



TOWN OF HOPKINTON
SELECT BOARD MEETING AGENDA
Tuesday, April 25, 2023 6:00 PM

Hopkinton Town Hall, 18 Main St, Hopkinton, MA - Room 215/216
(Executive Session will be held in Room 211)

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/84982716216?pwd=T1J3eTFOOW9uak5NZnBrZHBXZklBUT09>

Passcode: 287407

Or One tap mobile :

US: +13017158592,,84982716216# or +13052241968,,84982716216#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 876 9923 or +1 646 931 3860 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 408 638 0968 or +1 507 473 4847 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580

Webinar ID: 849 8271 6216

International numbers available: <https://us02web.zoom.us/j/84982716216?pwd=T1J3eTFOOW9uak5NZnBrZHBXZklBUT09>

6:00 PM

CALL TO ORDER

1.

EXECUTIVE SESSION

- a. Pursuant to *M.G.L. c.30A, §21(a)* (purpose 2) to consider strategy with respect to negotiations with non-union personnel (Town Manager and Police Chief), including vacation payout;
- b. Pursuant to *M.G.L. c.30A, §21(a)* (purpose 6) to consider the purchase, lease, sale or value of real estate in relation to properties in the vicinity of Town Hall, the Jenner Property (Map R12 Block 9 Lot 0), 0 Spring Street, Map R23 Block 100 Lot 0 West Main Street, Map R23 Block 73 Lot A and Block 73 Lot B Rear West Main Street, and 3 contiguous parcels on College Street totalling 20.74 acres because an open meeting may have a detrimental effect on the negotiating position of the Board.
- c. Pursuant to *M.G.L. c.30A, §21(a)* (purpose 3) to consider strategy with respect to litigation: 1) New England Laborer’s Training Trust Fund, et al. v. Town of Hopkinton, et al. Civil Action No. 2381-CV-00948, and 2) Costa Brothers Masonry Inc. v Suretec Insurance Co. and Avatar Construction Corp. v Town of Hopkinton Civil Action No. 2281-CV-03297, because an open meeting may have a detrimental effect on the litigating position of the Board;
- d. Approval of Executive Session Minutes (4/4/23)

6:44 PM

CALL TO ORDER - OPEN SESSION

2.

PLEDGE OF ALLEGIANCE

6:45 PM

PUBLIC FORUM

3.

Residents are invited to share ideas, opinions or ask questions regarding Town Government.

- 6:45 PM**
4. **PUBLIC HEARING - APPLICATION FOR MGL CH. 138 SECTION 12 ALL ALCOHOL LICENSE - ORALE INC. - 22-24 MAIN STREET**
The Select Board will hold a public hearing to consider an application for a new Section 12 All Alcohol On-Premises License for Orale Inc. d/b/a Orale Mexican Cuisine, a new restaurant located at 22-24 Main St. The Board will also consider approving an Entertainment License for Karaoke on Friday and Saturday nights, with an indoor capacity of no more than 49 people including all patrons and employees at all times.
Supporting Exhibits: Applications; Permitting Team Comments
- 6:55 PM**
5. **SPECIAL TEMPORARY ALCOHOL LICENSE - HOPKINTON CENTER FOR THE ARTS (HCA)FUNDRAISER**
The Select Board will consider approving a Special Temporary Alcohol License for Gianluca Queiroli, on behalf of the HCA. The fundraiser event is to be held on May 13, 2023 from 6 p.m. to 10 p.m with an anticipated 80-100 guests in attendance, at 98 Hayden Rowe. The alcohol will be served by TIPS certified servers and will be supplied by Wine Empire of Ashland.
Supporting Exhibits: Application; Permitting Team Comments
- 7:00 PM**
6. **HOPKINTON CENTER FOR THE ARTS UPDATE**
The Select Board will receive an update from Kelly Grill, Executive Director, about the Hopkinton Center for the Arts.
Supporting Exhibits: HCA proposal for a full liquor license
- 7:10 PM**
7. **APPOINTMENTS TO BOARDS AND COMMITTEES**
The Select Board will consider appointing Veda Kerr and Joe Brusco to the Board of Registrars (Republican; nominees of the Republican Town Committee), with terms expiring on 1st February 2024 and 1st February 2025.
- 7:15 PM**
8. **PFAS DISCUSSION**
The Select Board and Board of Health will review the Town's policies relating to per- and polyfluoroalkyl substances (PFAS) in public and private drinking water supply.
- 7:30 PM**
9. **EMERGENCY PREPAREDNESS DRILL AT HOPCO, 52 WILSON STREET**
The Select Board will receive an update from Chief Miller, Chief Bennett and Town Manager regarding an emergency preparedness drill at the Hopkinton liquified natural gas (LNG) plant at 52 Wilson St.
Supporting Exhibits: Eversource Flyer
- 7:35 PM**
10. **CONTINUED PUBLIC HEARING - STREET ACCEPTANCE**
The Select Board will hold a continued public hearing pursuant to Massachusetts General Laws Chapter 82 Section 21, to discuss accepting and laying out the following streets as a public ways:
- Foxhollow Road
 - Box Mill Road
- The Planning Board and the Select Board have submitted an article into the 2023 Annual Town Meeting to accept the streets as public ways. The Planning Board recommends acceptance of Box Mill Road. The Planning Board is anticipated to make a recommendation regarding Foxhollow Road on April 24.

Supporting Exhibits: Planning Board Report - Box Mill Rd.; Street Acceptance Plans

7:40 PM

FY 24 BUDGET UPDATE AND MAY 1, 2023 ANNUAL TOWN MEETING

11.

The Select Board will:

- a. Receive a FY 24 Comprehensive Budget update;
- b. Consider reviewing draft Motions including unpaid bills from prior years, proposed Keefe Tech Capital Stabilization Fund, Community Preservation Fund Balance, Revolving Fund Balances and proposed Payment-In-Lieu of Taxes (PILOT) Agreement on Wilson Street.
- c. The Select Board will consider making recommendations on Annual Town Meeting Articles 5, 6, 7, 8, 9, 10, 11, 12, 13, 23, 24, 35, 36 and 39.
- d. The Select Board will review its presentations to Town Meeting.

Supporting Exhibits: Draft Warrant Articles & Motions Document; Select Board Required Recommendations; Revolving Fund Information

8:00 PM

CONSENT AGENDA

12.

The Select Board will consider the following consent agenda:

- a. **MINUTES** - The Select Board will consider approving the Minutes of the April 4, 2023 meeting.
- b. **PARADE PERMIT APPLICATIONS**- The Select Board will consider approving the following parade permit applications:
 - 1) **PRIDE PARADE** - The event is scheduled to be held on June 11, 2023 from 1-4 p.m. There are no road closures requested. The parade will start and end at the Hopkinton Center for Arts, 98 Hayden Rowe.
 - 2) **NEW ENGLAND CHINESE AMERICAN ALLIANCE** - The event is scheduled to be held on May 20, 2023, with a rain date of May 21, 2023. There are no road closures requested. The parade will take place along the Boston Marathon course starting at Hopkinton at around 7:30 a.m. and ending at Boston Common.

Supporting Exhibits: Parade permit applications; Permitting team comments

8:05 PM

TOWN MANAGER REPORT

13.

Town Manager will report on the following:

- a. Main Street Corridor Project
- b. Per- and Polyfluoroalkyl Substances (PFAS) treatment project
- c. Massachusetts Water Resources Authority (MWRA) Southborough Interconnection project

Supporting Exhibits: Town Manager Report

8:15 PM

VOLUNTEER RECOGNITION

14.

The Select Board will continue considering options and opportunities for recognizing town volunteers.

8:25 PM

LIAISON REPORTS/BOARD INVITES

15.

Supporting Exhibit: FY 23 Liaison Assignments

8:30 PM

FUTURE BOARD AGENDA ITEMS

16.

Board members will identify future agenda items.

Supporting Exhibit: Board Member Future Agenda Items

Correspondence to Select Board

1. Planning Board Decision of Site Plan Review - The Trails
2. Thank you - HHS Robotics
3. Support for South St. Rezoning
4. I-495/I-90 Interchange Improvements Project: Design of I-495 and Ramp WN Virtual Public Information Meeting April 26, 2023

Upcoming Select Board Meetings

1. May 1, 2023 (Annual Town Meeting)
 2. May 9, 2023
 3. May 23, 2023
 4. June 6, 2023
 5. June 20, 2023
-

Town Hall is accessible; the public may attend in person or remotely. If accommodations/modifications are needed, please contact the Town Manager's office at 508-497-9701.

The listed matters on the agenda are those reasonably anticipated by the Chair to be discussed at the meeting. Not all items may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. Unless an agenda item is a posted public hearing, the matter may be considered earlier than the indicated time if there are last minute cancellations or other unforeseen events which cause the Board to move more quickly through the agenda.



TOWN OF HOPKINTON
SELECT BOARD

18 Main Street, Hopkinton, MA 01748
508-497-9700 www.hopkintonma.gov

23 FEB 21 PM 2:07

GENERAL LICENSE APPLICATION

DATE: 2/16/23

Please check all boxes that apply:

- Alcohol, Common Victualer, Livery/Limo, Class I, Class II, Other (please specify)

- New License, Renewal

(Please complete application in full)

Mauricio Breonnewan Elizabeth Breonnewan
Applicant/Owner Manager of Business

Orale, Inc.
Business Name

DBA (if different)

22-24 main st
Street Address/P.O. Box

908 943 8688
Telephone (required)

ehoyos26@hotmail.com
Email (required)

Hopkinton
City/Town

MA
State

01748
Zip

The licensed premises, activity, or equipment shall be located at the following address:

22-24 main st, Hopkinton, MA 01748

The license is requested for the following expected hours of operation and days of the week:

- Sunday Hours: 7am - 10pm
Monday Hours: 7am - 10pm
Tuesday Hours: 7am - 10pm
Wednesday Hours: 7am - 10pm
Thursday Hours: 7am - 10pm
Friday Hours: 7am - 10pm
Saturday Hours: 7am - 12pm

Type of Business: Restaurant

In the space below, describe the activity/details of the license you're applying for:

Mexican Southwestern Restaurant

I certify under the pains of perjury that I, to the best knowledge and belief, have filed all state tax returns and paid all state taxes under law, and that all the information in this application are to the best of my knowledge true and correct.


Signature

02/17/2023
Date

Checklist of additional information to be included with General License Application (if applicable):

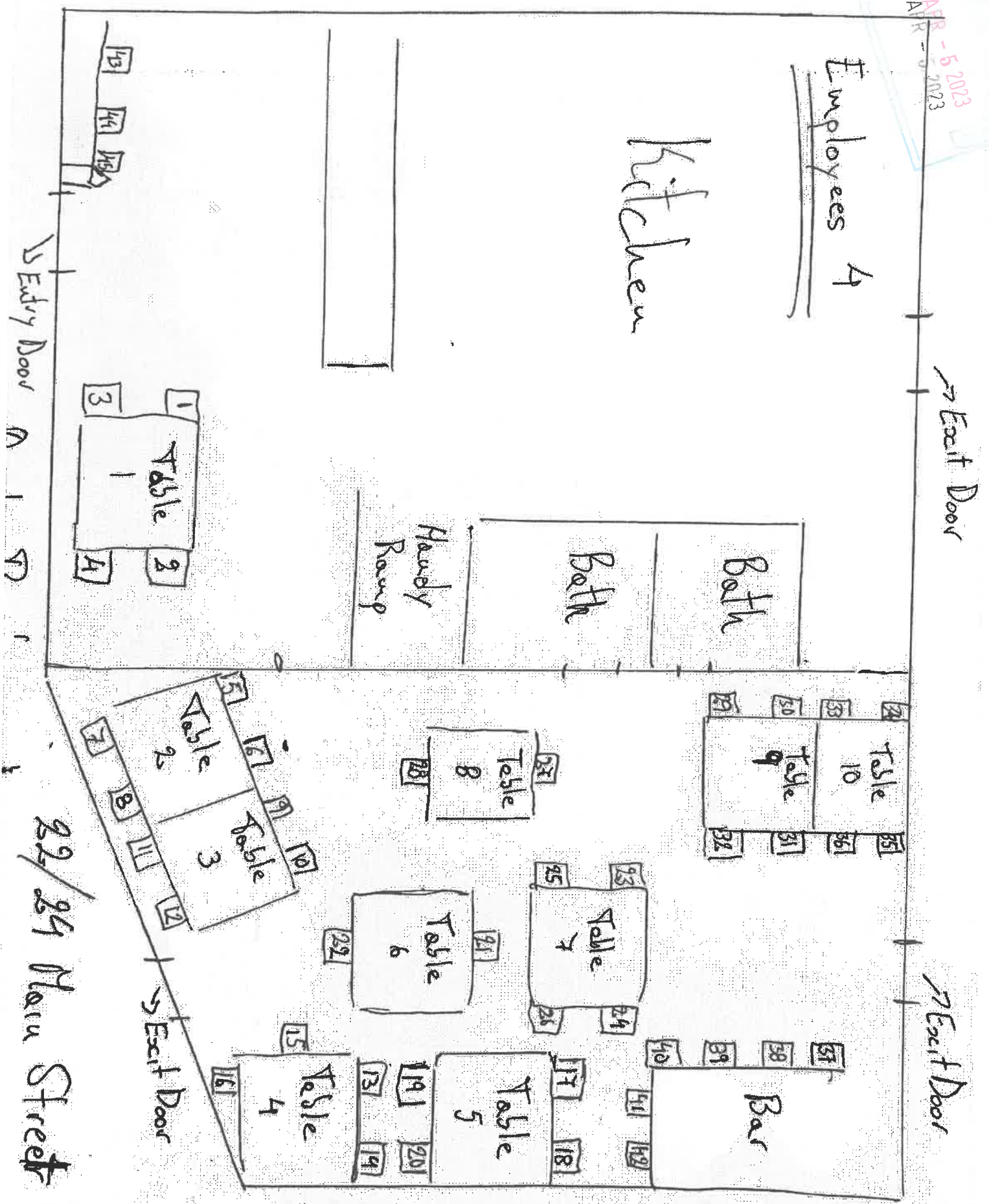
- Application Fee (must accompany application; checks made payable to Town of Hopkinton)
- CORI Form
- Floor Plan/Seating Plan
- Certificate of Insurance Liability
- Workers Compensation Certificate
- TIPS Certification (Alcohol only)
- Entertainment License Application (if applicable)
- Parade Permit Application (if applicable)
- Safety Plan*
- Litter Control Plan*

*must be included with all Special Temporary Alcohol License and Parade Permit applications

Dwight S. O'Sullivan

22-24 Orale Mexican Restaurant

APR - 5 2023
APR - 5 2023





TOWN OF HOPKINTON
SELECT BOARD

23 APR 6 AM 8:59

18 Main Street, Hopkinton, MA 01748
508-497-9700 www.hopkintonma.gov

ENTERTAINMENT LICENSE APPLICATION

DATE: _____

Mauricio Bremermann
Applicant Name

Orole Inc. 22hopkinton@Orolemexicancuisine.com
Business Name Email

22-24 Main St 508-603-2900
Street Address/P.O. Box Telephone

Hopkinton MA 01748
City/Town State Zip

Please check all that apply:

Application Type: Annual License Single Event

Will the Entertainment occur on Sundays? Yes No

Dancing: By Patrons By Entertainers No Dancing

Music: Recorded Juke Box Live Music

Public Shows: Theater Movies Floor Show Other _____

Amplification System: Yes No

Other: Video Games Pool/Billiard Tables Automatic Amusement Devices

Other: _____

Admission Fee: Yes How Much? _____ No

Nudity (As described in M.G.L. c.140 §183A): Yes No

Please fully describe the proposed entertainment in the space below: (Type, dates, hours of operation, location, indoors/outdoors, maximum number of patrons/attendees, etc.)

