shall forward a recommendation on the request to the Board of Selectmen for consideration and approval. The request will include a specific legal question and sufficient background information to understand the request. Requests from governmental bodies for formal written legal opinions must be pursuant to a majority vote of the body.

The formal opinions of the Town Counsel shall be delivered in writing, and a permanent public file of such opinions shall be established under the care of the Town Administrator which, if deemed a public record, shall be made available for inspection to those requesting it.

3. Approval for Representation of the Town in Litigation

Approval of the Board of Selectmen is required to commence, prosecute and defend suits in the name of the Town unless otherwise especially ordered by a vote of the Town.

IV. PETITIONERS' ACCESS TO TOWN COUNSEL

Subject to these guidelines, Town Counsel is available to consult with registered voters who have been identified as the lead petitioner and desire to submit or who have submitted an article for consideration at an annual or special town meeting, as a "petitioner's article" without sponsorship of a town board.

1. Town Counsel's consultation is limited to (1) suggesting language that reflects the petitioner's legislative intent in presenting articles for insertion in the warrant; (2) suggesting language to insure compliance with procedural requirements; and (3) preparing the main motion for Town Meeting. Town Counsel will not render written opinions or give advice to petitioners about substantive legal issues relative to their articles.
2. Prior to the deadline for filing articles for insertion in the warrant for the annual Town Meeting, the Selectmen will conduct a "petitioners' workshop" at which prospective petitioners may ask general questions. The Town Administrator shall set reasonable limits on the scope of lead petitioner inquiries and the time allocated for consultation with Town Counsel.
3. Town Counsel may decline to assist the lead petitioner if Town Counsel states in writing that such assistance would present Town Counsel with an actual conflict of interest, and gives the basis for the conflict of interest. The Town Administrator may assign Special Counsel to assist the lead petitioner as appropriate.

4. Access to Town Counsel during Town Meeting sessions is not permitted.

V. APPOINTMENT OF SPECIAL COUNSEL

Requests to the Board of Selectmen to seek Special Counsel originate from: 1) the Board of Selectmen, 2) Town Counsel, 3) the Town Administrator, or 3) other appointed or elected bodies of the Town.

Requests must clearly state:

- 1) the legal work requested,
- 2) the estimated length and costs of the engagement, and
- 3) the reason appointment of Special Counsel is in the best interest of the Town.

The Board of Selectmen will appoint Special Counsel based on a majority vote on the basis of cost and the qualifications to undertake the legal work requested.

Unless specified by the Board of Selectmen, Special Counsel will be advisory to the Board of Selectmen and under the supervision of the Town Administrator or as delegated by the Town Administrator to a Department Head. The Town Administrator will maintain a log of all ongoing legal matters assigned to Special Counsel. Special Counsel will make a report to the Board of Selectmen on the status of each matter as required. Legal bills will be presented in line item form on each subject upon which Counsel advises.

Approved January 12, 2004; revised and restated on October 13, 2010; Revised July 27, 2015



Sarkis Sarkisian
Wayland Town Planner

TOWN OF WAYLAND
MASSACHUSETTS
01778
PLANNING DEPARTMENT

TOWN BUILDING
41 COCHITUATE ROAD
TELEPHONE: (508) 358-3615
FAX: (508) 358-4036

DATE: August 16, 2018
TO: Board of Selectmen
FROM: Sarkis Sarkisian, Town Planner
RE: Zoning Articles for Fall Town Meeting

Enclosed please find seven zoning articles that the Planning Board respectfully requests permission to place on the Special Town meeting Warrant in November. Five of the articles relate to the commercialization of marijuana, as described in my July 17, 2018 memorandum to the Board of Selectmen. The Articles are numbered as outlined on the Board of Selectmen's Agenda dated August 20, 2018. The Planning Board discussed these articles at their meeting on August 14 and will continue discussing them at their next meeting on August 28th. We have not scheduled our official public hearing.

Dan Hill, Chair of the Planning Board, and I will be prepared to discuss these articles and answer any questions you may have. You will note that the Planning Board has created two additional overlays for marijuana establishments with a total of three districts. The Planning Board made this recommendation to allow for more discussion and debate about placement. We also changed the name of the "Over 21" district to "Marijuana Establishment District A". The Marijuana Establishment By-Law has been reviewed by KP Law, as shown with tracked changes and comments.

TOWN OFFICE DATE / TIME STAMP HERE

**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)**

Sponsor & Contact Information

1. TOWN SPONSORING BODY:	PLANNING BOARD
2. DATE RECEIVED:	
3. CONTACT PERSON:	SARKIS SARKISIAN
4. TELEPHONE:	508-358-3778
5. E-MAIL	SSARKISIAN@WAYLAND.MA.US
6. TOWN SPONSORING BOARD VOTE AND DATE:	PLANNING BOARD
7. PROPOSED FUNDING SOURCE:	NONE

Article Information

8. ARTICLE TITLE (DRAFT):	ARTICLE 1. PROHIBITION OF MARIJUANA
9. COST:	
10. NO COST:	<input checked="" type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

ARTICLE 8 DIMENSION AND USE TABLES

§198-803 Classification of Principal Uses

803.5 Prohibited Uses

803.1.5.8 Consistent with G.L. c. 94G, Section 3(a)(2), all types of adult use (recreational) "Marijuana Establishments" as defined in G.L. c. 94G, §1 and 935 CMR 500.00, including marijuana cultivators, craft marijuana cooperatives, marijuana product manufacturers, marijuana retailers, independent testing laboratories, marijuana research facilities, marijuana transporters or any other type of licensed marijuana-related businesses shall be prohibited within the Town of Wayland.

Adult Use Marijuana Prohibition

To see 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 §198-803 Classification of Principal Uses, Section 803.5 Prohibited Uses by striking §803.5.8, which imposed a temporary moratorium on adult use (recreational) Marijuana Establishments and replacing it with the following:

803.5.8 Consistent with G.L. c. 94G, Section 3(a)(2), all types of adult use (recreational) "Marijuana Establishments" as defined in G.L. c. 94G, §1 and 935 CMR 500.00, including marijuana cultivators, craft marijuana cooperatives, marijuana product manufacturers, marijuana retailers, independent testing laboratories, marijuana research facilities, marijuana transporters or any other type of licensed marijuana-related businesses shall be prohibited within the Town of Wayland.

13. DRAFT COMMENTS SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (UP TO 500 WORDS)*:

14. DRAFT ARGUMENTS IN FAVOR OF ARTICLE SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (4-6 POINTS):

4. 2) Marijuana Establishment District A

TOWN OFFICE DATE / TIME STAMP HERE

**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)**

Sponsor & Contact Information

1. TOWN SPONSORING BODY:	PLANNING BOARD
2. DATE RECEIVED:	
3. CONTACT PERSON:	SARKIS SARKISIAN
4. TELEPHONE:	508-358-3778
5. E-MAIL	SSARKISIAN@WAYLAND.MA.US
6. TOWN SPONSORING BOARD VOTE AND DATE:	PLANNING BOARD
7. PROPOSED FUNDING SOURCE:	

Article Information

8. ARTICLE TITLE (DRAFT):	ARTICLE 2. MARIJUANA ESTABLISHMENT DISTRICT A- BOSTON POST ROAD
9. COST:	
10. NO COST:	<input checked="" type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

CREATE A NEW SECTION IN THE ZONING BYLAWS – SECTION 26, MARIJUANA ESTABLISHMENTS

ARTICLE 26

Over 21 District

§198-2601. Purpose and intent.

2601.1. The purpose of this section is to provide for the placement of Marijuana Establishments (MEs) and Medical Marijuana Treatment Centers in suitable locations in the Town of Wayland (the "Town") in recognition of and in accordance with "The Regulation of the Use and Distribution of Marijuana Not Medically Prescribed," M.G.L. c. 94G and "Medical Use of Marijuana", M.G.L. c. 94I. The specific purpose of this section is to safeguard the built environment by permitting compliance with state law in a manner consistent with community and neighborhood concerns, while also ensuring that those entities permitted to operate a ME or Medical Marijuana Treatment Center, as defined herein, comply with the relevant provisions of Chapter 334 of the Acts of 2016, Chapter 351 of the Acts of 2016, Chapter 55 of the Acts of 2017, and the regulations promulgated by the Cannabis Control Commission (CCC) found at 935 CMR 500.000 and 105 CMR 725.000 et seq.

By adding the following new terms defined in the Cannabis Control Commission Regulations to Article 1 Definitions, to be listed in alphabetical order with the other definitions in order the order which they occur.

§198-104. Definitions

CRAFT MARIJUANA COOPERATIVE – a Marijuana Cultivator comprised of residents of the commonwealth organized as a limited liability company or limited liability partnership under the laws of the commonwealth, or an appropriate business structure as determined by the CCC, and that is licensed to cultivate, obtain, manufacture, process, package and brand marijuana and Marijuana Products to deliver marijuana to MEs but not to consumers.

INDEPENDENT TESTING LABORATORY - a laboratory that is licensed by the CCC and is: (i) accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the commission; (ii) independent financially from any medical marijuana treatment center or any licensee or ME for which it conducts a test; and (iii) qualified to test marijuana in compliance with 935 CMR 500.160 and M.G.L. c.94C, § 34.

LICENSE – The certificate issued by the CCC that confirms that a ME has met all applicable requirements pursuant to St 2012 c 334, as amended by St Chapter 55 of the Acts of 2017 c 55 and 935 CMR 500.000. A ME may be eligible for a provisional or final license

MARIJUANA ESTABLISHMENT (ME) – a Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a medical marijuana treatment center.

MARIJUANA CULTIVATOR – an entity licensed to cultivate, process, and package marijuana to deliver marijuana to MEs and to transfer marijuana to other MEs but not

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Comment [KDL1]: For the actual warrant article, we will need to structure this differently.

TOWN OF WAYLAND - MARIJUANA ESTABLISHMENTS BYLAW, SPECIAL TOWN MEETING 11/14

to consumers.

MARIJUANA CULTIVATION FACILITIES – facilities that a Marijuana Cultivator may be licensed to operate.

MARIJUANA PRODUCT MANUFACTURER – an entity licensed to obtain, manufacture, process, and package marijuana and Marijuana Products ; to deliver marijuana and Marijuana Products to other MEs - and to transfer marijuana and Marijuana Products to other MEs but not to consumers.

MARIJUANA PRODUCTS – marijuana and its products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products

composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

MARIJUANA RETAILER – an entity licensed to purchase and deliver marijuana and Marijuana Products from MEs and to deliver, sell, or otherwise transfer marijuana and Marijuana Products to other MEs and to consumers.

THIRD PARTY MARIJUANA TRANSPORTER – an entity not otherwise licensed by the CCC that is licensed to purchase, obtain, and possess cannabis or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to MEs, but not to consumers.

MEDICAL MARIJUANA TREATMENT CENTER – a not-for-profit entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

MICRO-BUSINESS – a ME that is licensed to act as a licensed Marijuana Cultivator in an area less than 5,000 square feet; licensed Marijuana Product Manufacturer, and licensed marijuana delivery service in compliance with the operating procedures for each such license.

MARIJUANA RESEARCH FACILITY – an entity licensed to engage in research projects by the CCC.

