



TOWN OF WAYLAND

SPONSORING BOARD ARTICLE REQUEST FOR TOWN MEETING

Attach extra pages if necessary

RECEIVED

AUG 04 2020

Board of Selectmen
Town of Wayland

11:05am

Article Title: **River’s Edge Development: Access and Drainage Easements**

Estimated Cost: None

Article Description (final language to be provided by Town Counsel based on description provided):

Authorize the Town to grant and execute access and drainage easements to the purchaser of the property known as River’s Edge as described in the terms of the Land Disposition Agreement, dated July 28, 2017 and the Zoning Board of Appeals decision of December 30, 2019.

(Town counsel will provide final Article language. Draft sample easement language and map(s) to be provided for Warrant Appendix.)

Background Information (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

Passage of this article will authorize the Board of Selectmen, on behalf of the Town, to grant easements (access and drainage) to the purchaser of the River’s Edge parcel and to complete all required documents. The need for easements has been anticipated since the inception of the project given that access to the site is via the Transfer Station access road, over which the Town wanted to maintain ownership and control; the final locations of the easements were determined with the Zoning Board of Appeals (ZBA) site plan approval issued on December 30, 2019 (with the appeal period ending in January 2020). Both easements are required for the project to move forward and would be granted at closing.

At this time, the Town still owns the land; therefore, the easement cannot be completed now, and this article simply enables a future action. The developer, WP East Acquisitions, LLC (Wood Partners) anticipates filing the building permit upon authorization of the easements, and the land closing can occur after issuance of all approvals (with the exception of the building permit). The building permit fee of approximately \$XXX will be due when the permit is filed and will be deposited in the Town’s General Fund as local receipts. The land purchase price, as defined in the Land Disposition Agreement as amended, is \$2.2 million to be received at closing. These funds will be deposited in a General Ledger account (Receipts Reserved for Appropriation/Real Estate) for appropriation by a future Town Meeting.

The River’s Edge project proposes to build 218 rental units, of which 55 units (25%) will be affordable to low or moderate income households earning no greater than 80% of area median family income. The units are affordable in perpetuity. Additionally, 25% of the units will be age restricted for occupants aged 55 or over.

Access easement: The River’s Edge project will use the same Rt 20 curb cut as the Transfer Station access road, as required by the Massachusetts Department of Transportation. The site plan requires two access points from the access road to the River’s Edge project. *(Map will be included.)* The ZBA decision states “Access to the site is off of Boston Post Road via an access road to the Town’s transfer station, which will be improved pursuant to the plans approved by the Board and listed herein.” After an exhaustive review that included review of multiple traffic studies, the ZBA determined, among other items, that the project will not over-tax the Town’s Access Road to the transfer station.

Drainage easement: The project requires a drainage easement under the Access Road to drain on the eastern side of the road. The ZBA decision found that the site plan detailed the extensive erosion and sedimentation control



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measures that will be implemented and maintained for the project. A Long-Term Operation and Maintenance Plan has been developed for the proposed stormwater management system (SMS). The ZBA found, among other items, that the project will not contribute to the Town's stormwater system.

The Zoning Board of Appeals site plan review included information from applicable Town staff and boards, including a unanimous recommendation from the Planning Board.

The land under consideration is owned by the Town with jurisdiction potentially running to three Town boards: Board of Selectmen, Board of Public Works and Conservation Commission. Each board has considered and voted a decision on granting an easement prior to the Town Meeting vote. The Conservation Commission has reviewed the drainage system and included it as a recommended order of conditions in its report to the Zoning Board of Appeals. On July 29, 2020, the Conservation Commission voted unanimously in favor (6-0) of authorizing the Town to grant access and drainage easements for the River's Edge project. The Board of Public Works is meeting on August 10th. At the time the Warrant went to print, *(status)*.

History of the River's Edge project (summary): While this Article only addresses authorization of the easements, residents may need some background information on the River's Edge project. Town Meeting funded study monies in 2012 to evaluate the site for highest and best uses. This favorable vote was followed with a Town Meeting discussion and unsuccessful vote in 2013, and then ultimate approval by more than two-thirds margin at the 2014 Annual Town Meeting to allow for construction of rental housing with 25% affordable units. The Request for Proposals was issued in September 2015, reissued in January 2016, and a Land Development Agreement was signed with Wood Partners in July 2017. After almost a year's delay due to mitigating measures for asbestos on the property, due diligence was completed in the spring of 2019. Wood Partners began the permitting process and appeared before the Planning Board, Design Review Board, Board of Health, Conservation Commission and, finally, the Zoning Board of Appeals (ZBA). The ZBA issued its findings and site plan approval on December 2019, and the appeal period closed in late January 2020.

Following the completion of the ZBA decision appeal period, the Town and Wood Partners conducted a review of all outstanding items to be completed prior to submitting a building permit and moving to close on the land. The need for the easements was re-identified and prioritized at this time; however, the time had already passed to call a Special Town Meeting within the originally scheduled 2020 ATM in April. Wood Partners agreed to wait until a fall Special Town Meeting for discussion and vote on the required easements. Of course, this all occurred before the COVID-19 state of emergency was declared in early March 2020.

