



TOWN OF WAYLAND

41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778

TOWN BUILDING
41 COCHITUATE ROAD
TEL. (508) 358-7701
www.wayland.ma.us

DATE: August 31, 2018
TO: Board of Selectmen
FROM: Teri Hegarty, Executive Assistant
RE: **Articles for Special Town Meeting**

The following Articles were submitted for the Special Town Meeting scheduled for Tuesday, November 13, 2018.

Petitioners' Articles were submitted to the Town Clerk for verification of signatures.

ARTICLE LIST FOR NOVEMBER 13, 2018 SPECIAL TOWN MEETING

Article	November 2018 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
A	Pay Previous Fiscal Years Unpaid Bills	Board of Selectmen				
B	Current Year Transfers	Board of Selectmen				
C	Appropriate Funds for the Abatement of Asbestos at Rivers Edge Site	Board of Selectmen				
D	Initial Year Funding of Town Successor Collective Bargaining Agreement for Police Union	Personnel Board				
E	Circuit Breaker Match Program: Adopt State Language	Council on Aging				
F	Article Prohibition of Marijuana	Planning Board				
G	Article 2: Marijuana Establishment District A – Boston Post Road	Planning Board				
H	Article Federal Flood Plain District Zoning Amendment-Panel Numbers Update	Planning Board				
I	Pre-existing Nonconforming Use of Land That Consists of More Than Six Dwelling Units	Planning Board				
J	High School Athletic Complex Renovation	School Committee				

ARTICLE LIST FOR NOVEMBER 13, 2018 SPECIAL TOWN MEETING


Article	November 2018 Article Name	Sponsor	Assignee Selectmen	Assignee FinCom	Position Selectmen	Position FinCom
K	Appropriate Partial Construction Funds for Wayland High School Athletic Facilities Improvements	Community Preservation Committee				
L	Construction of Synthetic Turf Athletic Field at Loker Conservation & Recreation Area	Recreation Commission				
M	Loker Conservation Area Grass Athletic Field	Petitioner				
N	Limit Discharge of Weapons in Town of Wayland	Petitioner				
O	Advanced Water Meter Reading Infrastructure	Board of Public Works				

RECEIVED

AUG 22 2018

Board of Selectmen
Town of Wayland

TOWN OFFICE DATE / TIME STAMP HERE

9:03am 

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)*:

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.

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

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):

There are no apparent arguments against this article.

16. CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE: Lea T. Anderson Aug. 21, 2018

**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.*

RECEIVED

AUG 22 2018

Board of Selectmen
Town of Wayland

RECEIVED

TOWN OFFICE DATE TIME STAMP HERE

Board of Selectmen
Town of Wayland

9:02am @

**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 FY19

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)*:

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 (4-6 POINTS):

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):

16. CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE: Dea T. Anderson Aug. 21, 2018

**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.*

RECEIVED

AUG 28 2018

Board of Selectmen TOWN OFFICE DATE / TIME STAMP HERE
Town of Wayland

10:16am

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:	
3. CONTACT PERSON:	PAUL BRINKMAN, TOWN ENGINEER
4. TELEPHONE:	(508) 358-6852
5. E-MAIL	PBRINKMAN@WAYLAND.MA.US
6. TOWN SPONSORING BOARD VOTE AND DATE:	BOARD OF SELECTMEN VOTE AND DATE TBD
7. PROPOSED FUNDING SOURCE:	

Article Information	
8. ARTICLE TITLE (DRAFT):	APPROPRIATE FUNDS FOR THE ABATEMENT OF ASBESTOS AT RIVERS EDGE SITE
9. COST:	
10. NO COST:	<input type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	SEPTEMBER 30, 2018

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 OF MONEY TO BE EXPENDED UNDER THE DIRECTION OF THE BOARD OF SELECTMEN FOR THE REMOVAL AND RELATED COSTS OF REMOVAL OF ASBESTOS CONTAINING MATERIALS AND ASSOCIATED SOIL ON TOWN OWNED LAND ON BOSTON POST ROAD IN WAYLAND MASSACHUSETTS, SHOWN IN ASSESSOR'S MAP 22, LOTS 3, 6, AND 7, ALSO KNOWN AS THE RIVERS EDGE SITE, SUCH COSTS TO INCLUDE BUT NOT BE LIMITED TO COSTS FOR CONTRACTOR, ADMINISTRATIVE, LEGAL, CONSULTING, ENVIRONMENTAL, AND ENGINEERING SERVICES AND COMPLIANCE FEES; AND TO DETERMINE WHETHER SUCH APPROPRIATION SHALL BE PROVIDED BY TAXATION, BY TRANSFER FROM UNAPPROPRIATED FUNDS, BY FUNDS ALREADY APPROPRIATED FOR ANOTHER PURPOSE, BY BORROWING UNDER MASSACHUSETTS GENERAL LAWS CHAPTER 44 OR OTHER ENABLING AUTHORITY, OR OTHERWISE.

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

The Town is in the process of enabling the sale and future development of town-owned land along Boston Post Road (Route 20). The project will be completed by Wood Partners and will include the construction of market rate and affordable housing. As part of the due diligence process included in the Town's Land Disposition Agreement with Wood Partners, asbestos containing materials were discovered. These materials and associated soils must be removed and disposed of under Massachusetts Department of Environmental Protection and Department of Labor Standards requirements. The initial estimate for the costs to remove this material, provided by the Town's consultant is \$----- plus related costs of ----- for an estimated total of -----. The Land Disposition Agreement contains an estimate by the developer of \$3 million for management of soil at the Rivers Edge site. Costs for removal of the soil pile are included in the calculation of the developer's "Net Purchase Price" for the Rivers Edge site. Although the Town is responsible for removal of the asbestos at Rivers Edge now during the due diligence period, the Town's expenditures for asbestos and soil removal will reduce the developer's costs for soil management which will result in and be offset by a higher net purchase price to the Town.

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

APPROPRIATION OF THESE FUNDS WILL ALLOW THE TOWN TO CONFORM WITH MASSDEP'S REGULATIONS TO REMOVE AND DISPOSE ASBESTOS CONTAINING MATERIAL AND SOIL FROM THE RIVERS EDGE SITE. THE REMOVAL OF THE ASBESTOS CONTAINING MATERIAL AND SOIL IS REQUIRED WHETHER OR NOT THE RIVERS EDGE PROJECT MOVES FORWARD.

REMOVAL OF THE ASBESTOS CONTAINING MATERIAL WILL REMOVE AN OBSTACLE TO DEVELOPMENT OF THE RIVERS EDGE PROJECT WHICH WOULD BRING AFFORDABLE AND MARKET RATE UNITS TO WAYLAND.

THE LAND DISPOSITION AGREEMENT INCLUDES COSTS ASSOCIATED WITH THE MANAGEMENT OF SOIL FROM THE SITE. THE COST OF REMOVAL OF THE ASBESTOS CONTAINING MATERIAL / SOIL MANAGEMENT WOULD BE NOT BE NEEDED AS PART OF THE LAND DISPOSITION AGREEMENT AND THEREFORE A POTENTIAL REDUCTION IN THE COSTS ALLOCATED WITHIN THE LAND DISPOSITION AGREEMENT MAY BE REALIZED.

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

NONE – REMOVAL OF THE ASBESTOS CONTAINING MATERIAL IS LEGALLY REQUIRED OF THE TOWN REGARDLESS OF WHETHER THE RIVERS EDGE PROJECT MOVES FORWARD. FAILURE TO REMOVE THE ASBESTOS CONTAINING MATERIAL AND SOILS IN A TIMELY MANNER WILL RESULT IN ENFORCEMENT ACTIONS BY THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION AND WILL INCREASE THE OVERALL COST OF REMOVAL OF THE ASBESTOS CONTAINING MATERIAL AND SOILS. IF REMOVAL OF THE ASBESTOS CONTAINING MATERIAL IS DELAYED, IT IS MORE LIKELY THAT THE TOWN WILL NOT RECOVER THE COSTS OF ASBESTOS ABATEMENT THROUGH THE SALE OF THE SITE TO THE DEVELOPER.

15. CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE: Lea T. Anderson 8/27/18

**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.*

RECEIVED

AUG 22 2018

Board of Selectmen
Town of Wayland

TOWN OFFICE DATE / TIME STAMP HERE

9:03 am th

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

Sponsor & Contact Information

1. TOWN SPONSORING BODY:	Personnel Board
2. DATE RECEIVED:	
3. CONTACT PERSON:	Miranda Jones
4. TELEPHONE:	339-221-3064
5. E-MAIL	mjones@wayland.ma.us
6. TOWN SPONSORING BOARD VOTE AND DATE:	Personnel Board
7. PROPOSED FUNDING SOURCE:	Reserve for Salary Settlement account

Article Information

8. ARTICLE TITLE (DRAFT):	Initial Year Funding of Town Successor Collective Bargaining Agreement for Police Union
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 transfer from FY19 budgeted Reserve for Salary Settlement account [insert \$\$\$] for the purpose of funding FY19, the first year of the collective bargaining agreement for the period of July 1, 2017 through June 30, 2020 reached between the Town of Wayland and the New England Police Benevolent Association, Inc., Local 176, said amounts to be distributed to and among the department personnel and line items affected thereby as follows:

Total Incremental Cost FY18	\$
Total Incremental Cost FY19	\$
Total to be Transferred	\$

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

The Town has reached agreement with the Police Union for a successor collective bargaining agreement for the period of July 1, 2017 through June 30, 2020. Upon the advice of Town Counsel and in accordance with M.G.L. Ch. 150E, Section 7b), the initial year of incremental funding requirements for FY18 and FY19 for the Police Union collective bargaining settlement is being presented to Special Town Meeting.

At the April 2018 Annual Town Meeting, monies were approved in the Unclassified Reserve for Salary Settlement account to fund the incremental FY18 and FY19 increase for the Police Union. The base wages and other contractual compensation from the previous collective bargaining agreements were included in the approved FY19 departmental budgets.

This Article requests Special Town Meeting to authorize the Finance Director to transfer funds from the Reserve for Salary Settlement Account to the Police Department budget. The requested action will not increase the overall FY19 budget. Future years' negotiated compensation for this contract will be included in the fiscal year budgets presented to Annual Town Meeting and will not require incremental funding approval. The settlement is consistent with other public sector union settlements in the Massachusetts municipal marketplace.

The base wage increase for the Police Union is 2.25% over the amounts for the prior fiscal year.