§198-2602. Location - Over 21 District is the designated Locations for ME's and Medical Marijuana

2602.1.1 A Marijuana Cultivator may operate a Marijuana Cultivation Facilities on any property within the Over 21 District.

2602.1.2 All types of MEs Marijuana Retailers or and Medical Marijuana Treatment Centers may only be sited within the Over 21 District, as per Figure 1, below.

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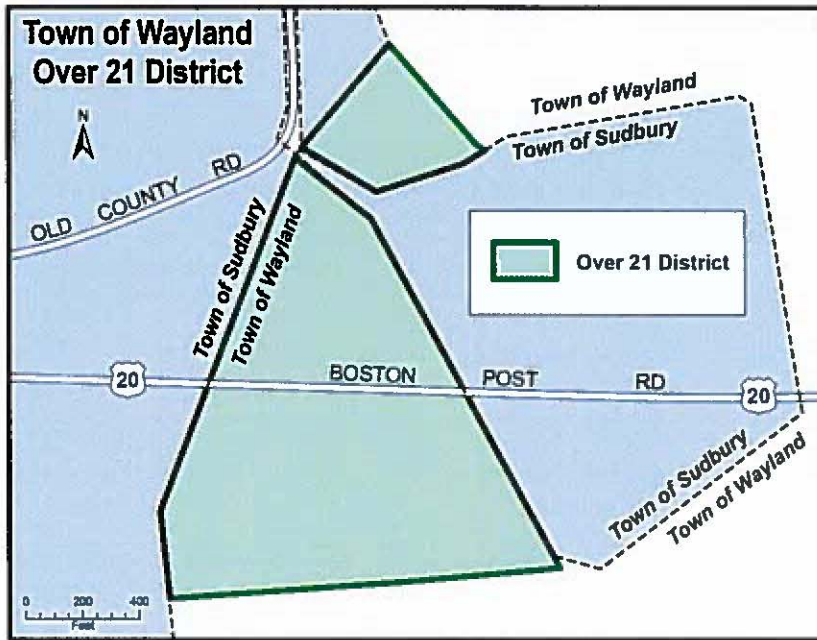


Figure 1

2602.1.3 No ME or Medical Marijuana Treatment Center shall be located within 500' of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12, Child Care Facility, Library, Playground, Public Park, Youth Center, Public Swimming pool or similar facility in which minors commonly congregate. For these purposes, a place where children commonly congregate shall include: dance schools, gymnastic schools; martial arts dojos; technical schools, facilities that offer tutoring or after school instructions; licensed daycare facilities (including private home daycare); parks that have play structures and athletic fields intended for use by children; commercial establishments that host children's parties. The applicant shall demonstrate compliance with buffer requirements under this regulation by provision of maps, and by an inventory of tenants and owners within the buffer, or by any other means the Planning Board might require. This distance shall be measured from the nearest school building to the nearest building used for marijuana purposes. The Special Permit Granting Authority may modify or waive this requirement.

§198-2603 Designated Number of MEs and Medical Marijuana Treatment Centers.

2603.1.1 The total number of MEs operated by a Marijuana Retailer permitted under this Bylaw shall not be greater than one (1), except that in no instance shall the number of ~~retailers~~ **Marijuana Retailers** be fewer than twenty percent (20%) of the number of licenses issued within the Town for the retail sale of alcoholic beverages not to be drunk on the premises, as set forth in G.L. c. 94G Section 3(a)(ii). Fractions shall be rounded up to the

Comment [KD1.2]: Generally, the point of establishing an overlay district is to evaluate where these types of sensitive uses are located and craft a buffer zone that already takes these uses into account. The statutory buffer of 500-feet from K-12 schools will apply regardless of whether the Town imposes that requirement in the Bylaw. Is it necessary to call out a buffer to these additional uses? Are any of those uses located within 500 feet of the overlay district as proposed?

Comment [KD1.3]: I recommend including language imposing a basis for the Planning Board to evaluate whether a buffer might be waived so that it would not be an arbitrary determination. (e.g. If it is determined that the proposed Site Plan provides sufficient buffers from such protected uses such that its users will not be adversely impacted by the operation of the ME, the distance requirement from these protected uses may be reduced, but only if the applicant has demonstrated that the ME will employ stringent security measures to prevent diversion of marijuana and marijuana products to minors).

TOWN OF WAYLAND - MARIJUANA ESTABLISHMENTS BYLAW, SPECIAL TOWN MEETING 11/14

nearest whole number.

2603.1.2 The total number of Medical Marijuana Treatment Centers shall not exceed one (1).

2603.1.3 There shall be no limit on the number of MEs permitted within the Town, except as per Subsection 2603.1.1.

§198-2604 Special Permit Required. No ME or Medical Marijuana Treatment Center shall be operated or expanded without first obtaining a Special Permit from the Town Special Permit Granting Authority in accordance with Sections 6 of the Zoning Bylaw.

2604.1.1 The Special Permit Granting Authority for any ME or Medical Marijuana Treatment Center shall be the Planning Board.

2604.1.2 A Special Permit shall only be valid for use by the Applicant and will become null and void upon the sale or transfer of the license of an ME or Medical Marijuana Treatment Center or change in the location of the business.

2604.1.3 In the event that the Commonwealth's licensing authority suspends the license or registration of a ME or Medical Marijuana Treatment Center, the Special Permit shall be so suspended by the Town until the matter is resolved to the satisfaction of said licensing authority.

2604.1.4 The Special Permit shall lapse be considered null and void if meaningful construction has not begun on the project within 2 years of obtaining said permit, as determined by the Building Inspector or their designee(s).

§198-2605 Site Plan Review. Applications to operate or expand a ME or Medical Marijuana Treatment Center shall be subject to Article 6 of the Zoning Bylaw. The site plan shall be submitted in conjunction with the Special Permit application and joined to the final approval for the Special Permit.

§198-2606 General Requirements for MEs and Medical Marijuana Treatment Centers.

2606.1.1 Outside storage. No outside storage of marijuana, Marijuana Products, related supplies, or educational materials is permitted, except at open-air, outdoor cultivation facilities.

2606.1.2 Visibility of activities. All activities shall be conducted indoors, except for open-air, outdoor cultivation facilities or Marijuana Transporters.

2606.1.3 Paraphernalia. Devices, contrivances, instruments and paraphernalia for inhaling or otherwise consuming marijuana, including, but not limited to, rolling papers and related tools, water pipes, and vaporizers may be lawfully sold at a Marijuana

Retailer. No retail marijuana, Marijuana Products, or paraphernalia shall be displayed or kept by a Marijuana Retailer so as to be visible from outside of the licensed premises.

2606.1.4 Hours of operation. A Marijuana Retailer may not open earlier than 8:00 AM and shall close no later than 8:00 PM the same day. There shall be no hourly

Comment [KDL4]: Here is a possible alternative "The number of Marijuana Retailers permitted under this Bylaw shall be limited to twenty percent (20%) of the number of licenses issued within the Town for the retail sale of alcoholic beverages not to be drunk on the premises where sold pursuant to G.L. c. 138 §15. In the event that 20% of said licenses is not a whole number, the limit shall be rounded up to the nearest whole number."

Comment [KDL5]: Here is a possible alternative that provides more flexibility to the SPGA and the applicant.

A special permit granted under this Section shall have a term limited to the duration of the applicant's ownership and use of the premises as a ME or Medical Marijuana Treatment Center. A special permit may be transferred to a new owner only with the approval of the Planning Board in the form of an amendment to the special permit.

Comment [KDL6]: This may not be necessary. The state license and the special permit operate as two separate regulatory controls. This provision does not allow for the proper zoning enforcement administrative review process. Further, if the CCC suspends the license, the operator is not going to be able to continue the business until the issues are resolved, regardless of whether or not the special permit is suspended.

Comment [KDL7]: This language is not essential to authorize the sale of paraphernalia and could be removed, if you chose.

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restrictions on any other type of ME or Medical Marijuana Treatment Center, unless imposed by the Special Permit Granting Authority as part of site plan approval.

2606.1.5 On-site consumption of marijuana. On-site consumption is prohibited on or within the premises of any ME, except as may be authorized under the CCC license for for Research Facilities.

2606.1.6 Sale of alcohol. MEs are prohibited from selling alcoholic beverages.

§198-2607 Design Requirements for MEs and Medical Marijuana Treatment Centers.

2607.1.1 Permanent location. All marijuana uses, except for Marijuana Transporters and open-air Cultivation Facilities, shall be operated from a fixed location within a fully enclosed building.

2607.1.2 Signage. All signage must comply with the regulations set forth in Article 5.

2607.1.3 Lighting. Outdoor light levels shall not exceed one (1) foot-candle along property lines, nor ten (10) foot-candles for any location on the property. Any light poles, new or existing, may not exceed eighteen (18) feet in overall height. All outdoor light fixtures must be shielded and aimed down in order to prevent light trespass onto adjacent properties. Cultivation Facilities or Marijuana Treatment Centers may not illuminate growing operations between dusk and dawn, unless within a fully-enclosed, opaque building. The Special Permit Granting Authority may modify this requirement for adequate security or other reasons specified.

2607.1.4 Landscaping. Marijuana Retailers shall be landscaped to harmonize the building with surrounding uses as stated in Article 6.

2607.1.5 Parking. Off-street parking must be provided for as follows. For buildings or sites that contain more than one type of marijuana use, each use shall be calculated separately and parking provided for each use on-site, based on gross floor area of the individual uses. These requirements may be modified or waived by the Special Permit Granting Authority.

23.8.5.1 Retail uses: 1 parking space for every 250 square feet of gross floor area of the building(s).

23.8.5.2 Cultivation, processing, packaging, manufacturing or storage uses: 1 parking space for every 1,000 square feet of gross floor area of the building(s).

23.8.5.3 Testing or research uses: 1 parking space for every 350 square feet of gross floor area of the building(s).

2607.1.6 Drive through facilities. On-site drive through facilities shall be prohibited for any marijuana use.

2607.1.7 Fencing. Fencing may be required if determined necessary by the Special Permit Granting Authority. In no instance shall barbed-wire fencing be permitted.

§198-2608 Filing Requirements. Applications to permit a ME or Medical Marijuana

Comment [KDLB]: Under the current ABCC regulations, sale of alcohol at a ME is already prohibited if the ME does not have a license to sell alcohol. The issuance of a license to sell alcohol at an ME would be under the purview of the BOS and ABCC. This could be challenged as not within the proper scope of a zoning bylaw to regulate.

TOWN OF WAYLAND - MARIJUANA ESTABLISHMENTS BYLAW, SPECIAL TOWN MEETING 11/14

Treatment Center must be submitted to the Planning Board. Such applications shall include the following:

2608.1.1 Site Plan. A site plan shall be submitted that includes all information required Article 6 and must also include the following:

- 2608.1.2** The names, mailing addresses, phone numbers, email addresses, and signatures of the applicant, owner, and operator.
- 2608.1.3** Physical address (if one exists), and the map, lot, and block number of the proposed site.

2608.1.4 Security Plan. A security plan shall be submitted, to ensure the safety of employees, patrons, and the public to protect the premises from theft or other criminal activity.