Proposed Arguments in Favor: The Town Meeting vote in 2014 authorized the Board of Selectmen "to convey, sell, lease or otherwise dispose of said parcels of land [which excluded disposing of the Transfer Station access road which the Town wanted to maintain ownership of] for affordable housing and market rate housing and accessory uses and structure purposes and, in connection therewith, to execute all necessary and appropriate documents" provided that the project meet the River's Edge Housing Overlay District and requirements and that a new multi-disciplinary River's Edge Advisory Committee solicited and reviewed the bids. An easement is a natural extension of the necessary and appropriate documents required for the project to proceed on the River's Edge parcels; however, Massachusetts General Laws require a Town Meeting vote to grant an easement, hence the purpose of this article.

These easements were anticipated as part of the original RFP in 2016 and are required to allow the project to move forward. A Town Meeting vote is required to grant an easement. The Town committed to provide the access easement, first in the RFP and then in the Land Disposition Agreement, section 1.1 (b):



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In addition to the Premises, Seller shall convey at the Closing (as such term is defined herein) a non-exclusive Access Easement for access to the Premises over that certain land shown as "Access Easement Area" on the ANR Plan (the "Access Road").

Now that site plan and other approvals have been received, and the Town and buyer are looking ahead to closing on the land parcels, these easements must be authorized to complete the access rights required to develop the site in timely anticipation of the closing. The ZBA's site plan approval locating the easements became final in January 2020. The vote on the easements was planned for a fall 2020 Special Town Meeting. However, given the timing of the 2020 Annual Town Meeting in September and no pressing need for a fall Special Town Meeting, the Board of Selectmen called a Special Town Meeting within the Annual Town Meeting to address this matter.

The Town is currently in a Safe Harbor status under Massachusetts law relative to new 40B developments because of this pending project and others. One of the requirements of maintaining the two-year Safe Harbor status is that a building permit must be pulled within one year; that deadline is December 2020. If Town Meeting authorizes these easements, Wood Partners plans to file for a building permit prior to that date.

Many arguments in favor of the easements are also arguments in favor of the project.

River's Edge is a creative, proactive way to meet several Town goals and needs, economic and otherwise:

- Rental housing provides new affordable and market housing options in Wayland, currently in short supply, especially for seniors
- Diversity in housing options may help to diversify Wayland's current demographics
- With 25% of the units designated affordable and 100% rental, *all* 218 units will count toward Wayland's affordable housing inventory, which will vault the Town from 5% affordability to over 9%, nearly reaching our 10% state mandate.
- Valuable new zoning creates significant property tax revenue for the Town via sale of the land to a private developer.
- The project cleans up a neglected, contaminated site where the private developer will cover an estimated \$3+ million in environmental and demolition costs, which would otherwise be at the Town's expense
- Substantial new annual tax revenues will be generated from the new \$40-50+ million project, all on previously non-revenue generating land. Tax revenues are estimated to approach \$1 million per year, with limited additional Town services required on the privately maintained property
- The project cleans up a prominent site at Wayland's western gateway, complements Town Center and the new bike path, and respects the natural beauty of the Sudbury River by staying within a previously disturbed site.

The site plan approval expires one year from issuance if construction has not commenced. Commencement is defined as issuance of a foundation or structure permit. Delaying action on the easements could potentially stop the project and require the site plan approval process to start again – if the developer is willing. Given market uncertainties due to COVID-19 and the years of effort which has brought the project to this point of completing the approved land transaction and finally starting construction, the Town should move expediently on this procedural vote to ensure the project can proceed.

The ZBA decision addresses functional areas of concern expressed by the Board of Public Works. Specifically, conditions 36-41, require the purchaser to

- Truck any excess snow off site and to conduct winter weather management operations in a manner that will not place snow or other spoils onto the Transfer Station Access Road.



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- Install utilities in a manner minimizing impacts to patrons of the Transfer Station.
- Coordinate construction access with the DPW to minimize impacts to users of the Access Road.
- Relocate and install the Transfer Station access gate at a location to be determined by the Director of Public Works (approximately 300 ft north of its current location).
- Not restrict vehicular access through the Property by Transfer Station patrons who may need to reverse direction when the Transfer Station is closed.
- Mill and pave the access road to DPW specifications from Boston Post Road to the location of the new gate.

Some have suggested a license be granted by the Board of Selectmen to avoid the need for a Town Meeting vote on an easement. However, a license is held by a named licensee and does not run with the land. The purchaser has conveyed concern that its investors and lender(s) will not accept a license arrangement

Proposed Arguments in Opposition: Some are opposed to addressing this article now due to concerns about limiting the length of September’s Town Meeting due to health concerns resulting from the COVID-19 pandemic.

The Board of Public Works has expressed concern with items that may impact its business: responsibility for snow plowing, snow storage, additional traffic on the access road, and relocating the roadway gate.

Proposer’s Comments (if needed, 150-word limit per Town Code):

Information is included in the text above.