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

The negotiated FY19 settlement represents a fair wage adjustment in the marketplace and falls within the guidelines provided by the Finance Committee.

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

Some may argue that employees are sufficiently compensated under the existing wage scales.

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.*

RECEIVED

AUG 27 2018

Board of Selectmen
Town of Wayland

3:45 pm TH

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

Sponsor & Contact Information	
1. TOWN SPONSORING BODY:	COUNCIL ON AGING
2. DATE RECEIVED:	
3. CONTACT PERSON:	JULIE SECORD
4. TELEPHONE:	508-358-2990
5. E-MAIL:	JSECORD@WAYLAND.MA.US
6. TOWN SPONSORING BOARD VOTE AND DATE:	8/27/2018 QUANTUM OF VOTE: 7-0
7. PROPOSED FUNDING SOURCE:	NO COST

Article Information	
8. ARTICLE TITLE (DRAFT):	CIRCUIT BREAKER MATCH PROGRAM: ADOPT STATE LANGUAGE
9. COST:	NONE
10. NO COST:	<input checked="" type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	N/A

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

To determine if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation repealing chapter 161 of the acts of 2000, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public objectives of the petition;

AN ACT RELATIVE TO CHAPTER 161 OF THE ACTS OF 2000 AND CHAPTER 7 OF THE ACTS OF 2010

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

SECTION 1. Chapter 161 of the acts of 2000 and chapter 7 of the acts of 2010 are hereby repealed.

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

and further to see if the Town will vote to accept the provisions of G.L. c.59, §5, Clause Fifty-seventh, which allows the Board of Assessors to appropriate monies for and grant property tax rebates in an amount not to exceed annually the amount of the income tax credit set forth under subsection (k) of section 6 of chapter 62 of the General Laws, to be effective beginning in fiscal year 2020, or take any other action related thereto.

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

This article clarifies the language for the Wayland match of the State Circuit Breaker program. The Circuit Breaker income tax credit is for persons age 65 and older with low to moderate-income. Qualifying senior citizens may claim a credit on their State income tax returns for the real estate taxes paid on their Wayland residential property. In addition, the Town matches the Circuit Breaker Income Tax Credit with a like reduction in the local real estate tax. More information and instructions for filing can be found on the Assessors and the Council on Aging websites.

At STM November 2017, Article 7 (passed 356-14) attempted to clarify the filing deadline for the program by aligning the application due date with all other tax relief programs. The new deadline of April 1 made it unlikely that residents could complete the required prior year's tax filings by the deadline. This unintended consequence led to confusion on granting Circuit Breaker matches this year.

After conferring with town counsel, they advised repealing our existing special act allowing the match and adopting Massachusetts General Law Chp 59, §5, Clause Fifty-seventh, the language shown above. This allows Wayland to match the dollar amount of the State match rather than require its own documentation to calculate the match. This is presently done with all statutory exemptions matched by Wayland. Applications will still be filed with the Assessors and are required to receive the match.

The Assessor's Office processes approximately 130 local Circuit Breaker applications annually. The amount of the match has been \$1080, most recently, but is adjusted for cost of living annually.

The Board of Selectmen and the Board of Assessors are expected to vote to co-sponsor/support this article. Those votes are likely to take place after the article submission deadline.

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

Wayland supports its residents with a match of the State Circuit Breaker amount. This tax relief is important to many residents, and this change will make the application process and administration easier for residents.

The November 2017 STM article changing the due date for the Circuit Breaker application led to unintended consequences that resulted in some Wayland residents not being able to receive the match.

Passage of this article and adoption of Clause 57 will streamline the financial administration of the local Circuit Breaker program for the Finance Department, the Assessors, the Tax Collector and the Council on Aging.

Town Counsel recommended this solution to maintain the integrity and intent of Wayland's Circuit Breaker match.

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

While this change will bring Circuit Breaker matches into the same process as other matches for statutory exemptions, it will limit residents to one exemption whereas now some residents may be able to receive two.

There may be confusion around changing the process again which can be addressed with training workshops and written materials.

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

Betsy Soule 8/27/18

**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.*

7/24/18NFB

RECEIVED

AUG 30 2018

Board of Selectmen
Town of Wayland

3:31 pm 

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 3-0 AUGUST 28, 2018
7. PROPOSED FUNDING SOURCE:	NONE

Article Information	
8. ARTICLE TITLE (DRAFT):	ARTICLE 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.

CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE

 8-29-2018

**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.*

RECEIVED

AUG 30 2018

Board of Selectmen
Town of Wayland

3:31 pm 

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
VOTE 3-0 AUGUST 28, 2018 |
| 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 :

SEE ATTACHED DOCUMENT

CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE:

 8-30-2018

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

Article

To determine if the Town will vote to (1) amend the Town's Zoning Map to create a new Marijuana Establishments overlay zoning district comprising of Wayland parcels Map 22-010, 21-005, 21-008A, 21-002, 21-004, 21-002A, 21-001, 21-008, 21-006A, 21-006 and 21-003.; (2) amend Chapter 198 of the Code of Wayland, the Town's Zoning Bylaw, by adding Article 26 "Marijuana Establishments District"; and (3) amend Article ___ of Chapter 198 of the Code of Wayland, the Table of Permitted Principal Uses by District to include the Marijuana Establishments District as set forth below:

ARTICLE 26

Marijuana Establishments 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 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.

§198-2602. Definitions

2602.1 As used in this article, the following terms shall have the meanings indicated:

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 Chapter 55 of the Acts of 2017 and 935 CMR 500.000.

MARIJUANA ESTABLISHMENT (ME) – a Marijuana Cultivator, Craft Marijuana Cooperative,

TOWN OF WAYLAND - MARIJUANA ESTABLISHMENTS BYLAW, SPECIAL TOWN MEETING 11/13
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 and to transfer marijuana to other MEs but not 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 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 licensed by the CCC 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 – an 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.

**§198-2603. Location – Marijuana Establishments District is the designated Location for ME's and
Medical Marijuana**

2603.1.1 A Marijuana Cultivator may operate a Marijuana Cultivation Facilities on any
property within the Marijuana Establishments District.

2603.1.2 All types of MEs and Medical Marijuana Treatment Centers may only be sited within
the Marijuana Establishments District, as per Figure 1, below.

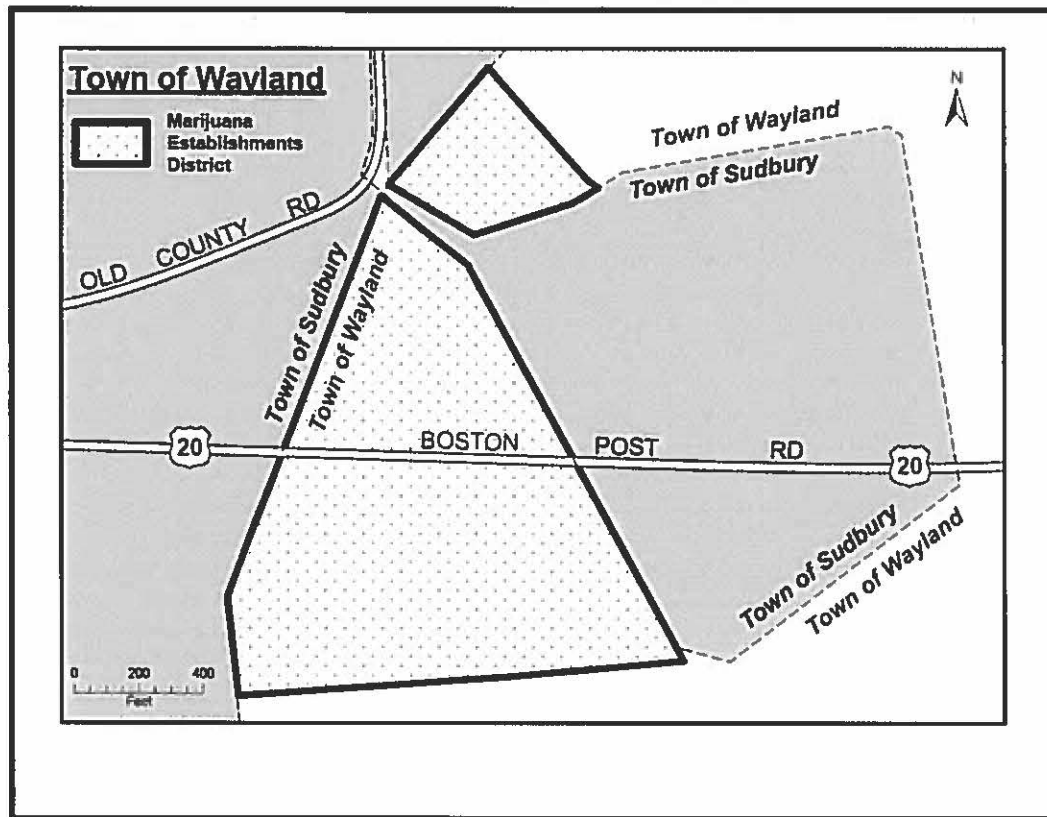


Figure
1

2603.1.3 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. The distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the ME is or will be located.

2603.1.4 Within the Marijuana Establishment District, all requirements of the underlying zoning district remain in effect, except where these regulations provide an alternative to such requirements. If the provisions of the Marijuana Establishment District are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the Marijuana Establishment District conflict with the requirements of the underlying district, the requirements of the Marijuana Establishment District shall control.

§198-2604 Designated Number of MEs and Medical Marijuana Treatment Centers.

2604.1.1 The total number of Marijuana Retailers permitted under this Bylaw shall not be greater than one (1), except that in no instance shall the number of 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 nearest whole number.

2604.1.2 The total number of Medical Marijuana Treatment Centers shall not exceed one (1).

2604.1.3 There shall be no limit on the number of MEs permitted within the Town, except as per Subsection 2604.1.1.

§198-2605 Special Permit Required. No ME or Medical Marijuana Treatment Center shall be operated or expanded without first obtaining a Special Permit from the Special Permit Granting Authority in accordance with Article 2 of the Zoning Bylaw.

2605.1.1 The Special Permit Granting Authority for any ME or Medical Marijuana Treatment Center shall be the Planning Board.

2605.1.2 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.

2605.1.3 The Special Permit shall lapse 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).

§198-2606 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.

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

2607.1.1 Outside storage. No outside storage of marijuana, Marijuana Products, or related supplies shall be permitted, except at open-air, outdoor cultivation facilities.