The security plan shall be reviewed and approved by the local Police Chief, or their designee. The Security Plan shall include the following:

- 2608.1.5** An interior floorplan (including secured areas, windows, doors, etc.)
- 2608.1.6** Exterior lighting
- 2608.1.7** Fencing (if any)
- 2608.1.8** Gates (if any)
- 2608.1.9** Alarms
- 2608.1.10** 24 Hour Camera's
- 2608.1.11** Any other security measures as requested by the Police Chief.

2608.1.12 Traffic Study. The Special Permit Granting Authority may require a traffic study that includes an analysis of traffic generation, circulation, and off-street parking demand to determine sufficient parking and optimum configuration for site ingress and egress.

2608.1.13 Photometric Plan. A photometric plan may be required by the Special Permit Granting Authority, or their designee, before or after the marijuana use is in operation.

2608.1.14 State License. A copy of the provisional license or registration as for a ME from the CCC or documentation that demonstrates that said facility and its owner/operators qualify and are eligible to receive a provisional license Certification of Registration and meet all of the requirements of an ME in accordance with the regulations adopted by the CCC, as amended.

Proof of a provisional certificate of registration license may also be accepted from the State from the Department of Health or any successor licensing entity shall be required, under certain circumstances for Medical Marijuana Treatment Centers.

2608.1.15 Proof of Site Control. Evidence that the Applicant has site control and the right to use the site for a marijuana use in the form of a deed, valid lease, or purchase & sale agreement or a notarized statement from the property owner certifying the Applicant has firm site control.

§198-2609 Discontinuance of Use. Any marijuana use under this Section shall be required to remove all material, plants, equipment, and other paraphernalia in compliance with regulations established by the CCC within thirty (30) days after the expiration or

Comment [KDL9]: You may want to consult with the Police Chief about whether to have the security plan submission be confidential and the Police Chief's review and comments on adequacy of plan be submitted as part of the application process.

TOWN OF WAYLAND - MARIJUANA ESTABLISHMENTS BYLAW, SPECIAL TOWN MEETING 11/14

voiding of its license.

§198-2610 No Town liability, indemnification.

2610.1.1 The Applicant and all licensees waive and release the Town, its elected officials, employees, and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of the ME or Medical Marijuana Treatment Center owners, operators, employees, clients, or customers for a violation of state or federal laws, rules, or regulations. ~~This shall include all Federal Housing operating subsidies.~~

2610.1.2 The Applicant, in receiving approvals issued pursuant to this chapter, and all licensees, jointly and severally, if more than one, agree to indemnify, defend and hold harmless the Town, its elected officials, employees, attorneys, agents, insurers and self-insurance pool against all liability, claims and demands on account of any injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage or any other loss of any kind whatsoever, arising out of or in any manner connected with the operation of any ME or Medical Marijuana Treatment Center that is subject of the approval/license.

2610.1.3 Annual Inspections for MEs and Medical Marijuana Treatment Centers

2610.1.4 Any operating ME or Medical Marijuana Treatment Center within the Town shall be inspected annually by the Building Inspector, or their designee(s), to ensure compliance with this section and with any conditions imposed by the Special Permit Granting Authority as a condition of the Special Permit approval.

2610.1.5 The first annual inspection shall be more than one (1) year, ~~but not more than~~, after beginning operation, ~~but not more~~ two (2) years after beginning operation.

§198-2611 Other laws remain applicable.

2611.1.1 License Required. At all times while a permit is in effect ~~the licensee all MEs shall possess a valid License from the CCC and Medical Marijuana Treatment Centers shall possess a valid Certificate of Registration from the Department of Public Health or other state licensing entity, as applicable.~~

2611.1.2 To the extent that the state has adopted or adopts in the future any additional or stricter law or regulation governing the cultivation, manufacturing, testing, research or retail of marijuana or Marijuana Products, the additional or stricter regulation shall control the ME or Medical Marijuana Treatment Center in the Town. Compliance with any applicable state law or regulation shall be deemed an additional requirement for issuance or denial of any license under this chapter, and noncompliance with any applicable state law or regulation shall be grounds for revocation or suspension of any license issued hereunder.

2611.1.3 Any ME may be required to demonstrate, upon demand by law enforcement officers of the Town of Wayland, the source and quantity of any marijuana found upon the licensed premises are in full compliance with any applicable state law or regulation.

Comment [KDL10]: This type of provision is more appropriate for a HCA.

Comment [KDL11]: This provision is not necessary to protect the Town's interests. Marijuana Establishments and MMTC will be required to comply with applicable state laws and the Town is not the enforcing agent for those regulatory controls.

Comment [KDL12]: This is not a proper zoning control. To the extent that the Police have a warrant to inspect a premises and are independently authorized to make such inspection, they may do so. The Zoning Bylaw cannot authorize such uninvited inspections and seizure of product.

2611.1.4 The issuance of any license pursuant to this chapter shall not be deemed to create an exception, defense or immunity to any person in regard to any potential criminal liability the person may have for the cultivation, possession, sale, distribution, or use of marijuana.

2611.1.5 Prior to the issuance of a Special Permit, the ME or Medical Marijuana Treatment Center must have entered into a Host Community Agreement (HCA) with the Town. If, upon review by the Special Permit Granting Authority, the ME or Medical Marijuana Treatment Center is found to not be fully in compliance with the HCA, the Special Permit and/or the local license may be suspended or rescinded. The HCA shall, at a minimum, include or reference the following:

2611.1.6 A Community Impact Fee, not to exceed 3% of gross sales, may be applied to any Marijuana Retailer, in compliance with G.L. c. 94G, § 3(d).

2611.1.7 A description of the activities that will occur on site.

2611.1.8 Hours of operation.

§198-2611 Independent Consultants

2611.1.1 Due to the complex technical character of the information to be provided by an applicant pursuant to these regulations and the monitoring, testing and inspection of facilities and operations, the Special Permit Granting Authority may hire such consultants as it deems reasonably necessary to assist said authority in making determinations under this Bylaw.

2611.1.2 The consultants shall work under the direction of the Special Permit Granting Authority. Copies of the consultant's findings and reports shall be made available to the applicant not less than seven (7) days prior to any meeting of said authority where the consultant's report will be considered. The applicant shall be given opportunity to respond to the report in writing and at the next meeting.

Comment [KDL13]: The enforcement of terms in the HCA is no a proper subject of zoning. The HCA terms must be enforced by the contract authority through separate legal action.

Comment [KDL14]: This might be more appropriately included in a local regulation rather than limiting the SPGA in this regard through a bylaw provision.

ADD THE FOLLOWING TO THE ZONING BYLAWS Table of Permitted Principal Uses by Districts

Overlay Districts	Description
Over 21 District	Requirements of Article 26 apply-SP

NOTE FROM TOWN COUNSEL: You may also want to address odor and energy use through this bylaw. Some suggested language could be as follows:

Odor Control: Marijuana Establishments and Medical Marijuana Treatment Centers shall employ odor control technology such that no odor from marijuana cultivation or its processing can be detected by a

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TOWN OF WAYLAND - MARIJUANA ESTABLISHMENTS BYLAW, SPECIAL TOWN MEETING 11/14

person with an unimpaired and otherwise normal sense of smell at the exterior of the Marijuana Establishment or Medical Marijuana Treatment Center or at any adjoining use or property.

Energy Use: All Marijuana Cultivators shall submit an energy use plan to the SPGA to demonstrate best practices for energy conservation. The plan shall include an electrical system overview, proposed energy demand, ventilation system and air quality, proposed water system and utility demand.

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4. 3) Marijuana Establishment District B

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**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)**

Sponsor & Contact Information

1. TOWN SPONSORING BODY:	PLANNING BOARD
2. DATE RECEIVED:	
3. CONTACT PERSON:	SARKIS SARKISIAN
4. TELEPHONE:	508-358-3778
5. E-MAIL	SSARKISIAN@WAYLAND.MA .US
6. TOWN SPONSORING BOARD VOTE AND DATE:	PLANNING BOARD
7. PROPOSED FUNDING SOURCE:	NONE

Article Information

8. ARTICLE TITLE (DRAFT):	ARTICLE 3 MARIJUANA ESTABLISHMENT DISTRICT B- MIXED-USE OVERLAY DISTRICT(TOWN CENTER)
9. COST:	
10. NO COST:	<input checked="" type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

To see 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 §198 Attachment 4 Table A: Mixed-use Overlay District table of Uses add a new use under retail uses Marijuana Establishments with the key symbol SP. The proposed language shown is shown in **bold** below:

198 Attachment 4

Town of Wayland
Table A: Mixed-Use Overlay District Table of Uses
 [Added 5-3-2006 STM by Art. 2; amended 4-15-2009 STM by Art. 2]

- Key to symbols:
- A = Allowed as of right
 - MSP = Allowed by mixed-use project master special permit. In the case of any use item and/or designation "MSP" for any use item, that is added by amendment to this Table A after the issuance of a mixed-use project master special permit, such use item shall conclusively be deemed allowed by such previously issued mixed-use project master special permit.
 - SP = Allowed by mixed-use project master special permit together with a separate special permit
 - N = Not allowed

Principal uses	
Residential uses	
Multifamily or attached dwelling (containing 3 or more dwelling units)	MSP
Dwelling unit above office, retail, or service uses	SP
Single- or two-family dwelling	N
Any multifamily dwelling containing more than 20 dwelling units	SP
Office uses	
Professional offices such as accountants, attorneys, engineers, architects; medical and dental offices; offices of licensed physical and mental health professionals	MSP
Offices of sales agents; agents and representatives of manufacturing, distributing, insurance, and wholesale companies without storing of goods for sale	MSP
Administrative, general, executive, and similar office space	MSP
Diagnostic medical laboratories appurtenant to offices of physicians and dentists	SP
Residential sales or rental office	MSP
Bank or financial institutions without drive-up window	MSP
Bank or financial institutions with drive-up window	SP
Institutional uses	
Municipal uses	A
Post office	MSP
Community center and public recreation space	SP
Post office use exceeding 15,000 square feet of gross floor area	SP
Retail uses	
Marijuana Establishments	SP
Retail sales	MSP
Retail sales conducted with an applicable license outside a building	MSP
Food store, not to exceed 45,000 square feet of gross floor area - maximum one	MSP
Shop of artist or crafts person	MSP
Pharmacy or drugstore without drive-up window	MSP
Pharmacy or drugstore with drive-up window, maximum one such pharmacy or drugstore	MSP
Retail sales in a building with more than 60,000 square feet of gross floor area	N

4. 4.) Marijuana
Establishment
District C

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**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)**

Sponsor & Contact Information	
1. TOWN SPONSORING BODY:	PLANNING BOARD
2. DATE RECEIVED:	
3. CONTACT PERSON:	SARKIS SARKISIAN
4. TELEPHONE:	508-358-3778
5. E-MAIL	SSARKISIAN@WAYLAND.MA .US
6. TOWN SPONSORING BOARD VOTE AND DATE:	PLANNING BOARD
7. PROPOSED FUNDING SOURCE:	NONE

