

**Warrant
For
Town Meeting**

**November 13, 2017
TOWN OF WRENTHAM**

**The Commonwealth of Massachusetts
Norfolk:
To the Constables of the Town of Wrentham in the County of Norfolk:**

Greetings:

You are hereby required in the name of the Commonwealth of Massachusetts, to notify and warn the qualified voters of said Town of Wrentham to assemble at the King Philip Regional High School, 201 Franklin Street, Wrentham, MA, at 7:30 p.m. on Monday, November 13, 2017 then and there to act on the following articles:

ARTICLE 1: For the Board of Selectmen to recognize the Town of Wrentham's 2017 Volunteer(s) of the Year, or take any other action relative thereto. (Board of Selectmen)

ARTICLE 2: To consider the reports of the Town Officers of any committee or commission and act thereon, or take any other action relative thereto. (Board of Selectmen)

Unpaid Bills

ARTICLE 3: To see what action the Town will take with regard to unpaid bills outstanding, or overdrafts from prior year(s), to vote to raise and appropriate, to appropriate by transfer from unappropriated available funds in the treasury, or appropriate by transfer from funds previously appropriated to other accounts, a sum of money for the same, or take any other action relative thereto. (Finance Committee)

FY17 Budget – Supplemental Budget Items

ARTICLE 4: To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds in the treasury, or appropriate by transfer from funds previously appropriated to other accounts, a sum of money to supplement the current Fiscal Year 2018 operating budgets, or take any other action relative thereto. (Finance Committee)

Ratification of Collective Bargaining Agreements

ARTICLE 5: To see if the Town will vote to raise and appropriate, to appropriate by transfer from available funds in the treasury or appropriate by transfer from funds

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previously appropriated to other accounts, a sum of money to fund the Wrentham Clerical Union Contract, or take any other action relative thereto. (Finance Committee)

ARTICLE 6: To see if the Town will vote to raise and appropriate, to appropriate by transfer from available funds in the treasury or appropriate by transfer from funds previously appropriated to other accounts, a sum of money to fund the Wrentham Department of Public Works Contract, or take any other action relative thereto. (Finance Committee)

ARTICLE 7: To see if the Town will vote to raise and appropriate, to appropriate by transfer from available funds in the treasury or appropriate by transfer from funds previously appropriated to other accounts, a sum of money to fund the Wrentham Fire Union Contract, or take any other action relative thereto. (Finance Committee)

Stabilization Funds

ARTICLE 8: To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds in the treasury, or appropriate by transfer from funds previously appropriated to other accounts, a sum or sums of money to one or more of the Town's Stabilization Funds, or take any other action relative thereto. (Finance Committee)

Acceptance of Local Option Statutes

ARTICLE 9: To see if the Town will vote, pursuant to Chapter 44, Section 53I of Massachusetts General Laws to establish in its treasury a special fund in which shall be deposited such sums as may be appropriated by it under said Section 53I, and any and all sums received from the sale of commemorative items, admission charges or other monies received in connection with the anniversary or special event, or take any other action relative thereto. (Finance Committee)

ARTICLE 10: To see if the Town will vote to accept the provisions of Chapter 40, Section 42A and 42B-42F inclusive of the Massachusetts General Laws, allowing for the creation of a municipal lien for delinquent water rates and charges, or take any other action relative thereto. (Finance Committee)

Personnel Bylaw Changes

ARTICLE 11: To see if the Town will vote to amend the Personnel By-Laws Salary Ranges on recommendation of the Personnel Board as follows:

Current Salary Range:

FY16 Salary Ranges

Salaried Positions – Annual Salary Ranges		Current Minimum	Current Maximum
A	Town Administrator	\$100,000	\$150,000

Proposed Salary Range:

FY18 Salary Ranges

Salaried Positions – Annual Salary Ranges		Proposed Minimum	Proposed Maximum
A	Town Administrator	\$135,000	\$180,000

or take any other action relative thereto. (Finance Committee)

Community Preservation Fund

ARTICLE 12: To see if the Town will vote to appropriate or reserve from the Community Preservation Fund annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2018:

Appropriations:

From FY 2018 estimated revenues for committee administrative expenses: \$12,100

Reserves:

From FY 2018 estimated revenues for Historic Preservation Reserve: \$24,200

From FY 2018 estimated revenues for Community Housing Reserve: \$24,200

From FY 2018 estimated revenues for Open Space Reserve: \$24,200

From FY 2018 estimated revenues for Budgeted Reserve: \$145,200

or take any other action relative thereto. (Community Preservation Committee)

General Bylaw Amendments

ARTICLE 13: To see if the Town will vote to amend Article 6.30, Section 4 (Water Use Restriction), Paragraph L (Penalties) to read:

The Town through its Water Commissioners or its designee including the Public Works Superintendent, Building Inspector and/or Local Police may enforce this bylaw. Any person violating this bylaw shall be liable to the Town in the amounts listed in ART 4.10, SECTION 7.A, or take any other action relative hereto. (General Bylaw Committee)

ARTICLE 14: To see if the Town will vote to amend the General Bylaws of the Town of Wrentham by inserting the following new Article 5.10, Section 13 (Marijuana Establishments Prohibited) as follows:

Section 13. Marijuana Establishments Prohibited

The operation of any commercial or recreational marijuana establishment, as defined in G.L. c. 94G, Section 1, including, without limitation, a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business within the Town is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012.

or take any other action relative thereto. (Board of Selectmen)

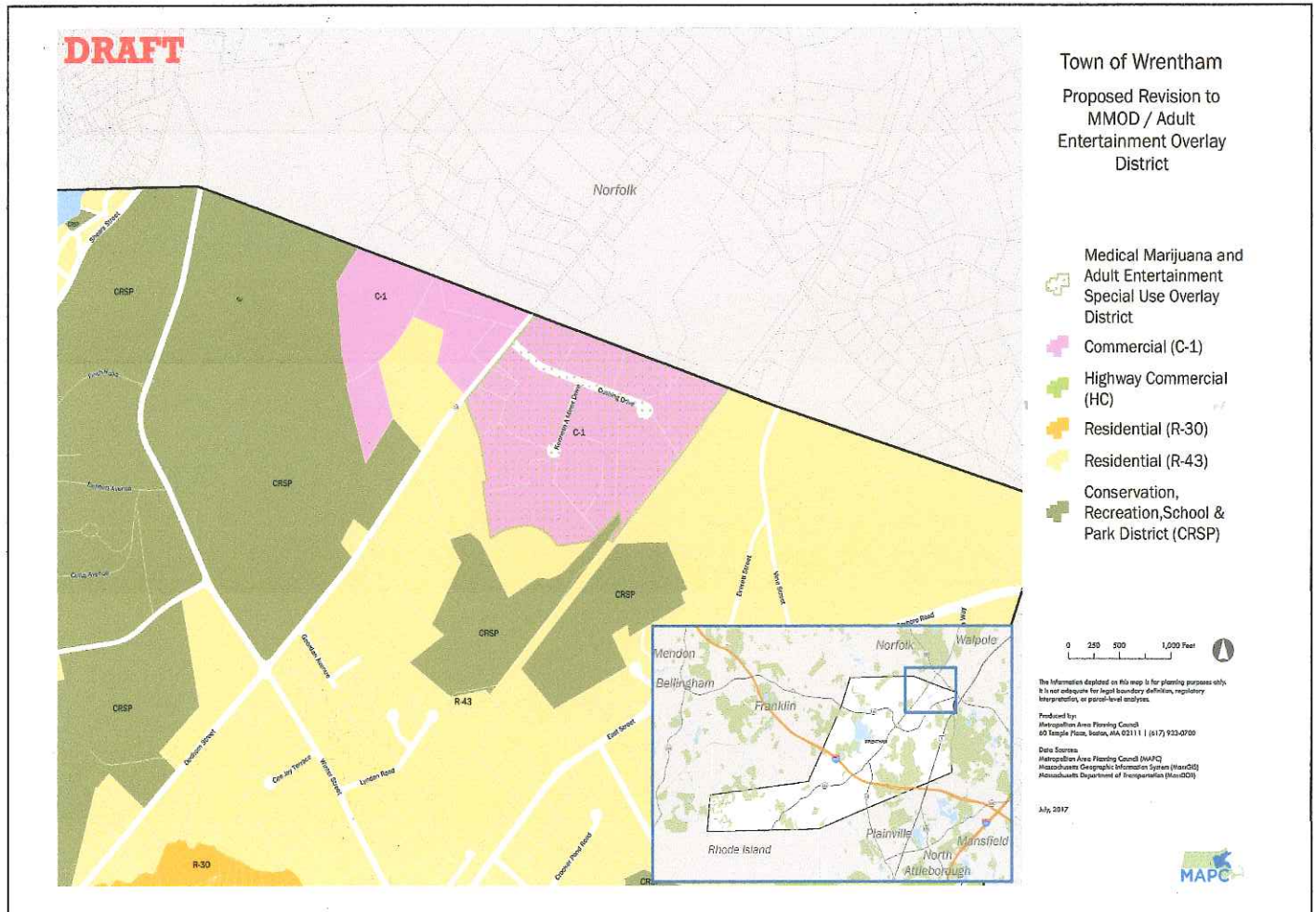
Landowner's Petitions for Amendments to the Zoning Bylaws