Contact Information for Publication in Warrant

Contact Person Name: Louise Miller _____ **Contact Person Phone:** _____

Contact Person Town Email: lmiller@wayland.ma.us _____

Proposing Board Information

Board Name: Board of Selectmen _____

Vote (Quantum) to Submit Article 5-0 **Date of Board Vote:** July 27, 2020

Signature of Board Chairperson: Clery Kawany **Date:** 8-4-20



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
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Article Title: Return Unused Funds

Estimated Cost: _____

Background Information (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

The \$545,583 of unspent monies that are the subject of this Article were appropriated by Annual Town Meeting in 2015 (FY16 budget year) and 2018 (FY19 budget year). The appropriated funds were to be used to come up with a design as well as construction and bid documents for a multi-use community center to be constructed on a specifically identified parcel of land (i.e., "the municipal parcel") that was to be donated to the Town for \$1.00 (see 2015 ATM, Art. 25).

The Finance Committee's comments in the Warrant as well as Town Meeting deliberations and votes made it abundantly clear that the voters would not support expenditures of the funds for any use other than a community center to be located on "the municipal parcel".

The Selectmen have spent \$74,417 of the originally appropriated \$620,000 for work tied to that specific land but still have not been successful in acquiring control of the land. And, it appears that they are no longer actively pursuing the right to use that land.

The remaining \$545,583 that is of concern now is encumbered and not useable for any other purpose. It should be returned to the General Fund to be available to increase the Town's required reserves and to accommodate unbudgeted expenses associated with COVID-19.

If and when the public returns to consideration of a community center in a post pandemic era, lessons learned will need to be incorporated into any design and the land on which the structure is to stand will need to be under the control of the Town beforehand.

Petitioners' Comments (150-word limit per Town Code):

The appropriated funds were to be used to come up with a design as well as construction and bid documents for a multi-use community center to be constructed on a specifically identified parcel of land (i.e., "the municipal parcel") that was to be donated to the Town for \$1.00. The Selectmen have spent \$74,417 of the appropriated funds for work tied to that specific land but still have not been successful in acquiring control of the land. They have given up trying to acquire it.

Because Town Meeting appropriated the funds years ago, Wayland property owners have already been taxed for those amounts that have been sitting, unused. The remaining \$545,583 of those appropriations are unavailable for another use and should be returned to the General Fund to increase our available reserves and to accommodate unbudgeted expenses associated with COVID-19.

Future requests, must clearly define a project and its location.



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Lead Petitioner's Contact Information*

Name (for publication in warrant): Nancy Funkhouser

Phone (for discussing article): 781/771-0687

Email (for publication in warrant): nancyfunkhouser@verizon.net

Signature of Lead Petitioner: *Nancy Ek* **Date:** 8/4/2020

** The lead petitioner will serve as spokesperson for the article and will be the contact person for the Finance Committee, Board of Selectmen, and Planning Board, if the petition is a zoning issue.*

11/11



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AUG 04 2020

Board of Selectmen
Town of Wayland

12:35 pm

Article Title: Return Unused Funds

Estimated Cost: \$0

Article Text for Warrant: To determine if the town will vote to:

instruct the Selectmen to immediately return to the General Fund – Unreserved Fund Balance the \$75,583 remaining from the amount appropriated under Article 26 at the 2015 Annual Town Meeting and the \$470,000 remaining from the amount appropriated under Article 20 at the 2018 Annual Town Meeting.

| # | Print Name Legibly | Signature | Print Street Address |
|----|------------------------------|------------------------------|------------------------|
| 1 | Jane H Sciacca | Janet H Sciacca | 31 Rolling Lane |
| 2 | JOSEPHINE A. MARTELL | Josephine Martell | 70 GLEZEN LANE |
| 3 | Katherine A Gardner-Westcott | Katherine A Gardner-Westcott | 5 Richard Rd. |
| 4 | Evelyn WOLFSON | Evelyn Wolfson | 188 Pelham F3 Rd |
| 5 | Gretchen Schuler | Gretchen Schuler | 1200 Old Conn. Path |
| 6 | John Schuler | John Schuler | 126 Old Conn Path |
| 7 | Susan P. Foster | Susan P. Foster | 23 old Conn. Rd |
| 8 | PHULINE M. D. CESARE | Pauline M D Cesare | 35 Dean Rd |
| 9 | Judith Young | Judith Young | 67 Old Sudbury Rd |
| 10 | Peter F. ALLEN | Peter F. Allen | 131 Old Conn. Path |
| 11 | BARBARA BRAD ALLEN | Barbara Brad Allen | 131 Old Connector Path |
| 12 | Anne GILBERT | Anne Gilbert | 304 Dahlia Drive |
| 13 | JAMES GILBERT | James Gilbert | 304 Dahlia Drive |
| 14 | JAMES M HAMLEN | James Hamlen | 242 RICE ROAD |
| 15 | Elaine LeClair | Elaine LeClair | 8 Autumn Lane |
| 16 | Sharon Engler | Sharon Engler | 15 Jeffrey Rd |
| 17 | Holland Underhill | Holland Underhill | 41 Decker Lane |
| 18 | Maura Caravaggio | Maura Caravaggio | 59 Plain Rd. |
| 19 | MARK HUNT | Mark Hunt | 59 Plain Rd |
| 20 | Wendy Tyra | Wendy Tyra | 63 Plain Rd |