2607.1.2 Visibility of activities. All activities shall be conducted indoors, except for open-air, outdoor cultivation facilities or Marijuana Transporters.

2607.1.3 Paraphernalia. 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.

2607.1.4 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 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.

2607.1.5 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 Research Facilities.

§198-2608 Design Requirements for MEs and Medical Marijuana Treatment Centers.

2608.1.1 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.

2608.1.2 Signage. All signage must comply with the regulations set forth in Article 5

2608.1.3 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. Marijuana Cultivation Facilities or Medical 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.

2608.1.4 Landscaping. Marijuana Retailers shall be landscaped to harmonize the building with surrounding uses as stated in Article 6.

2608.1.5 Parking. Off-street parking must be as stated in section 506. Off-street loading must be as stated in section 507. 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.

2608.1.6 Drive through facilities. On-site drive through facilities shall be prohibited for any marijuana use.

2608.1.7 Fencing. Fencing may be required if determined necessary by the Special Permit Granting Authority. In no instance shall barbed-wire fencing be permitted.

268.1.8 Odor Control. MEs and Medical Marijuana Treatment Centers engaged in cultivation, processing, product manufacturing, storage and/or transportation shall employ odor control technology such that no odor from the ME can be detected by a 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.

§198-2609 Filing Requirements. Applications to permit a ME or Medical Marijuana Treatment Center must be submitted to the Planning Board. Such applications shall include the following:

2609.1.1 Site Plan. A site plan shall be submitted that includes all information required Article 6 and must also include the following:

2609.1.2 The names, mailing addresses, phone numbers, email addresses, and signatures of the applicant, owner, and operator.

2609.1.3 Physical address (if one exists), and the map, lot, and block number of the proposed site.

2609.1.4 Security Plan. The security plan shall be reviewed and approved by the local Police Chief, or their designee to ensure the safety of employees, patrons, and the

public to protect the premises from theft or other criminal activity.

The Security Plan shall include the following:

- 2609.1.5 An interior floorplan (including secured areas, windows, doors, etc.)
- 2609.1.6 Exterior lighting
- 2609.1.7 Fencing (if any)
- 2609.1.8 Gates (if any)
- 2609.1.9 Alarms
- 2609.1.10 24 Hour cameras
- 2609.1.11 Any other security measures as requested by the Police Chief.

2609.1.12 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.

2609.1.13 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.

2609.1.14 State License. A copy of the provisional license 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 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 from the Department of Health or any successor licensing entity shall be required for Medical Marijuana Treatment Centers.

2609.1.15 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 site control.

2609.1.16 Energy Resource Plan. All MEs engaged in marijuana cultivation, processing and product manufacturing shall submit an energy and resource use plan to the Special Permit Granting Authority to demonstrate best practices for resource conservation. The plan shall include an electrical system overview, proposed energy demand, ventilation system and air quality, proposed water system and utility demand.

§198-2610 Discontinuance of Use

2610.1 Any ME permitted 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 voiding of its license.

§198-2611 Annual Inspections for MEs and Medical Marijuana Treatment Centers

2611.1.1 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.

2611.1.2 The first annual inspection shall be more than one (1) year, but not more than two (2) years after beginning operation.

§198-2613 Other laws remain applicable.

2613.1.1 License Required. At all times while a permit is in effect 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.

2613.1.2 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. The HCA shall, at a minimum, include or reference the following:

2613.1.3 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).

2613.1.4 A description of the activities that will occur on site.

2613.1.5 Hours of operation.

§198-2614 Independent Consultants

2614.1.1 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 at the applicant's expense such consultants as it deems reasonably necessary to assist said authority in making determinations under this Bylaw.

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

Overlay Districts	Description
<i>Marijuana Establishments District</i>	<i>Requirements of Article 26 apply-SP</i>

RECEIVED

AUG 30 2018

Board of Selectmen
Town of Wayland

3:31 pm TH

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:	PLANNING BOARD 3-0 AUGUST 28, 2018
7. PROPOSED FUNDING SOURCE:	NONE

Article Information	
8. ARTICLE TITLE (DRAFT):	ARTICLE 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, 25017CIND1B, 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.

BELOW IS THE EXISITNG TEXT THAT WILL BE DELETED AND REPLACED WITH THE TEXT ABOVE.

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, 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 25017C0369E, 25017C0386E, 25017C0388E, 25017C0389E, 25017C0507E, 25017C0509E, 25017C0517E, 25017C0526E, 25017C0527E, 25017C0528E, 25017C0529E, and 25017C0536E dated June 4, 2010. 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 June 4, 2010. 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.

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.

CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE:

 8-29-2018

**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.*

RECEIVED

AUG 30 2018

Board of Selectmen
Town of Wayland

3:31 pm 8/30

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 3-0 AUGUST 28, 2018
7. PROPOSED FUNDING SOURCE:	NONE
Article Information	
8. ARTICLE TITLE (DRAFT):	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 than one person or entity holding a fee simple title interest to the Lot or a fraction thereof (i.e., a condominium).

COMMENTS

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

CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE:

 8-29-2018

**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.*

RECEIVED

AUG 30 2018 TOWN OFFICE DATE / TIME STAMP HERE

Board of Selectmen
Town of Wayland

1:54 pm (TR)

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

Sponsor & Contact Information	
1. TOWN SPONSORING BODY:	School Committee
2. DATE RECEIVED:	
3. CONTACT PERSON:	Jeanne Downs
4. TELEPHONE:	508.358.0270
5. E-MAIL:	jeanne-downs@wayland.k12.ma.us
6. TOWN SPONSORING BOARD VOTE AND DATE:	5-0 (vote taken 8/20/18)
7. PROPOSED FUNDING SOURCE:	Rec. Turf Revolving Fund, CPC funds, debt
Article Information	
8. ARTICLE TITLE (DRAFT):	High School Athletic Complex Renovation
9. COST:	\$6.65MM (\$6.65MM)
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 :

