

BOARD OF SELECTMEN  
221 MAIN STREET  
BOYLSTON, MA 01505

U.S. POSTAGE PAID  
PERMIT #3  
BOYLSTON, MA

**MAIL TO:**  
**POSTAL PATRON LOCAL**  
**BOYLSTON, MA 01505**

**COMMONWEALTH OF MASSACHUSETTS**

**Town of Boylston, Massachusetts**

**Special Town Meeting**

**November 6, 2017**

# WARRANT FOR THE SPECIAL TOWN MEETING

November 6, 2017

## COMMONWEALTH OF MASSACHUSETTS

WORCESTER: SS

BOYLSTON

To either of the Constables of the Town of Boylston in the County of Worcester within the Commonwealth aforesaid:

### GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the

1. **SPECIAL TOWN MEETING – November 6, 2017** on Monday the sixth (6<sup>th</sup>) day of November, 2017 AD, at seven o'clock (7:00) P.M., at the Tahanto Regional High School Auditorium, 1001 Main Street, Boylston, MA, to take any action relative to the business of the Town as set forth in Articles one (1) through thirteen (13) of this warrant; and if necessary, at its adjournment which shall be Tuesday, the seventh (7<sup>th</sup>) day of November 2017 AD at seven o'clock (7:00) P.M. at the Tahanto Regional High School Auditorium;

**ARTICLE 1:** To see if the Town will vote to make the following changes to **Section 1.04 Definitions** of the Zoning Bylaws:

Replace Section 1.04.18 with the following:

#### 18. DWELLING

- a. Single-Family Detached: A building consisting of one (1) dwelling unit occupying one (1) lot.
- b. Two-Family: A building consisting of two (2) dwelling units, whether one above the other or side by side and separated from the other by a vertical party wall or vertical double wall, in a single building occupying one (1) lot.

Add Section 1.04.19 as follows:

#### 19. DWELLING UNIT

A single unit within a dwelling which provides complete, independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.



Replace Section 1.04.19 with the following and renumber accordingly:

## 20. FAMILY

Any number of persons related by blood or marriage living in the same dwelling unit, or not more than five (5) persons unrelated by blood or marriage living together as a single housekeeping unit, but not including a group occupying a boarding house, club, fraternity or hotel.

### **Sponsor: Planning Board**

**ARTICLE 2:** To see if the Town will vote to make the following change to **Section 5 Senior Residential Development** of the Zoning Bylaws:

Replace Section 5.03.03.A with the following:

5.03.03.A. The tract of land for an SRD must contain at least eight and one-half (8.5) acres and have at least 150 feet of continuous frontage on an existing Town public way.

### **Sponsor: Planning Board**

**ARTICLE 3:** To see if the Town will vote to make the following changes to **Section 5 Senior Residential Development** of the Zoning Bylaws:

Delete Section 5.03.04.C Maximum Residential Density and replace it with the following:

Notwithstanding the requirements stated in Section 9.03.02 with respect to density on a single lot, the residential density in an SRD may be increased by the Planning Board up to four (4) dwelling units per 45,000 square feet of developable area, or eight (8) bedrooms per acre of developable area; provided that the applicant shall, as a condition for the grant of the SRD special permit, (i) provide Common Land open space in excess of the minimum set forth in Section 5.03.05, (ii) designate fifteen percent 15% of the SRD units as affordable housing units that count towards the Town's Subsidized Housing Inventory, (iii) complete certain traffic or pedestrian improvements beneficial to SRD residents and the Town as a whole, or (iv) provide some combination of items (i), (ii), and (iii) acceptable to the Planning Board. For the purpose of this computation, the "developable" area shall be the total area of the tract, including the Common Land, but excluding all wetlands, 100-year floodplains and areas subject to valid open space restrictions in existence at the time an SRD application is submitted.

Append to Section 5.04.07 Planning Board Action:

5.04.07.A.6. the ability of the public infrastructure, such as water, roads, , drainage, sewerage systems, or any other public infrastructure system to support the proposed development without causing impacts that would adversely affect health, safety, or the general welfare.