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| # | Print Name Legibly | Signature | Print Street Address |
|----|---------------------|---------------------|----------------------|
| 1 | Mary Alice Boeltz | Mary Alice Boeltz | 106 Lakeshore Dr. |
| 2 | Robert M. Smith | [Signature] | 12 Mansion Rd |
| 3 | Patrick M. Scranton | [Signature] | 5 Woodwood Road |
| 4 | Harper C. Lowery | Harper C. Lowery | 120 Lake Shore Dr. |
| 5 | MICHAEL P. LOWERY | [Signature] | 120 Lakeshore Dr. |
| 6 | STEPHEN GARONE | [Signature] | 179 LAKE SHORE DR. |
| 7 | Lynne C. Garone | Lynne C. Garone | 179 Lake Shore Dr. |
| 8 | Elizabeth Newton | [Signature] | 23 Sycamore Rd |
| 9 | Marcia Filicini | Marcia Filicini | 45 Knollwood Ln |
| 10 | Michael C. Filicini | Michael C. Filicini | 45 Knollwood Ln. |
| 11 | Norm Myowitz | [Signature] | 41 Knollwood Ln |
| 12 | EMILY SCRANTON | [Signature] | 5 WILDWOODS RD |
| 13 | Chris Lowery | [Signature] | 4 Beech Rd. |
| 14 | BRADFORD LOWERY | [Signature] | 10 BEECH RD. |
| 15 | Hestey Ormonde | Hestey Ormonde | 116 Lakeshore Dr. |
| 16 | Cheryl A. Kreibing | Cheryl A. Kreibing | 5 Lakeside Rd |
| 17 | Thomas Klein | [Signature] | 5 WOODVIEW RD |
| 18 | Nancy Funkhouser | [Signature] | 36 Rue Spring Ln. |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|--------------------|--------------------|----------------------|
| 1 | Laird Pendleton | <i>[Signature]</i> | 172 Glezen Lane |
| 2 | Freya Pendleton | <i>[Signature]</i> | 172 Glezen Lane |
| 3 | Joan P Lynch | <i>[Signature]</i> | 19 Forest Hill |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|----------------------|----------------------|---------------------------|
| 1 | Margery Baston | Margery Baston | 11 Cochituate Rd, Wayland |
| 2 | Prescott Baston, III | Prescott Baston, III | 8 Brackett Rd, Wayland |
| 3 | Stephanie Clipert | Stephanie Clipert | 51 Draper Rd Wayland |
| 4 | RITA ABERBACH | Rita Aberbach | 32 Cushing Cross Way |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|------------------------|-------------------------------|-------------------------|
| 1 | Gene Barton | <i>[Signature]</i> | 54 Claypit Hill Rd. |
| 2 | Gene Barton II | <i>[Signature]</i> | 54 Claypit Hill Rd. |
| 3 | SB Meinert | <i>[Signature]</i> | 7 Adams La |
| 4 | William Barton | <i>[Signature]</i> | 54 Claypit Hill Rd. |
| 5 | Anna Githra | <i>[Signature]</i> | 614 Grove St |
| 6 | Patrice Barton | <i>[Signature]</i> | 54 Claypit Hill |
| 7 | Elizabeth Tyra | <i>[Signature]</i> | 63 Plain Rd |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|--------------------------|--------------------------|----------------------|
| 1 | Sherre Greenbaum | <i>Sherre Greenbaum</i> | 161 Plain Rd. |
| 2 | Susan Reed | <i>Susan Reed</i> | 58 Green Ln |
| 3 | SMART EDYLMAN | <i>Smart</i> | " " " |
| 4 | Stephen Greenbaum | <i>Stephen Greenbaum</i> | 161 Plain Rd |
| 5 | Tonya C. LARGY | <i>Tonya Largy</i> | 59 MOORE RD |
| 6 | Thomas Largy | <i>Thomas Largy</i> | 59 Moore Rd. |
| 7 | DONNA BOUCHARD | <i>Donna</i> | 72 CONCORD RD |
| 8 | ALISON Alison Willet | <i>Alison Willet</i> | 18 ORCHARD LANE |
| 9 | BONNIE Bonnie Gossels | <i>Bonnie Gossels</i> | 15 BENNETT ROAD |
| 10 | ELAINE F GOSSELS | <i>Elaine F Gossels</i> | 17 Bennett Rd |
| 11 | WERNER F. GOSSELS | <i>Werner F Gossels</i> | 17 BENNETT RD |
| 12 | Fiona McHarg | <i>Fiona McHarg</i> | 72 Concord Road |
| 13 | Regina Kennedy | <i>Regina Kennedy</i> | 84 Old Sudbury Rd |
| 14 | FRANCIS KENNEDY | <i>Francis Kennedy</i> | 84 OLD SUDBURY RD. |
| 15 | Robert Gossels | <i>Robert Gossels</i> | 235 Concord Rd |
| 16 | Kamleen M Isaac | <i>Kamleen M Isaac</i> | 235 Concord Rd |
| 17 | Mary R. Upton | <i>Mary R Upton</i> | 23B Bayfield Rd |
| 18 | Sheila Carel | <i>Sheila Carel</i> | 18 Joyce Rd. |
| 19 | Edward J. Collins | <i>Edward J Collins</i> | 43 Plain Rd |
| 20 | Margaret T Patton | <i>Margaret T Patton</i> | 43 Plain Rd |