Karaoke, Friday, Saturday Indoor (49) Maximum # of all = Patrons, Employees


Fee Schedule:

<i>Application Type</i>	<i>Fee</i>
Annual Entertainment License – Occupancy or attendance less than 100 patrons	No fee
Annual Entertainment License – Occupancy or attendance 100 patrons or more	\$25.00
Single Event Entertainment License – Occupancy or attendance less than 100 patrons	No fee
Single Event Entertainment License – Occupancy or attendance 100 patrons or more	\$25.00
Billiard, Pool and Sippio License	\$25.00 per pool, billiard, or sippio table, or bowling alley lane
Automatic Amusement Device License	\$20.00 per device

Application Checklist:

N/A
N/A
N/A

- Application Fee (must accompany application; checks made payable to Town of Hopkinton)
- CORI Request Form
- Property Owner's Approval (if Applicant does not own the property at which the entertainment will be provided)
- For carnivals and events regulated by 520 CMR 5 et. seq. – Provide copy of License to Operate Amusement Devices issued by Commonwealth of Massachusetts
- For applications for events under the care, custody and control of the Town where employees of the event will have direct and unmonitored contact with children – Provide a list of all employees. *Elizabeth and Elizabeth O Owners.*
- Sunday Licenses – Provide permission from Division of Public Licensure


 Signature of Applicant

04/05/2023
 Date

Applications shall be filed at least 60 days prior to the day on which the application proposes to offer the public amusement; provided, however, that the Select Board may waive requirement upon showing of good cause.

Revised 10/5/2021

Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email and via text message.



Transaction Processed Successfully.

INVOICE #: c2aace57-7cbd-463d-9f74-dd4c39673b90

Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	Orale Inc	\$200.00
		\$200.00

Total Convenience Fee: \$4.70

Date Paid: 2/8/2023 2:43:19 PM EDT

Total Amount Paid: \$204.70

Payment On Behalf Of

License Number or Business Name:
Orale Inc

Fee Type:
FILING FEES-RETAIL

Billing Information

First Name:
Mauricio

Last Name:
Bremermann

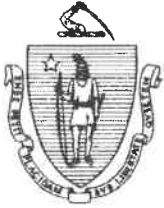
Address:
22 Main St

City:
Hopkinton

State:
MA

Zip Code:
01748

Email Address:
22hopkinton@oralemexicancuisine.com



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

APPLICATION FOR A NEW LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other <input type="text"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL:

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM

APPLICATION FOR A NEW LICENSE

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- | | | | |
|--|---|---|---|
| <input checked="" type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other <input type="text"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST SUBMIT THIS APPLICATION ONCE APPROVED VIA THE ePLACE PORTAL:

Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

APPLICATION FOR A NEW LICENSE

Municipality

Hopkinton

1. LICENSE CLASSIFICATION INFORMATION

ON/OFF-PREMISES	TYPE	CATEGORY	CLASS
On-Premises-12	\$12 Restaurant	All Alcoholic Beverages	Annual

Please provide a narrative overview of the transaction(s) being applied for. On-premises applicants should also provide a description of the intended theme or concept of the business operation. Attach additional pages, if necessary.

The applicant is opening a full service restaurant specializing in Mexican cuisine to be operated as "Orale Mexican Restaurant", and seeks a License to Sell Alcoholic Beverages to use in the operation of the restaurant. A menu is attached.

Is this license application pursuant to special legislation?



Yes



No

Chapter

Acts of

2. BUSINESS ENTITY INFORMATION

The entity that will be issued the license and have operational control of the premises.

Entity Name	ORALE, INC.	FEIN	92-1086028
DBA	Orale Mexican Restaurant	Manager of Record	Mauricio Bremermann
Street Address	22 Main Street, Hopkinton, MA 01748		
Phone	508-202-68602	Email	22hopkinton@oralemexicanuisine.com
Alternative Phone	908-943-8688	Website	Not complete at this time.

3. DESCRIPTION OF PREMISES

Please provide a complete description of the premises to be licensed, including the number of floors, number of rooms on each floor, any outdoor areas to be included in the licensed area, and total square footage. You must also submit a floor plan.

The premises, located at 22-24 Main Street, consist of two spaces, connected by an opening. The space at 22 Main Street contains a dining area, a bar counter with seating, access to the lavatories and a stairway to the basement. The space at 24 Main Street contains a takeout counter and area, the kitchen, and two lavatories (a handicap accessible, unisex lavatory and a designated ladies lavatory). Both spaces have a front and a rear entrance/exit.

Total Square Footage:	2,400	Number of Entrances:	4	Seating Capacity:	60
Number of Floors	1	Number of Exits:	4	Occupancy Number:	45

4. APPLICATION CONTACT

The application contact is the person whom the licensing authorities should contact regarding this application.

Name:	Mauricio Bremermann	Phone:	508-202-8602
Title:	President and Treasurer	Email:	22hopkinton@oralemexicanuisine.com



A 360TRAINING COMPANY

CERTIFICATE OF COMPLETION

This certifies that

Mauricio Bremermann

is awarded this certificate for

TIPS On-Premise Alcohol Server Training

Hours
3.00

Completion Date
02/21/2023

Expiration Date
02/20/2026

Certificate #
ON-000027731206

TRAINING

Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.881.2235 | www.360training.com

(CUT HERE)

(CUT HERE)

TIPS On-Premise **CERTIFIED**

Issued: 02/21/2023 Expires: 02/20/2026

Certificate #: ON 000027731206

Mauricio Bremermann
274 Ussan st
Ashland MA 01721

TIPS | **360 TRAINING**
A 360TRAINING COMPANY

Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____



CERTIFICATE OF COMPLETION

This certifies that

Elizabeth Bremermann

is awarded this certificate for

TIPS On-Premise Alcohol Server Training

Hours
3.00

Completion Date
02/19/2023

Expiration Date
02/18/2025

Certificate #
ON-00027731415

Scott McFadden
Official Signature

THIS CERTIFICATE IS NON-TRANSFERABLE

5000 Plaza on the Lake, Suite 305 | Austin, TX 78746 | 877.081.2235 | www.360training.com

(CUT HERE)

(CUT HERE)

TIPS On-Premise

Issued: 02/19/2023
Certificate #: ON-00027731415

CERTIFIED

Expires: 02/18/2025

Elizabeth Bremermann
274 Union St, Ashland
Ashland MA 01721

TIPS | **360** TRAINING

Phone: 800-438-8477
www.gettips.com

This card was issued for successful completion of the TIPS program.

Signature _____

Permitting Team Comments
Section 12 All Alcohol & Entertainment License- Orale INC.
SB Meeting- 04/25/2023

April 4, 2023

.The DPW has no comment on this application.

John K. Westerling
Director of Public Works, Hopkinton DPW

April 4, 2023.

The Health Department approved the opening of Orales, Inc. this afternoon, on April 4, 2023. Approval is dependent on Select Board approval.

Shaun McAuliffe
Director of Health

April 5, 2023.

The FD will work with Inspectional Services on the Entertainment License to ensure all necessary codes are met and in place for this application.

Chief Miller
Hopkinton Fire Department.

April 5, 2023

The Building Department will be working with the restaurant owners for compliance.

Chuck Kadlik
Director of Municipal Inspections

April 10, 2023

Attached please find conditions specific to the Entertainment License for 22-24 Main St from the Building and Fire Departments.

April 20, 2023

The PD has no comment.

Chief Bennett
Hopkinton Police Department



April 10, 2023

Re: 22-24 Main Street (Orale Mexican Restaurant)

The following are the Terms and Conditions of Approval for the 22-24 Main Street Restaurant, Orale Mexican Restaurant:

1. The applicant shall prepare and submit to the Director of Municipal Inspections and the Fire Chief the final plan for the interior of the restaurant, which shows every seat numbered. The numbered seats shall be the only customer seating permitted. The final plan shall be initialed by the Director of Municipal Inspections, the Fire Chief and the Applicant to indicate their awareness of the final plan.
2. At no time shall there be more than 49 people within the entire Orale establishment, which shall include all staff, patrons, entertainers and others.
3. Prior to the commencement of live commercial entertainment, the Applicant shall identify the number of entertainers expected, and remove an equal number of customer seats from the customer areas.
4. A Massachusetts certified crowd manager shall be on the premises when the live commercial entertainment is occurring (see 527 CMR 1.00 Ch. 20 s. 20.1.5.6).
5. In order to address one of the factors which deem a space a "nightclub" under the Massachusetts State Building Code, there shall be no designated area for dancing.
6. In order to address one of factors which deem a space a "nightclub" under the Massachusetts State Building Code, lighting shall be at normal restaurant range during the live commercial entertainment.
7. In order to address one of the factors which deem a space a "nightclub" under the Massachusetts State Building Code, there shall never be amplification during the live commercial entertainment such that the sound exceeds normal sound levels for a restaurant.
8. In order to address one of the factors which deems a space a "nightclub" under the Massachusetts State Building Code, the tables shall be arranged so that there is safe passage between them, consistent with the plan submitted by the Applicant.
9. The live commercial entertainment shall occur no later than 10:00 PM on Friday and Saturday Only. No live commercial entertainment shall occur outside of these days or beyond 10:00 PM.
10. The types of live commercial entertainment provided on the premises shall be consistent with the types of entertainment listed in the Application and supporting documents submitted by the Applicant.

Respectfully,

Charles E. Kadlik
Director of Municipal Inspections
Zoning Enforcement Officer

William R. Miller
Fire Chief
Emergency Management Director



TOWN OF HOPKINTON OFFICE OF THE SELECT BOARD

LEGAL NOTICE
PUBLIC HEARING
MGL CH. 138 SECTION 12 RESTAURANT APPLICATION
FOR A NEW ALL ALCOHOLIC BEVERAGES LICENSE
THE ORALE INC d/b/a ORALE MEXICAN RESTAURANT
22 MAIN ST, HOPKINTON, MA

The Hopkinton Select Board will hold a public hearing on Tuesday, April 25, 2023 at 6:45 p.m on an application for a new Section 12 All Alcoholic Beverages License for Orale Inc d/b/a Orale Mexican Restaurant, located at 22 Main Street, Hopkinton, MA under M.G.L. c.138, Sec12.

The public hearing will be held at Town Hall, 18 Main Street, Hopkinton MA, Room 215/216; the public may attend in person or via Zoom. Additional information on the application and the Zoom meeting connection for this hearing may be obtained by emailing Vasudha Dutta at vdutta@hopkintonma.gov, by calling 508-497-9701, or via the online meeting calendar and the Select Board agenda for this meeting at www.hopkintonma.gov. Town Hall is handicap accessible

Amy Ritterbusch, Chair.
Hopkinton Select Board.



TOWN OF HOPKINTON
OFFICE OF THE SELECTMEN

DATE: 3.22.23

SPECIAL TEMPORARY ALCOHOL LICENSE APPLICATION

(Formerly called One Day Liquor License Application)

Complete Application must be filed a minimum of 60 days before event date

Fee: \$75.00 per application*

Please complete all areas. Applications not completely filled out will be returned to applicant. All fees must be submitted at the time of filing and must be in the form of a bank check, made out to the Town of Hopkinton.

Type of Special Temporary Alcohol License you are applying for:

- Commercial Enterprise: Special Temporary license for the sale of Wine and Malt Beverages only
Non-Profit Enterprise: Special Temporary license for the sale of:
All Alcoholic Beverages
Wine and Beer only

Name of Individual and Organization requesting license GIANLUCA QUEIROLI - WINE EMPIRE

Applicant's Address 126 WEST UNION ST, ASHLAND MA 01721
Street (P.O. Box, if applicable) City/Town State Zip Code

Location/Address of Event: 31 HAYWARD STREET, SUITE J. / 98 HAYDEN RDW ST. HOPKINTON

Telephone Number: Cell: 617-852-8267 Email: INFO@MYWINEEMPIRE.COM

Description/Purpose of Event: TO PROVIDE WINE + BEER FOR FUND RAISER EVENT

Is Event controlled by Ticket Sales/Invitation: YES Estimated Number of attendees: 80-100 GUESTS

Date of Event: MAY 13, 2023 (Rain Date, if necessary):

Start Time of Event: 6PM End Time of Event: 10 PM

Date Alcohol is being delivered: MAY 13 Date Alcohol is being removed: MAY 13

*Name of where alcohol is being purchased (if applicable): WINE EMPIRE

*Special licensees must purchase alcoholic beverages from a licensed supplier provided, however, that a non-profit may accept free donated alcohol in accordance with M.G.L. c.138 §14.

All applications must also include the following:

1. Proof of Liquor Liability: the applicant must submit a Certificate of Insurance showing Liquor Liability Coverage and shall file a certificate of insurance with the Board of Selectmen naming the Town of Hopkinton as the Certificate Holder.
2. Written approval from the owner of the property where the event is being held.
3. Floor Plan.
4. Written Plan for the Control of Litter
5. Safety Plan.
6. Copy of TIPS Certification: All persons serving alcoholic beverages must be TIPS Certified and documentation must be included with this application for each server.

Applicant Signature: _____

A handwritten signature in cursive script, appearing to read "J. M. ...", written over a horizontal line.

Date: _____

3.22.23

Permitting Team Comments
One Day Special Alcohol Permit- Hopkinton Center for Arts
Select Board Meeting- 04/25/2023

April 10, 2023

I approve the Litter Control Plan and have no other comments on the application.