Append to Section 5.04.08 Special Permit Conditions:

When reviewing an application for an SRD special permit, the Planning Board shall analyze the proposal to determine what, if any, extraordinary public improvements are necessary to accommodate or service the project. The applicant shall be required, as a condition of the SRD special permit, to provide such needed improvements at no cost to the Town, or alternatively, to offset the expense of such improvements to be provided by the Town. The Planning Board shall engage a consultant at the expense of the applicant to estimate the costs of any such improvements.

**Sponsor: Planning Board**

**ARTICLE 4:** To see if the Town will vote to make the following change to **Section 5 Senior Residential Development** of the Zoning Bylaws:

Delete Section 5.03.04.B(1)(b) requiring residential buildings be set back 75 feet from a public way or the boundary of the SRD.

Add a new Section 5.03.04.B(2) as follows:

Notwithstanding the foregoing or any other provision of the Zoning By-Laws to the contrary, the Planning Board may authorize reduced setbacks and parking requirements for an SRD development if the Planning Board finds that such reduced setbacks or parking requirements will result in a more desirable design.

**Sponsor: Planning Board**

**ARTICLE 5:** To see if the Town will vote to amend the Zoning By-Laws for the Town of Boylston, Massachusetts, Section 4 Subsection 4.02.02 to add the following use and description of permitted zoning districts:

	RR	R	GR	VB	HR	NB	RB	C	H	IP	FBD	MUI
Multifamily Apartment Building	N	N	N	N	N	N	N	N	N	N	N	Y

**Sponsor: Property Owner**

**ARTICLE 6:** To see if the Town will vote to amend the Zoning By-Laws for the Town of Boylston, Massachusetts by adding to Section 1.04 the following definition:

Multifamily Apartment Building: A building arranged for occupancy by more than two (2) family units.

**Sponsor: Property Owner**



**ARTICLE 7:** To see if the Town will vote to rezone a portion of the property shown on Assessor's Map 17 Lot 39 for inclusion in the Mixed use Industrial District. Map and legal description are available for viewing during normal business hours at the Town Clerks Office.

**SPONSOR: Property Owner**

**ARTICLE 8:** To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the enactment of special legislation, as follows, to authorize the Town to issue an additional three (3) licenses for the sale of all alcoholic beverages to be drunk on the premises, 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 thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition; or act in any other way thereon:

AN ACT AUTHORIZING THE TOWN OF BOYLSTON TO GRANT 3 ADDITIONAL LICENSES FOR THE SALE OF ALL ALCOHOLIC BEVERAGES TO BE DRUNK ON THE PREMISES

*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. (a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the town of Boylston may grant 3 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138. The licenses shall be subject to all of said chapter 138, except said section 17.

(b) Notwithstanding said section 12 of said chapter 138, the licensing authority may restrict the licenses granted pursuant to this act to holders of common victualler licenses.

(c) The licensing authority of the town of Boylston shall not approve the transfer of a license granted pursuant to this act to any other location, but it may grant the license to a new applicant at the same location if the applicant files a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

(d) If a license granted pursuant to this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant under the same conditions as specified in this act.

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

**Sponsor: Board of Selectmen**  
**Finance Committee Recommendation:**



**ARTICLE 9:** To see if the Town will authorize the Board of Selectmen to dispose of, by sale, a parcel of Town-owned land located on School Street, containing 3.7 acres, shown on Assessors Map 12 Parcel 10, and described in a deed recorded with the Worcester District Registry of Deeds in Book 37704, Page 137, the Board of Selectmen having determined that said land is no longer needed for public purposes; or act in any other way thereon.

**Sponsor: Board of Selectmen**

**Finance Committee Recommendation:**

**ARTICLE 10:** To see if the Town will vote to:

1. Authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain, the following parcels of land:

A parcel of land on School Street, Boylston, MA which is owned by the Worcester Sportsmen Club. The parcel contains 1.30 acres and is shown on Assessor's Map 9 Parcel 19, and is described in Volume 3905 Page 284 at the Worcester County Registry of Deeds. The property is owned by the Worcester Sportsmen Club

A parcel on School Street, and Cross Street, Boylston, MA, containing .445 acres and shown as Assessor's Map 13 Parcel 22 and is described in Volume 3905 Page 284 at the Worcester County Registry of Deeds. The property is owned by the Worcester Sportsmen Club.