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| # | Print Name Legibly | Signature | Print Street Address |
|----|-------------------------------|-----------------|-----------------------|
| 1 | Margo Melnicove | Margo Melnicove | 245 Lake Shore Dr |
| 2 | ELISE LAURENZI | Elise Laurenzi | 94 Old Town Path |
| 3 | JENNIFER RILEY | Jennifer Riley | 133 PELHAM IS. RD. |
| 4 | KARL R. KLAPPER | Karl R. Klapper | 133 Pelham Island Rd. |
| 5 | V. Renae Uvages | V. Renae Uvages | 207 Willow Brook |
| 6 | GEORGE Uvages | George Uvages | 207 Willow Brook |
| 7 | John Sax CAROL SAX | CAROL SAX | 203 Willow Brook |
| 8 | John Sax | John Sax | 203 Willow Brook Pr |
| 9 | Liza DiMaggio | Liza DiMaggio | 162 Plain Rd. |
| 10 | Joseph DiMaggio | Joseph DiMaggio | 162 Plain Rd. |
| 11 | Nicky PATTERSON | Nicky Patterson | 159 PELHAM IS. RD |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|-------------------------------|----------------------|----------------------|
| 1 | Nancy Webb Leblang | Nancy Webb Leblang | 24 Oxbow Rd |
| 2 | Amy Leblang | Amy Leblang | 24 Oxbow Rd |
| 3 | Erica W. Leblang | Erica Leblang | 24 Oxbow Rd |
| 4 | PHILLIP A. LANGSDORF | Phillip A. Langsdorf | 25 JOYCE RD |
| 5 | Margorie R Langsdorf | Margorie R Langsdorf | 29 Joyce Rd |
| 6 | Carole Plumb | Carole Plumb | 17 Bald Rock Rd. |
| 7 | Adrianna Deranian | Adrianna Deranian | 8 Amey Rd. |
| 8 | Greg Deranian | Greg Deranian | 8 Amey Rd |
| 9 | Keith Meliones | Keith Meliones | 255 Concord Rd |
| 10 | Kent McMelionis | Kent McMelionis | 255 Concord Rd |
| 11 | Anna Anna Meliones | Anna Meliones | 255 Concord Rd. |
| 12 | Richard Greene | Richard Greene | 26 Pequot Rd |
| 13 | Dekora h Stubeda | Dekora h Stubeda | 17 White Rd. |
| 14 | Nora Wolff | Nora Wolff | 17 White Rd |
| 15 | Sam Wolff | Sam Wolff | 17 White Rd. |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|---------------------|---------------------|----------------------|
| 1 | Carolyn T. Lippmann | Carolyn T. Lippmann | 23 Reguot Rd |
| 2 | Richard P. Lippmann | R.P. L. | 23 Reguot Rd |
| 3 | Patricia A. Abrams | Patricia Abrams | 5 Goodman Ln |
| 4 | Lillian Watkins | Lillian Watkins | 20 Forty Acres Dr |
| 5 | David Watkins | David Watkins | 20 Forty Acres Dr |
| 6 | Emilie Watkins | Emilie Watkins | 20 Forty Acres Drive |
| 7 | DAVID WATKINS | David Watkins | 20 Forty Acres Drive |
| 8 | JACQUELINE WATKINS | Jacqueline Watkins | 17 FORTY ACRES DR |
| 9 | Hank Watkins | Hank Watkins | 17 Forty Acres Dr |
| 10 | Barbara Harris | Barbara Harris | 8 Holiday Road |
| 11 | George H. Harris | George H. Harris | 8 Holiday Road |
| 12 | David M. Hill | David M. Hill | 54 ORCHARD LANE |
| 13 | CYNTHIA HILL | Cynthia Hill | 54 ORCHARD LANE |
| 14 | Anette Lewis | Anette Lewis | 33 Claypit Hill Rd. |
| 15 | CLIFFORD LEWIS | Clifford Lewis | 33 CLAYPIT HILL RD |
| 16 | Katherine J. Eyre | Katherine J. Eyre | 59 Claypit Hill Rd |
| 17 | ROBERT C. EYRE | Robert C. Eyre | 59 Claypit Hill Rd |
| 18 | Thomas Dunbrack | Thomas Dunbrack | 7 Nob Hill Rd |
| 19 | Lynne Dunbrack | Lynne Dunbrack | 7 Brackett Rd |



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
Attach extra pages if necessary

Article Title: Repeal Chapter 53 of the Acts of 2010

Estimated Cost: _____

Background Information (to be used by Finance Committee to draft its report. Please explain the intent of the article, why it should be supported now, as well as known reasons the article may be opposed):

The intent of this article is to allow newly elected officials in Wayland to take office on the day following their election and serve their full term all as established in existing Massachusetts law M.G.L. ch. 41, Sec. 107. Wayland is an outlier in that a 2010 Special Act, specific only to Wayland, supersedes a portion of generally applicable state law by providing that newly elected officials do not take office until the conclusion of Annual Town Meeting. Moreover, Wayland's 2010 Special Act says nothing about extending the term of the official to account for the delay in his/her assumption of office.