John Westerling
Director DPW

April 10, 2023

The Hopkinton Health Department approves the application, as commercially manufactured and licensed beverages will be served.

Shaun McAuliffe
Health Director

April 10, 2023

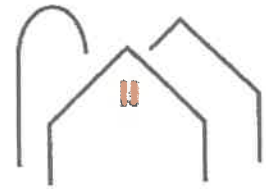
From the FD's side, if the event is moved inside, room occupancy needs to be adhered to.

William R. Miller
Hopkinton Fire Department

April 19, 2023

PD has no further comment.

Chief Bennett
Hopkinton Police Department



HOPKINTON CENTER
FOR
THE **ARTS**

98 Hayden Rowe Street
Hopkinton, MA 01748

3/21/23

To Whom it may concern,

Wine Empire of Ashland has been contracted by one of our patrons to provide

alcohol service at an event at the HCA on Saturday May 13th, 2023.

Sincerely

Kelly Grill
Executive Director
Hopkinton Center for the Arts

508.435.9222
info@hopartscenter.org
hopartscenter.org

ART THEATER MUSIC DANCE



Hopkinton Center for the Arts (HCA) Building & Event Safety Plan

Updated March 2023

Purpose:

This document will outline the safety parameters for public events that take place at the Hopkinton Center for the Arts.

Chain of Command:

The following individuals will be the points of contact for any building and event safety issues:

Kelly Grill – Executive Director / 508-331-0454

Paul DiBona – Facilities Manager / 508-340-2827

Denise Tracy – Events Manager /

Sandee Buckley – Operations Director / 508-209-3914

Reporting Emergencies:

Event staff will contact Police, Fire and Ambulance via 911. For non-emergency safety-related issues, an email and phone call are required to the individuals listed above (see Chain of Command)

Liability Insurance: The HCA's liability insurance provider is Berry Insurance

Address: 31 Hayward Street, Suite J, Franklin, MA 02038

Direct Phone: (508) 440-2290

Direct Fax: (508) 440-2291

Email: kpintarich@berryinsurance.com

Building Fire Suppression/Alarm: Custom Alarm
23 Providence Street
Mendon, MA 01756
508-473-1028

HCA Building Safety Guidelines

Expected Size of Crowd:

HCA will estimate the size of the anticipated number of attendees to any event that takes place indoors or outside on HCA grounds.

Noise Assessment of Event:

HCA will ensure that all guests/performers that utilize the building will be aware of the local noise ordinances.

Parking Access (signage & access):

HCA will ensure that proper signage for event parking is in place and clearly visible

Police Detail:

For events involving the consumption of alcohol at events where 100 or more guests are expected, a police detail will be initiated. Other large-scale events where the HCA and the local schools are running concurrently may also necessitate the need for a police detail to assist with traffic flow.

First Aid Equipment:

HCA classrooms and kitchen area are equipped with first aid kits. The front desk will be responsible for securing any medications (i.e. epi pen) provided by patrons.

Fire Extinguishers:

The HCA building meets code for fire extinguishers in all its rooms

Exit signs/doors: The HCA ensures that all lighted exit signs are functioning. All public exits are clearly marked and free of obstructions

Adverse Weather/Access to building:

The HCA will ensure that walkways leading into the building are free from obstruction and are treated for ice/snow.

Food and Beverage Safety:

The HCA abides by all food and beverage guidelines as determined by the Town Health Inspector. Food will be stored, refrigerated and/or placed in a freezer as appropriate. Food waste will be recycled or disposed of in the appropriate manner.

Alcohol:

The use and sale of alcohol will follow the guidelines established between the Town of Hopkinton and the HCA. Storage of alcohol will always be in a locked storage cabinet with access allowed by approved HCA staff.

Litter Control:

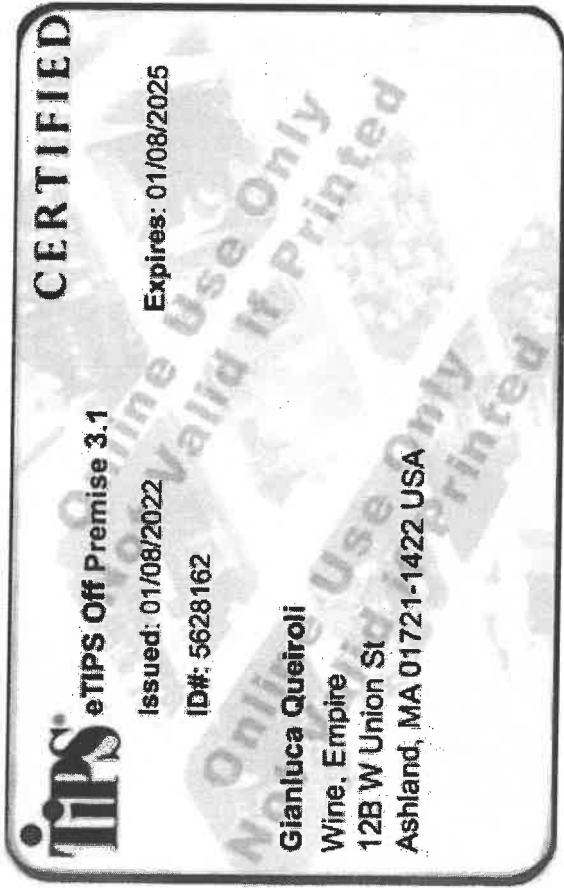
The HCA maintains a dumpster for trash and a container for recycled materials. E.L. Harvey is the vendor who picks up the trash bi-weekly. The HCA will schedule extra deliveries as needed.

Lost and Found:

The HCA maintains an area for items that are lost and found.

Evacuation plan:

Before any large-scale event, an announcement will be made to the audience to alert them where the exits are located in the event that the building needs to be evacuated.





eTIPS Off Premise 3.1

CERTIFIED

Issued: 7/7/2022

Expires: 7/7/2025

ID#: 5761299

Ana Paula Jesus Queiroli
Wine, Empire
12B W Union St
Ashland, MA 01721-1422

For service visit us online at www.gettips.com

HCA intended to apply for a liquor license

Seven years ago the HCA and the town of Hopkinton entered into an agreement regarding alcohol service for internal and external events at the center. This agreement requires the following:

For any internal art related event the HCA must use a 12C licensed caterer to serve alcohol.

For any outside rental the same 12C caterer must be used and the HCA is limited in the number and size of outside rentals it can host.

If HCA chooses to use an alcohol provider that does not have a 12C caterers license they must apply for a one day liquor license through the town of Hopkinton's regular process.

While this agreement has served us well for many years it has now become unsustainable for the following reasons.

- 1) The cost of hiring 12C licensed caterers for our internal events has exceeded \$10,000 per year.
- 2) The timing and additional insurance costs of applying for a one day liquor license have become prohibitive for both internal and external rentals.
- 3) Many of HCA events such as art receptions, plays and donor receptions are too small for external caterers to take on as they do not make enough money to justify the staff costs

Due to these constraints the HCA has begun the process of applying for a full liquor license. The benefits to the organization are as follows:

- 1) Having our own license will allow HCA art events to generate income rather than be a cost.
- 2) The HCA can offer alcohol service at smaller events like art openings and small donor events.
- 3) 3) The HCA can offer alcohol service to outside rentals and take advantage of another revenue stream.

With the growth of the HCA over the last several years there have been a number of changes that put us in a stronger position to manage the needs that come along with owning a liquor license.

- 1) In 2022 we hired event manager Denise Tracy, who books all of our musical talent and who has many years of experience running a music venue that serves alcohol. Denise was most recently the owner/manager of Jasper Hill in Holliston and Millis. She will serve as our manager of record.
- 2) We have a much larger pool of staff and volunteers who will help manage crowd control, inventory and service for our event needs.
- 3) In the seven years we have been serving alcoholic beverages at our events we have not had one issue or complaint.
- 4) We have the support of neighbors, the police chief and the schools.

I am coming before you today to answer any questions or concerns about the HCA moving forward with our application in the coming weeks.

Sincerely

Kelly Grill
Executive Director, HCA
kelly@hopartscenter.org
508 331-0454

Neighborhood Handout

Routine Safety Exercise



Eversource is conducting a **routine safety exercise drill** at the natural gas facility in your neighborhood.

Eversource is conducting an emergency preparedness drill at the Hopkinton liquefied natural gas (LNG) plant. This drill will include simulated response from Hopkinton first responders (fire, police and medical emergency units).

Eversource routinely conducts emergency preparedness training in the communities where our LNG facilities are located. These exercises allow us to review and improve current response procedures in the unlikely event of an emergency.

Where is the LNG Plant located?

52 Wilson Street, Hopkinton, MA 01748

When will the training drill occur?

Thursday, May 4, 2023, from 8AM to 4PM

What can I expect to see or hear?

You may see emergency lights, smoke simulators and fire hoses spraying water within the Eversource LNG Plant as emergency response activities are tested.

Does this exercise pose any danger to me, my home or my family?

No. There is no danger to you or anyone participating in this drill. No toxic materials of any kind will be used, and no individuals will be at risk for injury.

Safety First and Always

At Eversource, safety is always a TOP priority. Conducting emergency training drills is one way in which we continue to provide natural gas service reliably and safely to our customers and the communities we serve. **Please remember, this is ONLY A DRILL.**

More information

If you have questions about this drill, please call Eversource Emergency Preparedness at (508) 305-6985



TOWN OF HOPKINTON

OFFICE OF THE

PLANNING BOARD

18 Main Street, Hopkinton MA 01748

(508) 497-9745

March 23, 2019

Amy Ritterbusch, Chair
Select Board
18 Main Street
Hopkinton, MA 01748

Re: **Street Acceptance Report**

Dear Amy:

Pursuant to the requirements of Mass. General Laws Chapter 41 Section 81I, the Planning Board provides this report relative to the two streets proposed for acceptance as public ways at the 2023 Annual Town Meeting.

The Board voted on January 23, 2023 to submit an article into the annual Town Meeting Warrant recommending acceptance of the following public way:

Box Mill Road

Box Mill Road – Off Leonard Street

The Box Mill Road subdivision was approved by the Planning Board in 2016. The developer constructed the roadway and the resulting building lots were established through the Approval-Not-Required (ANR) process. This subdivision was further amended to allow for two additional lots as a result of a Board of Appeals Variance decision and the subsequent ANR endorsed in 2022. The subdivision was amended in 2022 to address stormwater issues associated with roadway design. The Board's consulting engineer has inspected the road construction and reviewed the as-built plan. This review has resulted in confirmation that all outstanding issues have been addressed (March 10, 2023).

There is 440 feet of roadway serving 5 new lots. The Board holds a \$102,560.00 performance guarantee.

Please contact me if you have any questions or need additional information.

Sincerely,

Gary Trendel
Chair

SEE PLAN NUMBER 801 OF 2009

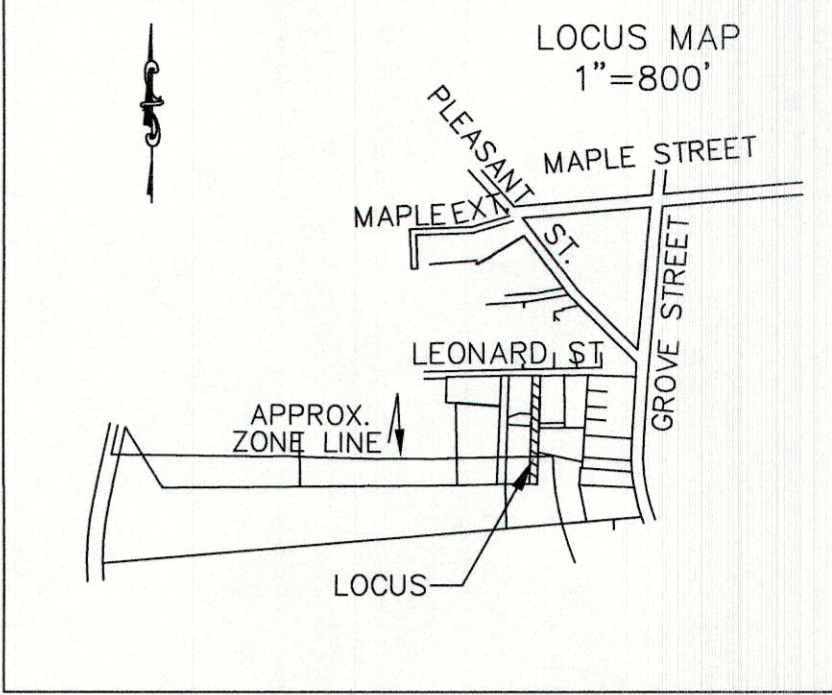
DESCRIPTION OF EASEMENT:
 P-3,P-4,P-5 PERMANENT GRADING,SLOPE,ACCESS AND
 P-6,P-7 DRAIN EASEMENT

MAP U-19 LOT 52
 N/F WALL STREET DEVELOPMENT CORP.