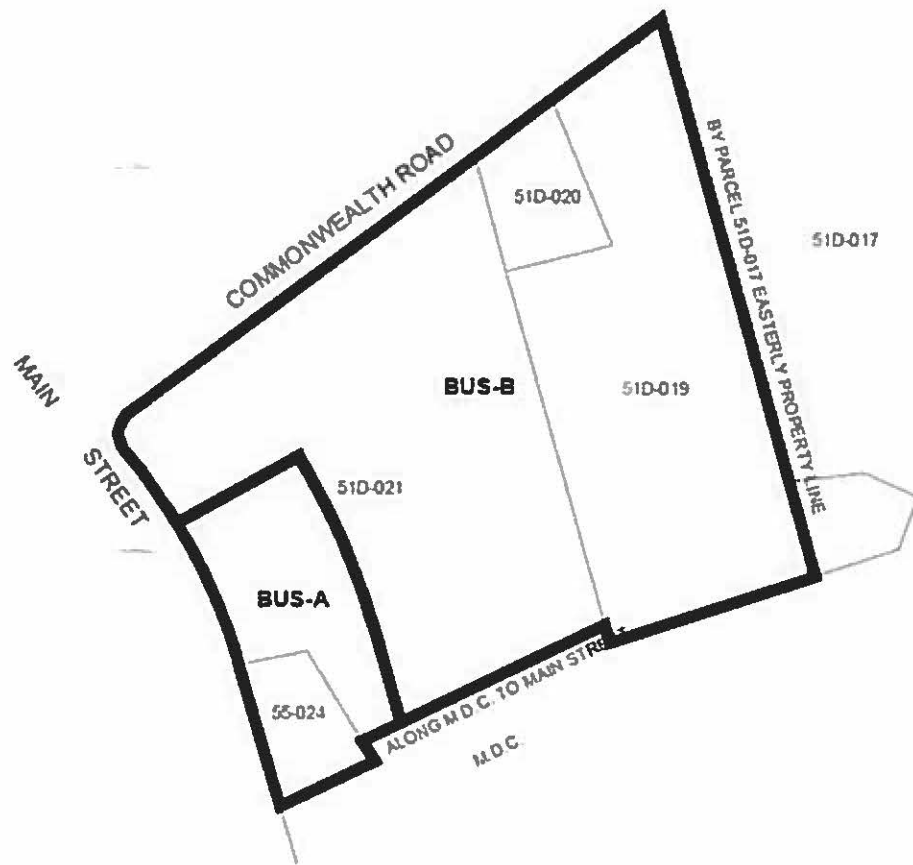
Article Information	
8. ARTICLE TITLE (DRAFT):	ARTICLE 4 MARIJUANA ESTABLISHMENT DISTRICT C-COCHITUATE VILLAGE
9. COST:	
10. NO COST:	<input checked="" type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

To see 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:

At the end of 2602.1.2 All types of MEs, Marijuana Retailers or Medical Marijuana Treatment Centers may only be sited within the Marijuana Establishments District C – Cochituate Village as per attached figure.



COCHITUATE VILLAGE PLAZA 25-30 MAIN STREET

4. 5.) Marijuana
Moratorium

TOWN OFFICE DATE / TIME STAMP HERE

**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)**

Sponsor & Contact Information	
1. TOWN SPONSORING BODY:	PLANNING BOARD
2. DATE RECEIVED:	
3. CONTACT PERSON:	SARKIS SARKISIAN
4. TELEPHONE:	508-358-3778
5. E-MAIL	SSARKISIAN@WAYLAND.MA.US
6. TOWN SPONSORING BOARD VOTE AND DATE:	PLANNING BOARD
7. PROPOSED FUNDING SOURCE:	NONE
Article Information	
8. ARTICLE TITLE (DRAFT):	ARTICLE 5 MARIJUANA MORATORIUM JUNE 30, 2019
9. COST:	
10. NO COST:	<input checked="" type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

To see 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 §198-803 Classification of Principal Uses, Section 803.5 Prohibited Uses by striking the language shown in ~~strikethrough~~ below and replacing with the language shown in **bold**:

803.5.8 There shall be a temporary moratorium on Marijuana Establishments until ~~December 31, 2018~~ **June 30, 2019**. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

4. 6) Amend Flood Plain maps

TOWN OFFICE DATE / TIME STAMP HERE

**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)**

Sponsor & Contact Information	
1. TOWN SPONSORING BODY:	PLANNING BOARD
2. DATE RECEIVED:	
3. CONTACT PERSON:	SARKIS SARKISIAN TOWN PLANNER
4. TELEPHONE:	508-358-3778
5. E-MAIL	SSARKISIAN@WAYLAND .MA.US
6. TOWN SPONSORING BOARD VOTE AND DATE:	AUGUST 14 ,2018
7. PROPOSED FUNDING SOURCE:	NONE

Article Information	
8. ARTICLE TITLE (DRAFT):	ARTICLE 6 FEDERAL FLOOD PLAIN DISTRICT ZONING AMENDMENT-PANEL NUMBERS UPDATE
9. COST:	NONE
10. NO COST:	<input checked="" type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

TEXT: ARTICLE A: FEDERAL FLOOD PLAIN DISTRICT- ZONING AMENDMENT

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:

"Federal Flood Protection District" includes the areas shown on the FEMA maps, and is addressed in §198-302.1.2 . The following proposed revisions apply only to the Federal Flood Protection District with the below text

302.1.2

A Federal Flood Protection District, which includes all special flood hazard areas within the Town of Wayland designated as Zone A ,AE,AH,AO,AR, V, VE and A99, and "floodway areas in Zone AE" on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration

of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Wayland are panel numbers 25017C0369F, 25017C0386F, 25017C0388F, 25017C0389F, 25017C0507F, 25017C0509F, 25017C0517F, 25017C0526F, 25017C0527F, 25017C0528F, 25017C0529F, 25017CIND1A, 25017CIND2B and 25017C0536F dated July 7, 2014. The exact boundaries of the Federal Flood Protection District are defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated July 7, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk. The FIRM is hereby incorporated as part of the Zoning Map of the Town of Wayland.

13. DRAFT COMMENTS SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (UP TO 500 WORDS)*:

The purpose of this proposed amendment to the Wayland Zoning Bylaw (“Bylaw”) is to reference the updated panel numbers that are wholly or partially within the Town of Wayland for the current Federal Emergency Management Agency (FEMA) for the Federal Flood Plain District , defined as the one-hundred year floodplain, within the Town of Wayland, designated as Zone A and AE on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency(FEMA). This provides residents with a definition of the designated Federal Flood Insurance Program so as to enable interested persons to purchase insurance against loss resulting from physical damage to, or loss of, real property, or personal property related thereto, arising from a flood.

14. DRAFT ARGUMENTS IN FAVOR OF ARTICLE SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (4-6 POINTS): SEE ABOVE

4. 7) Pre-existing
non-conforming
use of Land

TOWN OFFICE DATE / TIME STAMP HERE

TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)

Sponsor & Contact Information	
1. TOWN SPONSORING BODY:	PLANNING BOARD
2. DATE RECEIVED:	
3. CONTACT PERSON:	SARKIS SARKISIAN
4. TELEPHONE:	508-358-3778
5. E-MAIL	SSARKISIAN@WAYLAND.MA .US
6. TOWN SPONSORING BOARD VOTE AND DATE:	PLANNING BOARD
7. PROPOSED FUNDING SOURCE:	NONE
Article Information	
8. ARTICLE TITLE (DRAFT):	ARTICLE 7 PRE-EXISTING NONCONFORMING USE OF LAND THAT CONSISTS OF MORE THAN SIX DWELLING UNITS
9. COST:	
10. NO COST:	<input checked="" type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

To see 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:

After Section 401.1.2, add the following section:

401.1.2.1 – Notwithstanding the provisions of Section 401.1.2, a pre-existing nonconforming use of land that consists of more than six Dwelling Units for rent on a single Lot may not be changed, extended or altered in such a manner that results in either (i) more Dwelling Units or a greater Dwelling Unit density on the parcel of land; (ii) an enlargement of any of the Dwelling Units as measured by its Gross Floor Area or its number of bedrooms or rooms; (iii) the expansion of the use onto adjacent land; or (iv) the subdivision of the Lot into more than one Lot, or the division of the title to the Lot in any manner that results in more the one person or entity holding a fee simple title interest to the Lot or a fraction thereof (i.e., a condominium).

13. DRAFT COMMENTS SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (UP TO 500 WORDS)*:

Wayland's Zoning Bylaw authorizes changes and expansions of pre-existing, nonconforming uses by special permit issued by the Zoning Board of Appeals. Specifically, under Section 401.1.2:

Preexisting nonconforming buildings, structures, or uses may be changed, extended or altered by a special permit issued by the ZBA pursuant to the provisions of § 198-201 and § 198-203 of this Zoning Bylaw, provided that no such change, extension or alteration shall be permitted unless there is also a finding by the ZBA that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming building, structure or use to the neighborhood; provided, however, that the Planning Board shall serve as the special permit granting authority for changes, extensions and/or alterations to nonconforming buildings, structures, and uses in the Senior and Family Housing Overlay District pursuant to Article 21 of this Zoning Bylaw; and further provided, however, that a single- or two-family dwelling may be changed, extended, or altered so long as the change, extension or alteration does not increase the nonconforming nature of the dwelling. The Building Commissioner shall determine if a change, extension or alteration to a single- or two-family dwelling increases the nonconforming nature of the structure.

There is nothing in in Section 401.1 that restricts the expansion or change of a pre-existing nonconforming use other than requiring a special permit from the ZBA.

The proposed zoning amendment would only affect six or more dwelling units. This would provide the Town of Wayland with the opportunity to preserve modestly-priced housing and would help meet the Town's affordable housing needs

14. DRAFT ARGUMENTS IN FAVOR OF ARTICLE SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (4-6 POINTS):

SEE ABOVE



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
LOUIS M. JURIST
CHERRY C. KARLSON
DOUGLAS A. LEVINE

NAN BALMER
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

Date: August 20, 2018

To: Beth R. Klein, Town Clerk

From: Board of Selectman

Re: Ballot Question for Special Town Election, Tuesday October 2, 2018

At a meeting held on August 20, 2018, by a vote of _____ the Board of Selectman voted to place the following question on the ballot at the October 2, 2018 Special Town Election:

Shall the Town of Wayland adopt the following Zoning Bylaw?

Summary: Massachusetts General Laws, Chapter 94G, Section 3, allows a town, through adoption of a bylaw, to prohibit all or certain types of adult use (recreational) marijuana establishments from operating in that town. In a town such as Wayland that voted "yes" on Question 4 at the November 8, 2016 State Election in favor of the legalization, regulation and taxation of marijuana, a ballot question is also required to implement such a prohibition. In this case, the Zoning Bylaw amendment set forth below, which is on the Warrant for the November 13, 2018 Special Town Meeting, would prohibit marijuana establishments, as that term is defined in G.L. c.94G, §1 and 935 CMR 500.00, in the Town of Wayland.

ARTICLE 8 DIMENSION AND USE TABLES

§198-803 Classification of Principal Uses

803.5 Prohibited Uses

803.1.5.8 Consistent with G.L. c. 94G, Section 3(a)(2), all types of adult use (recreational) "Marijuana Establishments" as defined in G.L. c. 94G, §1 and 935 CMR 500.00, including marijuana cultivators, craft marijuana cooperatives, marijuana product manufacturers, marijuana retailers, independent testing laboratories, marijuana research facilities, marijuana transporters or any other type of licensed marijuana-related businesses shall be prohibited within the Town of Wayland.

