

COMMONWEALTH OF MASSACHUSETTS
TOWN OF BELLINGHAM
WARRANT FOR SPECIAL TOWN MEETING

Norfolk, ss:

To either of the Constables of the Town of Bellingham, in the County of Norfolk;

GREETINGS:

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

HIGH SCHOOL AUDITORIUM

in said Bellingham, on Wednesday, the eleventh day of October 2017, at 7:30 p.m., then and there to act on the following articles:

ARTICLE 1. AMEND ARTICLE 1

To see if the Town will vote to amend Article 1 of the 2017 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into items within Article 1; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 2. AMEND ARTICLE 2 – TRASH ENTERPRISE

To see if the Town will vote to amend Article 2 of the 2017 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into Article 2; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 3. AMEND ARTICLE 3 – WATER ENTERPRISE

To see if the Town will vote to amend Article 3 of the 2017 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring

funds from various sources into Article 3; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 4. AMEND ARTICLE 4 – SEWER ENTERPRISE

To see if the Town will vote to amend Article 4 of the 2017 May Annual Town Meeting by reducing, adding to, deleting, amending appropriations or transferring funds from various sources into Article 4; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 5. CAPITAL OUTLAY – (Expenditures \$50,000 & Over)

To see if the Town will vote to raise and appropriate a sum of money and to determine how such appropriation shall be raised, whether by transfer of available funds, by taxation, by borrowing or otherwise, and if by borrowing to authorize the issuance and sale of general obligation bonds or notes of the Town therefore for the purpose of financing the purchase, construction, reconstruction and/or engineering costs associated with various capital outlay items or improvements proposed by Town Departments, Boards or Committees; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 6. NON-CAPITAL OUTLAY EXPENDITURES (Expenditures of Less Than \$50,000)

To see if the Town will vote to raise and appropriate a sum of money and to determine how such appropriation shall be raised, whether by transfer of available funds, by taxation, by borrowing or otherwise, and if by borrowing to authorize the issuance and sale of general obligation bonds or notes of the Town therefore for the purpose of financing the purchase of various non-capital outlay items or improvements proposed by Town Departments, Boards or Committees; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 7. APPROPRIATION OF FUNDS – SEWAGE DISPOSAL SYSTEMS, FUEL STORAGE TANKS & DE-LEADING DWELLINGS

To see if the Town will vote to raise the sum of up to \$300,000 for the purpose of

remediating failing residential subsurface sewage disposal systems, underground fuel storage tanks and de-leading dwellings with dangerous levels of lead, pursuant to Massachusetts General Laws, Chapter 111, §127B ½ and Massachusetts General Laws, Chapter 80 (Betterments) and determine how such appropriation should be raised whether by taxation, transfer of available funds, borrowing or otherwise and if by borrowing, to authorize the issuance of bonds or notes by the Town at one time or from time to time; or act or do anything in relation thereto.

(By: Board of Health)

ARTICLE 8. LEASE OF TOWN LAND

To see if the Town will vote to authorize the Board of Selectmen to negotiate and enter into a lease for the development of a solar array electric storage on Town property near Route 140 Mendon Street and Williams Way identified as Town of Bellingham Assessor's Map 58, Parcel 1 and Map 53, Parcel 3 for a term of up to twenty years on terms it determines to be in the best interest of the Town; or act or do anything in relation thereto; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 9. ROUTE 140 AT MAPLE AND SOUTH MAPLE STREETS INTERSECTION IMPROVEMENT EASEMENTS

To see if the Town will vote to raise and appropriate a sum of money and allow the Selectmen to accept gifts, purchase, and/or take by eminent domain, permanent and temporary roadway and drainage easements to allow for the construction of improvements at the intersection of State Route 140 (Mechanic Street Bellingham - West Central Street Franklin), Maple Street and South Maple Street Bellingham plans titled "Route 140 and Maple Street Intersection Improvements Easement Plan" prepared by BETA, dated March 30, 2017, copies of which will be on file with the Town Clerk's Office 14 days before the Town Meeting; or act or do anything related thereto.