MAP U-19 LOT 51
 N/F FREDERICK MAYER

MAP U-19 BLOCK 48 LOT A
 N/F GERALD H. AGOSTINHO

MAP U-19 BLOCK 48 LOT B
 N/F EILEEN MCGANN



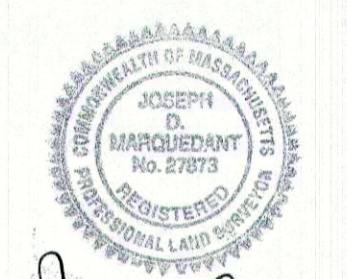
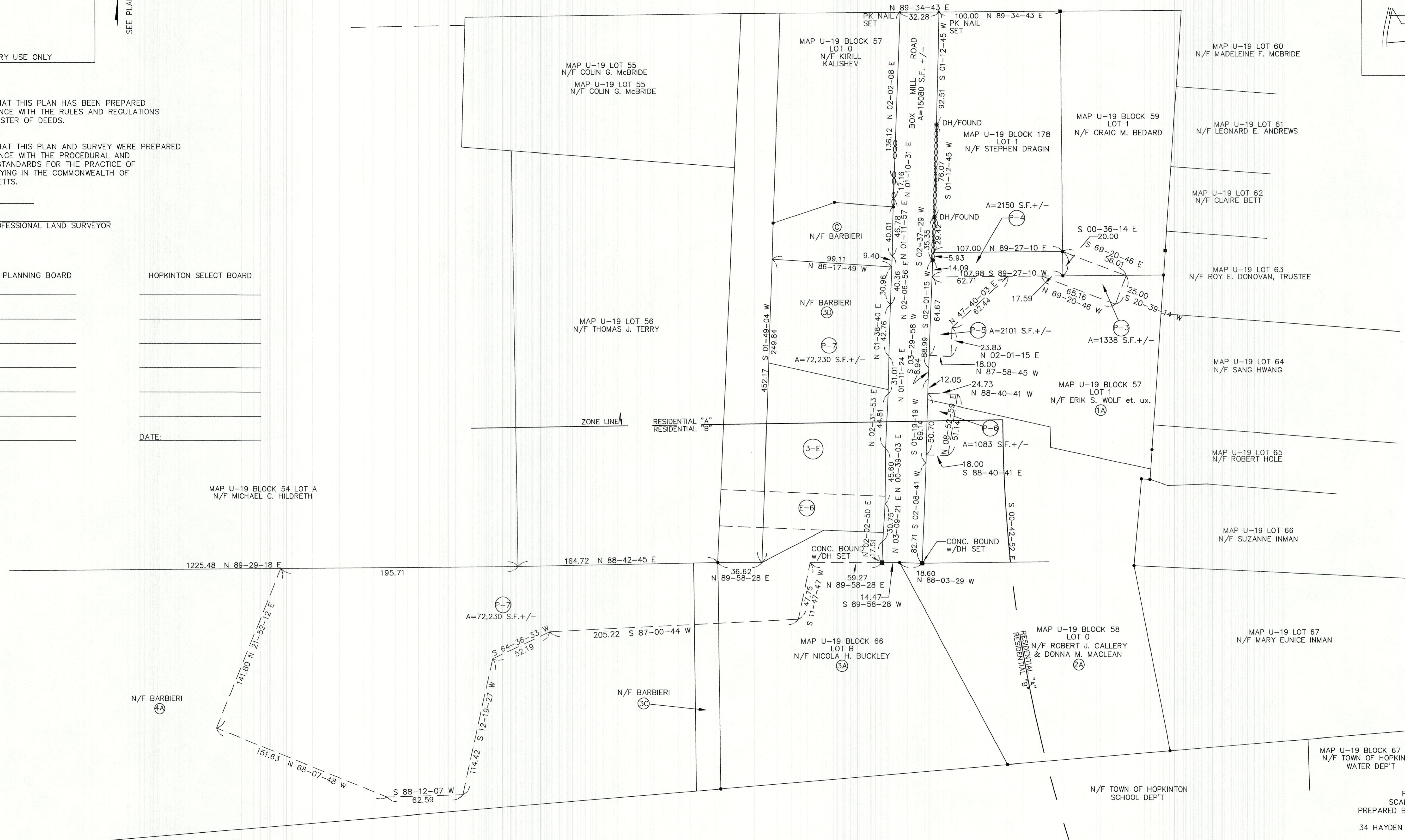
REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED
 IN ACCORDANCE WITH THE RULES AND REGULATIONS
 OF THE REGISTER OF DEEDS.

I CERTIFY THAT THIS PLAN AND SURVEY WERE PREPARED
 IN ACCORDANCE WITH THE PROCEDURAL AND
 TECHNICAL STANDARDS FOR THE PRACTICE OF
 LAND SURVEYING IN THE COMMONWEALTH OF
 MASSACHUSETTS.

DATE: _____
 PROFESSIONAL LAND SURVEYOR

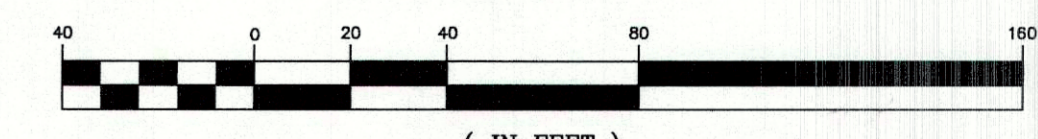
HOPKINTON PLANNING BOARD	HOPKINTON SELECT BOARD
_____	_____
_____	_____
_____	_____
_____	_____
DATE: _____	DATE: _____



Joseph D. Marquedant

MAP U-19 BLOCK 67 LOT A
 N/F TOWN OF HOPKINTON
 WATER DEPT

ACCEPTANCE
 PLAN OF LAND
 IN
 HOPKINTON, MASSACHUSETTS
 PREPARED FOR: RICK BARBIERI
 SCALE: 1"=40' DATE: MARCH 1, 2019
 PREPARED BY: J.D. MARQUEDANT & ASSOCIATES INC.
 LAND SURVEYING
 34 HAYDEN ROWE SUITE 203 HOPKINTON, MA. 01748
 GRAPHIC SCALE



- LEGEND:
- DENOTES STONEWALL
 - DENOTES CONC BOUND w/DH FOUND UNLESS NOTED
 - DENOTES DRILLHOLE FOUND UNLESS NOTED
 - P-1,T-1 DENOTES EASEMENT TYPE (PERMANANT OR TEMPORARY)
 - ② DENOTES LOT NUMBER OR PARCEL NUMBER
 - ▲ DENOTES PK NAIL SET
 - DENOTES I. PIN SET

REVISION:

NO.	DATE	DESCRIPTION	BY
1	12/27/20		

DRAFT

Registry Use

Legend

- CB/DH(S) Concrete Bound with Drill Hole Set
- IR(S) Iron Rod Set

Plan Reference: Land Court Plan 14200C

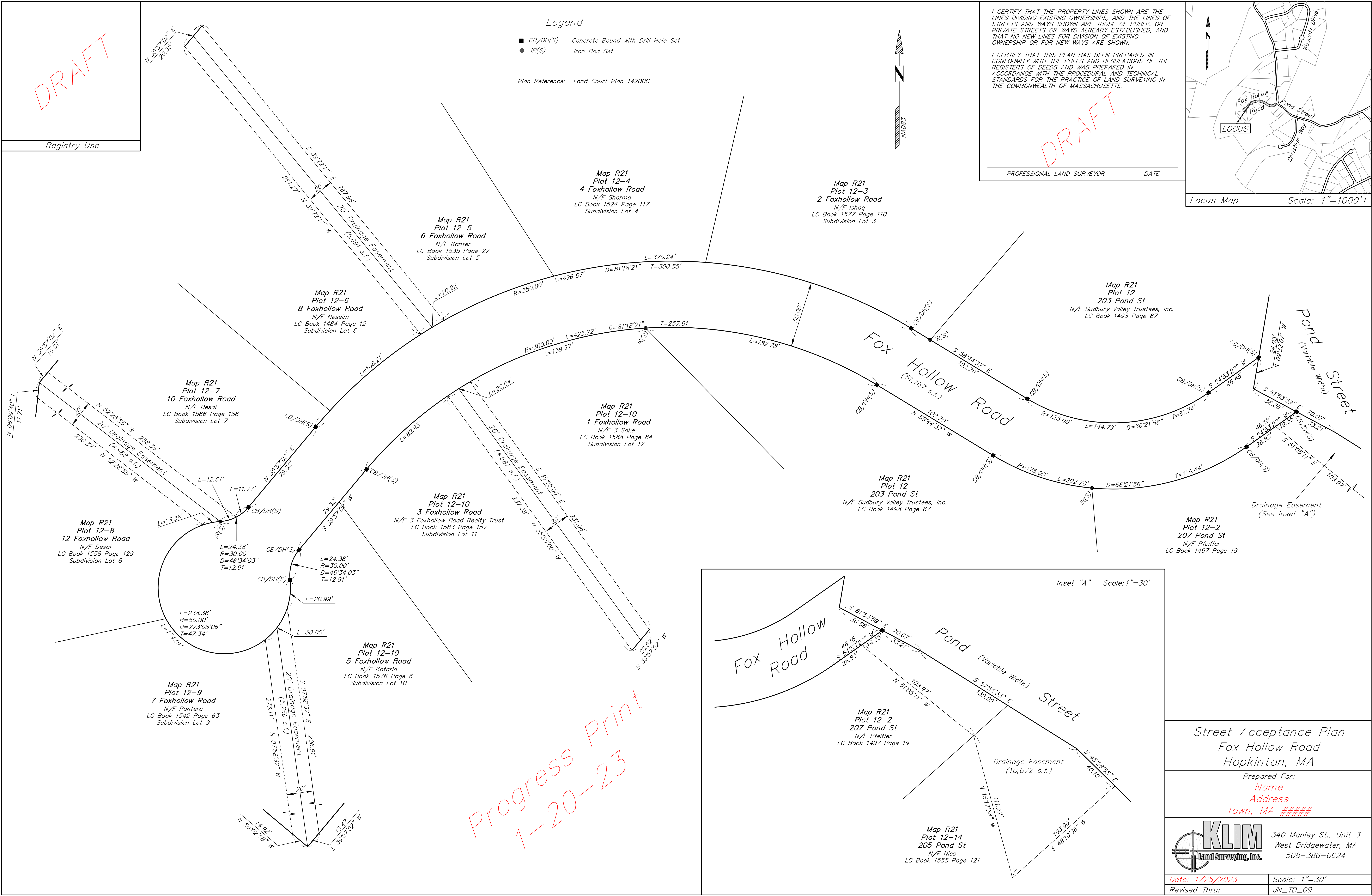
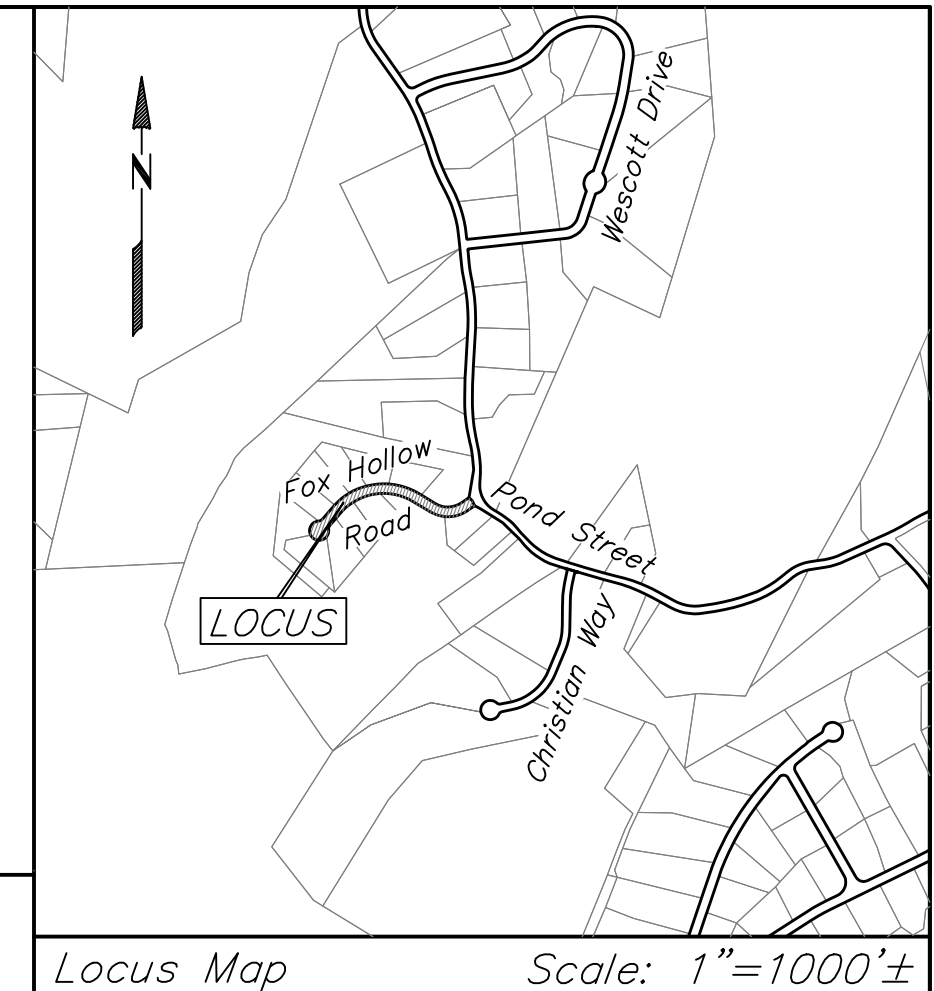


I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

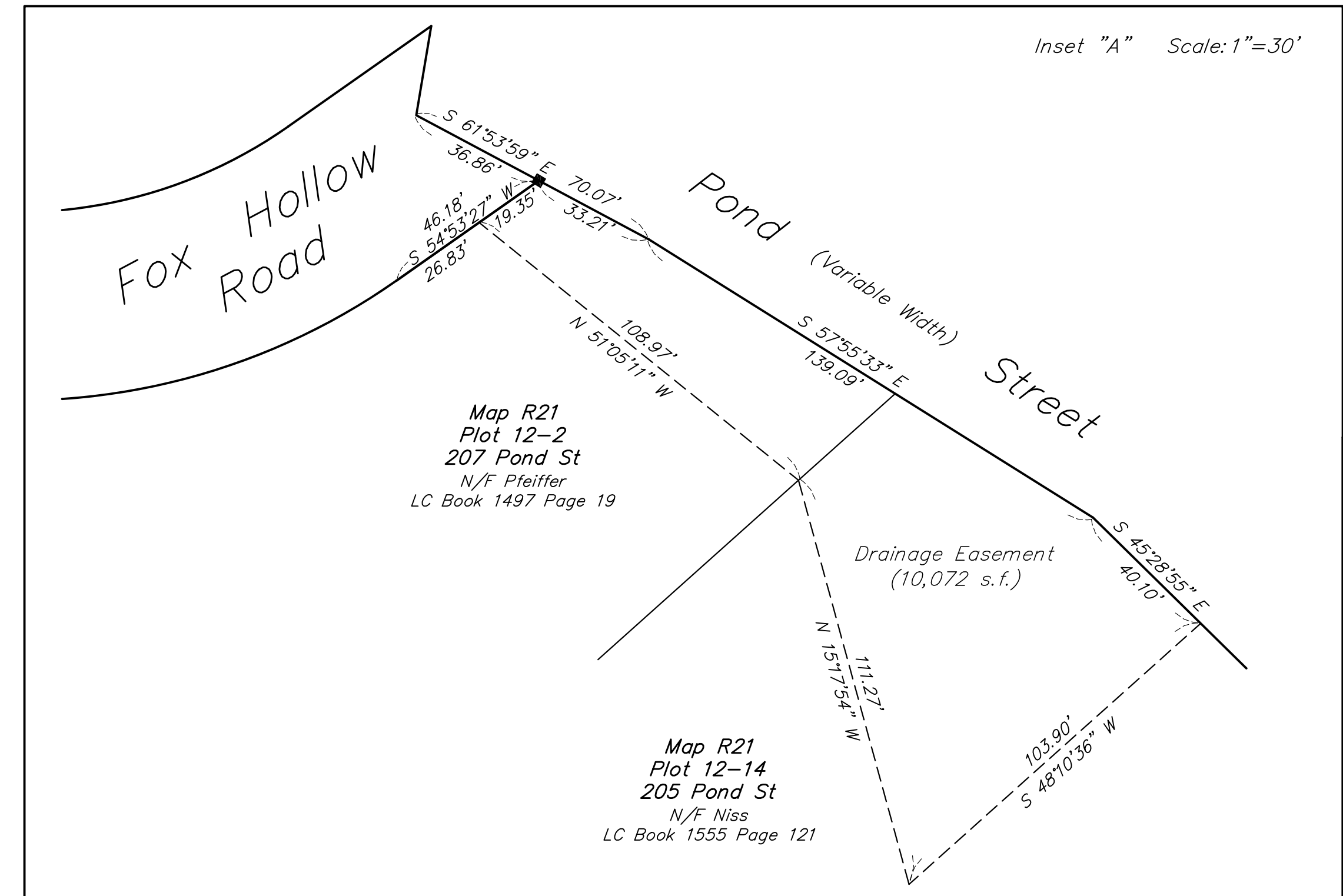
I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS AND WAS PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