See attached

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

See attached

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

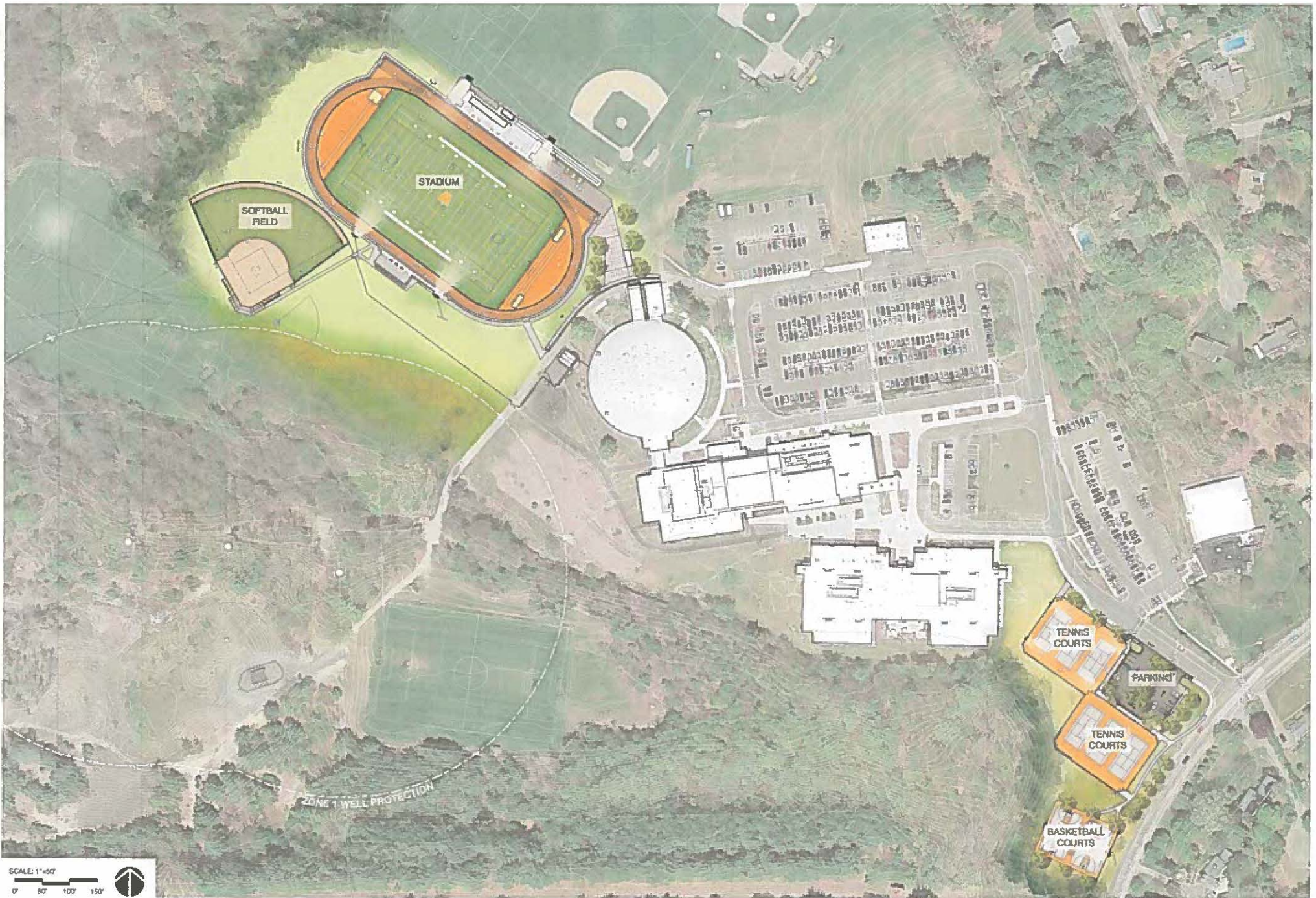
See attached

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

See attached

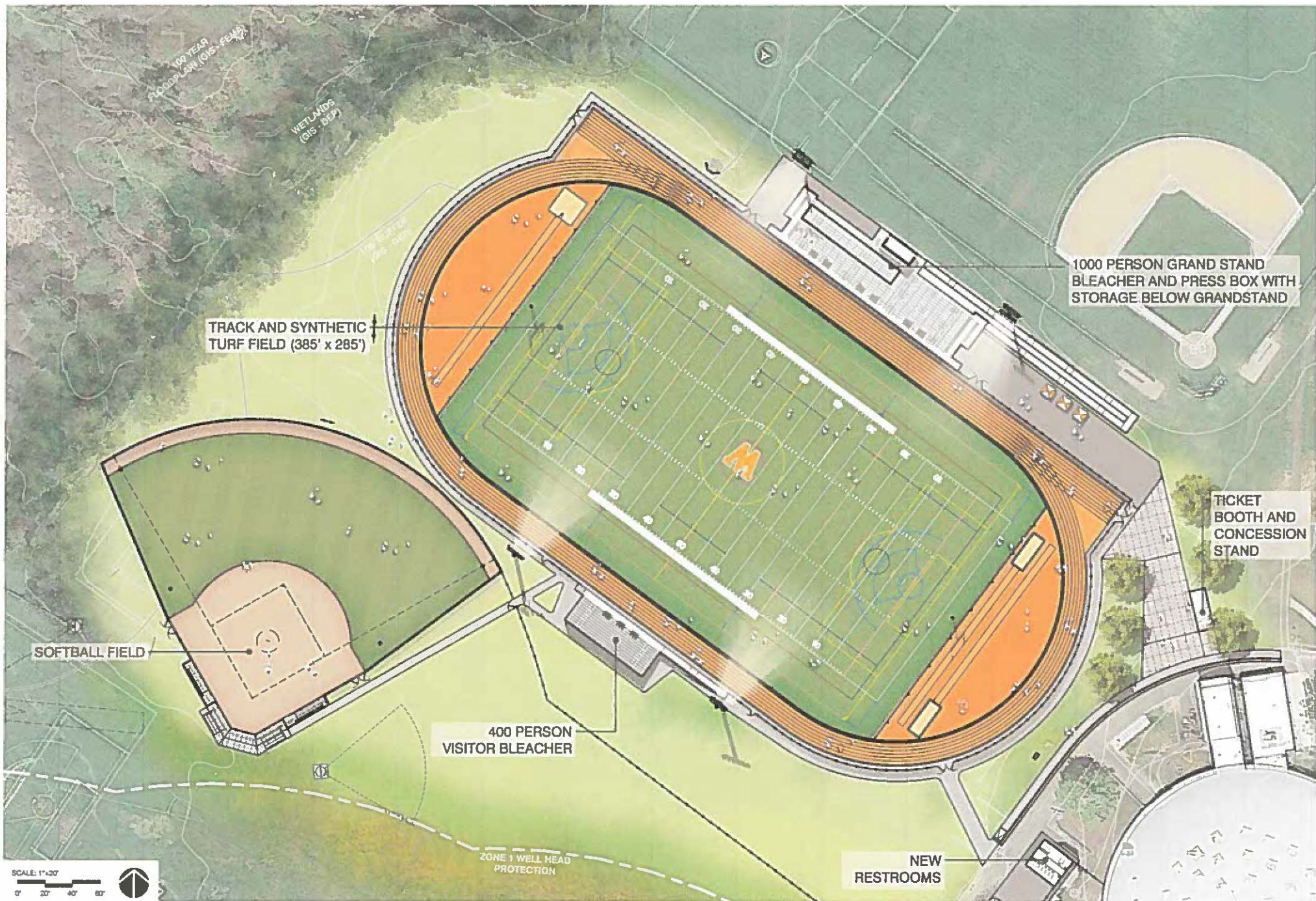
15. CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE: Jeanne F. Downs 8/23/18

**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.*



OVERALL PLAN
IMPROVEMENTS TO WAYLAND HIGH SCHOOL ATHLETIC FACILITIES
AUGUST 2018

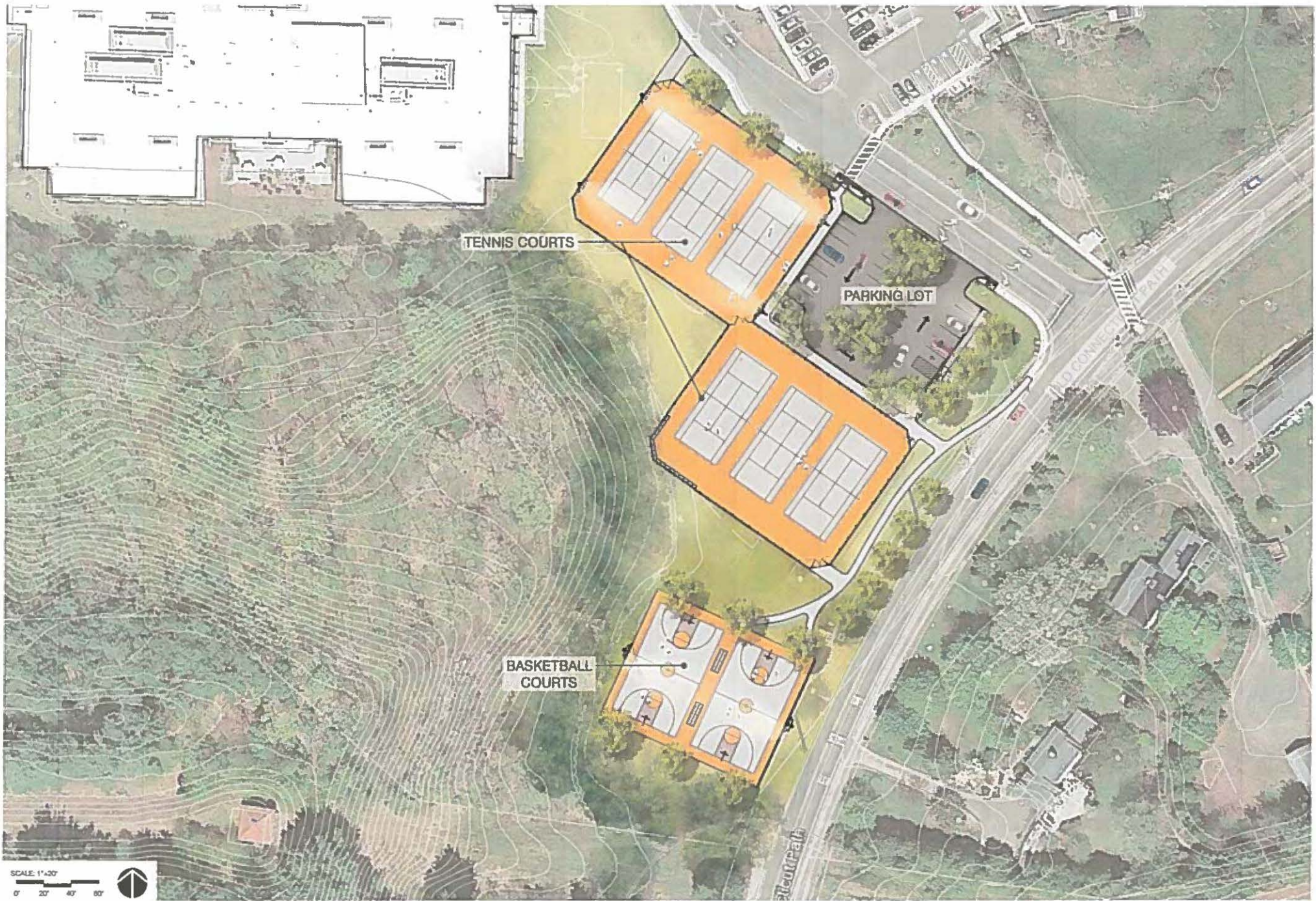




NORTH CAMPUS PLAN
IMPROVEMENTS TO WAYLAND HIGH SCHOOL ATHLETIC FACILITIES

AUGUST 2018





SOUTH CAMPUS PLAN
IMPROVEMENTS TO WAYLAND HIGH SCHOOL ATHLETIC FACILITIES
AUGUST 2018



*****DRAFT*****

[Type the date]

ARTICLE ZZ: HIGH SCHOOL ATHLETIC COMPLEX RENOVATION

Proposed by: School Committee and Recreation Commission Estimated Cost: \$6.65MM

To determine whether the Town will vote to:

- 1.) appropriate the sum of \$6.65MM to be expended under the direction of the School Committee for design, engineering and construction of Parts 1 and 2 of the Wayland High School Facility Strategic Master Plan (High School Athletic Preferred Improvement Plan), including any and all other costs incidental or related thereto;
- 2.) provide for said appropriation by transferring \$175,000 from funds in the Recreation: Athletic Field Revolving Fund, and transferring \$400,000 from the Community Preservation fund Account exclusively for Part 2 of the project;
- 3.) authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow the sum of \$6.075MM pursuant to G.L. c.44, §§7 or 8 or any other enabling authority, and issue bonds or notes of the Town therefor; and
- 4.) authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved hereunder in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Finance Committee Comments:

The article requests \$6.65MM to fund construction for the renovation of the high school athletic facilities. Of this amount, up to \$175,000 would be transferred from the Recreation Revolving Fund Turf Account, and \$400,000 would be transferred from the Community Preservation Fund exclusively for Part 2 of the project. The remainder would be funded by the Town. Additionally, the Wayland Boosters plans to contribute funds specifically towards the project's concession stand. More specifically, this article requests construction funds for Parts 1 and 2 of the High School Athletic Preferred Improvement Plan, which has been revised during the design process since it was first presented to the town at last year's Fall Town Meeting. These funds are anticipated to be expended in FY19 and FY20. Part 3 of the plan, Baseball and Multi-Use Field Improvements, is being deferred until a later date.

Partial funding of this project would come from the Community Preservation Fund, monies that have already been collected by the Town. The CPA mandates that at least 10% of receipts be earmarked for historic preservation initiatives, 10% for open space, and 10% for affordable housing. Uncommitted funds may be used on any of those three disciplines as well as recreation projects. This is an allowed use of CPA monies.

As anticipated at Annual Town Meeting (ATM), upon further refining of the project design, we now have concrete project costs. The drivers of the approximate \$1.2MM increase over the ATM estimate are required additional bathrooms (\$500,000), higher bleacher costs due to steel tariffs (\$250,000), and escalation (\$250,000).

For schematics, see Appendix XX

Background:

Weston & Sampson (W&S) was hired in the fall of 2016 to develop preliminary schematic plans and cost estimates for a revised Wayland High School Athletic Facility Strategic Master Plan. Their work product was informed by field investigations, public forums, and an evaluation of prior studies, data and plans.

Their conclusions as they related to current Stadium Complex were that: turf quality is substandard, drainage facilities are lacking, grading is substandard (lack of positive pitch to shed water), irrigation systems are inadequate, bleachers at track/field are non-code compliant/deteriorated (home meets potentially cancelled), storage is lacking site-wide, and ADA (Americans with Disabilities Act) accommodations are lacking. Additionally they noted that the tennis courts are in a state of disrepair and the softball field is not regulation size.