(By: DPW Director)

ARTICLE 10. WETHERSFIELD WEST SEWER DESIGN AND CONSTRUCTION

To see if the Town will vote to appropriate a sum of money for the purpose of financing the cost of engineering, construction, land acquisition, and any other related project costs associated with the construction of the proposed Wethersfield West Sewer collection system, as defined in the "Wethersfield West Sewer Plan",

approved by the Board of Selectmen and on file with the Town Clerk's Office no less than 14 days before the Town Meeting; said funds to be borrowed for a period not to exceed thirty (30) years and authorize the Town to issue bonds or notes therefore under Chapter 44 of the General Laws and/or chapter 29C of the General Laws; with funding to be provided by the assessment of an Equivalent Dwelling Unit (EDU) betterment in accordance with the provisions of the General Laws, Chapter 80 to properties noted in the Wethersfield West Sewer Plan noted above, and with the balance of funds not paid by the betterment assessment to be paid from taxation; provided, however, that this vote shall not take effect until the Board of Selectmen vote to exempt from the limitations on local taxes imposed by General Laws Chapter 59, Section 21C (Proposition 2 ½), amounts required to pay the principal and interest on the borrowing authorized by this vote; or act or do anything related thereto.

(By: Board of Selectmen)

ARTICLE 11. INCLUSIONARY ZONING BYLAW

To see if the Town will vote to amend its Zoning Bylaws by deleting Article XXV, entitled "Inclusionary Housing" in its entirety;

And

To see if the Town will vote to amend its Zoning Bylaws by deleting "development of mixed-income housing and" with in §240-79C Intent, of Article XIV, Major Residential Development.

And

To see if the Town will vote to amend its Zoning Bylaws by deleting the following terms with in §240-81 Definitions of Article XIV, Major Residential Development.

AFFORDABLE TO PERSONS OR FAMILIES QUALIFYING AS LOW INCOME: Affordable to persons in the area under the applicable guidelines of the Commonwealth's Department of Housing and Community Development earning less than 50% of the median income.

AFFORDABLE TO PERSONS OR FAMILIES QUALIFYING AS MEDIAN INCOME: Affordable to persons in the area under the applicable guidelines of the Commonwealth's Department of Housing and Community Development earning more than 80% but less than 120% of the median income.

AFFORDABLE TO PERSONS OR FAMILIES QUALIFYING AS MODERATE INCOME: Affordable to persons in the area under the applicable guidelines of the

Commonwealth's Department of Housing and Community Development earning more than 50% but less than 80% of the median income.

And

To see if the Town will vote to amend its Zoning Bylaws by deleting "or for affordable housing" with in §240-782G Procedures, of Article XIV, Major Residential Development.

And

To see if the Town will vote to amend its Zoning Bylaws by deleting §240-88 Affordable Component, of Article XIV, Major Residential Development.

And

To renumber the subsequent sections of Article XIV accordingly.

;or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 12. GENERAL BYLAW AMENDMENT

To see if the Town will vote to amend its General Bylaws by adding a new Chapter 236, entitled "Bulk Storage" as follows:

§236-1 Purpose – Businesses engaged in the Bulk Storage of materials, as defined herein, may cause excessive noise, traffic and odor and may otherwise impact the health safety and welfare of Bellingham residents. As a consequence, all existing and proposed Bulk Storage operations must obtain a Bulk Storage License from the Board of Selectmen.

§236-2 Definition – "Bulk Storage" shall be defined as the outdoor storage of materials, such as but not limited to, sand, mulch, lumber, coal, or other bulk materials not for retail sales on premises whether as a primary or accessory use of the subject property; and the bulk storage of liquids in tanks except under ground as an accessory use.

§236-3 Limitations – No more than 5 Bulk Storage Licenses shall be granted and in effect at any one time. Notwithstanding the foregoing, each Bulk Storage use existing as of the effective date of this bylaw may be entitled to a License and such License may be renewed, provided that said Bulk Storage use applies for a License within sixty (60) days from the effective date of this Bylaw and provided further, that such

existing use is compliant with all applicable laws, rules, regulations and accepted standards for such use. In the event that there are more than five (5) existing Bulk Storage uses that obtain Licenses, as aforesaid, no new Licenses may be granted until the number of such active licenses falls below five (5).

§236-4 Term – Bulk Storage Licenses must be renewed annually. Each such License shall terminate on December 31st. An application for renewal must be received by no later than November 15th of any given year. The Board of Selectmen shall vote to issue such renewals at duly posted meeting.

§236-5 Standards for issuance – When determining issuance or renewal of a Bulk Storage License the Board of Selectmen may take into consideration any concerns regarding health, safety and welfare of the residents of Bellingham, as well as any environmental concerns. The Selectmen may impose conditions on the issuance or renewal of a Bulk Storage License. The Selectmen may impose reasonable conditions on any Bulk Storage License.