PROFESSIONAL LAND SURVEYOR _____ DATE _____

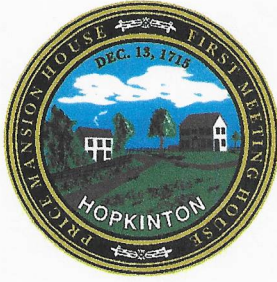
DRAFT



Progress Print
1-20-23



Street Acceptance Plan Fox Hollow Road Hopkinton, MA	
Prepared For: Name _____ Address _____ Town, MA #####	
340 Manley St., Unit 3 West Bridgewater, MA 508-386-0624	
Date: 1/25/2023	Scale: 1"=30'
Revised Thru:	JN_TD_09



TOWN OF HOPKINTON
DEPARTMENT OF PUBLIC WORKS
P.O. Box 209
83 Wood Street
Hopkinton, Massachusetts 01748
508-497-9740
www.hopkintonma.gov

To: Hopkinton Select Board

From: John K. Westerling
Director of Public Works

Date: March 28, 2023

Re: Street Acceptance Recommendations

I offer the following comments related to the upcoming consideration by Town Meeting for the acceptance of Box Mill and Fox Hollow Roads.

Box Mill Road

1. The catch basins are missing the necessary hoods.
2. There is a sewer trench for the newly constructed sewer connection that has a temporary patch that must be replaced with a permanent patch.

Once these items are addressed then the DPW can make a positive recommendation to Town Meeting for acceptance.

Fox Hollow Road

1. There is a punch list of items from the Planning Board's engineer, BETA, dated March 8, 2023, that is attached hereto which contains their observations that must be addressed.
2. There are areas around drainage pipes and structures that do not have the required cement grout.
3. There is a water service trench in the sidewalk that has a temporary patch that must be replaced with a permanent patch.
4. The water quality swale between lots 11 and 12 was not constructed according to the approved definitive plan. The grade is incorrect, the check dams were not installed, and necessary rip-rap in the swale was not installed. The result is a drainage system that will allow water to shed onto abutting properties that will cause wash outs, property damage, and flooding of the septic systems.

Item #4 is of particular concern because of the potential damage to private property and I do not want to see the Town inherit that liability.

Once these items are addressed then the DPW can make a positive recommendation to Town Meeting for acceptance.

Attachment

Date: March 8, 2023 Job No.: 6969 095
To: John Gelcich, Principal Planner
Cc:
From: Bob Lamoureux
Phil Paradis, PE *PPR*
Subject: **Foxhollow Road As-Built for Street Acceptance Review**

At the request of the Hopkinton Principal Planner, BETA reviewed the submitted as-built plan (2 sheets) entitled Subdivision *As-Built Plan Open Space and Landscape Preservation Development* dated October 12, 2022, prepared by Strongpoint Engineering Solutions, LLC.

AS-BUILT PLAN (§11.3 HOPKINTON SUBDIVISION REGULATIONS)

Update the As-Built Plan to include:

- AB1. Stamp of Professional Land Surveyor and/or Professional Engineer (Civil) (§11.3.1.)
- AB2. All utilities clearly shown in plan view including sizes and materials (§11.3.1.A.) Water lines are hard to follow and electric/tel/cable should be shown.
- AB3. Road centerline elevations as constructed (§11.3.1.D.) It is improbable that it was constructed exactly as design.
- AB4. Culvert size and material and inverts at ends (§11.3.1.E.)
- AB5. Sump depths or sump elevations (§11.3.1.F.)
- AB6. Road right-of-way with bearings and distances as a closed figure, with area, for description when streets are brought to Town Meeting for acceptance (§11.3.1.G.).
- AB7. Two benchmarks (§11.3.1.J.)
- AB8. Confirm that plan is in a form recordable by the registry of deeds with required certifications (§11.3.2.)
- AB9. Reference to Massachusetts State Plane NAD83 format (§11.3.3.)

Recommend updating the As-Built Plan to include:

- AB10. Street name in plan title.
- AB11. Easements for Town to access shut offs on private properties.

FIELD OBSERVATIONS

BETA visited the site to observe infrastructure in place according to an as-built plan provided by the developer.

BETA walked the site and noted the following infrastructure has been installed.

- Top Course pavement - 20' wide with grass strip
- Sloped granite curb along the radius at the entrance
- Vertical granite curb at all catch basins
- Drainage infrastructure CB's, MH's, Stormceptor Units and Outfalls with FES and rip rap, and grass Swales with check dams as shown on the As-built plans
- Water Infrastructure Hydrant, gate valves and water services
- ADA concrete ramps (2) as shown on the approved plans
- Street and Stop signs
- Bituminous sidewalk as shown on the approved plans
- Crushed stone Parking Area to accommodate 4 vehicles
- Loam and seed along the length of the roadway both sides
- Electric conduit and electric box structures
- Box Culvert with headwalls and Coated 6' Fence
- Wood Guard Rails along the Box Culvert both sides of the roadway
- Wetland Replication Area as shown on the As-built plans
- Street Trees
- Concrete Bounds

BETA notes the following deficiencies were observed

- FO1. Bank erosion was observed at the outfall from DMH-1 adjacent to 205 Pond St. additional Rip Rap needed
- FO2. Erosion Controls are still in place. Silt fence and grade stakes should be removed
- FO3. 3 concrete bounds were not located and observed stockpiled along the roadway
- FO4. Crushed stone and swale 156' in length needs to be installed along a portion of Lot 11 and Lot 12
- FO5. Outfall between lots 11 & 12 showing erosion
- FO6. Swale and check dams 140' in length at the outfall between lots 11 & 12 needs to be constructed

SITE PHOTOS



Bank erosion at outfall from DMH-1 Additional Rip Rap needed



Erosion controls observed throughout the site, should be removed



Concrete bounds not yet installed



Crushed stone swale along edge of road at Lot 11 and 12 to be re-established



Erosion at outfall between lots 11 & 12



Swale and check dams between lots 11 and 12 need to be constructed



Hopkinton Annual Town Meeting May 1, 2023

WARRANT ARTICLES AND MOTIONS

The Middle School is accessible. If accessibility accommodations/modifications are needed, please contact the Town Manager's office at 508-497-9701 by April 27, 2023.

REPORTS

ARTICLE: 1 Acceptance of Town Reports

Sponsor: Select Board

To hear the Reports of Town Officers, Boards and Committees.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends Approval.

Motion (Select Board): *We move that the Town accept the Reports of Town Officers, Boards and Committees.*

Vote Needed: Simple Majority.

FINANCIAL – FISCAL YEAR 2023

ARTICLE: 2 FY 2023 Supplemental Appropriations and Transfers

Sponsor: Town Manager

To see if the Town will vote to transfer from available funds or otherwise provide a sum or sums of money to supplement operating budgets and various accounts for the fiscal year ending on June 30, 2022.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends Approval.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to (1) transfer the sum of \$425,462 (FOUR HUNDRED TWENTY FIVE THOUSAND FOUR HUNDRED SIXTY TWO DOLLARS) from Certified Free Cash to the Fiscal Year 2023 Snow and Ice Removal Budget.*

Vote Needed: Simple Majority.

ARTICLE: 3 Unpaid Bills from Prior Fiscal Years

Sponsor: Town Manager

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money to pay unpaid bills from prior fiscal years, in accordance with the provisions of Chapter 44, Section 64, of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends Approval.

Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash the sum of \$28,497.45 (TWENTY EIGHT THOUSAND FOUR HUNDRED NINETY SEVEN DOLLARS AND FORTY FIVE CENTS) for the following bills incurred in a previous year, in accordance with the provisions of Chapter 44, Section 64 of the Massachusetts General Laws, as follows:*

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>
Town Manager	Miyares & Harrington LLP	\$ 12,438.50
Public Works	Hiller's Pizza	\$ 107.95
Police	Waterlogic	\$ 382.20
Trail Coordination & Management Committee	Michael C. Boelsen	\$ 1,200.00
Facilities	Scott's Landscaping, Inc.	\$ 333.00
Facilities	Hopkinton Business Center LLC	\$ 1,473.50
Facilities	Radiant Cleaning	\$ 5,470.92
Facilities, Engineering	Gatehouse Media	\$ 484.84
Recycling Center	Chase/Harris Portable Toilets	\$ 267.00
Employee Benefits	Middlesex County Retirement	\$ 4,967.54
Town Clerk / Public Works	Hopkinton Police Department	\$ 1,372.00
	TOTAL	\$ 28,497.45

Vote Needed: Four-Fifths Majority.

FINANCIAL – FISCAL YEAR 2024

ARTICLE: 4 Set the Salary of Elected Officials

Sponsor: Select Board

To see if the Town will vote to fix the salary or compensation of all the elected officials of the Town in accordance with Chapter 41, Section 108, of the *Massachusetts General Laws*.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends _____.

Motion (Appropriation Committee): *We move that the Town vote to fix the salary of the elected Town Clerk for the Fiscal Year beginning July 1, 2023, at \$79,519.45 (SEVENTY NINE THOUSAND FIVE HUNDRED NINETEEN DOLLARS AND FORTY FIVE CENTS).*

Vote Needed: Simple Majority.

ARTICLE: 5 Fiscal Year 2024 Operating Budget

Sponsor: Town Manager

To hear and act on reports and recommendations of the Appropriation Committee and to see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum or sums of money for the operation and maintenance of Town Departments for the fiscal year beginning on July 1, 2023, and that such sums be expended for such purposes under the direction of the respective Town Officers, Boards and Committees.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends _____.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate:*

- \$108,589,950 to the General Fund; and
- \$233,430 to the Community Preservation Fund; and
- \$2,091,498 to the Sewer Enterprise Fund; and
- \$2,361,354 to the Water Enterprise Fund

for a total of \$113,277,232 (ONE HUNDRED THIRTEEN MILLION TWO HUNDRED SEVENTY SEVEN THOUSAND TWO HUNDRED THIRTY TWO DOLLARS) for the purposes itemized and described in the Fiscal Year 2024 Operating Budget of the Town, in the amounts set forth in the Appropriation Committee Report with Recommendations Approved April 18, 2023 the column titled "Appropriation Committee Recommendation" for the Fiscal Year beginning July 1, 2023, in the column titled "Appropriation Committee Recommendation," said sums to be spent under the direction of the respective Town officers, Boards, and Committees, and that amounts appropriated be raised as follows

GENERAL FUND

Transfers from available funds:

<i>Ambulance Receipts Reserved</i>	\$	550,000
<i>Title V</i>	\$	64,458
<i>Bond Premiums</i>	\$	38,185
<i>Transfers from available funds</i>	\$	652,643

Local Receipts, Intergovernmental

Revenue and Tax Levy	\$ 107,937,307
GENERAL FUND	\$ 108,589,950

COMMUNITY PRESERVATION FUND
Transfers from available funds, as recommended by the Community Preservation Committee:

CPC Undesignated Fund Balance	\$ 233,430
COMMUNITY PRESERVATION FUND	\$ 233,430

SEWER ENTERPRISE FUND
 FY2023 Sewer Enterprise Fund Revenue
 SEWER ENTERPRISE SOURCES OF FUNDS

	\$ 2,091,498
--	--------------

Indirect Costs to be raised from the FY2023 Sewer Enterprise Fund revenues, appropriated in the General Fund

	\$ 334,113
--	------------

SEWER ENTERPRISE BUDGET	\$ 2,425,611
-------------------------	--------------

WATER ENTERPRISE FUND
 FY2023 Water Enterprise Revenue
 WATER ENTERPRISE SOURCES OF FUNDS

	\$ 2,361,354
--	--------------

Indirect costs to be raised from the FY2023 Water Enterprise Fund revenues, appropriated in the General Fund

	\$ 445,962
--	------------

WATER ENTERPRISE BUDGET	\$ 2,807,316
-------------------------	--------------

Vote Needed: Simple Majority

ARTICLE: 6	FY 2024 Revolving Funds Spending Limits	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to establish the limit on the total amount that may be expended from each revolving fund established by Article VI of Chapter 13 of the General Bylaws pursuant to Section 53E½ of Chapter 44 of the *Massachusetts General Laws* for the fiscal year beginning July 1, 2023.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends ____.
 Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to establish the limit on the total amount that may be expended from each revolving fund established by Article VI of Chapter 13 of the General Bylaws pursuant to Section 53E½ of Chapter 44 of the Massachusetts General Laws for the Fiscal Year beginning July 1, 2023, as follows:*

<u>Revolving Fund</u>	<u>Spending Limit for the Fiscal Year 2024</u>
Building Department	\$500,000
Part-Time Wire Inspector	\$100,000
Part-Time Plumbing Inspector	\$100,000
Hazardous Materials	\$20,000
Conservation Commission	\$200,000
Library	\$10,000
Public Safety	\$5,000
Planning Board	\$100,000
Open Space Preservation Commission	\$10,000
Youth and Family Services Department	\$4,000
Zoning Board of Appeals	\$50,000
Department of Public Works (Expenses of operation of the Highway Division.)	\$8,000
Department of Public Works (Expenses of operation of Recycling Center)	\$15,000
Department of Public Works (To purchase Overflow Trash bags and to meet expenses of Waste Collection and Disposal)	\$8,000
Cemetery Commission	\$3,500
Cemetery Lot Fund	\$10,000
School Department 1:1 Laptop Initiative	\$475,000

<u>Revolving Fund</u>	<u>Spending Limit for the Fiscal Year 2024</u>
Fingerprinting Fund	\$500
Senior Center Programs Fund	\$75,000
Police Department	\$12,500
Parks and Recreation	\$130,000
Shared Housing Services Office	\$125,000

Vote Needed: Simple Majority.