YES _____

NO _____

7.) State Primary Warrant

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

WARRANT FOR 2018 STATE PRIMARY

SS.

To the Constables of the City/Town of Wayland

GREETINGS:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in Primaries to vote at:

PRECINCTS 1, 2, 3, & 4
(Precinct numbers)

WAYLAND TOWN BUILDING and WAYLAND MIDDLE SCHOOL
(Polling locations)

on **TUESDAY, THE FOURTH DAY OF SEPTEMBER, 2018**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the State Primaries for the candidates of political parties for the following offices:

- SENATOR IN CONGRESS FOR THIS COMMONWEALTH
- GOVERNOR FOR THIS COMMONWEALTH
- LIEUTENANT GOVERNOR FOR THIS COMMONWEALTH
- ATTORNEY GENERAL FOR THIS COMMONWEALTH
- SECRETARY OF STATE FOR THIS COMMONWEALTH
- TREASURER FOR THIS COMMONWEALTH
- AUDITOR FOR THIS COMMONWEALTH
- REPRESENTATIVE IN CONGRESS FIFTH DISTRICT
- COUNCILLOR SECOND DISTRICT
- SENATOR IN GENERAL COURT NORFOLK, BRISTOL & MIDDLESEX DISTRICT
- REPRESENTATIVE IN GENERAL COURT THIRTEENTH MIDDLESEX DISTRICT (Prec. 1,2&3)
- REPRESENTATIVE IN GENERAL COURT FOURTEENTH NORFOLK DISTRICT (Prec. 4)
- DISTRICT ATTORNEY NORTHERN DISTRICT
- CLERK OF COURTS MIDDLESEX COUNTY
- REGISTER OF DEEDS MIDDLESEX SOUTHERN DISTRICT

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 20th day of August 2018.

City Council or Selectmen of: WAYLAND

(Service of warrant by Constable)

_____, 2018.
Constable (month and day)

Warrant must be posted by **August 28, 2018**, (at least *seven days prior* to the **September 4, 2018** State Primary).

10) (1) Pay Previous Year Unpaid Bills

TOWN OFFICE DATE / TIME STAMP HERE

**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)**

Sponsor & Contact Information

1. TOWN SPONSORING BODY:	BOARD OF SELECTMEN
2. DATE RECEIVED:	AUGUST 20, 2018
3. CONTACT PERSON:	BRIAN KEVENY, FINANCE DIRECTOR
4. TELEPHONE:	508-358-3611
5. E-MAIL	BKEVENY@WAYLAND.MA.US
6. TOWN SPONSORING BOARD VOTE AND DATE:	BOARD OF SELECTMEN AUGUST 20, 2018
7. PROPOSED FUNDING SOURCE:	

Article Information

8. ARTICLE TITLE (DRAFT):	PAY PREVIOUS FISCAL YEARS UNPAID BILLS
9. COST:	
10. NO COST:	<input type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

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.

Fiscal 2018 liabilities to be paid using Fiscal 2019 appropriations:

[NONE KNOWN AT THIS TIME]

13. DRAFT COMMENTS SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (UP TO 500 WORDS)*:

FINANCE COMMITTEE COMMENTS: Occasionally, bills are not paid at the end of a fiscal year for a number of reasons, including late submission. The unpaid bills from previous years are summarized in this article.

The Board of Selectmen recommends approval. (5-0-0)

14. DRAFT ARGUMENTS IN FAVOR OF ARTICLE SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (4-6 POINTS):

ARGUMENTS IN FAVOR: This is a standard article that allows the Town to pay bills for the previous fiscal year.

15. DRAFT ARGUMENTS OPPOSED TO ARTICLE SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (4-6 POINTS):

ARGUMENTS OPPOSED: There are no apparent arguments against this article.

15. CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE: _____

**SPONSORING BODY'S COMMENTS: Article Sponsors may, at their discretion, submit comments of up to 150 words which will be included in the warrant if the Finance Committee includes comments.*

10.5 (2) current year Transfers

TOWN OFFICE DATE / TIME STAMP HERE

**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE FROM TOWN SPONSORING BODY
(USE EXTRA SHEETS IF REQUIRED)**

Sponsor & Contact Information	
1. TOWN SPONSORING BODY:	BOARD OF SELECTMEN
2. DATE RECEIVED:	AUGUST 20, 2018
3. CONTACT PERSON:	BRIAN KEVENY, FINANCE DIRECTOR
4. TELEPHONE:	508-358-3611
5. E-MAIL	BKEVENY@WAYLAND.MA.US
6. TOWN SPONSORING BOARD VOTE AND DATE:	BOARD OF SELECTMEN AUGUST 20, 2018
7. PROPOSED FUNDING SOURCE:	

Article Information	
8. ARTICLE TITLE (DRAFT):	CURRENT YEAR TRANSFERS
9. COST:	
10. NO COST:	<input type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. SPONSOR'S ARTICLE TEXT PROPOSED FOR WARRANT, SUBJECT TO TOWN COUNSEL REVIEW :

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, 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.

Current Year Transfer FY18

Purpose:	AMOUNT
1)	\$
2)	\$
3)	\$
4)	\$
5)	\$
TOTAL	\$

Funding Sources:	
1)	\$
2)	\$

3)	\$
4)	\$
5)	\$
TOTAL	\$

13. DRAFT COMMENTS SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (UP TO 500 WORDS)*:

FINANCE COMMITTEE COMMENTS: This article authorizes the expenditure of funds for the current fiscal year, which were not foreseen in the current budget.

These requests for current year transfers for the following expenses are as set forth below:

14. DRAFT ARGUMENTS IN FAVOR OF ARTICLE SUGGESTED BY SPONSORING BODY TO FINANCE

ARGUMENTS IN FAVOR: These expenses were not reasonably anticipated when forecasting the FY2019 budget and they represent binding obligations of the Town.

15. DRAFT ARGUMENTS OPPOSED TO ARTICLE SUGGESTED BY SPONSORING BODY TO FINANCE COMMITTEE (4-6 POINTS):

ARGUMENTS OPPOSED:

15. CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE: _____

**SPONSORING BODY'S COMMENTS: Article Sponsors may, at their discretion, submit comments of up to 150 words which will be included in the warrant if the Finance Committee includes comments.*

10. (3) Clarification
of Circuit Breaker
Language

August 20, 2018

TO: BOARD OF SELECTMEN
FROM: NAN BALMER, TOWN ADMINISTRATOR
RE: CIRCUIT BREAKER ARTICLE

The Circuit Breaker article is not ready at this time. It may be sponsored by the COA Board or may be on your 8/27 agenda.

**TOWN ADMINISTRATOR'S REPORT
WEEK ENDING AUGUST 17, 2018**

1. CORRESPONDENCE

1. Lake Road Terrace: The Police Chief recommends "Residents Only" signs. This decision will be the subject of a future meeting of the Board, in its role as Traffic Commission. If you have questions or concerns, please let me know so that the Police Chief will be prepared to consider them and discuss them with you.
2. Rod and Gun Club: It has come to our attention that the Rod and Gun Club has leased 2000 square feet of its land, which is protected as "chapter" land and assessed at a lower rate, to Verizon for the purpose of erecting a cell tower. Verizon's application is now before the Zoning Board of Appeals. The land use departments will meet next week with Town Counsel to review this problem. Property owners must receive approval of the town, by offering right of first refusal to the Town, before entering selling or leasing chapter land. The Selectmen, Assessors, Planning Board, Building Commissioner have an interest in how this problem is approached and I wanted the Board know discussions are underway.

2. TRANSITION

I am advised by the Chair that the new Town Administrator will be available to meet with me on one or two days before September 7th which is my last day in Wayland. Although there are significant new developments in town business to which the Assistant Town Administrator and department Heads must devote time, I will try to carve out at least three days before I meet with your new Town Administrator to inventory Town business.

12.) August 6, 2018
BOS minutes
for review



NAN BALMER
TOWN ADMINISTRATOR
TEL. (508) 358-7755
www.wayland.ma.us

TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

BOARD OF SELECTMEN

LEA T. ANDERSON
MARY M. ANTES
LOUIS M. JURIST
CHERRY C. KARLSON
DOUGLAS A. LEVINE

DRAFT

Board of Selectmen

Meeting Minutes

August 6, 2018

7:00 p.m.

Wayland Town Building

Selectmen's Meeting Room

41 Cochituate Road, Wayland

Attendance: Lea T. Anderson, Mary M. Antes, Cherry C. Karlson, Douglas A. Levine

Absent: Louis M. Jurist

Also Present: Elizabeth Doucette, Assistant Town Administrator

A1. Call to Order by Chair L. Anderson called the meeting of the Board of Selectmen to order at 7:04 p.m. in the Selectmen's Meeting Room in the Wayland Town Building when a quorum was present, noted that the meeting will likely be broadcast and videotaped for later broadcast by WayCAM, and reviewed the agenda for the public.

A2. Announcement and Public Comment M. Antes noted that next Monday night there will be a forum at the Needham library with the two candidates running for State Senate. The candidate's forum for District Attorney for Middlesex County was last week and is now available to watch on WayCam. There is a Stormwater forum sponsored by the BoS and the League of Women Voters on Sept. 12 at 7:30 pm in the Senior Center.

There was no Public Comment.

A3. Liquor License Violation Hearing: China Rose, 15 East Plain Street L. Anderson opened the Liquor License hearing at 7:08 pm. She read the notice of hearing sent by the Assistant Town Administrator to the licensee and outlined the order of presentation of evidence. Police Chief Patrick Swanick, Detective Sergeant Jamie Berger, business owner Jeff Mei and business manager/licensee Bei Deng appeared before the Board.

Police Chief Swanick discussed the Police Department's purpose in conducting compliance checks and explained the violation referencing the documents in the Board packet. Owner J. Mei offered his explanation and apologized for not checking for identification. D. Levine asked the owner to describe the TIP certification process. The owner, J. Mei, asked the Board for a fine or warning rather than a suspension of license. Chief Swanick recommended one-year probation and a two-day suspension based on a prior violation.

C. Karlson moved, seconded by D. Levine, to close the hearing on the China Rose liquor violation at 7:25pm. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

The Board discussed the Chief's recommendation. D. Levine said at a minimum they should receive a one-day suspension and one-year probation.

C. Karlson moved, seconded by D. Levine, that the Board impose a one-day suspension on Sunday, August 12, 2018 and start a one-year probationary period on Tuesday, August 7, 2018. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A4. Liquor License Violation Hearing: Wayland Variety and Deli, 70 Boston Post Road L. Anderson opened the liquor license violation hearing at 7:31 pm and read aloud the notice of hearing sent by the Assistant Town Administrator to the licensee. Police Chief Patrick Swanick, Detective Sergeant Jamie Berger and business licensee Pankaj Patel appeared before the Board.

Police Chief P. Swanick discussed the process of compliance checks and briefly went over the allegation referencing the documents in the Board packet. He recommended that Wayland Variety and Deli have a 4-day suspension since it is the business's second violation. P. Patel explained what happened and apologized to the Board.

D. Levine moved, seconded by M. Antes, that the Board close the liquor violation hearing against Wayland Variety and Deli at 7:43 pm. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

The Board discussed the Chief's recommendation of a four-day suspension. D. Levine recommended a two-day suspension and a one-year probation since they have had only two violations in a decade.