When the 2009 Town Meeting was asked to support the adoption of the change from state law, the then Board of Selectmen said that it would "allow existing board members to finish their work for Town Meeting with an unhurried and orderly transition for incoming members." That may be but we have seen the unintended consequences of that decision during the 2020 COVID-19 pandemic and the 2010 Special Act is working to the detriment of the citizens of Wayland. The Annual Town Election, required by our Bylaws to occur "within seven days, but no fewer than two days, before annual town meeting" (see Town Code Section 36-1), took place on June 9, 2020 (it was postponed from the originally scheduled date of March 31, 2020). At the time of the election, a definitive date for commencement of Annual Town Meeting still had not been established.

We need to simplify our processes and just follow the same legal requirements as every other community in Massachusetts. We need to know that once the voters have chosen whom they want to serve in office, those individuals are not prevented from taking office or unreasonably delayed in doing so. In 2020, newly elected officials will have lost half a year or more of their terms of office.

For the 229 years prior to the passage of the 2010 Special Act, all of our elected officials seemed quite capable of preparing for and carrying out their responsibilities at Annual Town Meeting. And there is nothing that prevents former officials whose terms have just ended from making presentations on matters that they worked on while in office.



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
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Petitioners' Comments (150-word limit per Town Code):

Wayland's bylaws require that the annual town election take place "within seven days, but no fewer than two days, before annual town meeting". While in other communities in Massachusetts, newly elected officials assume office on the day after their election, Wayland town officials cannot take office until the conclusion of the annual town meeting. That is because of a Special Act adopted in 2010 just for Wayland.

During the COVID-19 pandemic, the existence of the 2010 Special Act prevented Wayland's newly elected officials from taking office for months and deprived the residents of the benefit of their service in office. Such situations are likely to occur in the future and most specifically in 2021 also due to COVID-19.

We need to simplify our processes and just follow the same legal requirements as every other community in Massachusetts and have our officials take office on the day following their election.

Lead Petitioner's Contact Information*

Name (for publication in warrant): Gretchen Schuler

Phone (for discussing article): 508/245-4115

Email (for publication in warrant): ggschuler126@gmail.com

Signature of Lead Petitioner:  **Date:** 8/4/2020

** The lead petitioner will serve as spokesperson for the article and will be the contact person for the Finance Committee, Board of Selectmen, and Planning Board, if the petition is a zoning issue.*



TOWN OF WAYLAND

PETITIONERS' ARTICLE FOR TOWN MEETING

Attach extra pages if necessary

RECEIVED

AUG 04 2020

Board of Selectmen
Town of Wayland

2:57pm

Article Title: Repeal Chapter 53 of the Acts of 2010

Estimated Cost: *

Article Text for Warrant: To determine if the town will vote to:

Instruct the Board of Selectmen to expeditiously petition the General Court of the Commonwealth of Massachusetts to repeal Chapter 53 of the Acts of 2010.

* When the proposal to adopt the Special Act was brought before ATM in 2009 (Article 22), there was no cost estimate attached to it. Petitioners assume that there should be no cost today to repeal or modify the Special Act.

| # | Print Name Legibly | Signature | Print Street Address |
|--------------|------------------------------|------------------------------|--------------------------|
| 1 | Jane H. Sciacca | Jane H Sciacca | 31 Rolling Lane |
| 2 | JOSEPHINE A. MARCEU | Josephine Marceu | 70 GREEN HUE |
| 3 | Katherine A Gardner-Westcott | Katherine A Gardner-Westcott | 5 Richard Road |
| 4 | Evelyn Wolfson | Evelyn Wolfson | 188 Pelham Rd |
| 5 | Evelyn Wolfson | Evelyn Wolfson | 188 Pelham Rd |
| 6 | Diana P. Humphrey | Diana P. Humphrey | 42 Cutting Cross Way |
| 7 | Grete Schulz | Grete Schulz | 1210 Old Conn. Path |
| 8 | John Schuler | John Schuler | 126 Old Conn Path |
| 9 | Susan P. Foster | Susan P. Foster | 23 Old Conn Path |
| 10 | PAULINE M. D'CESARE | Pauline M. D' Cesare | 35 Decatur Ln |
| 11 | Judy Young | J. Young | 67 Old Searbury Rd |
| 12 | Barbara Grad Allen | BARBARA GRAD ALLEN | 131 Old Connecticut Path |
| 13 | Peter F. Allen | P. F. Allen | 31 Old Connecticut Path |
| 14 | Anne Gilbert | Anne Gilbert | 304 Dahlia Drive |
| 15 | JAMES GILBERT | James Gilbert | 304 Dahlia Drive |
| 16 | JAMES HAMLIN | James Hamlin | 242 Rice Road. |
| 17 | Elaine LeClair | Elaine LeClair | 8 Autumn Lane |
| 18 | Sharon Engler | Sharon Engler | 15 Jeffrey Rd |
| 19 | SHARON ENGLER | Sharon Engler | 15 JEFFREY RD |
| 20 | Holland Landstad | Holland Landstad | 41 Decatur Lane |