ARTICLE: 7	PEG Access and Cable Related Fund Revolving Account Funding	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to appropriate a sum or sums of money from the PEG Access and Cable Related Fund Revolving Account, established pursuant to General Laws chapter 44, §53F¾, to support public, educational, or governmental access cable television services.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends _____.
 Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer \$221,000 (TWO HUNDRED TWENTY ONE THOUSAND DOLLARS) from the PEG Access and Cable Related Fund Revolving Account for the purposes specified in Article 7 of the Warrant.*

Vote Needed: Simple Majority.

ARTICLE: 8	Chapter 90 Highway Funds	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to appropriate a sum or sums of money from the proceeds due to the Town pursuant to Chapter 90 of the *Massachusetts General Laws* for the purposes of repair, construction, maintenance and preservation of the Town’s roads and bridges, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Department of Transportation; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends ____.
Appropriation Committee recommends Approval.
Capital Improvement Committee recommends ____.

Motion: (Appropriation Committee) *We move that the Town vote to appropriate \$638,003.18 (SIX HUNDRED THIRTY EIGHT THOUSAND THREE DOLLARS AND EIGHTEEN CENTS) from the proceeds due to the Town pursuant to Chapter 90 of the Massachusetts General Laws for the purposes of repair, construction, maintenance and preservation of the Town's roads and bridges, the acquisition of easements and other interests in real property related to the laying out of ways, and other related costs, which qualify under the State Aid Highway Guidelines adopted by the Massachusetts Department of Transportation; said sum to be spent under the direction of the Town Manager.*

Vote Needed: Simple Majority.

ARTICLE: 9	Transfer to Other Post-Employment Benefits Liability Trust Fund	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the Other Post-Employment Benefits Liability Fund.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends ____.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate \$832,850 (EIGHT HUNDRED THIRTY TWO THOUSAND EIGHT HUNDRED FIFTY DOLLARS) from Certified Free Cash to be credited to the Other Post-Employment Benefits Liability Trust Fund.*

Vote Needed: Simple Majority.

ARTICLE: 10	Transfer to the General Stabilization Fund	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the General Stabilization Fund, to be used, upon further appropriation, for any lawful purpose.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends ____.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to transfer from Certified Free Cash the sum of \$700,000 (SEVEN HUNDRED THOUSAND DOLLARS) for the purpose of increasing the General Stabilization Fund, said sums to be used, upon further appropriation, for any lawful purpose.*

Vote Needed: Simple Majority.

ARTICLE: 11	Transfer to the School Special Education Reserve Fund	<i>Sponsor: Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of increasing the School Special Education Reserve Fund, to be used, without further appropriation, for unanticipated or unbudgeted costs of special education and recovery high school programs, out-of-district tuition, or transportation.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends ____.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to appropriate the sum of \$1,094,024 (ONE MILLION NINETY FOUR THOUSAND TWENTY FOUR DOLLARS) for the purpose of increasing the School Special Education Reserve Fund, said sums to be used, upon further appropriation, for any lawful purpose.*

Vote Needed: Simple Majority.

ARTICLE: 12	Establish Capital Stabilization Account for South Middlesex Regional Vocational Technical School District	<i>Sponsor: South Middlesex Regional Vocational Technical School District</i>
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To see if the Town will vote to authorize the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District Committee to establish a Capital Stabilization Account for the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District, pursuant to General Laws chapter 71, §16G½.

Pass any vote or take any act relative thereto.

Required Recommendation: Select Board recommends ____.
Appropriation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to authorize the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District Committee to establish a Capital Stabilization Account for the South Middlesex Regional Vocational Technical School (aka Keefe Regional Technical School) District, pursuant to General Laws Chapter 71, §16G½.*

Vote Needed: Simple Majority.

ARTICLE: 13 PILOT Agreement, Wilson Street Solar Farm

Sponsor: Select Board

To see if the Town will vote in accordance with Chapter 59, Section 5, Clause forty-fifth of the *Massachusetts General Laws*, to approve a Payment in Lieu of Taxes (PILOT) Agreement, as negotiated by the Select Board, with GHTJA04 LLC, for a period of twenty-five (25) years, whereby GHTJA04 LLC will pay the Town a sum of monies per year relative to a portion of land located at 17 Wilson Street, shown as Assessors' Maps U12 1 A, U12 2 A, U11 30 0 and U11 26 B, and which is related to the proposed construction and operation of a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 1.8 megawatts, said PILOT Agreement being on file in the Town Clerk's Office, and further to allow the Select Board or the Town Manager to negotiate any amendments necessary to said PILOT Agreement to reflect any changes in the size of the parcel of land or size of the system so long as the payments reflected in the PILOT Agreement rise or lower commensurately.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends ____
Appropriation Committee recommends Approval.

Motion: (Select Board) *We move that the Town vote in accordance with Chapter 59, Section 5, Clause forty-fifth of the Massachusetts General Laws, to approve a Payment in Lieu of Taxes (PILOT) Agreement, as negotiated by the Select Board, with GHTJA04 LLC, for a period of twenty-five (25) years, whereby GHTJA04 LLC will pay the Town a sum of monies per year relative to a portion of land located at 17 Wilson Street, shown as Assessors' Map Maps U12 1 A, U12 2 A, U11 30 0 and U11 26 B, and which is related to the proposed construction and operation of a Large-Scale Ground Mounted Solar Photovoltaic Installation with an expected nameplate capacity of approximately 1.8 megawatts, said PILOT Agreement being on file in the Town Clerk's Office, and further to allow the Select Board or the Town Manager to negotiate any amendments necessary to said PILOT Agreement to reflect any changes in the size of the parcel of land or size of the system so long as the payments reflected in the PILOT Agreement rise or lower commensurately.*

Vote Needed: Simple Majority.

CAPITAL EXPENSES AND PROJECTS

ARTICLE: 14 Pay-As-You-Go Capital Expenses

Sponsor: Town Manager

To see if the Town will vote to raise and appropriate, transfer from available funds, transfer from the Capital Stabilization Fund, or otherwise provide a sum or sums of money to fund the following Pay-As-You-Go capital purchases and projects:

<u>Item</u>	<u>Purchase or Product</u>	<u>To be spent under the direction of</u>
1	End User Computer Hardware Renewal Refresh	Town Manager
2	Security Cameras at Police Department, Town Hall	Town Manager
3	Network Switching and WiFi Upgrades	Town Manager
4	Police Department Vehicle Replacement - Three Cruisers	Town Manager
5	Fire Department Vehicle Replacement for 2011 Chevy Tahoe	Town Manager
6	Fire Department Vehicle Replacement for 2011 F-250 Pickup with Plow	Town Manager
7	Fire Department Breathing Air Fill Station	Town Manager
8	School Systemwide Wireless Technology Upgrade	School Superintendent
9	EMC Park Drainage Remediation	Town Manager
10	Drainage Improvement - Wood Street	Town Manager
11	Drainage Improvement - Downey Place	Town Manager
12	Replace 2005 Caterpillar 928 Loader	Town Manager
13	Replace 2005 Caterpillar 420 Backhoe	Town Manager
14	Participatory Budget Items: Flashing Traffic Beacon for Crosswalk at the corner of Grove St. and Pleasant St.; Installation of Electric Vehicle Charging Stations;	Town Manager

<u>Item</u>	<u>Purchase or Product</u>	<u>To be spent under the direction of</u>
	Fitness Station along Center Trail, Free CPR and First Aid Classes; Tree planting, stone wall work and turf work at the Hughes Farm Property at 192 Hayden Rowe	

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
 Appropriation Committee recommends Approval.
 Capital Improvements Committee recommends _____.

Motion: (Appropriation Committee) *We move that the Town vote to transfer from Certified Free Cash (or from available funds) \$1,897,613 (ONE MILLION EIGHT HUNDRED NINETY SEVEN THOUSAND SIX HUNDRED THIRTEEN DOLLARS) for the following capital purchases and projects, to be expended in the specified amounts and under the specified direction as set forth as follows:*

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>Amount</u>	<u>To be spent under the direction of</u>
1	End User Computer Hardware Renewal Refresh	Technology Department	\$92,851	Town Manager
2	Security Cameras at Police Department, Town Hall	Technology Department	\$54,350	Town Manager
3	Network Switching and WiFi Upgrades	Technology Department	\$38,170	Town Manager
4	Police Department Vehicle Replacement - Three Cruisers	Police Department	\$205,000	Town Manager
5	Fire Department Vehicle Replacement for 2011 Chevy Tahoe	Fire Department	\$70,000	Town Manager
6	Fire Department Vehicle Replacement for 2011 F-250 Pickup with Plow	Fire Department	\$90,000	Town Manager
7	Fire Department Breathing Air Fill Station	Fire Department	\$89,242	Town Manager

<u>Item</u>	<u>Purchase or Product</u>	<u>Department</u>	<u>Amount</u>	<u>To be spent under the direction of</u>
8	School Systemwide Wireless Technology Upgrade	School Department	\$75,000	School Superintendent
9	EMC Park Drainage Remediation	Facilities Department	\$225,000	Town Manager
10	Drainage Improvement - Wood Street	Department of Public Works	\$348,000	Town Manager
11	Drainage Improvement - Downey Place	Department of Public Works	\$75,000	Town Manager
12	Replace 2005 Caterpillar 928 Loader	Department of Public Works	\$240,000	Town Manager
13	Replace 2005 Caterpillar 420 Backhoe	Department of Public Works	\$195,000	Town Manager
14	Participatory Budget Items: Flashing Traffic Beacon for Crosswalk at the corner of Grove St. and Pleasant St.; Installation of Electric Vehicle Charging Stations; Fitness Station along Center Trail, Free CPR and First Aid Classes; Tree planting, stone wall work and turf work at the Hughes Farm Property at 192 Hayden Rowe	Town Manager's Office	\$100,000	Town Manager

Vote Needed: Simple Majority.

ARTICLE: 15 Chestnut Street Sidewalk

Sponsor: Planning Board

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the design, engineering, permitting, and construction of a new sidewalk on Chestnut St. from Wild Road to Smith Road, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends _____.

Motion: (Appropriation Committee) *We move that the Town vote to appropriate the sum of \$514,250 (FIVE HUNDRED FOURTEEN THOUSAND TWO HUNDRED FIFTY DOLLARS) for the design, engineering, permitting, and construction of a new sidewalk on Chestnut St. from Wild Road to Smith Road, including any and all costs, fees, and expenses related to the same; and for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds and notes of the Town therefor, and that 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 the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized thereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote; said sum to be spent under the direction of the Town Manager.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 16 Sidewalk from EMC Park to Blueberry Lane	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the design, engineering, permitting, and construction of a new sidewalk between EMC Park and Fitch Avenue, connecting to Blueberry Lane, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends _____.

Motion: (Appropriation Committee) *We move that the Town vote to appropriate the sum of \$187,000 (ONE HUNDRED EIGHTY SEVEN THOUSAND DOLLARS) for the design, engineering, permitting, and construction of a new sidewalk between EMC Park and Fitch Avenue, connecting to Blueberry Lane, including any and all costs, fees, and expenses related to the same; and for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any*

other enabling authority and to issue bonds and notes of the Town therefor, and that 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 the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized thereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote; said sum to be spent under the direction of the Town Manager.

Vote Needed: Two-Thirds Majority.

ARTICLE: 17	Fire Station 2 Architectural and Engineering Design	<i>Sponsor: Fire Chief and Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for architectural and engineering design for Fire Station 2, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends _____.

Motion: (Appropriation Committee) *We move that the Town vote to appropriate the sum of \$70,000 (SEVENTY THOUSAND DOLLARS) for architectural and engineering design for Fire Station 2, including any and all costs, fees, and expenses related to the same; and for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds and notes of the Town therefor, and that 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 the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized thereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote; said sum to be spent under the direction of the Town Manager.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 18 Hopkinton Public School HVAC Renewal Work

Sponsor: School Committee

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the Hopkinton Public School HVAC renewal work, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the School Committee.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends _____.

Motion: (Appropriation Committee) *We move that the Town vote to raise and appropriate the sum of \$1,506,259 (ONE MILLION FIVE HUNDRED SIX THOUSAND TWO HUNDRED FIFTY NINE DOLLARS) for Hopkinton Public School HVAC renewal work, including any and all costs, fees, and expenses related to the same; and for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds and notes of the Town therefor, and that 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 the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized thereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote; said sum to be spent under the direction of the School Committee.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 19 Hopkins School Addition

Sponsor: School Committee

To see if the Town will vote to raise and appropriate, transfer from available funds including but not limited to the School Department Stabilization Fund, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the Hopkins School Addition project, including any planning, design, engineering, construction, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the School Committee.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends ____.
Capital Improvements Committee recommends ____.

Motion: (Appropriation Committee) *We move that the Town vote to raise and appropriate a total sum of \$3,000,000 (THREE MILLION DOLLARS) for the Hopkins School Addition project, including any planning, design, engineering, construction, including any and all costs, fees, and expenses related to the same; and, for the purpose of meeting said appropriation to:*

(1) transfer the sum of \$2,200,000 (TWO MILLION TWO HUNDRED THOUSAND DOLLARS) from the School Department Stabilization Fund; and

(2) authorize the Town Treasurer, with the approval of the Select Board, to borrow the sum of \$800,000 (EIGHT HUNDRED THOUSAND DOLLARS) in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds and notes of the Town therefor, and that 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 the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized thereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote;

said total sum to be spent under the direction of the School Committee.

Vote Needed: Two-Thirds Majority.

ARTICLE: 20 Roadway Paving - Pratt Way and Cemeteries

<i>Sponsor: Director of Public Works; Town Manager</i>
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To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the reconstruction and paving of Pratt Way and the roadways within Evergreen and Mount Auburn Cemeteries, including any and all costs, fees, and expenses related to the same; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends ____.

Motion: (Appropriation Committee) We move that the Town vote to appropriate \$480,000 (FOUR HUNDRED EIGHTY THOUSAND DOLLARS) for the reconstruction and paving of Pratt Way and the roadways within Evergreen and Mount Auburn Cemeteries, including any and all costs, fees, and expenses related to the same; and for the purpose of meeting such appropriation, to authorize the Town Treasurer, with the approval of the Select Board, to borrow said sum in accordance with Chapter 44, Section 7(1) of the Massachusetts General Laws, or any other enabling authority and to issue bonds and notes of the Town therefor, and that 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 the issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the Massachusetts General Laws, thereby reducing the amount to be borrowed to pay such cost by a like amount; provided, however, that any borrowing authorized thereunder shall not take effect until the Town votes to exempt from the limitation on total taxes imposed by Chapter 59, Section 21C of the Massachusetts General Laws (Proposition 2½, so-called) amounts required to pay the principal and interest on the borrowing authorized by this vote; said sum to be spent under the direction of the Town Manager.