C. Karlson moved, seconded by D. Levine, that the Board imposes a one-year probation beginning tomorrow on August 7 and a two-day suspension to be served on Sunday August 12, 2018 and Sunday August 19, 2018. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A5. Liquor License Violation Hearing: Wayland Country Club, 121 Old Sudbury Road L. Anderson opened the liquor license violation hearing (7:45 pm) and read aloud the notice of hearing sent by the Assistant Town Administrator to the licensee. Police Chief Patrick Swanick, Detective Sergeant Jamie Berger and business owner Robert Quirk appeared before the Board.

Police Chief P. Swanick briefly explained why the Town does compliance checks and discussed the violation that happened in the Wayland Country Club. He noted that this is their first violation, and he recommended a one-year probation.

Manager Robert Quirk said it shouldn't have happened and apologized. When questioned, R. Quirk stated they have been in business for 30+ years.

C. Karlson moved, seconded by D. Levine, to close the hearing for the Wayland Country Club at 7:53 pm. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

The Board discussed the Chief's recommendation. C. Karlson moved, seconded by M. Antes, that the Board take the Police Chief's recommendation of a one-year probation starting tomorrow. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A6. FY20 Budget Timetable: Review and vote to approve A discussion ensued about the FY20 policy that was approved by the Board at its July 16 meeting. L. Anderson asked that the policy be sent to the Finance Committee and Town and School department heads as required by the proposed Budget Schedule. The Board discussed the draft FY2020 Budget schedule and process proposed by the Finance Director. The Board discussed FinCom's request for more time and administrative help. L. Anderson said FinCom wants to have the data for FY2020 committed costs for an August meeting. The Board reviewed that for FY2020, staff will review all revenue and expense estimates, develop a proposed guideline and bring that information to the Financial Summit on September 17. The Board also recognized that changes to the schedule may be necessary as the Town works through a new process.

C. Karlson moved, seconded by M. Antes, to approve the FY20 Budget schedule and process. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A7. 2018 Special Town Meeting: Vote to call special Town Meeting and vote to open warrant for period August 22 at 8:30 AM to August 30 until 4:30 PM L. Anderson stated the STM related documents in the packet reflect the edits suggested from the last meeting. C. Karlson noted that the directions are clearer for petitioners. The documents will be posted to the website.

C. Karlson moved, seconded by D. Levine, to open the warrant for the Special Town Meeting to be held on Tuesday, November 13, 2018 with the warrant opening on Wednesday, August 22, 2018 at 8:30am and closing Thursday, August 30, 2018 at 4:30pm. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A8. Town Administrator Search:

Vote to sign contract with new Town Administrator, Louise L. E. Miller The Board reviewed the contract which had been signed by Louise Miller. D. Levine moved, seconded by M. Antes, that the Board of Selectmen sign the contract as drafted with the recently retained new Town Administrator Louise L. E. Miller. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

Vote to disband Town Administrator Screening Committee C. Karlson moved, seconded by M. Antes, to disband the Town Administrator Screening Committee with thanks for its service. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A9. 9. Assistant Town Administrator's Report

1. **Correspondence** No Comments
2. **Fiscal Year 2018 Legal Summary** E. Doucette discussed the breakdown of the legal invoices as shown in the packet.
3. **Calendar - Meeting Dates** The Board discussed the upcoming meeting dates.

A10. Minutes: Review and vote to approve the minutes of July 9, 2018, July 16, 2018 and July 23, 2018
The Board reviewed the minutes and suggested edits. C. Karlson moved, seconded by M. Antes, to approve the minutes of July 9, 2018, July 16, 2018 and July 23, 2018, as amended. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A11. Consent Calendar: Review and vote to approve (see separate sheet)

1. **Vote the question of approving and signing the weekly payroll and expense warrants**
2. **Vote the question of approving the placement of four temporary sandwich board signs from Saturday, September 1, 2018 through Saturday, September 8, 2018, to be placed at Fire Station Two in Cochituate, Old Connecticut Path and Cochituate Road (Five Paths), Route 20/Old Connecticut Path by the Coach Grill, and Town Center (corner of Routes 20 and 27), for a beach event sponsored by the Wayland Children and Parents Association**
3. **Vote the question of approving the Local Initiative Program (LIP) Local Action Unit (LAU) Application for the property located at 11 Hammond Road, Wayland, for submission to the Department of Housing and Community Development (DHCD)**
4. **Vote the question of approving the placement of four temporary sandwich board signs from Friday, August 10, 2018 through Monday, September 10, 2018, to be placed at Fire Station Two in Cochituate, Old Connecticut Path and Cochituate Road (Five Paths), Route 20/Old Connecticut Path by the Coach Grill, and Town Center (corner of Routes 20 and 27), for a Learning Lab sponsored by the Congregation Or Atid**

Regarding item 4, the Board discussed that its policy calls for placement of signs for one week prior to the event. C. Karlson suggested amending item 4 on the Consent Calendar to approve the placement of the signs for one week. M. Antes agreed that this followed the Board's policy.

M. Antes moved, seconded by C. Karlson, to approve the Consent Calendar, as amended. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

A12. Correspondence Review M. Antes noted there are several items that will need further action. The Board discussed the future meeting with BoPW and Wastewater, the letter from Library Trustee Aida Gennis regarding the Town Manager Special Act, and the letter from Eversource Energy about Edgewood Road.

A13. Selectmen's reports and concerns M. Antes reviewed the concept for a Citizen's Academy, and the Board discussed it briefly. M. Antes said D. Porter would feel more comfortable if the Board showed its support for the project, and the Board decided to put it on the agenda for a vote at their next meeting. C. Karlson stated she met with Kaat Vander Straeten from the Energy and Climate Committee and the School Superintendent to discuss the creation of an 8th grade curriculum program that is civically based with the intention of bringing an article to Annual Town Meeting.

A14. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting, if any:
None.

A15. Executive Session: Enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real property with respect to the Town's agreement with Twenty Wayland, LLC, relative to property and development located off 400-440 Boston Post Road, and pursuant to Section 21 (a) (3) to discuss strategy with respect to litigation regarding the Agreement with Twenty Wayland, LLC and the Town of Wayland At 8:50 pm, L. Anderson moved, seconded by D. Levine, that the Board of Selectmen enter into Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21 (a) (6) to discuss the purchase, exchange, lease or value of real property with respect to the Town's agreement with Twenty Wayland, LLC, relative to property and development located off 400-440 Boston Post Road, and pursuant to Section 21 (a) (3) to discuss strategy with respect to litigation regarding the Agreement with Twenty Wayland, LLC and the Town of Wayland. The Chair declares that a public discussion of these matters may have a detrimental effect on the litigating, negotiating or bargaining position of the Town. Roll call vote: YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0. The Chair invites attendance by: Elizabeth Doucette, Assistant Town Administrator. The Board will reconvene in approximately 20 minutes for the purpose of adjourning. C. Karlson noted that Amy Kwesell, Town Counsel, would join the executive session by phone.

A13. Adjourn D. Levine moved, seconded by M. Antes, to adjourn the meeting at 9:25 p.m. YEA: L. Anderson, M. Antes, D. Levine, C. Karlson. NAY: none. ABSENT: L. Jurist. ABSTAIN: none. Adopted 4-0.

Items Distributed for Information and Use by the Board of Selectmen at the Meeting of August 6, 2018.

1. Procedure for Liquor License Hearing
2. Memo from Patrick Swanick, Police Chief, to Nan Balmer, Town Administrator, dated August 6, 2018, re: Liquor Compliance Violations (corrected)

Items Included as Part of Agenda Packet for Discussion During the August 6, 2018 Board of Selectmen's Meeting

1. Procedure for Liquor License Hearing
2. Liquor License Hearing re: Violation of China Rose Restaurant, 15 East Plain Street
3. Liquor License Hearing re: Violation of Wayland Variety and Deli, 70 Boston Post Road
4. Liquor License Hearing re: Violation of Wayland Country Club, 121 Old Sudbury Road
5. Incident Report from Patrick Swanick, Police Chief to Nan Balmer, Town Administrator dated July 11., 2018, re: Liquor Compliance Violations
6. Memorandum from Patrick Swanick, Police Chief to Nan Balmer, Town Administrator dated July 12, 2018, re: China Rose Violation Recommendation
7. Memorandum from Patrick Swanick, Police Chief to Nan Balmer, Town Administrator dated July 12, 2018, re: Wayland Variety & Deli Violation Recommendation
8. Memorandum from Patrick Swanick, Police Chief to Nan Balmer, Town Administrator dated July 12, 2018, re: Wayland Country Club Violation Recommendation
9. Memorandum from Nan Balmer, Town Administrator to Jaisy Deng, China Rose, LLC dated December 9, 2014 re: Decision of Board of Selectmen
10. Memorandum from Frederic E. Turkington, Town Administrator to Pankaj Patel, Wayland Variety and Deli Corp. dated November 19, 2012 re: Decision of Board of Selectmen
11. Board of Selectmen's Policy on the FY2020 Budget Process
12. DRAFT FY2020 Budget Schedule and Process dated August 6, 2018
13. Announcement: Opening of Special Town Meeting November 13, 2018 Warrant
14. Town Meeting Article Request Forms for Town Sponsoring Body
15. Warrant Article Process: Guide for Petitioners
16. 2018 Special Town Meeting Schedule
17. Public Notice from Finance Committee: Special Town Meeting Warrant Article Workshop, September 5, 2018
18. List of Potential Articles for November 13, 2018 Special Town Meeting
19. Town Administrator Employment Contract
20. Town Administrator's Report for week ending August 3, 2018.
21. Memorandum from Elizabeth Doucette, Assistant Town Administrator to Board of Selectmen dated July 16, 2018 re: Fiscal Year 2018 Legal Expenses by Matter
22. Calendar of upcoming Board of Selectmen meeting dates
23. Board of Selectmen meeting minutes (draft) for July 9, 2018

24. Board of Selectmen meeting minutes (draft) for July 16, 2018
25. Board of Selectmen meeting minutes (draft) for July 23, 2018
26. Email correspondence for Consent for Sign Boards to David Porter from Emily Kristofek WCPA, dated July 30, 2018
27. Local Initiative Program Application with attachments for Local Action Units for 11 Hammond Road Affordable Housing
28. Email correspondence for Consent for Sign Boards to Elizabeth Doucette from Laura Blumberg Congregation Or Atid, dated August 2, 2018

PUBLIC DOCUMENTS PROVIDED TO THE BOARD OF SELECTMENT FROM AUGUST 3, 2018 THROUGH AND INCLUDING AUGUST 16, 2018, OTHERWISE NOTE LISTED AND INCLUDED IN THE CORRESPONDENCE PACKET FOR AUGUST 20, 2018

Items distributed to the Board of Selectmen – August 3, 2018 – August 16, 2018

1. Correspondence from Teri Hegarty, Executive Assistant, dated August 7, 2018 re: small claims judgement in Thomas Gulley v. Town of Wayland.
2. Correspondence from Teri Hegarty, Executive Assistant, dated August 8, 2018 re: Special Town Meeting notification and documents.