These observations were presented at the Special Town Meeting (STM) in Nov. 2017 where the Town voted to appropriate "Design Services" funds of \$202,000 for Part 1 of the High School Athletic Preferred Improvement Plan (Stadium Complex Renovation) and \$126,000 for Part 2 of the plan (Tennis Courts/Softball Field Reconstruction). At that time the scope and estimated costs for Parts 1 and 2 were as follows:

Part 1 – Stadium Complex Renovation

Track (full-depth construction)	
\$840,000	
Synthetic Turf Field (full-depth construction, modified configuration, new location, 1/2 acre of additional space yielded)	\$1,400,000
Lighting	\$ 560,000
Bleachers (home with storage and away)	<u>\$700,000</u>
Subtotal	\$3,500,000

Part 2 – Tennis Courts/Softball Field Reconstruction

Tennis Courts (full-depth construction, 6 courts, lighting, parking at new location)	\$840,000
Softball Field (full-depth and new location)	\$840,000
Basketball Court (new construction, 2 courts, one volley ball ct.)	<u>\$280,000</u>
Subtotal	<u>\$1,960,000</u>

Total (Parts 1 and 2)
\$5,460,000

Briefly, what this project envisions is:

- Reconstruction and improvement of the track including regrading, resurfacing, new drainage, fencing, and appropriate long jump, triple jump, shotput and discus facilities.
- Reconstruction and improvement of the synthetic turf field including regrading, new synthetic turf, new drainage, and new goal posts.
- Replacement of stadium lighting including more efficient lighting resulting in better energy efficiency and less light spillage.
- Replacement of bleachers, both home and away, including adequate storage under the bleachers and ADA compliance.
- Addition of bathrooms, as required by code.
- Reconstruction and improvement of tennis courts in front of the high school including adequate grading, drainage, color seal coating, fencing, tennis court features (nets, posts, etc.), lighting, and parking lot.
- Construction of new outdoor basketball court to complement the existing court (it will be located next to the existing court). Includes adequate grading, drainage, color seal coating, fencing, basketball posts, backboards rims, bleachers and lighting. Second court is being added due to community demand/need.
- Reconstruction and improvement of softball field to back of school including adequate grading, drainage, seeding, dugout benches and pads, foul poles, backstop, fencing,

bleachers and netting. Softball field will be regulation size which the current field is not.

In addition to repair and renovation, the proposed renovation will add ½ acre to the space inside the track, shift the footprint of the stadium complex to the north east to permit the swap between the tennis courts and the softball field, thus taking the tennis courts out of the Happy Hollow Wells Zone 1 Protection Area, and improve and expand the drainage of the newly constructed turf field, which enhances the protection of the Sudbury River Watershed.

A significant driver in the design of the athletic improvement plan is rooted in the effort to enhance the protection of both the Happy Hollow Wells as well as the Sudbury River Watershed. Watershed protection is enhanced by full reconstruction of the turf field, with improved and expanded drainage rather than mere resurfacing. Well protection is enhanced as a result of Part 2 of the Athletic Improvement Plan, which recommends swapping the locations of the tennis courts and the softball field. The swap was proposed in order to better protect the public water system, wetland resources, and the Sudbury River Watershed. It is considered a best practice to only allow water-supply-related activities in the Zone 1 protection area. The impervious surface of the tennis courts violates best practice by reducing the infiltration of storm water. As long as no further construction occurs, the swap is not legally required. Today, however, construction within the Zone 1 of the wells would be prohibited.

Progress Subsequent to ATM:

- The town continues its work with W&S to provide design services. Design documents have been completed and are currently going through the permitting process. Construction bid documents will be put out to bid in the fall of 2018.
- The Town continues its work with LEFTFIELD'S, LLC to serve as its OPM (Owner's Project Manager). The OPM is a project manager whose job is to oversee the project and to balance the competing interests of budget, schedule, and quality to ensure that projects have a good outcome. The OPM is a professional services firm whose job is to represent the interests of the Town, i.e. the Owner.
- The Permanent Municipal Building Committee (PMBC) continues to have oversight of the project. The PMBC and W&S have met regularly for the last year and the PMBC has value engineered the project, scaling back where possible. Further, key Wayland staff and W&S have scheduled weekly working meetings to ensure full vetting during the design process.
- Three community meetings were held including a turf public forum held on March 7, 2018 with additional turf and well head presentations to the PMBC on May 22, 2018 and June 26, 2018 (with other key boards represented).
- A neighborhood meeting was held June 20, 2018 to hear from abutters and those who live within close proximity to the project.
- The PMBC has incorporated input from the community, WHS athletics, various boards and committees to address concerns about public safety, environmental impact, drainage design and cost.
- The Town has contracted BSC Group, Inc to Peer Review the design by W&S at the recommendation of Wayland Conservation Commission. The peer review will include the project's compliance with the Massachusetts Wetlands Protection Act, MGL 131, Section 40; Massachusetts DEP Stormwater Handbook; Town of Wayland Bylaws, Chapter 193, Stormwater and Land Disturbance; and Town of Wayland Bylaws, Chapter 194, Wetlands and Water Resources Protection.
- The PMBC recommended the use of virgin crumb rubber for the infill material for the synthetic turf field on July 18, 2018 and the School Committee affirmed the recommendation with a 5-0 vote on July 23, 2018.
- The School Committee, through W&S, continues to work with the Department of Environmental Protection (DEP) to satisfy the outstanding Order of Conditions.

If construction funding is approved for this project, construction would be phased in two parts, once permitting is completed, starting with the repairs and renovation to the high school stadium complex followed by the tennis courts/softball field swap and renovation/construction of the outdoor basketball courts and parking lot.

Part of W&S's work includes the development of operations and maintenance manuals for the renovated athletic fields and facilities. The operations and maintenance of the fields and facilities

will be the responsibility of the School Department and the Department of Public Works as per their existing Memorandum of Understanding. This process will identify the maintenance and operating costs and allow for the necessary budgeting in the appropriate operating budgets.

The School Committee...
The Recreation Commission ...
The Board of Selectmen ...

ARGUMENTS IN FAVOR:

- Intermediary improvements to the deteriorating track are no longer cost effective. The track itself could fail before the spring 2018 season resulting in non-use for both the high school and community.
- The current high school synthetic turf field is at the end of its useful life and could fail before the fall 2019 season resulting in non-use for both the high school and community.
- The tennis courts are in need of repair. Two of the ten tennis courts have been taken offline due to disrepair and more may be taken offline before the spring season.
- Intermediary improvements to tennis courts are no longer cost effective. Temporary top coating isn't viable because the painting process would have chemicals running off into the well heads. Full reconstruction, i.e. digging out the current asphalt and replacing it, might not receive approval from the Conservation Commission.
- By not going ahead with these projects at the November Special Town Meeting, we increase the risk of not being able to use the outdoor athletic facilities due to failure and we risk increased costs to the town of having to pay for field rentals for a longer period of time.
- The high school stadium bleachers are not in ADA compliance.
- The stadium lights are inefficient compared to modern lights. Modern stadium lights will be more cost efficient and reduce the amount of light spillage to the surrounding neighbors.
- Without adequate stadium facilities, Wayland High School will be unable to host athletic events.
- The existing drainage at the synthetic turf field at the high school is questionable.
- Protecting the wells and the watershed is a high priority for the Town.
- A portion of the cost of this project is being funded with CPA funds, which have already been collected.
- Swapping of the tennis courts and the softball field will improve compliance with current Zone 1 Protection Area regulations.
- Moving the tennis courts out of the wet areas is thought to mitigate frequent and severe cracking, making maintenance and upkeep less expensive and intensive. E.G. If weeds emerge in their current location, they need to be pulled by hand since chemical weed killers are not permitted in the Zone 1 Wells Protection area.
- Moving the tennis courts will allow better access for the larger community without having to penetrate school grounds, thus improving security.
- The proposed relocation of the tennis courts has received generally good support at various public meetings on this issue.
- The proposed project adds an extra basketball court.
- The proposed softball field to be built in the back of the high school would be regulation size and permit proper orientation of the field (it is desirable that the line from home base through the pitchers plate to second base shall run East-Northeast).
- Should the wells become contaminated, the permitting process for a new well could take 10 years.
- In their design work for Part 2 of the Athletic Improvement Plan, W&S was advised that

the Town had not satisfied certain "Orders of Condition" imposed by Mass DEP under the Wetlands Protection Act when the current WHS artificial turf field was constructed. "Orders of Condition" are requirements of construction or ongoing operation imposed as a condition for building the project. W&S believes that under the proposed Parts 1 and 2 of the Athletic Improvement Plan, these Orders of Condition will be addressed and resolved to the satisfaction of Mass DEP.

ARGUMENTS OPPOSED:

- This project is only part of a \$8.1 million project referred to as the Wayland High School Athletic Improvement Master Plan. Consideration of Part 3 of the Master plan is being deferred to a later date. Although largely independent the total cost for the Master Plan is estimated at: \$4.93 MM for Part 1, \$1.72MM for Part 2 and \$1.5MM for Part 3. Some would argue that the Town should have a chance to weigh in on the entire concept before proceeding with construction funds on any one piece.
- Wayland's CPC is contributing \$350,000 towards the repair. There may be other allowed uses not yet brought to the attention of the Community Preservation Committee that might be better candidates for the use of these funds.
- Some would argue that from a cost-benefit perspective, minimal repairs to the stadium complex and tennis courts are sufficient. However, depending on the repair, it might or might not be permitted by the Conservation Commission.
- Although some of the high school facilities are currently in the Happy Hollow Wells Zone I Protection Area, their location is grandfathered and no impact to the water quality has as yet been detected. Some could argue the Town is incurring a significant extra cost to protect against an event that may never happen.
- There are other large capital projects competing for Town funding and management resources.
- Some would argue that this project needs to be phased in over several years to limit the impact on management resources and/or the tax rate.
- Some question whether the full reconstruction and improved drainage design will adequately protect the wells and the Watershed and they might argue that the Athletic Complex Renovation should be done with natural grass.
- The results of a highly anticipated study on the potential health hazards of synthetic fields with "crumb" rubber in-fill material, sponsored by the EPA, *Federal Research Action Plan on Recycled Tire Crumb Used on Playing Fields and Playgrounds*, is currently underway and due in xxxx. Some would argue that we should await the results of that study.
- The proposed project reduces the number of tennis courts from 10 to 6. It is possible to build 6 tennis courts at their current location and be completely outside the Zone 1 protection area. However, there would still be an impermeable surface in the Watershed, which violates best practice. And although clay or grass courts would be permeable, they both require chemicals and would be expensive to maintain.