Vote Needed: Two-Thirds Majority.

ARTICLE: 21 Water Department Vehicle Replacement

Sponsor: Director of Public Works and Town Manager

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, appropriate from excess bond premiums, or otherwise provide a sum or sums of money for the replacement of one superduty dump truck; said sum to be spent under the direction of the Town Manager.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends Approval.
Capital Improvements Committee recommends _____

Motion: (Appropriation Committee) We move that the Town vote to appropriate \$285,000 (TWO HUNDRED EIGHTY FIVE THOUSAND DOLLARS) from the Water Enterprise Fund Retained Earnings for the replacement of one superduty dump truck; said sum to be spent under the direction of the Town Manager.

Vote Needed: Simple Majority.

ARTICLE: 22 School Curriculum, Equipment, and Services Contracts

Sponsor: School Committee

To see if the Town will vote to authorize the Superintendent of Schools, or a designee thereof, to enter into a contract or contracts for Digital Curriculum (educational programs, educational courses, educational curricula in any media including online textbooks, educational software,

newspapers, serials, periodicals, audiovisual materials or software maintenance), Technology Equipment and property Lease, and School Bus Transportation, for a term or terms in excess of three years but not to exceed six years, including any extension or renewal thereof or option under an existing contract, upon such terms and conditions determined by the Superintendent or designee to be in the best interests of the Town; provided, however, that, prior to executing a contract for a term in excess of three years, the Superintendent or designee shall certify in writing to the School Committee that such longer term will enable the Town to secure more favorable terms, considering price, expected useful life and any other relevant factors, that would otherwise be available under a contract with a three-year term.

Pass any vote or take any act relative thereto.

Required Recommendations: School Committee recommends Approval.

Motion: (School Committee) *We move to _____.*

Vote Needed: Simple Majority.

COMMUNITY PRESERVATION FUNDS

ARTICLE: 23 Community Preservation Funds

Sponsor: Community Preservation Committee

To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues a sum or sums of money, in the amounts recommended by the Community Preservation Committee and not to exceed 5% of the estimated annual revenues for Fiscal Year 2024, for committee administrative expenses and other expenses in the fiscal year beginning on July 1, 2023, with each item to be considered a separate appropriation.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends _____.
Appropriation Committee recommends Approval.
Community Preservation Committee recommends Approval.

Motion (Appropriation Committee): *We move that the Town vote to reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for Committee sponsored projects and expenses in the Fiscal Year 2024, with each item to be considered a separate reservation:*

*From the Fiscal Year 2024 estimate revenues for Recreation Reserve
\$212,131 (TWO HUNDRED TWELVE THOUSAND ONE HUNDRED THIRTY ONE DOLLARS)*

*From the Fiscal Year 2024 estimated revenues for Historic Resources Reserve
\$212,131 (TWO HUNDRED TWELVE THOUSAND ONE HUNDRED THIRTY ONE
DOLLARS)*

*From the Fiscal Year 2024 estimated revenues for Community Housing Reserve
\$212,131 (TWO HUNDRED TWELVE THOUSAND ONE HUNDRED THIRTY ONE
DOLLARS)*

*From the Fiscal Year 2024 estimated revenues for Open Space Reserve
\$212,131 (TWO HUNDRED TWELVE THOUSAND ONE HUNDRED THIRTY ONE
DOLLARS)*

*From the Fiscal Year 2024 estimated revenues for Budgeted Reserve
\$1,076,476 (ONE MILLION SEVENTY SIX THOUSAND FOUR HUNDRED SEVENTY
SIX DOLLARS)*

Vote Needed: Simple Majority.

ARTICLE: 24 Community Preservation Recommendations

*Sponsor: Community Preservation
Committee*

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Community Preservation budget for Fiscal Year 2024; and further, to reserve for future appropriation a sum of money from the Community Preservation Fund for open space, historic resources, community housing, recreation and budgeted reserve purposes; and, further to appropriate from the Community Preservation Fund, a sum or sums of money for the following Community Preservation projects or purposes, including the acquisition of interests in land, all as recommended by the Community Preservation Committee, and to authorize the Town Manager, Town Clerk, Trail Coordination and Management Committee, Open Space Preservation Commission, Upper Charles Trail Committee, Hopkinton Housing Authority and the Parks and Recreation Commission to enter into all agreements and execute any and all instruments necessary to acquire, convey or accept, as the case may be, appropriate historic preservation for historic resources and conservation restrictions for open space, in accordance with General Laws chapter 184, to comply with the requirements of General Laws chapter 44B, §12 for the same:

- A. A sum or sums of money from funds reserved for Historical Preservation for Restoration of Historical Records, not including digitization of the same. Funded from the Historical Preservation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Clerk and the Community Preservation Committee.
- B. A sum or sums of money from funds reserved for Open Space/Undesignated Reserve for the land purchase of the Jenner Property, parcel R12 9 0. Located between Saddle Hill and Cedar Street. Funded from Open Space/Undesignated Reserve with the following conditions: 1. That the grant expired on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager and

- the Community Preservation Committee. 3. Price includes all legal costs for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be designed and constructed. 5. Land will be held by the Open Space Preservation Commission.
- C. A sum or sums of money from funds reserved for Open Space/Undesignated Reserve for the land purchase of Connelly Land (R34 26 B and U26 7 0). Funded from Open Space/Undesignated Reserve with the following conditions: 1. That the grant expired on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager and the Community Preservation Committee. 3. Price includes all legal costs for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be designed and constructed. 5. Land will be held by the Open Space Preservation Commission.
 - D. A sum or sums of money from funds reserved from the Open Space Reserve for the Boundary Marking of 9 parcels. Funded from the Open Space Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Open Space Preservation Commission and the Community Preservation Committee.
 - E. A sum or sums of money from funds reserved for Open Space Reserve for Trailhead Parking on Ash Street. Funded from the Open Space Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.
 - F. A sum or sums of money for funds reserved for Open Space/Undesignated Reserve for the land purchase NSTAR Parcel R23 73 A (approximately 5.99 acres) and R23 73 B (approximately 1 acre). Funded from Open Space/Undesignated Reserve with the following conditions: 1. That the grant expired on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager and the Community Preservation Committee. 3. Price includes all legal costs for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be designed and constructed. 5. Land will be held by the Open Space Preservation Commission.
 - G. A sum or sums of money for funds reserved for Open Space/Undesignated Reserve for the land purchase NSTAR Parcel R23 100 0 (approximately 9.9 acres). Funded from the Open Space/Undesignated Reserve with the following conditions: 1. That the grant expired on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager and the Community Preservation Committee. 3. Price includes all legal costs for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be designed and constructed. 5. Land will be held by the Open Space Preservation Commission.
 - H. A sum or sums of money from funds reserved for Recreation Funds for Trail Bridges and Boardwalks. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2025 unless extended by the Community Preservation Committee. 2.

Grant be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.

- I. A sum or sums of money from funds reserved for Recreation Funds for Additional Shade Structures and benches at the Dog Park. Funded from the Recreation Reserve with the following conditions: That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.
- J. A sum or sums of money from funds reserved from Undesignated Reserve for the Design, Construction bid documents, construction, and parking for a Cricket Pitch and Little League baseball field at Pyne Field. Funded from Undesignated Reserve with the following conditions: 1. That the grant expires on July 1, 2025 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.
- K. A sum or sums of money from funds reserved for Recreation Funds for Additional Security Cameras at Sandy Beach and Fruit Street Athletic Fields. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.
- L. A sum or sums of money from funds reserved for Community Housing Reserve for the creation of ADA compliant seating areas, which will include shading structures, a covered bus shelter and walkways at the Housing Authority. Funded from the Community Housing Reserve with the following conditions: 1. That the grant expires on July 1, 2025 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Hopkinton Housing Authority and the Community Preservation Committee.
- M. A sum or sums of money funded from Recreation Reserve for Preliminary Engineering including wetlands assessment, topographical evaluation, and trail mapping of the town-owned portions and abutting properties of the Western Route Trail. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. The Trail Coordination and Management Committee gets written statement from private property owners for permission to walk the site, determine wetlands, and survey the land for future trail locations and expressing willingness to enter into discussions on the town purchasing an easement or land for the future trail. 3. Grant be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.
- N. A sum or sums of money funded from Recreation Reserve for Preliminary Engineering including wetlands assessment, topographical evaluation, and trail mapping of Segment One. Funded from Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Upper Charles Trail Committee and the Community Preservation Committee.

- O. A sum or sums of money from funds reserved for Open Space/Undesignated Reserve for the land purchase of the McDonough property, parcel R10 15 0. Funded from Open Space/Undesignated Reserve with the following conditions: 1. That the grant expired on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager and the Community Preservation Committee. 3. Price includes all legal costs for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be designed and constructed. 5. Land will be held by the Open Space Preservation Commission.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends _____.
Appropriation Committee recommends _____.
Capital Improvements Committee recommends _____.
Community Preservation Committee recommends _____.
Approval.

Motion #1 - Non-Land Purchase Articles: (Community Preservation Committee) *We move that the Town vote, pursuant to Chapter 44B of the Massachusetts General Laws, to accept the report and recommendations of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation budget, and to appropriate the following sums from Community Preservation Fund available funds for the following projects:*

- A. *\$40,000 (FORTY THOUSAND DOLLARS) from funds reserved for Historical Preservation for Restoration of Historical Records, not including digitization of the same. Funded from the Historical Preservation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Clerk and the Community Preservation Committee.*
- D. *\$30,000 (THIRTY THOUSAND DOLLARS) from funds reserved from the Open Space Reserve for the Boundary Marking of 9 parcels. Funded from the Open Space Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Open Space Preservation Commission and the Community Preservation Committee.*
- E. *\$5,000 (FIVE THOUSAND DOLLARS) from funds reserved for Open Space Reserve for Trailhead Parking on Ash Street. Funded from the Open Space Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.*
- H. *\$5,000 (FIVE THOUSAND DOLLARS) from funds reserved for Recreation Funds for Trail Bridges and Boardwalks. Funded from the Recreation Reserve with the*

following conditions: 1. That the grant expires on July 1, 2025 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.

- I. \$60,000 (SIXTY THOUSAND DOLLARS) from funds reserved for Recreation Funds for Additional Shade Structures and benches at the Dog Park. Funded from the Recreation Reserve with the following conditions: That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.*
- J. \$1,000,000 (ONE MILLION DOLLARS) from funds reserved from Undesignated Reserve for the Design, Construction bid documents, construction, and parking for a Cricket Pitch and Little League baseball field at Pyne Field. Funded from Undesignated Reserve with the following conditions: 1. That the grant expires on July 1, 2025 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.*
- K. \$25,000 (TWENTY FIVE THOUSAND DOLLARS) from funds reserved for Recreation Funds for Additional Security Cameras at Sandy Beach and Fruit Street Athletic Fields. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Parks and Recreation Commission and the Community Preservation Committee.*
- L. \$350,000 (THREE HUNDRED FIFTY THOUSAND DOLLARS) from funds reserved for Community Housing Reserve for the creation of ADA compliant seating areas, which will include shading structures, a covered bus shelter and walkways at the Housing Authority. Funded from the Community Housing Reserve with the following conditions: 1. That the grant expires on July 1, 2025 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Hopkinton Housing Authority and the Community Preservation Committee.*
- M. \$40,000 (FORTY THOUSAND DOLLARS) from Recreation Reserve for Preliminary Engineering including wetlands assessment, topographical evaluation, and trail mapping of the town-owned portions and abutting properties of the Western Route Trail. Funded from the Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. The Trail Coordination and Management Committee gets written statement from private property owners for permission to walk the site, determine wetlands, and survey the land for future trail locations and expressing willingness to enter into discussions on the town purchasing an easement or land for the future trail. 3. Grant be spent under the direction of the Trail Coordination and Management Committee and the Community Preservation Committee.*

N. \$48,400 (FORTY EIGHT THOUSAND FOUR HUNDRED DOLLARS) from Recreation Reserve for Preliminary Engineering including wetlands assessment, topographical evaluation, and trail mapping of Segment One. Funded from Recreation Reserve with the following conditions: 1. That the grant expires on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Upper Charles Trail Committee and the Community Preservation Committee.

Vote Needed: Simple Majority.

Motion #2 - Land Purchase Articles: (Community Preservation Committee) We move that the Town vote, pursuant to Chapter 44B of the Massachusetts General Laws, to accept the report and recommendations of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation budget, and to appropriate the following sums from Community Preservation Fund available funds for the following projects:

B. \$150,000 (ONE HUNDRED FIFTY THOUSAND DOLLARS) from funds reserved for Open Space/Undesignated Reserve for the land purchase of the Jenner Property, parcel R12 9 0. Located between Saddle Hill and Cedar Street. Funded from Open Space/Undesignated Reserve with the following conditions: 1. That the grant expired on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager and the Community Preservation Committee. 3. Price includes all legal costs for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be designed and constructed. 5. Land will be held by the Open Space Preservation Commission.

O. \$_____ (____ DOLLARS) from funds reserved for Open Space/Undesignated Reserve for the land purchase of the McDonough property, parcel R10 15 0. Funded from Open Space/Undesignated Reserve with the following conditions: 1. That the grant expired on July 1, 2024 unless extended by the Community Preservation Committee. 2. Grant be spent under the direction of the Town Manager and the Community Preservation Committee. 3. Price includes all legal costs for the purchase of the land. 4. That a Conservation Restriction be placed on the land within five years and that allows trails to be designed and constructed. 5. Land will be held by the Open Space Preservation Commission.

Vote Needed: Two-thirds Majority.

Motion #3 – No Action: (Community Preservation Committee) We move that the Town take no action on items C, F, and G.

Vote Needed: Simple Majority.

ZONING BYLAW AMENDMENTS

To see if the Town will vote to amend Article XI, Flexible Community Development Bylaw, of the Zoning Bylaws, as follows:

1. By changing the name of the Bylaw from “Flexible Community Development Bylaw” to “Inclusionary Development Bylaw”;
2. By amending the text of said Bylaw, with bolded text being inserted into said Bylaw and text containing a strikethrough being eliminated from said Bylaw as follows:

§ 210-57. Purpose and Intent.