ARTICLE 15: To see if the Town will vote to amend Article 4.2 of the Wrentham Zoning Bylaws by allowing A.5 SENIOR LIVING COMMUNITY to be allowed in the C-1 district by site plan approval/special permit (SPA/SP), or take any other action relative thereto. (Landowner's Petition)

Amendments to Zoning Bylaws

ARTICLE 16: To see if the Town will vote to amend the Town of Wrentham Zoning Map as most recently amended in July 2014 by combining the existing Medical Marijuana Special Use Overlay District and Adult Entertainment Overlay District, as shown on the map entitled "Proposed Revision to MMOD/Adult Entertainment Overlay District" produced by the Metropolitan Area Planning Council dated July, 2017, a copy of which is on file in the Planning Department, or take any other action relative thereto. (Planning Board)

Medical Marijuana and Adult Entertainment Overlay District Town of Wrentham, MA



ARTICLE 17: To see if the Town will vote to amend the Wrentham Zoning By-Laws by adding the following as Article 21 as follows:

Article 21 Temporary Moratorium on Recreation Marijuana Establishments and Marijuana Retailers

4.1 PURPOSE

By vote of the State election on November 8, 2016, the voters of the Commonwealth of Massachusetts approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law, which allows certain personal use and possession of marijuana, took effect on December 15 2016 and (as amended on December 30, 2016; Chapter 351 of the Acts of 2016) requires a Cannabis Control Commission to issue initial regulations regarding the licensing of commercial activities

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by March 18, 2018, to begin accepting applications for licenses of April 1, 2018, and to adopt final regulations promulgated by the State Cannabis Advisory Board are expected to provide guidance to the Town in regulating Recreational Marijuana Establishments and Marijuana Retailers. As such, the Town of Wrentham needs time to examine the legal, planning and public safety issues attendant to regulations of recreational marijuana as well as to address the potential impact of State regulations on local zoning and to undertake a planning process to consider amending the Zoning By-Laws regarding regulation of recreational marijuana establishments.

4.2 DEFINITION

Marijuana Establishment as defined by M.G.L. c 94G

4.3 TEMPORARY MORATORIUM

For reasons set forth herein, notwithstanding any other provision of the Zoning By-Law to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for recreational marijuana establishments and other uses related to recreational marijuana. The moratorium shall be in effect through June 30, 2018 or until such time as the Town adopts Zoning By-Law amendments that regulate recreational marijuana establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town and consider the Cannabis Control Commission regulations regarding recreational marijuana establishments, which are to be finalized by July 1, 2018 and shall consider adopting new Zoning By-Laws in response to these issues on or before the expiration of the moratorium period.