A portion land running through the 2.78 acre parcel shown on Assessor's Map 9 Parcel 14 and described in Volume 40462 Page 14 at the Worcester County Registry of Deeds.

2. Transfer from available funds in the Treasury, a sum of money not to exceed \$150,000.00 to pay for said acquisition, and engineering costs for a roadway connecting Route 140 and School/Cross Streets. .

**Sponsor: Board of Selectmen**

**Finance Committee Recommendation:**

**ARTICLE 11:** To see if the Town will vote to:

1. Authorize the Board of Selectmen to acquire by gift or purchase a parcel of land currently owned by the Red Knights International Firefighters Motorcycle Club, Inc. located at 595 Main Street, containing approximately 1.0692 acres, and shown as Parcel A on a plan of land entitled:



Boylston, Massachusetts,  
owned by:  
Parcel A & B: Red Knights International  
Motorcycle Club, Inc.,  
Parcel C: Town of Boylston

on file with the Town Clerk and available for public inspection during regular Town Hall business hours;

2. Authorize the Board of Selectmen to dispose of, by sale, a parcel of Town-owned land located at 599 Main Street, containing approximately .3845 acres, and shown as Parcel C on a plan of land entitled:

Boylston, Massachusetts,  
owned by:  
Parcel A & B: Red Knights International  
Motorcycle Club, Inc.,  
Parcel C: Town of Boylston

on file with the Town Clerk and available for public inspection during regular Town Hall business hours;

3. Authorize the Board of Selectmen to enter into a land exchange agreement between the Town and the Red Knights International Firefighters Motorcycle Club, Inc. to set forth the terms and conditions of an exchange of the referenced parcels; and
4. Authorize the Board of Selectmen to petition the General Court for the enactment of special legislation, as follows, to authorize a land exchange agreement between the Town and the Red Knights International Firefighters Motorcycle Club, Inc., 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 thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition; or act in any other way thereon:

AN ACT AUTHORIZING THE BOYLSTON BOARD OF SELECTMEN TO ENTER INTO A LAND EXCHANGE AGREEMENT WITH THE RED KNIGHTS INTERNATIONAL FIREFIGHTERS MOTORCYCLE CLUB, INC.

Section 1. Notwithstanding the chapter 30B and chapter 40 of the General Laws as to the sale and purchase of land and every other general and special act to the contrary, the board of selectmen of the town of Boylston may enter into a land exchange purchase and sale agreement for the purchase of land from the Red Knights International Firefighters Motorcycle Club, Inc.,



located at 595 Main Street in the town of Boylston and the sale of land to the Red Knights International Firefighters Motorcycle Club, Inc., located at 595 Main Street in the town of Boylston.

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

**Sponsor: Board of Selectmen**

**Finance Committee Recommendation:**

**ARTICLE 12:** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$30,000.00 for the purpose of installing a Fire Detection System in the Fire Department Building; or act in any other way thereon.

**Sponsor: Board of Selectmen**

**Finance Committee Recommendation:**

**ARTICLE 13:** To see if the Town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$3,600.00 for the purpose of replacing the Police Department's portable radio batteries and microphones; or act in any other way thereon.

**Sponsor: Board of Selectmen**

**Finance Committee Recommendation:**

**ARTICLE 14:** To see if the town will vote to transfer from available funds in the Treasury and appropriate a sum not to exceed \$4,400.00 for the purpose of purchasing two sets of structural firefighting turnout gear; or act in any other way thereon.

**Sponsor: Board of Selectmen**

**Finance Committee Recommendation:**

And you are hereby directed to serve this warrant by posting up attested copies thereof, one at the Municipal Office Building (Town Hall), one at the Boylston Post Office, one at the Public Library and one at the Boylston Light Department over fourteen (14) days and two (2) Sabbath days at least before the time of holding said meeting.

Hereof, fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of the meeting aforesaid.



**Given our hands this 10<sup>th</sup> (tenth) day of November, in the year two-thousand and seventeen**

**Boylston Board of Selectmen**

---

Michael May

---

James N. Wood, Chairman

---

James Underwood