§236-6 Revocation – In the event that any Bulk Storage Licensee is found to be in violation of its License or of any law, regulation, bylaw or other accepted standard, the Selectmen may commence a proceeding for revocation of the License. Such proceeding shall be commenced by written Notice to the Licensee of a hearing before the Selectmen, not less than seven days following the date of delivery of such Notice. The Licensee shall be provided with an opportunity to present evidence and testimony at any such hearing. The Selectmen's decision shall be issued, in writing no later than twenty-one (21) days following the close of such hearing.

;or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 13. ZONING BYLAW AMENDMENT

To see if the Town will vote to amend its Zoning Bylaws as follows:

1. amend Section 240-32 Definition of Bulk Storage of the Bellingham Zoning Bylaws to read:

BULK STORAGE: Outdoor storage of materials, such as but not limited to, sand, mulch, lumber, coal, or other bulk materials not for retail sales on premises accessory to a primary use, and bulk storage of liquids in tanks, except underground, as an accessory use.

And

2. To delete the current primary use of Bulk Storage found in in 240-31 Use Regulations Schedule and replace it with Bulk Storage as an accessory use within an industrial district, only with a special permit, and amend footnote 19 as follows:

240-31 Use Regulations Schedule

DISTRICT

Activity or Use	A	S, R	M	B-1, B-2	I
Contractors Yard	No	No	No	No	Yes ¹⁹

ACCESSORY USES

Bulk storage	No	No	No	No	PB ¹⁹
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Footnote

19. Special Permit from the Planning Board if applicant demonstrates that bulk storage is accessory to an allowed primary use on the same premises. See General Bylaws for licensure requirements.

;or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 14. BOND AUTHORIZATION RECISSION

To see if the Town will vote to rescind the unissued balance of the amount that has been authorized to be borrowed for replacing the water pipe and renewing water service from such pipe to the curb from Pulaski Boulevard to Arthur Street under Article 26 of the May 2014 Annual Town Meeting, but which is no longer needed for the purpose for which it was initially approved; or act or do anything in relation thereto.

(By: Board of Selectmen)

ARTICLE 15. TRANSFER OF FUNDS TO O.P.E.B. TRUST

To see if the Town will vote to transfer from any available fund a sum of money to be transferred into the O.P.E.B. (Other Post Employment Benefits) Trust; or act or do anything in relation thereto.

(By: Chief Financial Officer)

ARTICLE 16. STABILIZATION FUND

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the Stabilization Fund; or act or do anything in relation thereto.

(By: Finance Committee)

ARTICLE 17. UNPAID BILLS

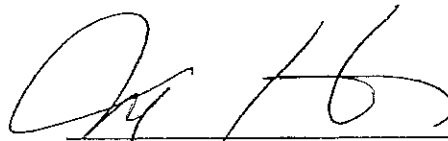
To see if the Town will vote to raise, appropriate or transfer a sum of money for the payment of certain unpaid bills; or act or do anything in relation thereto.

(By: Finance Committee)

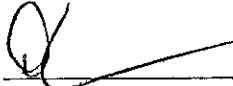
And you are directed to serve this Warrant, by posting attested copies thereof at Town Hall and in other municipal buildings throughout Town forty-five days, at least, before the time and place of meeting as aforesaid.

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

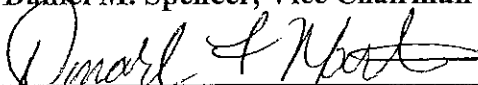
Given under our hands this 21st day of August in the year of Our Lord, Two Thousand Seventeen.



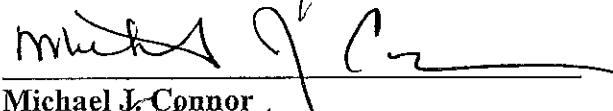
Michael J. Soter



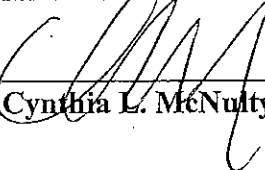
Daniel M. Spencer, Vice Chairman



Donald F. Martinis



Michael J. Connor



Cynthia L. McNulty

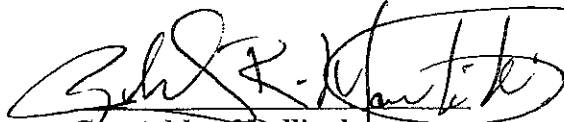
BOARD OF SELECTMEN

RETURN OF THE WARRANT

Norfolk, ss:

Pursuant to the within Warrant, I have notified and warned the inhabitants of the Town of Bellingham by posting attested copies of the same at Town Hall and in other municipal buildings throughout Town, in accordance with Town By-laws.

Aug 22, 2017
Date


Constable of Bellingham