4.4 SEVERABILITY

The provisions of this By-Law are severable. If any provision, paragraph, sentence, or clause of this By-Law or application thereof to any person, establishment or circumstances shall be held invalid, such invalidity shall not affect the other provisions of application of this By-Law.

or take any other action relative thereto. (Planning Board)

ARTICLE 18: To see if the Town will vote to amend Section 3.4 of the Wrentham Zoning By-Laws as follows:

To amend Section 3.4 – NON-CONFORMING LOTS, STRUCTURES and USES Section 3.4.b, by deleting the words “including SINGLE DETACHED OR DOUBLE DETACHED residential STRUCTURES” and replacing with the words “that is not a SINGLE DETACHED DWELLING or DOUBLE ATTACHED DWELLING that does not conform”.

And Further

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Amend Section 3.4.c. by deleting the words "extension, reconstruction or ALTERATION to a preexisting" before the words SINGLE DETACHED DWELLING or DOUBLE ATTACHED DWELLING" and deleting the words "may be allowed with a SPECIAL PERMIT, provided that the extension, reconstruction or ALTERATION does not intensify any existing NONCONFORMITY or result in any additional NON-CONFORMITY within the requirements of" and replace with the words "that does not conform to these ZONING BY-LAWS may be continued if the USE or STRUCTURE was lawfully in existence at the time that it became NON-CONFORMING, subject to the following:"

And Further

Amend Section 3.4.c.1 by adding the word "RECONSTRUCTION" after the words "Change, extension" and add the word "RECONSTRUCTION" after the words "may be changed, extended" and delete the words "a SPECIAL PERMIT by the ZONING Board of Appeals" and replace with the words "the approval of the Building Commission if such change, extension, reconstruction or alteration would not increase the habitable floor area by 25% or more and if the Building Commissioner determines that the nonconforming nature of the structure would not be increased". Also add the word "reconstruction" after the words "provided that no change, extension," in the same sentence.

And Further

Add a new paragraph with subsections after the words NON-CONFORMING USES to read:

The change, extension, reconstruction or alteration of a structure that is described in each of the following circumstances shall not be deemed to increase the nonconforming nature of the structure:

- a) Insufficient areas: change, extension, reconstruction or alteration of a structure that is located on the lot with insufficient lot area, but that complies with all current dimensional requirements for front, side and rear yard setbacks, lot coverage, building height and build factor.
- b) Insufficient frontage: change, extension, reconstruction, or alteration of a structure that is located on a lot with insufficient frontage, but that complies with all current dimensional requirements for front, side and rear year setbacks, lot coverage, building height and build factor.
- c) Insufficient Build Factor: change, extension, reconstruction, or alteration of a structure that is located on a lot that does not comply with dimensional requirements for build factor, but complies with all current dimensional requirements for front, side and rear year setbacks, lot coverage, building height and build factor.

- d) Yard encroachment: change, extension, reconstruction or alteration of a structure that does not further encroach upon (1) or more nonconforming front, side and rear yard setbacks, but complies with all current dimensional requirements for lot coverage, building height and build factor.

And Further

Renumber Section 3.4.b.2 – Restoration and 3.4.b.3 – Abandonment to a new section titled 3.4.c.2 – Restoration and 3.4.c.3. – ABANDONMENT.

or take any other action relative hereto. (Planning Board).

ARTICLE 19: To see if the Town will vote to amend Article 2 – DEFINITIONS of the Wrentham Zoning By-Laws by adding a new definition “RECONSTRUCTION: The demolition of a structure and the rebuilding of a new structure on the same lot, or take any other action relative thereto. (Planning Board)

Given under our hands and seal of the Town of Wrentham this 24th day of October in the year two thousand seventeen:

WRENTHAM BOARD OF SELECTMEN

Jerome P. McGovern



Stephen J. Langley



Charles R. Kennedy



Joseph F. Botaish, II

Gerard J. Nolan

A true copy.

Constable's Certificate of Services:

By virtue of the within warrant, I have notified the inhabitants of the Town of Wrentham qualified to vote at elections and town affairs to meet as within commanded by posting attested copies of the Warrant, one at the Town Offices and five other places in said Town, being not less than fourteen (14) days at least before the day appointed for holding said meeting, as directed by the Bylaws of the Town of Wrentham.

This 26 day of Oct, 2017.

Constable 