RECOMMENDATION: The Finance Committee ...

QUANTUM OF VOTE: Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B and Chapter 44, Section 53. For borrowing, two-thirds – see Massachusetts General Laws Chapter 44, Sections 2 and 7.

For design related materials, go to www.wayland.k12.ma.us and click on 'Wayland High School Master Plan for Athletic Stadium and Fields'. For more information about this article, contact Jeanne Downs, chair of the School Committee, at jeanne_downs@wayland.k12.ma.us.



RECEIVED

AUG 27 2018

Board of Selectmen
Town of Wayland

TOWN OFFICE DATE / TIME STAMP HERE

11:31am

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

Sponsor & Contact Information

1. TOWN SPONSORING BODY:	COMMUNITY PRESERVATION COMMITTEE
2. DATE RECEIVED:	
3. CONTACT PERSON:	GRETCHEN G SCHULER
4. TELEPHONE:	508-358-7980 OR 508-245-4115 (CELL)
5. E-MAIL	GGSCHULER126@GMAIL.COM
6. TOWN SPONSORING BOARD VOTE AND DATE:	6-0-0 ON AUGUST 22, 2018
7. PROPOSED FUNDING SOURCE:	CPA

Article Information

8. ARTICLE TITLE (DRAFT):	APPROPRIATE PARTIAL CONSTRUCTION FUNDS FOR WAYLAND HIGH SCHOOL ATHLETIC FACILITIES IMPROVEMENTS
9. COST:	\$400,000
10. NO COST:	<input type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	

Article Text

12. TO DETERMINE WHETHER THE TOWN WILL VOTE TO:

- A) APPROPRIATE A SUM OF MONEY UP TO \$400,000 TO BE EXPENDED BY THE WAYLAND SCHOOL COMMITTEE AS PARTIAL FUNDING FOR THE CONSTRUCTION OF THE WAYLAND HIGH SCHOOL ATHLETIC FACILITIES – TENNIS COURT AND SOFTBALL FIELD SWAP, AND OUTDOOR BASKETBALL COURT RENOVATIONS AND ENHANCEMENTS.
- B) DETERMINE WHETHER SAID APPROPRIATION SHALL BE PROVIDED BY TAXATION, TRANSFER FROM UNAPPROPRIATED FUNDS, TRANSFER FROM AVAILABLE FUNDS APPROPRIATED FOR OTHER PURPOSES, BY BORROWING, OR OTHERWISE, PROVIDED THAT NOT MORE THAN \$400,000 OF THE FUNDS SO APPROPRIATED SHALL BE TRANSFERRED FROM THE COMMUNITY PRESERVATION FUND'S UNCOMMITTED FUND FOR RECREATIONAL USE.

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

The CPC voted to retain a balance of at least \$500,000 in the Uncommitted Fund, which is why the CPA recommended contribution to this project is substantially lower than the requested \$1.71 million.

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

THE SPONSOR OF THIS ARTICLE IS THE COMMUNITY PRESERVATION COMMITTEE (CPC). THEY ARE CHARGED WITH MAKING RECOMMENDATIONS FOR SPENDING COMMUNITY PRESERVATION FUNDS (CPF). THE FUNDING WILL COME FROM THE CPF'S UNCOMMITTED FUND. THE CPA'S MANDATE IS TO HELP TOWNS PRESERVE OPEN SPACE, HISTORIC SITES AND CREATE AFFORDABLE HOUSING. CPA FUNDS CAN ALSO BE USED FOR CERTAIN RECREATIONAL PURPOSES. AND THE RECOMMENDATION FOR THE USE OF COMMUNITY PRESERVATION FUNDS (CPF) FOR THIS PURPOSE IS CLEARLY WITHIN THE PROPER MANDATE OF THE PRESERVATION COMMITTEE.

PASSAGE OF THIS ARTICLE WOULD PERMIT THE TOWN TO APPROPRIATE UP TO \$400,000 FROM THE COMMUNITY PRESERVATION FUND (CPF) UNCOMMITTED FUND TO PARTIALLY FUND THE WAYLAND HIGH SCHOOL ATHLETIC FACILITIES IMPROVEMENT PLAN INCLUDING RELOCATING THE TENNIS COURTS OUT OF THE HAPPY HOLLOW WELLS ZONE 1 PROTECTION AREA AND REBUILDING THE TENNIS COURTS WHERE THE SOFTBALL FIELD IS CURRENTLY LOCATED AND RELOCATING AND BUILDING THE SOFTBALL FIELD WHERE THE TENNIS COURTS ARE CURRENTLY LOCATED; AND THE CONSTRUCTION OF A BASKETBALL COURT.

THE ATHLETIC FACILITIES IMPROVEMENT PLAN IS A LARGE PROJECT TO RENOVATE AND IMPROVE THE HIGH SCHOOL ATHLETIC FACILITY. THE DESIGN MONEY WAS FUNDED AT THE SPECIAL TOWN MEETING IN NOVEMBER 2017. CPA FUNDS WERE APPROPRIATED AT THAT STM FOR THE DESIGN OF THIS PART OF THE OVERALL PROJECT.

THE ATHLETIC IMPROVEMENT PLAN IS MORE FULLY DESCRIBED IN ANOTHER SECTION OF THIS WARRANT. IT SHOULD ALSO BE NOTED THAT CPF CANNOT BE SPENT FOR THIS PURPOSE UNLESS CONSTRUCTION OF THE ATHLETIC IMPROVEMENT PLAN IS APPROVED. APPROVAL OF THIS ARTICLE REDUCES THE COST FOR FUNDING OF THAT PART OF THE ATHLETIC FACILITIES IMPROVEMENT PLAN TO SWAP AND RECONSTRUCT TENNIS COURTS AND SOFTBALL FIELD AND CONSTRUCT OUTDOOR BASKETBALL COURT ONLY.

THE CURRENT COST ESTIMATE FOR THIS PART OF THE PLAN IS \$1.71 MILLION. ESTIMATES WERE PREPARED BY WESTON AND SAMPSON, THE TOWN'S ENGINEERING CONSULTANTS AND APPROVED BY THE PERMANENT MUNICIPAL BUILDING COMMITTEE.

THE USE OF CPA FUNDS FOR THIS PURPOSE IS CONSISTENT WITH THE CPC'S MISSION TO SUPPORT RECREATIONAL ACTIVITIES. CPA FUNDS HAVE ALREADY BEEN COLLECTED AND A FAVORABLE VOTE FOR THIS EXPENDITURE WILL NOT INCREASE THE TOWN'S TAX RATE.

THE CPC RECOMMENDS APPROVAL (6-0-0)

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

THERE MAY BE OTHER MORE PRESSING CPA INITIATIVES NOT KNOWN TO THE TOWN THAT MAY REQUIRE FUNDING IN THE FUTURE. THE USE OF \$400,000 FOR THIS PURPOSE WILL DIVERT IT FROM OTHER USES.

CHAIR'S (OR DESIGNEE'S) SIGNATURE & DATE: Gutierrez Schuler 8/27/18

**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.*

TOWN OFFICE DATE / TIME STAMP HERE

RECEIVED

AUG 30 2018

Board of Selectmen
Wayland

2:25 pm

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

Sponsor & Contact Information

1. TOWN SPONSORING BODY:	RECREATION COMMISSION
2. DATE RECEIVED:	
3. CONTACT PERSON:	ASA FOSTER, CHAIR
4. TELEPHONE:	(508) 358 -3660 – RECREATION OFFICE
5. E-MAIL	afoster@wayland.ma.us
6. TOWN SPONSORING BOARD VOTE AND DATE:	RECREATION COMMISSION, 4-0-0; AUGUST 20, 2018
7. PROPOSED FUNDING SOURCE:	APPROPRIATION BY TAXATION; PROP 2 ½ DEBT EXCLUSION; AND/OR STABILIZATION FUND;

Article Information

8. ARTICLE TITLE (DRAFT):	CONSTRUCTION OF A SYNTHETIC TURF ATHLETIC FIELD AT LOKER CONSERVATION & RECREATION AREA
9. COST:	3,100,000
10. NO COST:	<input type="checkbox"/>
11. DATE COST ESTIMATE AVAILABLE:	AUGUST 30, 2018

Article Text

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

To determine whether the Town will vote to:

- 1) Appropriate a sum of money of up to \$3,100,000 to be expended under the direction of the Wayland Recreation Commission for design, permitting, engineering and constructing a multi-purpose synthetic turf athletic playing field at the Loker Conservation & Recreation Area including playing surfaces, lighting, drainage, landscaping, recreational amenities, access and parking areas; and any and all other costs incidental or related thereto;
- 2) Provided for said appropriation by taxation, transfer from un-appropriated funds, transfer from available funds appropriate for other purposes, by borrowing, or otherwise, provided not more than 150,000 of the funds so appropriated be transferred from the Recreation Stabilization Fund for recreational use;

- 3) Authorize the Town Treasurer with the approval of the Board of Selectmen, to borrow said sum pursuant to G.L. c. 44, §57 or 8 or any other enabling authority, and issue bonds or notes of the Town therefor; and
- 4) Authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, to be applied to the payment of costs approved hereunder in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

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

This article requests \$3.1M for funding the construction of a multi-purpose synthetic turf athletic field at the Loker Conservation & Recreation Area. Of this, up to \$150,000 also to be transferred from the Recreation Stabilization Fund. These funds are anticipated to be expended in FY19 and FY20, and construction would be projected to be completed by Fall 2019.

This site is located at 412 Commonwealth Avenue; Assessor's Parcel 49-064B; it is a vacant parcel of land accessible from Route 30, just east of the intersection of Route 30 and Rice Road.

Site related materials, designs, schematics, minutes and deeds can be found at:

<http://waylandrec.com/facilities/capital-projects/loker/>

The Town acquired this 28.20 acre site from the Dow Chemical Company in 2000. The proposed area for construction of the new field is a vacant lot that is deeded for recreational use. At Annual Town Meeting in 2004, 8.37 acres of this property was delineated for recreational use. All of the premises are conveyed with the limitation that it be used only for recreation and conservation. The parcels contain a restriction that it shall not be used for the sale, lease, rental or use as a single family, multi-family, or other type of temporary or permanent residence. Nearest neighbors average over 500 feet away from the proposed playing field.