TOWN OF WAYLAND

PETITIONERS' ARTICLE FOR TOWN MEETING

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| # | Print Name Legibly | Signature | Print Street Address |
|----|--------------------|--------------------|----------------------|
| 1 | Sherrre Greenbaum | Sherrre Greenbaum | 161 Plain Rd. |
| 2 | Susan Reed | Susan Reed | 58 Glezen Lane |
| 3 | STUART EDELMAN | [Signature] | 58 " " |
| 4 | Stephen Greenbaum | Stephen Greenbaum | 161 Plain Rd |
| 5 | Tonyac LARGY | Tonyac Largy | 59 MOORE RD. |
| 6 | Thomas Largy | Thomas Largy | 59 Moore Rd. |
| 7 | DONNA BOUCHARD | [Signature] | 72 CONCORD RY. |
| 8 | Kathleen McIsaac | [Signature] | 235 Concord Rd |
| 9 | ROBERT PULLINICH | Robert Pullinich | 235 Concord Rd |
| 10 | ALISON WEBBER | ALISON WEBBER | 18 ORCHARD LANE |
| 11 | BONNIE L. GOSSELS | Bonnie L. Gosseles | 15 BENNETT ROAD |
| 12 | Elaine F. Gosseles | Elaine F. Gosseles | 17 BENNETT RD |
| 13 | WERBERT GOSSELS | Werbert Gosseles | 17 BENNETT RD |
| 14 | Fiona Mottary | [Signature] | 72 Concord Rd |
| 15 | FRANCIS KENNEDY | Francis Kennedy | 84 OLD SUDBURY RD. |
| 16 | Regina Kennedy | Regina Kennedy | 84 Old Sudbury Rd |
| 17 | Mary R. Upton | Mary R Upton | 23B Bayfield Rd |
| 18 | Sheila Care? | [Signature] | 18 Joyce Road |
| 19 | Edward J Collins | Edward J Collins | 43 PLAIN RD |
| 20 | Margaret TRAYLOR | Margaret Traylor | 43 Plain Rd |



TOWN OF WAYLAND
PETITIONERS' ARTICLE FOR TOWN MEETING
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| # | Print Name Legibly | Signature | Print Street Address |
|----|----------------------|----------------------|----------------------|
| 1 | Nancy Webb Leblang | Nancy Webb Leblang | 24 Oxbow Rd |
| 2 | Erica W Leblang | Erica Leblang | 24 Oxbow Rd |
| 3 | Amy Leblang | Amy Leblang | 24 Oxbow Rd |
| 4 | Phillip Langsdorf | Phillip Langsdorf | 29 TOYCE RD |
| 5 | Marjorie R Langsdorf | Marjorie R Langsdorf | 29 TOYCE RD |
| 6 | Carole Plumb | Carole Plumb | 17 Bald Rock Rd. |
| 7 | Adrienne Deranian | Adrienne Deranian | 8 Ames Rd. |
| 8 | Greg Deranian | Greg Deranian | 8 Ames Rd |
| 9 | Keith Melanos | Keith Melanos | 255 Concord Rd |
| 10 | Keith C. Melanos | Keith C Melanos | 255 Concord Rd |
| 11 | Anna Melanos | Anna Melanos | 255 Concord Rd |
| 12 | Richard Greene | Richard Greene | 26 Pequot Rd |
| 13 | Deborah Stabede | Deborah Stabede | 17 White Rd |
| 14 | Nota Wolff | Nota Wolff | 17 White Rd |
| 15 | Sam Wolff | Sam Wolff | 17 White Rd |
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TOWN OF WAYLAND