Items distributed for information and use by the Board of Selectmen at the Meeting of August 6, 2018

None

Items included as part of the Agenda Packet for discussion during the August 20, 2018 and July 23, 2018 Board of Selectmen's Meetings

August 20, 2018

1. Petitioner's Workshop information including: Warrant Article Process: Guide for Petitioners; 2018 Special Town Meeting Schedule; information on petitioner's access to counsel
2. Zoning Articles for Fall Town Meeting: Article 1 – Prohibition of Marijuana; Article 2 – Marijuana Establishment District A – Boston Post Road; Article 3 – Marijuana Establishment District B – Mixed-Use Overlay District (Town Center); Article 4 – Marijuana Establishment District C- Cochituate Village; Article 5 – Marijuana Moratorium June 30, 2019; Article 6 –Federal Flood Plain District Zoning Amendment-Panel Numbers Update; Article 7 – Pre-existing Non-conforming Use of Land that Consists of More Than Six Dwelling Units
3. Ballot question for Special Town Election, Tuesday, October 2, 2018
4. Warrant for 2018 State Primary
5. Board of Selectmen Articles: Pay Previous Fiscal years Unpaid Bills; Current Year Transfers; Update on Clarification of Circuit Breaker Article
6. Town Administrator Report for the Week Ending August 17, 2018
7. Board of Selectmen minutes from the August 6, 2018 meeting

July 23, 2018

1. Correspondence from Sarkis Sarkisian, Town Planner, to the Board of Selectmen dated July 19, 2018 regarding Commercialization of Marijuana in Wayland.
2. Correspondence from Lauren Goldberg, Esq. of KP Law to Beth Klein, Town Clerk, dated July 3, 2018 regarding holding local election on the same date as the state election.
3. Email from Katherine Laughman, Esq. of KP Law to Julia Junghanns, Board of Health Director; Sarkis Sarkisian, Town Planner; Nan Balmer, Town Administrator; Carolyn Murray, Esq. of KP Law; Amy Kwesell, Esq. of KP Law; and Beth Klein, Town Clerk dated June 25, 2018 regarding marijuana ballot question.
4. Correspondence from Beth Klein, Town Clerk to Board of Selectmen, dated June 21, 2018 regarding pros and cons of holding a dual vs. a single election.
5. Draft of an act establishing the position of Town Manager in the Town of Wayland.
6. List of potential articles for the November 13, 2018 Special Town Meeting.
7. Draft 2018 Special Town Meeting Schedule
8. Draft of announcement about the opening of Special Town Meeting Warrant for the Special Town Meeting scheduled for Tuesday, November 13, 2018.
9. Draft of Warrant Article Process: Guide for Petitioners
10. Town Administrator's Report for the week ending July 20, 2018.
11. Correspondence to Wayland Town residents about snow plowing appeal process; Residential Private Road Snow & Ice Policy; Appeal Application

**BOARD OF SELECTMEN
Monday, August 20, 2018
7:00 p.m.
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road**

CONSENT CALENDAR

1. Vote the question of approving and signing the weekly payroll and expense warrants
2. Vote the question of approving an extension to the Rivers Edge Land Disposition Agreement
3. Vote the question of approving the placement of temporary sign boards for the Dudley Pond Run/Walk and Kids Fun Run (sponsored by The Dudley Pond Association – a non-profit 501 (c) (3) organization) to be placed adjacent to the Town's election signboards during the period Monday, September 17 through Sunday, September 23.
4. Vote the question of approving a One-day Liquor License for an event (ALS Association Fundraiser) at the Longfellow Health Club, 524 Boston Post Road, Wayland, MA 01778 on Sunday, September 23, 2018 from 11:30 am to 1:30pm.

3. Sign board
request

Dudley Pond Association
P.O. Box 5114
Wayland, MA 01778
August 2, 2018

Board of Selectmen
41 Cochituate Road
Wayland, MA 01778
Attn: David Porter

To the Wayland Board of Selectmen:

In January, 2018, the Dudley Pond Association reserved the Town signboards from September 17, 2018 to September 23, 2018. We were recently notified that The Town needed the signboards during that time for elections.

The Dudley Pond Association is asking permission from the Board of Selectmen to display our sandwich board signs adjacent to the Town signboards. We plan to display information about the Dudley Pond Run/Walk and Kids Fun Run to be held on Sunday, September 23. With your permission, our sandwich boards will be placed from Monday, September 17th to Sunday, September 23rd.

The Dudley Pond Association is a non-profit 501c3 organization that works to protect and preserve Dudley Pond. The Dudley Pond Run/Walk and Kids Fun Run raises funds to donate to the Town of Wayland for the cost of managing invasive weeds.

Thank you for considering our request.

Sincerely,

Karen Lowery
Executive Board
Dudley Pond Association

4. One-day Liquor
License request
FEE

NUMBER
629

\$25.00

THE COMMONWEALTH OF MASSACHUSETTS

Town of Wayland

This is certify that Castle Island Brewing Company, 31 Astor Avenue, Norwood, MA 02062 (Adam Romanow, Manager)

IS HEREBY GRANTED A LICENSE

For a One-day Liquor License for an event (ALS Association Fundraiser) at The Longfellow Health Club, 524 Boston Post Road, Wayland, MA 01778 on Sunday, September 23, 2018 from 11:30 a.m. to 1:30 p.m.

This license is granted in conformity with the statutes and ordinances relating thereto, and expires on Sunday, September 23, 2018 at 1:30 p.m. unless sooner suspended or revoked.

August 20, 2018

Hegarty, Teri

From: Myke Farricker
Sent: Friday, August 03, 2018 5:21 PM
To: Hegarty, Teri; Porter, David; Ashley Corbin
Subject: Sunday, September 23rd Ride to Defeat ALS Fundraising Bike Ride
Attachments: 10- Mile Map 2016 Ride to Defeat ALS.pdf; 25 Mile Map 2016 Ride to Defeat ALS.pdf; 70 Mile Map 2016 Ride to Defeat ALS.pdf; 50 Mile Map 2016 Ride to Defeat ALS.pdf; Wayland 2018 Certificate of Insurance ALS Bike Ride.png

REFER to POLICE
CHIEF

David and Teri - I'm writing to notify you about this year's 2018 Ride to Defeat ALS bike ride to raise money for research and patient care for those afflicted with ALS, or Lou Gehrig's disease. Teri - this is the same ride that Ashley Corbin has been communicating with you about for the one day alcohol permit; and David - this is the ride that you and I talked about last week. Over the past 18 years of our ride, we've raised over \$1.9 million in donations.

Here is the information for the ride -

- It will take place on Sunday, September 23rd. Approximately 150 - 200 riders spread out over 4 rides, leaving at different times.
- Our ride is sponsored and insured by the Massachusetts Chapter of the National ALS Association (insurance certificate attached).
- It begins and ends at The Longfellow Tennis & Health Club, 524 Boston Post Road in Wayland, with starting times of 7:00 a.m.(70 miles), 9:00 am (50 miles), 10:00 am (25 miles), and 11:00 am (10 miles).
- The ride routes go through the surrounding towns of Sudbury, Harvard, Acton, Bolton, Concord, Stow and Hudson. I've attached the 2016 ride routes maps and cue sheets for the 10, 25, 50 and 70 mile rides (all of this year's 2018 rides are the same) and a copy of the current 2018 Certificate of Insurance for the Town of Wayland from the ALS Association.

The riders in the 10, 25, 50 and 70 mile rides will be the riders coming through a short portion of Wayland at different times, riding single file, turning right out of the Longfellow Tennis & Health Club, riding down route 20 a short distance to Conrad's restaurant, turning right onto Old County Road at Conrad's restaurant. From there they ride on River Road to Water Row and then they cross route 27 into Sudbury. Those are the only roads in Wayland that the riders will be on during any of the 4 rides. The riders will be returning that same route when they come back to Longfellow at the end of their rides.

We will be putting up road signs in the ground for directions for the riders. We will be putting the signs up the day before the ride, Saturday, September 22nd, and we will take all the signs down by the end of the day of the ride, Sunday, September 23rd. The signs will be put on metal stakes into the ground - we will not be attaching any signs to any trees or poles.

We will have a Sudbury policeman at the entrance to the Longfellow Tennis & Health Club directing traffic for the riders, as well as one at the crossing of Water Row and Route 27.

We're looking forward to another great day of raising \$ to help those less fortunate than ourselves, and going over the \$2,000,000 mark! Let me know if you have any questions about the ride. Thank you.

Take care,

Myke Farricker
Co-Chair of the 2018 Ride to Defeat ALS Fundraising Bike Ride

Myke Farricker, General Manager, Longfellow Health Clubs, Wayland & Natick, MA

Longfellow Tennis & Health Club, Wayland	524 Boston Post Road, Wayland, MA 01778	508.358.7355
Longfellow Health Club, Natick	203 Oak St, Natick, MA 01760	508.653.4633
Longfellow Tennis Club, Natick	16 Michigan Drive, Natick, MA 01760	508.653.4606



Longfellow Health Clubs - Recipient of the First Annual "**Sustainable Business of the Year Award**" from the Sustainable Business Network of Massachusetts in 2015

Longfellow Health Clubs - designated as one of the "**Top Places to Work in Massachusetts**" by the Boston Globe in 2012

Longfellow Health Clubs - Recipient of the "**Outstanding Community Service Award**" at the 2011 International Health and Racquet Sports Association's Annual Convention

www.longfellowhealthclubs.com

Find us on Facebook: www.facebook.com/Longfellowclubs



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

TEL (508) 358-7755
www.wayland.ma.us

APPLICATION FOR ONE DAY LIQUOR LICENSE

CHECK ONE

- Application by a manager for a one-day liquor license for the sale or service of BEER & WINE to be drunk on the premises
- Application by a manager of a nonprofit organization for a one-day liquor license for the sale or service of ALL ALCOHOLIC BEVERAGES OR BEER & WINE to be drunk on the premises

DATE OF EVENT BEING APPLIED FOR: September 23, 2018

Exact times of the license: FROM 11:30 am/pm TO 1:52 am/pm

The undersigned hereby applies for a License for a One Day Liquor License in accordance with the provisions of the Statutes relating thereto:

Full name, address, phone(s), and email of the organization making this application:

The ALS Association MA Chapter
685 Canton St Suite 103
Norwood, MA 02062
781-265-8884

Full name, address, phone (s), and email of the manager who shall be responsible for this license:

Castle Island Brewing Company
Adam Reinhard adam@castleislandbrew.com
31 Astor Ave 781-325-1892
Norwood, MA 02062

Is the Applicant or Caterer TIPS Certified? Yes No If yes, please attach documentation.

Description of Event: Bike ride event that is a fundraiser for the
ALS Association MA Chapter. Riders choose from 70, 50, 25 or
10 mile routes and at the end of the event, all riders, family
members and volunteers enjoy a cook out lunch together. Beer
to be served at lunch.

Number of Attendees 350 (If number of attendees exceeds 150 people, a police detail will be required)

Is the applicant a non-profit organization duly registered with the Secretary of State? If yes, please attach appropriate documentation.

Location where event shall be held:

The Longfellow Health Club
524 Boston Post Road
Wayland, MA 01778

Has the approval of the property owner been obtained? Yes No

Please supply written confirmation from the owner of the property stating that approval is given for the sale and service of alcohol, and the occupancy number for the location.

Has the applicant been issued similar license in Wayland in the past 12 calendar months?