At Special Town Meeting in November 2017, residents approved an article for the allocation of \$154,000 of Recreation Stabilization Funds to design a Synthetic Turf Athletic Playing Field at Loker Conservation & Recreation Site, completed in the summer of 2018.

The Board of Selectman has assigned this project to be managed by the PERMANENT MUNICIPAL BUILDING COMMITTEE (PMBC) in conjunction with the phases of the Wayland High School Athletic fields' renovation; (Articles X).

At Spring Annual Town Meeting, the Recreation Commission made a motion pass over this construction article to allow the required studies and design services to be completed, and further mitigate neighbors' concerns. (See progress since Spring ATM section.

Since then, the PMBC has had significant oversight of the design process that was completed in the summer of 2018; producing more accurate project costs, which include all the projects amenities, parking, access, lighting and project costs.

The Recreation Commission now recommends the construction of a synthetic turf multi-purpose athletic field on the recreation portion of the Loker Site.

Progress since Spring ATM:

- The Town continued its work with WESTON & SAMPSON ENGINEERS, INC. to provide design services, traffic studies, lighting impacts, toxicology risk assessments, and soil and tree assessments.
- Design documents have been completed. Construction bid documents will be put out to bid in the fall of 2018. Construction documents include detailed plan drawings and technical specifications from which bids will be obtained and the project can be constructed. All required permits will be obtained through this process. This will include conservation permits for Stormwater, Land Disturbance and Wetlands and Water Protection, which are typical permits for similar types of developments. At request of neighbors, a traffic study was conducted to measure traffic and pedestrian flow of the site, which is atypical for this type of project.
- The Town continues its work with LEFTFIELD, LLC, who serves as its OPM (Owner's Project Manager). The OPM is a project manager whose job is to oversee the project and to balance the competing interests of budget, schedule, and quality to ensure that projects have a good outcome. The OPM is a professional services firm whose job is to represent the interests of the Town, i.e. the Owner.
- The Town contracted BSC GROUP, INC. to Peer Review the design by WESTON & SAMPSON ENGINEERS, INC. at the recommendations of the Conservation Commission.

Specifically, the peer review will include the project's compliance with the following:

- Massachusetts Wetlands Protection Act, MGL Chapter 131, Section 40.
- Massachusetts Department of Environmental Protection (DEP) Stormwater Handbook.
- The Town of Wayland Bylaws, Chapter 193, Stormwater and Land Disturbance.
- The Town of Wayland Bylaws, Chapter 194, Wetlands and Water Resources Protection.
- The PERMANENT MUNICIPAL BUILDING COMMITTEE (PMBC) continues to have oversight of the project. The PMBC, W&S and Town Staff have met regularly for the last year and the PMBC has value engineered the project.
- Public Safety have reviewed the plans and/or made recommendations to the designers regarding emergency response and traffic.
- The Planning Board will require a Site Plan Approval that will include considerations for lighting, drainage, bathroom facilities, traffic, noise, access, signage, and parking.

Numerous public forums, hearings, studies, and site visits were held to examine and mitigate concerns around this project:

- Public Meeting #1 Natural Grass and Synthetic Turf Field Systems (09/12/2017)
- Public Information Sessions on the merits and characteristics of synthetic turf sports field systems and natural turf sports field systems, and proposed field at Loker Recreation Site
- Public Meeting #2 Loker Recreation Site Neighborhood Meeting Minutes (09/25/2017)
- Board of Health Meeting regarding Crumb Rubber (11/13/2017)
- Preliminary Conservation Commission Project Review Meeting (1/21/2017)
- Public Meeting #3 Loker Neighborhood Meeting (3/7/3018)
- Public Meeting #4 Grass and Synthetic Turf Field Systems and Infill Options (3/14/2018)
- Public Meeting #5 PMBC Info regarding Infill Materials and Well Heads (5/22/2018)
- Public Meeting #6 Loker Neighborhood Meeting (Stormwater, Traffic, Lights) (5/23/2018)
- Public Meeting #7 Loker Site Walkthrough (06/23/2018)
- Public Meeting #8-#10 Conservation Permit hearing (8/16/2018, 8/23/2018, 9/13/2018)

While the cost of developing a synthetic turf field is estimated to be 2.5 the cost of a grass field, this additional upfront cost is offset by lower annual maintenance costs; the need for fewer synthetic turf fields than grass fields; and the ability to reach significantly greater playing time on synthetic turf fields than on grass fields.

The level of overall cost savings varies, depending upon assumptions such as the number of additional hours for which synthetic turf can be played upon compared to grass fields and the actual annual maintenance cost for each; however, such arguments suggest that the cost savings is by a factor of 1.5 to 3.0 times for synthetic turf over grass, over an estimated 10-year life of a synthetic turf field.

See the information in the WESTON AND SAMPSON, INC report (provided electronically as an Exhibit to Article 11 of the November 2017 Special Town Meeting Warrant). Maintenance of natural areas, trash and recycling, restroom facilities and parking areas will be performed by the Department of Public Works (DPW) and facilitated through the Memorandum of Understanding (MOU) process. The MOU is an agreement among the School Committee, the Recreation Commission and the Board of Public Works. Other maintenance will be managed through the Recreation Department, and funded by user fees.

An exhibit with the design schematics for this project can be found in Appendix X.

The Board of Selectmen... (x-x-x)

The Permanent Municipal Building Committee... (x-x-x)

The Recreation Commission recommends approval. (4-0-0)

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

Wayland Recreation Commission are sponsoring this project:

- 1) To provide appropriate and safe fields in Wayland;
- 2) To utilize a recreation site that has been vacant since 2000, while current fields fail to meet the demand of field users.
- 3) To alleviate the severe overuse of existing recreation grass fields. An additional turf field will accommodate about 50% of the current over-usage of current fields.
- 4) A new turf field will allow for the rest and rehabilitation of existing recreation fields that need repair. Existing conditions of Wayland grass fields are deteriorating and deficient. Rehabilitation would ensure safer playing venues for all Town residents.
- 5) Wayland fields sit on very wet terrain; each spring Wayland typically opens its grass fields weeks after other towns are able to play on their fields.
- 6) A natural grass field would not offer the same benefit as a synthetic turf would; up to three grass fields are needed to accommodate the usage of a single synthetic turf field with lights. The average cost to maintain a synthetic turf field (\$10,000-\$15,000 annually) is less than the average cost to maintain a grass field (\$25,000-\$50,000 annually).
- 7) Synthetic turf requires no mowing, painting, fertilizers, irrigation, saving thousands of gallons of water per year, while also taking a tremendous burden off the DPW.
- 8) The addition of a turf field with lighting will become increasingly more important if Wayland Public Schools follow the national trend to shift school start times later in the day. Later start times could prevent youth sports and recreation programs from having access to any school fields, and result in turning youth away from those programs.
- 9) Wayland is the only community in the Dual County League that doesn't have multiple turf fields to support its programs.
- 10) To provide an alternate site and continuity of athletic programming during the period the High School Athletic facilities and fields may be under construction (see Articles X in this Warrant).
- 11) Constructing this project now, in conjunction with the proposed High School field renovations (Articles X), will maximize financial efficiencies.
- 12) To allow the Recreation Department to enhance and expand current program offerings for preschool, adult and senior groups.

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

- Neighbors have raised concerns about the negative impact of increasing traffic, noise, security and lighting; stormwater run-off, as well as concerns of increased zinc levels.
- The results of a highly anticipated study on the potential health hazards of synthetic fields with "crumb" rubber infill material, sponsored by the EPA, Federal Research Action Plan on Recycled Tire Crumb Used on Playing Fields and Playgrounds (<http://bit.ly/1YwgRHu>), is currently underway and due in 2018. Some would argue to await the results of that study.
- Residents have expressed concerns regarding this turf project for the following reasons:
 - health concerns raised by many across the United States with regard to the potential that materials in the synthetic turf, and particularly crumb rubber
 - health concerns caused by synthetic fields becoming too hot in summer months;

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

 8/30/18

QUANTUM OF VOTE:

Majority – see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B.
Two-thirds vote if borrowing, see Massachusetts General Laws Chapter 44, Sections 2, 7, and 8. For appropriates from the Recreation Stabilization Fund, two-thirds – see Massachusetts General Laws Chapter 40, Section 5B.

For more information about this article, contact Asa Foster, Chair of the Recreation Commission, at afoster@wayland.ma.us

***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.

7/24/18 NFB



LOKER CONSERVATION + RECREATION AREA PROPOSED FIELD

2018



PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

LEAD PETITIONER John Sax DATE RECEIVED _____
DAY PHONE 781 248 4006 EVENING PHONE 508 655 2003
TITLE President Willow Brook Condominium Association Board
TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE Recreation Commission
ESTIMATED COST \$1,500,000
ARTICLE: LOKER CONSERVATION AREA GRASS ATHLETIC FIELD To determine
whether the Town will vote to:

Board of Selectmen
Town of Wayland

AUG 27 2018

RECEIVED

1:28 pm

Proposed by: Petitioner

- 1) appropriate a sum of money of up to one-million five hundred thousand dollars to be expended under the direction of the Wayland Recreation Commission for the permitting, design, engineering, and construction of a multi-purpose grass athletic playing field (soccer U12 size 165' x 240') at the Loker Conservation-& Recreation Area including playing surfaces, drainage, landscaping, traffic (including a Rt 30 traffic congestion mitigation plan to deal with Loker field traffic), access (must meet all state and local emergency vehicle access requirements) and parking and any and all other costs incidental or related thereto;
- 2) determine whether said appropriation should be provided by taxation, transfer from unappropriated funds, transfer from available funds appropriated for other purposes, by borrowing, or otherwise;
- 3) authorize the Treasurer with the approval of the Board of Selectmen, to borrow said sum pursuant to G.L. c. 44, §§7 or 8 or any other enabling authority, and issue bonds or notes of the Town therefor; and
- 4) authorize any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, to be applied to the payment of costs approved hereunder in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs.

Add comments and pro and con arguments on the next page. Thank you.

#	Print Name Legibly	Signature	Print Street Address
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

Page 2 of 4

III. EXPLANATORY INFORMATION

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

The purpose of this article is to fund a multi-purpose grass athletic field at the Loker Conservation and Recreation Area (Loker) to meet the following needs as stated by the Recreation Commission.