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| # | Print Name Legibly | Signature | Print Street Address |
|----|--------------------|-------------------|------------------------|
| 1 | Margo Melnicove | Margo Melnicove | 245 Lake Shore Dr |
| 2 | ELISE LAURENZI | Elise Laurenzi | 94 Red Cross Path |
| 3 | KARL R. KLAPPER | K.R. Klapper | 133 Pelham Island Rd. |
| 4 | JENNIFER D. RILEY | Jennifer D. Riley | 133 PELHAM IS. RD |
| 5 | V. Renee Uveges | V. Renee Uveges | 207 Willow Brook |
| 6 | George Uveges | George Uveges | 207 Willow Brook |
| 7 | CAROL WILLYS | CAROL WILLYS | 203 Willow Brook Dr |
| 8 | John Scott | John Scott | 207 Willow Brook Dr Ph |
| 9 | Lisa DiMaggio | Lisa DiMaggio | 1162 Plain Rd. |
| 10 | John D. Maggion | John D. Maggion | 162 Plain Rd |
| 11 | Nicky PATTERSON | Nicky Patterson | 159 PELHAM IS. RD |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|---------------------|----------------------------|----------------------------|
| 1 | Carolyn T. Lippmann | <i>Carolyn T. Lippmann</i> | 23 Pequot Rd |
| 2 | Richard P. Lippmann | <i>Richard P. Lippmann</i> | 23 Pequot Rd |
| 3 | Patricia Abramson | <i>Patricia Abramson</i> | 5 Goodman Ln |
| 4 | Lillian Watkins | <i>Lillian Watkins</i> | 20 FORTY ACRES DR |
| 5 | David J Watkins | <i>David J Watkins</i> | 20 Forty Acres Dr |
| 6 | Emelie Watkins | <i>Emelie Watkins</i> | 20 Forty Acres Drive |
| 7 | DAVID WATKINS | <i>David Watkins</i> | 20 FORTY ACRES DRIVE |
| 8 | Reguline Watkins | <i>Reguline Watkins</i> | 17 FORTY ACRES DR |
| 9 | Hank Watkins | <i>Hank Watkins</i> | 17 Forty Acres Dr |
| 10 | Barbara Harris | <i>Barbara Harris</i> | 8 Holiday Road |
| 11 | George H. Harris | <i>George H. Harris</i> | 8 Holiday Road |
| 12 | DAVID M. HILL | <i>David M. Hill</i> | 54 ORCHARD LANE |
| 13 | CYNTHIA HILL | <i>Cynthia Hill</i> | 54 ORCHARD LANE |
| 14 | Anette Lewis | <i>Anette Lewis</i> | 33 Claypit Hill Rd |
| 15 | CLIFFORD LEWIS | <i>Clifford Lewis</i> | 33 CLAYPIT HILL RD |
| 16 | Kathleen Eyr | <i>Kathleen Eyr</i> | 59 Claypit Hill Rd |
| 17 | Robert C. Eyr | <i>Robert C. Eyr</i> | 59 Claypit Hill Rd |
| 18 | Ryanne S. Foster | <i>Ryanne S. Foster</i> | 7 Nob Hill Rd |
| 19 | Thomas Turner | <i>Thomas Turner</i> | 7 Nob Hill Rd |
| 20 | Lynne Dunbrack | <i>Lynne Dunbrack</i> | 7 Nob Hill Road |

Brackett



TOWN OF WAYLAND

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| # | Print Name Legibly | Signature | Print Street Address |
|----|------------------------|------------------------|----------------------|
| 1 | Mary Alice Boelter | Mary Alice Boelter | 106 Lakeshore Dr. |
| 2 | Robert A. Smith | [Signature] | 12 Mansions Rd |
| 3 | Michael P. Lowery | [Signature] | 120 Lakeshore Dr |
| 4 | STEPHEN GARONE | [Signature] | 179 LAKE SHORE DR |
| 5 | Lynne C. Garone | [Signature] | 179 Lake Shore Dr. |
| 6 | Elizabeth Newton | [Signature] | 23 Sycamore Rd |
| 7 | Marcia Filiurini | Marcia Filiurini | 45 Knollwood Ln |
| 8 | Norm Minton | [Signature] | 41 Knollwood Ln. |
| 9 | EMILY SRANTEN | [Signature] | 5 WILLOW RD |
| 10 | Chris Lowery | [Signature] | 4 Beech Rd. |
| 11 | Beacondra Lowery | [Signature] | 10 Beech Rd. |
| 12 | Hesley Ormonde | Hesley Ormonde | 116 Lakeshore Drive |
| 13 | Cheryl A. Breckinridge | Cheryl A. Breckinridge | 5 Lakeview Rd |
| 14 | Thomas Kelly | [Signature] | 5 LAKEVIEW RD |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|----------------------|----------------------|---------------------------|
| 1 | Margery Baston | Margery Baston | 11 Cochituate Rd, Wayland |
| 2 | Prescott Baston, III | Prescott Baston, III | 8 Brackett Rd, Wayland |
| 3 | Stephanie Alpert | Stephanie Alpert | 81 Draper |
| 4 | Rita ABERBACH | Rita Aberbach | 32 Cutting Cross Way |
| 5 | Maura Conway | MAURA | 59 Plain Rd |
| 6 | Mark Hunt | MARK HUNT | 59 PLAIN RD. |
| 7 | Wendy Tyra | Wendy Tyra | 63 Plain Rd |
| 8 | Elizabeth Tyra | Elizabeth Tyra | 63 Plain Rd |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|-------------------------|-------------------------------|-------------------------|
| 1 | Gene Bart | <i>[Signature]</i> | 54 Claypit Hill Rd |
| 2 | Gene Barton III | <i>[Signature]</i> | 54 Claypit Hill Rd. |
| 3 | S B Meinert | S B Meinert | 7 A Larroe Rd |
| 4 | William Barton | <i>[Signature]</i> | 54 Claypit Hill Rd. |
| 5 | Anna Crishin | <i>[Signature]</i> | 614 Grove St |
| 6 | Patrice Barton | <i>[Signature]</i> | 54 Claypit Hill |
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| # | Print Name Legibly | Signature | Print Street Address |
|----|--------------------|--------------------|----------------------|
| 1 | Laird Pendleton | <i>[Signature]</i> | 172 Grezer Lane |
| 2 | Freya Pendleton | <i>[Signature]</i> | 172 Grezer Lane |
| 3 | Jean Phynck | <i>[Signature]</i> | 19 Forest Hill Rd |
| 4 | | | |
| 5 | Christopher Lynch | <i>[Signature]</i> | 19 Forest Hill Rd |
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