Yes No If yes, when? _____

Please attach a floor plan or diagram (8 1/2 x 11 sketch is acceptable) showing the exact location within the event area where alcoholic beverages will be dispensed.

The applicant hereby states that the applicant has received a copy of the Licensing Authority's regulations pertaining to One Day Liquor Licenses and is aware of and shall comply with all applicable statutes, bylaws, and regulations.

Signature of Applicant: Ashley Carl Date: 10/28/2018

Return this form, along with check for fee of \$25 made out to the TOWN OF WAYLAND, to:

BOARD OF SELECTMEN
Wayland Town Building
41 Cochituate Road
Wayland MA 01778

If you have any questions, please call David Porter, Executive Assistant, Board of Selectmen, at 508-358-3621, or email dporter@wayland.ma.us.

A certificate of insurance, showing evidence that the applicant has appropriate liability insurance, must be included with this completed application.



eTIPS On Premise 2.0 SSN:

Issued: 4/30/2016

ID#: 4242902

Expires: XXX-XX-XXXX

D.O.B.: 4/30/2019

XX/XX/XXXX

Adam Romanow
Castle Island Brewing Company
31 Astor Ave
Norwood, MA 02062-5018

For service visit us online at www.gettips.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/31/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Marketing Agencies, Inc. 306 Main Street Worcester MA 01608	CONTACT NAME: Anca Mendelson	
	PHONE (A/C No. Ext): 508-471-1197	FAX (A/C No.): 508-471-1897
E-MAIL ADDRESS: certificate@imaagency.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Citizens Insurance Co. of America		31534
INSURER B: Hanover Insurance Company		22292
INSURER C: Wesco Insurance Company		25011
INSURER D:		
INSURER E:		
INSURER F:		

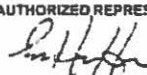
INSURED CASTL1
 Castle Island Brewing Company LLC
 925 East Broadway #1
 South Boston MA 02127

COVERAGES **CERTIFICATE NUMBER:** 1744532799 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC <input type="checkbox"/> OTHER		ZBNA64517803	6/1/2018	6/1/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		ZBNA64517803	6/1/2018	6/1/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0		UHNA64519303	6/1/2018	6/1/2019	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A		WVC3350831	6/1/2018	6/1/2019	<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	Liquor Liability		ZBNA64517803	6/1/2018	6/1/2019	\$1,000,000 Ea \$2,000,000 Agg

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Longfellow Health Club Myke Farricker 524 Boston Post Rd Wayland MA 01778	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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February 8, 2018

Lynn Aaronson
Executive Director
The ALS Association Massachusetts Chapter, Inc.
685 Canton St. Suite 103
Norwood, MA 02062

Re: IRS Tax ID Number 04-3085718

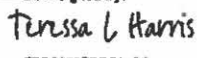
Dear Lynn:

Please be advised that The ALS Association Massachusetts Chapter, Inc. is classified as a subordinate of The ALS Association under the guidelines for filing an IRS 501(c)(3) Federal Tax Group Exemption. It is included in The ALS Association's annual filing for tax exemption status and therefore considered tax-exempt as well. The IRS has Assigned Group Number 4119 to The ALS Association and its subordinates.

For your convenience I am attaching a copy of the latest information that I have from the IRS (letter dated 05-08-2015) stating our current tax-exempt status.

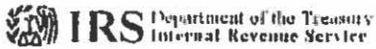
Also, should you need a copy of the listing of all subordinates that were sent to the IRS, please access the Finance Folder in the ALSA Insider. Within the folder - IRS Group Exemption 501c(3) - the listing for the current year is named 501c(3) Subordinate Listing FYE 2019.

Sincerely yours,

DocuSigned by:

EBOF920EBD58487
Teresa L. Harris
Vice President, Finance

Enclosures 1

TLH:mzt



OGDEN UT 84201-0046

In reply refer to: 0423274550
Dec. 11, 2017 LTR 3064C 0
13-3271855 000000 00
00024625
BODC: TE

AMYOTROPHIC LATERAL SCLEROSIS ASSN
NATIONAL OFFICE
1275 K ST NW STE 250
WASHINGTON DC 20005-6823



018543

Taxpayer identification number: 13-3271855
Form: SGRI

Dear Taxpayer:

Thank you for your SGRI Listing.

We have made the changes you asked us to make to your roster of subordinates included in your group exemption letter.

If you need any forms, schedules, or publications mentioned in this letter, you can get them by visiting our website at www.irs.gov/formspubs or by calling toll-free at 1-800-TAX-FORM (1-800-829-3676).

If you have questions, you can call the EO Entity Dept. at 801-620-6019 between 12:01 a.m. and 11:59 p.m. MST.

If you prefer, you can write to us at the address at the top of the first page of this letter.

When you write, include this letter and provide in the spaces below your telephone number with the hours we can reach you. Keep a copy of this letter for your records.

Telephone number () _____ Hours _____

Thank you for your cooperation.



Longfellow Tennis & Health Club Wayland

Youth Sports Zone

Lumina At Longfellow

Daybreak CrossFit

Minuteman Dr

Old County rd
a Blade of Grass

Old County Rd
Butch & Son Automotive

Car Wash

Hardware

Hwy 20

Boston Post Rd

Hwy 20

Boston Post Rd

Lamborghini Boston

d Rover Sudbury

Longfellow
Children's Center

rest of Kelly's

Registration Tent /
Lunch

DJ

Break
tent

Minuteman Dr

Minuteman Dr

A13 Architects
Daybreak Cross

Hwy 20

20

Boston Post Rd

Mark Shambrook Associates

•
+
-

August 1, 2018

To Whom It May Concern,

As owner of the land where the ALS Association's annual Ride to Defeat ALS will take place on Sunday September 23rd 2018, I give permission for Castle Island Brewery to serve beer in the parking lot of the event.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia W. Richard". The signature is written in a cursive style with a large initial "P".

Patricia Richard
Waters Realty Trust
231 DeSimone Road
Marlborough, MA 01752

BOARD OF SELECTMEN
Monday, August 20, 2018
7:00 p.m.
Wayland Town Building
Selectmen's Meeting Room
41 Cochituate Road

CORRESPONDENCE

1. Monthly Report for July from Patrick Swanick, Chief of Police, dated July 2018 re: Wayland Police Department
2. July COA Report from Julie Secord, Council on Aging Director, to the Board of Selectmen and the Council on Aging Board, dated July 2018
3. Correspondence from Alessandra Kingsford of 14 Glen Road to Lea Anderson, Chair, Board of Selectmen, dated July 31, 2018 re: installing highly visible signage on the Glen Road area of the Rail Trail
4. Correspondence from Paul Regan, Executive Director, MBTA Advisory Board and Marc Draisen, Executive Director, Metropolitan Area Planning Council dated July 31, 2018 re: Municipal Elections to the Boston Region Metropolitan Planning Organization
5. Correspondence from Brian Keveny, Finance Director, to Nan Balmer, Town Administrator, dated August 6, 2018 re: Fiscal 2018 Budget Status Report
6. Small Claims Judgment – Thomas Gulley v. Town of Wayland
7. Correspondence from Maura Healey, Attorney General, Commonwealth of Massachusetts, to Carolyn Murry, Esq., KP Law, dated August 1, 2018, re: Extension of 90-day review period of Article 32 Wayland Annual Town Meeting of April 2, 2018 Case #8859.
8. Correspondence from Maura Healey, Attorney General, Commonwealth of Massachusetts, to Beth Klein, Town Clerk, dated August 1, 2018, re: Wayland Annual Town Meeting of April 2, 2018 – Case # 8859; Warrant Articles #32 and 33 (Zoning) and Warrant Articles #6 and 36 (General).
9. Correspondence from Nan Balmer, Town Administrator, to Pankaj Patel, Wayland Variety and Deli, dated August 7, 2018, re: Decision of Board of Selectmen, Liquor Hearing, August 6, 2018
10. Correspondence from Nan Balmer, Town Administrator, to Bei Deng, China Rose, dated August 7, 2018 re: Decision of Board of Selectmen Liquor Hearing, August 6, 2018
11. Correspondence from Nan Balmer, Town Administrator, to Robert Quirk, Wayland Country Club, dated August 7, 2018, re: Decision of Board of Selectmen, Liquor Hearing, August 6, 2018
12. Correspondence from residents Gail R. Shapiro and Gil Wolin to the Board of Selectmen, dated July 27, 2018 re: Plowing appeal – 20 West Plain Street

13. Correspondence from Patrick Swanick, Chief of Police, to the Board of Selectmen, dated August 14, 2018 re: Cars parking on the sidewalk of West Plain Street. (Includes background material: Correspondence from resident Bob Thomason, to Wayland Police, dated August 8, 2018 re: Cars parking on the sidewalk of West Plain Street; Correspondence from Patrick Swanick, Chief of Police, to resident Bob Thomason, dated August 8, 2018 re: Parking issue on West Plain and Pemberton; Correspondence from resident Bob Thomason, to Patrick Swanick, Chief of Police, dated August 8, 2018, re: Parking issue on West Plain and Pemberton)
14. Correspondence from Linda Hansen, Director of the Conservation Commission, to Chris D'Antonio, Windsor Place, LLC, dated August 6, 2018 re: Status of application regarding 24 School Street (DEP File No. 322-897)
15. Correspondence from Brian Boggia, Executive Director, Wayland Housing; to WHA Board of Commissioners; Wayland Housing Partnership; Wayland Town Administrator; and RHSO, dated August 8, 2018 re: Affordable Housing Update
16. Correspondence from Patrick Swanick, Chief of Police, to the Board of Selectmen, dated August 6, 2018 re: "Residents Only" signs for Lake Road Terrace (Includes background material: Wayland Police Incidents by Type; Correspondence from Lake Road Terrace residents Mitsue Frey, Laura O'Brien; and Barbara Schwoegler, dated July 5, 2018 re: Ongoing problems on private property by strangers heading to the "Point" on the north pond of Lake Cochituate)
17. Correspondence from Daniel Hill, Planning Board, to Nan Balmer, Town Administrator, dated August 8, 2018 re: Wayland Gardens 40B Project – Cost Certification
18. Correspondence from Elizabeth Rust, RHSO Housing, to Nan Balmer, Town Administrator, dated August 14, 2018, re: Draft Independent Accountant's Report for Wayland Gardens
19. Correspondence from Susan Rufo, Chair, Wayland Board of Assessors, to Wayland Zoning Board of Appeals dated August 14, 2018, re: 4 Meadow View Road, Wayland Rod and Gun Club, Chapter 61B Land
20. Correspondence from the Office of Attorney General Maura Healey, Commonwealth of Massachusetts re: Open Meeting Law Regional Training Workshop in Natick on September 12, 2018 at 5:30pm
21. Correspondence from Boston Region MPO to Nan Balmer, Town Administrator, dated August 15, 2018 re: Four Municipal MPO Board Seats Up for Election in October
22. Correspondence from David Giannotti, Public Education and Communications Division Chief, State Ethics Commission, to Nan Balmer, Town Administrator, dated August 15, 2018, re: Conflict of Interest Law Bi-monthly Seminars – State Ethics Commission scheduled for September 27, 2018 and November 29, 2018
23. Wayland Community Center Feasibility Study prepared by Kang Associates