- 1) To provide appropriate fields to meet the current demand of Wayland users.
- 2) To alleviate the overuse of existing recreation facilities in Wayland.
- 3) To allow for the rehabilitation of existing recreation fields that need repair. Existing conditions are deteriorating and deficient. Rehabilitation would ensure safer playing venues for all Town residents.
- 4) To provide continuity of programming for practice and competition within the Town during the period the High School athletic facilities and fields may be under construction (see Articles 25 and 26 in this Warrant).
- 5) To allow the Recreation Department to enhance and expand current program offerings for preschool, adult and senior groups.

At Special Town Meeting in November 2017, residents approved an article for the allocation of \$154,000 of Recreation Stabilization Funds to design an athletic playing field at the Loker site.

The Town acquired the 28.20 acre Loker site from the Dow Chemical Company in 2000. Most of the proposed area for construction of the new field is a vacant lot of open land that is deeded for recreational use. At Annual Town Meeting in 2004, 8.37 acres of this property was delineated for recreational use. All of the premises are conveyed with the limitation that the premises be used only for recreation and conservation. The parcels contain a restriction that they shall not be used for the sale, lease, rental or use as a single family, multi-family, or other type of temporary or permanent residence.

The Town has contracted with Weston & Sampson for the design of this project. The Owner's Project Manager (OPM) is LeftField, LLC, working with Weston & Sampson to oversee this project. Construction documents will include detailed plan drawings and technical specifications from which bids can be obtained and the project can be constructed. All required permits will be obtained through this process. This will include conservation permits for land disturbance and wetlands and water protection, which are typical permits for similar types of developments. A traffic study will be conducted to measure traffic and pedestrian flow. Site Plan Approval will include considerations, drainage, bathroom facilities, traffic, noise, access, signage, and parking. It will also meet all state and local access requirement regulations for emergency vehicle access to the Loker site. This proposal is for a grass field to reduce traffic and noise to acceptable levels. A grass field is required to prevent water pollution of nearby wetlands with toxic zinc in excess of EPA guidelines.

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

Page 3 of 4

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

The grass field is proposed as an alternative to an artificial turf field, for the following reasons.

- 1) **ADDS AN ADDITIONAL RECREATION FIELD:** The project will create an additional multiuse field for Wayland youth sports.
- 2) **COST SAVINGS:** Capital cost estimates for an artificial turf field escalated from \$2 million to nearly \$3 million during the design process. Add \$724,500 in financing costs, and the total cost of the artificial turf field is \$3,724,500. Based on eliminating artificial turf field and lighting costs from Weston and Sampson's Loker project cost estimate, a grass field would cost half as much: \$1.5 million capital cost plus \$371,250 in financing. While a grass field is less usable than an artificial turf field, the total cost of \$1,871,250 would pay for almost 10 years of field rental for 6 months of the year for 5 hours per day every day of the week at current soccer field rental rates. This means it would be much less expensive to rent a field when needed than it would be to build an artificial turf field because it has more available hours of use.
- 3) **DOES NOT POLLUTE WETLANDS:** A grass field would not leach pollutants to the nearby wetlands. Artificial turf fields throw off crumb rubber dust and micro plastic from artificial turf. Studies based on scientific measurements on actual fields have shown that rain water runoff from artificial turf fields leaches zinc at up to four (4) times the EPA guidelines for aquatic life. Since the proposed field is within the Loker wetlands buffer zone, and since there is a direct water flow between the Loker wetlands and Willow Brook wetlands, zinc at those levels from an artificial turf field would be toxic to aquatic life in Loker and Willow Brook wetlands.
- 4) **LESS DANGER OF SEVERE BURNS AND HEAT ILLNESS DURING SUNNY SUMMER WEATHER:** A grass field would be available on hot sunny days in the summer. Artificial turf field temperatures can reach 160F on sunny days, which is dangerously hot for players of any age. With climate change the number of hot sunny days is increasing, which would increase the danger to players and reduce the availability of the field during sunny days.
- 5) **LESS TRAFFIC CONGESTION:** The roads leading to and around the Loker property are very congested. At times the traffic comes close to the tipping point of complete gridlock at the Rice Road/ Rt 30 intersection. While the actual number of cars traveling to Loker for athletic events will constitute a small percentage of rush hour traffic, those cars will be much more disruptive because they have to cross Rt 30 westbound rush hour traffic to get onto the Loker property. Cars waiting to enter Loker from Rt 30 eastbound will cause a significant backup that will often reach beyond the Rice Road Rt 30 intersections. The frequency of reaching the gridlock tipping point at the intersection is proportional to the number of cars going to the Loker site during rush hour. While a grass field will not guarantee that gridlock will not occur, a lower-use grass field will make traffic gridlock less likely.

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

- 1) An artificial turf field would provide more playing time than a grass field. The convenience to Wayland of having a more available field is worth \$1.5million in capital costs and \$371,250 in finance costs.

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

Page 4 of 4

4. PETITIONER'S COMMENTS:

The proposed field is a compromise for the Loker recreation property development. It meets many requirements of both residents and the Recreation Commission.

- 1) It creates an additional athletic field for Wayland youth sports.
- 2) It reduces the cost of the field by 50% at a time when the town needs money for many other purposes.
- 3) A grass field eliminates the threat of pollution to Loker and Willow Brook wetlands by crumb rubber dust, micro plastic pollution from artificial grass, and zinc-laden water at 4 times EPA guidelines for aquatic life as documented in published peer reviewed research papers.
- 4) Grass fields are safer on sunny days. Artificial turf fields surface temperatures can reach 160F, which can cause severe burns and heat stroke.
- 5) While Loker field traffic will severely affect Rt 30 rush hour traffic, the chances of complete gridlock will be reduced by a lower-use grass field.

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

RECEIVED

AUG 30 2018

LEAD PETITIONER Tom Gulley/Duane Galbi DATE RECEIVED Board of Selectmen
Town of Wayland

DAY PHONE 781-899-0378 EVENING PHONE _____

TITLE Limit Discharge of Weapons in Town of Wayland

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE _____

ESTIMATED COST none

ARTICLE: To determine whether the Town will vote to

Amend §139-8 of Chapter 139 of the code of the Town of Wayland by deleting said section and replacing with the following new section 139-8:

A. No person shall carry uncased or unholstered firearms, rifles, shotguns, or pistols or discharge explosives on public property without the prior written permission of the Board of Selectmen or on private property without the written permission of its owner.

B. No person shall fire or discharge any type of firearm, rifle, shotgun, or pistol on land within the confines of the Town unless they are at least 1000 feet from the nearest dwelling and 1000 feet within the property line of said land.

C. This section does not apply to the lawful defense of life or property or to any person in the performance of some legal duty or to the otherwise lawful discharge of blank ammunition.

2:29 pm
TH

**TOWN OF WAYLAND
REQUEST FOR TOWN MEETING ARTICLE**

Sponsor & Contact Information	
1. SPONSOR:	BOARD OF PUBLIC WORKS
2. DATE RECEIVED:	AUGUST 30, 2018
3. CONTACT PERSON:	TOM HOLDER DPW DIRECTOR
4. TELEPHONE/DAY:	(508) 358-3678
5. TELEPHONE/EVENING:	
6. BOARD VOTE:	4-1-0
7. DATE OF BOARD VOTE:	AUGUST 28, 2018
8. PROPOSED FUNDING SOURCE:	WATER ENTERPRISE FUND
Article Information	
9. ARTICLE TITLE:	ADVANCED WATER METER READING INFRASTRUCTURE
10. COST:	\$1,630,000
11. NO COST:	<input type="checkbox"/>
12. DATE COST ESTIMATE AVAILABLE:	
Article Text	

SPONSOR'S ARTICLE TEXT:

To determine whether the Town will authorize the Board of Public Works to:

- a) appropriate the sum of \$1,630,000 to purchase and install advanced water meter reading equipment and software to enable customers to track their water use; and
- b) determine whether said appropriation shall be provided by transfer from the Water Enterprise Fund.

SPONSOR'S COMMENTS:

Advanced metering infrastructure (AMI) takes hourly automatic water metering readings, transferring them once daily to a Water Division computer for monitoring and billing. AMI eliminates the need to physically go to a customer property to read a meter. An AMI 'end-point' device is added to existing meter and uses radio communication to send encrypted data. If transmission is unavailable or interrupted, the AMI device can store multiple days' readings and send them later.

Digital transmissions are from the exterior of the home, at a low power, typically that of a cell phone text message, lasting 1-2 seconds. Transmitted data is encrypted.

AMI will all but eliminate lost water from leaks, greatly reduce billing errors, help conserve water, and enable more frequent billing as required by our next DEP water withdrawal permit

AMI enables customers to monitor their usage with a cell phone or web app, setting their own thresholds for usage alerts and providing information to better manage household consumption and costs. AMI alerts the Water Division

to abnormal usage patterns so they can notify customers of possible leaks.

For those who wish to have their meter read manually, there will be an OPT-OUT provision available.

FINANCE COMMITTEE DRAFT COMMENTS (UP TO 500 WORDS):

Passage of this article would allow the BoPW to appropriate \$1,630,000 from the Water Enterprise Fund for the purchase and installation of water meter reading technology.

The current water meter reading system has been in use since 1996. Equipment breakdowns and malfunctions have caused delays in Water Billing in each of the last 3 years, raising concerns of our auditors, and distortions in bills to water customers. The expected useful service life of a water meter reading system is 20 years.

Updating the water meter reading technology will improve the billing accuracy, improve customer service, minimize time and cost to read and invoice customer, conserve water by rapid notification of abnormal use, and minimize water abatements.

Passing this article will have no effect on taxation.

FINANCE COMMITTEE DRAFT PROS (4-6 POINTS):

- Replaces aging, inefficient, and unreliable meter reading system
- Helps meet regulatory requirements of our Water Management Act water withdrawal permit
- improves customer service – daily reads/quarterly billing/accuracy
- Provides Online customer access app – customer portal
- Sends Conservation alerts to Water Division and customer for water leaks/abnormal consumption patterns.
- Reduces lost water & abatements – lowering the overall system costs and supporting our "Green Community" ethos.

FINANCE COMMITTEE DRAFT CONS (4-6 POINTS)

- Funds could be used instead to lower water rates.
- Some have health concerns over radio transmissions if an OPT-OUT policy is not offered, or is too costly.