The purpose of this Article is to increase the inventory of affordable housing in Hopkinton. It is intended that the affordable housing units that result from this Article be considered as Local Initiative Program (LIP) units, in compliance with the requirements for the same as specified by the Department of Housing and Community Development (DHCD) and that said units shall count toward the Town’s requirements under G.L. c.40B sec. 20-23. Each affordable unit created in accordance with this Article shall have limitations governing its resale to preserve the long-term affordability of the unit and to ensure its continued availability for affordable income households.

§ 210-58. Applicability.

A. In all zoning districts, the inclusionary housing provisions of this section shall apply to the following uses, hereafter called the “development”:

- (1) Any project that results in a net increase of **five (5)**~~ten (10)~~ or more dwelling units, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or non-residential space, with the exception of Article XIII A, Village Housing Development projects; and
- (2) Any division and/or subdivision of land held in common ownership as of the effective date of this Article, or anytime thereafter, into **five (5)**~~ten (10)~~ or more dwelling units.

§ 210-59. Administration.

~~A development shall require the grant of a Special Permit from the Planning Board. A Special Permit shall be granted if the proposal meets the requirements of this Chapter. If a development requires a Special Permit pursuant to any other provision of this Chapter, a separate Special Permit shall not be required.~~The Planning Board shall prepare and, after a public hearing, adopt and file regulations with the Town Clerk, which **may be amended from time to time, and** shall include submission requirements, timelines, procedures and provisions necessary to implement this Article.

§ 210-60. Mandatory Provision of Affordable Units.

A. In each applicable development, **10% of the total units** ~~one dwelling unit shall be established as an affordable housing units for every ten (10) dwelling units in the development, in any one or combination of methods provided for below.~~ **Where fractional units are the result, the number of affordable units shall be rounded up to the nearest whole number. For example, in developments of 12 units, two affordable units shall be created (1.2 units rounded up to 2 units); in developments of 17 units, two affordable units shall be created (1.7 units rounded up to 2 units); and so on.** ~~For example, in a development of 10 to 19 units, 1 unit shall be affordable; in developments of 20 to 29 units, 2 units shall be affordable; and so on. The use of a combination of methods shall be approved by the Planning Board.~~ **Affordable dwelling units shall be constructed or rehabilitated on the development locus.**

B. **The Planning Board may grant a Special Permit to allow for the construction or rehabilitation of a dwelling unit on a locus different than the development, or allow for a payment-in-lieu of construction or rehabilitation of a dwelling unit. Such Special Permit may be issued only where the Planning Board makes a specific finding that there will be a significant net benefit to achieving the Town's affordable housing objectives as a result of allowing the construction or rehabilitation of a dwelling unit on a different locus than the development, or a payment-in-lieu.**

~~(1) Constructed or rehabilitated on the development locus; or~~

~~(2) Constructed or rehabilitated on a locus different than the development; or~~

~~(3) An equivalent fees in lieu of payment may be made.~~

~~B. For every affordable unit required, one additional market rate dwelling unit may be added to the total number of dwelling units in the development. For example, in a development of 20 units, two affordable units are required and the number of market rate units may be increased by two, for a total of 22 units.~~

~~C. The Planning Board may allow a reduction in the dimensional requirements, including minimum lot area, frontage or setback requirements, applicable to the proposed development in order to accommodate the additional units on the site and to locate them within the areas most suitable for development. Such authorization for reduction shall be included in the special permit.~~

§ 210-61. Provisions Applicable to Affordable Housing Units On- and Off-Site.

A. All affordable units created, constructed or rehabilitated under this Article shall be situated within the development so as not to be in less desirable locations than market rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units.

B. Affordable housing units shall be integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of materials with other units.

Interior features and mechanical systems of affordable units shall conform to the same specifications as apply to market-rate units.

C. Affordable housing units shall be provided coincident to the development of market-rate units.

D. The deeds to the affordable housing units sold to income eligible buyers shall contain a restriction against renting or leasing of said unit(s) during the period for which the housing unit(s) contains a restriction on affordability, **unless a written waiver is explicitly allowed by consent of the Town and the Commonwealth.**

E. **All affordable units created, constructed or rehabilitated under this article shall hold a legal use restriction that runs with the land, is recorded at the Registry of Deeds, provides for affordability in perpetuity, identifies the Subsidizing Agency and monitoring agent, if applicable, and restricts occupancy to income-eligible households, as defined by the Department of Housing and Community Development.**

~~E~~F. The applicant shall comply with the mandatory set-asides and accompanying restrictions on affordability, including the execution of an acceptable deed rider.

~~F~~G. **If the Planning Board grants a Special Permit that allows for off-site units,** ~~the~~ location of the off-site units ~~to be provided~~ shall be approved by the Planning Board, and shall be provided coincident to the development of the market-rate units or in accordance with an alternate schedule approved by the Planning Board. Exercise of this option shall not result in the destruction or demolition of existing structures, unless the Planning Board determines that: 1) such destruction or demolition is not detrimental to the neighborhood; and 2) where the proposed destruction or demolition of existing housing units is proposed, is consistent with the overall housing goals of the Town. When the Historic Preservation Bylaw (Chapter 125 of the Bylaws of the Town of Hopkinton) applies to the structure, the Planning Board shall consult with the Historical Commission before making a determination.

§ 210-62. Fees-in-Lieu-of Affordable Housing Unit Provision.

A. **The Planning Board may authorize an applicant, as a condition for the grant of a Special Permit to** contribute funds to the Town of Hopkinton Affordable Housing Trust Fund ~~or Hopkinton Community Housing Task Force, Inc. (CHTF)~~ to be used for the development of affordable housing in lieu of constructing and offering affordable units within the locus of the proposed development or at an off-site locus **only if allowed by the Planning Board through the grant of a Special Permit.**

(1) Calculation of fee-in-lieu-of units. For each affordable unit not constructed or provided through one or a combination of the methods specified in this Article, the fee shall be an amount equal to the purchase price of a three-bedroom home that is affordable to a qualified affordable housing unit purchaser, as contained in the LIP guidelines regardless of what type of dwelling units are proposed, approved or constructed in the development.

(2) Schedule of fees-in-lieu-of-units payments. Fees-in-lieu-of-units payments shall be made according to a schedule agreed upon by the Planning Board and the applicant.

§ 210-63. Conflict with Other Bylaws.

The provisions of this Article shall be considered supplemental of existing zoning bylaws. To the extent that a conflict exists between this bylaw and others, the more restrictive bylaw, or provisions therein, shall apply.

Pass any vote or take any act relative thereto.

Required Recommendation: Planning Board recommends Approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 25 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 26	Electric Vehicle Parking Spaces
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<i>Sponsor: Planning Board</i>

To see if the Town will vote to amend the text of Zoning Bylaw, Article XVIII, Supplementary Regulations, by inserting a new Section 210-124.1, Electric Vehicle Parking, as follows:

§ 210-124.1 Electric Vehicle Parking.

A. Purpose

The sale of electric vehicles continues to grow in Massachusetts and opportunities for charging of these electric vehicles needs to be widespread to accommodate this mode shift. The purpose of this bylaw is to support this mode shift to electric vehicles and encourage ongoing efforts to reduce the impact of fossil fuels on the environment and work towards carbon neutrality by introducing opportunities for EV charging on parking areas with 5 spots or more. It is not the intent of this bylaw to open a private parking area for public use.

B. Administration

The Planning Board shall prepare and, after a public hearing, adopt and file regulations with the Town Clerk, which may be amended from time to time, and shall include technical requirements of the EV-Ready and EVSE-installed infrastructure, procedures, and provisions necessary to implement this Article.

Definitions

ELECTRIC VEHICLE (EV): Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets and that operates exclusively on electrical energy from an

off-board source that is stored in the vehicle's batteries, producing zero tailpipe emissions or pollution when stationary or operating.

PLUG-IN HYBRID ELECTRIC VEHICLE (PHEV): A hybrid electric vehicle whose battery can be recharged by plugging it into an external source of electric power, as well as by its on-board engine and generator.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE): Equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.

EV INLET: The EV inlet is located on the EV and consists of an electrical connection port that, when combined with the connector, can provide conductive charging and information exchange.

CONNECTOR: A connector is a device that, by insertion into an EV inlet, establishes an electrical connection to the EV for the purpose of information exchange and charging.

EV-READY: EV-Ready shall mean providing conduit, infrastructure, and a viable pathway for adequate electric connection sufficient to support a charging level set forth by the Planning Board in its regulations.

EVSE-INSTALLED: "EVSE-Installed" shall, at a minimum, mean an installed EVSE within a minimum charging level as set forth by the Planning Board in its regulations.

D. Applicability

Construction projects subject to Major Project Site Plan Review pursuant to Article XX, specifically §210-134.C (Major Project) for *construction or enlargement of a parking area containing 25 or more parking spaces* and development projects requiring Minor Project Site Plan Review pursuant to Article XX, specifically §210-134.B (Minor Project) for *construction or enlargement of a parking area containing five or more parking spaces* shall conform to the minimum requirements for EVSE-Installed and/or EV-Ready parking spaces as set forth in this Article; provided, however, that such construction projects for which there is no net increase in the number of parking spaces are not required to conform to the provisions of this Article.

The Planning Board may waive or reduce the requirements for EVSE-Installed or EV-Ready parking spaces only upon a finding that the provision of the required EVSE-Installed or EV-Ready parking spaces would be significantly detrimental to the project, or the layout or orientation of the parking area does not allow for efficient provision of EV-Installed or EV-Ready parking spaces and such layout or orientation cannot be reasonably modified to accommodate the EVSE-Installed or EV-Ready parking spaces.

E. EVSE-Installed and EV-Ready Requirements

- (1) Where EVSE-Installed or EV-Ready parking spaces are required by the Article, the Planning Board shall set forth a minimum acceptable standard for charging level in its regulations.

- (2) The number of EVSE-Installed and/or EV-Ready parking spaces shall be provided as follows:
 - (a) Parking areas with fewer than 5 spaces shall not be required to provide any EVSE-Installed or EV-Ready parking spaces.
 - (b) Parking areas with 5 - 10 spaces shall provide 1 EVSE-Installed parking space or 2 EV-Ready parking spaces.
 - (c) Parking areas with 11 or more parking spaces shall provide 10% of the total spaces as EVSE-Installed parking spaces or 20% of the total spaces as EV-Ready parking spaces.

In any case where the calculation of EVSE-Installed or EV-Ready parking spaces results in a fraction of a space, the number of spaces shall be rounded up to the next whole number. *For example, a result of 1.7 spaces shall be rounded up to 2 spaces, a result of 3.2 spaces shall be rounded up to 4 spaces, and so on.*

- (3) The EVSE-Installed and EV-Ready parking spaces shall be located within the parking area, and shall be counted toward the parking requirements for the use, in accordance with the requirements of the Zoning Bylaw for off-street parking spaces.

F. Other Requirements

- (1) All EVSE placed and proposed shall be compliant with applicable state and federal law benefitting persons with disabilities, including the Americans with Disabilities Act of 1990 (ADA). All installed EVSE must comply with all requirements specified by the Massachusetts Architectural Access Board.
- (2) EVSE may be installed in standard parking spaces or accessible parking spaces. The installation of an EVSE shall not reduce the size of the parking space to below minimum local zoning requirements for off-street parking spaces.
- (3) An EVSE shall have all relevant parts located within accessible reach, and in a barrier-free access aisle for the user to move freely between the EVSE and the electric vehicle.
- (4) Where EVSE is provided or proposed within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment must be located so as not to interfere with accessibility requirements; it should not interfere with the minimum pedestrian clearance widths as required by applicable state and federal law benefitting persons with disabilities, including the ADA. Cords, cables, and connector equipment should not extend across the path of travel within the sidewalk or walkway.

Required Recommendation: Planning Board recommends Approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 26 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 27 Site Plan Review Rooftop Solar Exemption

Sponsor: Planning Board

To see if the Town will vote to amend the text of Zoning Bylaw Article XX, Site Plan Review, by inserting a new sentence at the end of the last paragraph of Section 210-134, Definitions, as indicated by **bold** text as follows:

For the purposes of Site Plan Review, the term “gross floor area” shall mean the sum of the gross horizontal areas of the several floors of a building including all garages, basements and cellars. All dimensions shall be taken from the exterior faces of walls, including the exterior faces of enclosed porches. **For the purposes of this Article, solar panels, modules, and associated equipment that is located on the rooftop of a building shall not be considered “mechanical equipment” and shall be exempt from the provisions of this article.**

Pass any vote or take any act relative thereto.

Required Recommendation: Planning Board recommends Approval.

Motion (Planning Board): *We move that the Town vote to amend the Zoning Bylaws of the Town of Hopkinton, as set forth in Article 27 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 28 Zoning District Change - 2 West Elm Street and 0 West Elm Street

Sponsor: Citizens Petition

To see if the Town will vote to amend the Zoning Map of the Town of Hopkinton by changing the zoning district of land at 2 West Elm St. shown on Assessors Map R23, Block 45, Lot 0 and 0 West Elm St. shown on Assessors Map R23, Block 46 from Residential B District to Business District.

Pass any vote or take any act relative thereto.

Required Recommendation: Planning Board recommends Approval.

Motion (Petitioner): *I move that the Town vote to amend the Zoning Map of the Town of Hopkinton, as set forth in Article 28 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 29 Zoning District Change - South Street and Hayward Street

Sponsor: Citizens Petition

To see if the Town will vote to amend the Zoning Map of the Town of Hopkinton by changing the zoning district of land at:

66 South Street shown on Assessors Map L37, Block 97, Lot 0

68 South Street shown on Assessors Map L37, Block 96, Lot 0

70 South Street shown on Assessors Map L37, Block 95, Lot 0

28 Hayward Street shown on Assessors Map L37, Block 94, Lot 0

30 Hayward Street shown on Assessors Map L37, Block 93, Lot 0

Pine Grove Lane a private 25' wide way from Hayward Street north to 52 South Street shown on Assessors Map R23, Block 65, Lot 0 and Hayward Street south to 74-76 South Street shown on Assessors Map R29, Block 23, Lot A.

From Residential Lake Front District to Rural Business District.

Pass any vote or take any act relative thereto.

Required Recommendation: Planning Board recommends _____

Motion (Petitioner): *I move that the Town take no action on this article.*

Vote Needed: Simple Majority (for a motion of no action).

GENERAL BYLAW AMENDMENTS

ARTICLE: 30 Housekeeping - Delete Definition

Sponsor: Town Clerk

To see if the Town will vote to amend the General Bylaws, Chapter 1 by striking "Article V Definitions" in its entirety and changing Article VI, Administration of Fines for Certain Violations, to Article V, accordingly.

Pass any vote or take any act relative thereto.

Motion (Town Clerk): *I move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 30 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority.

ARTICLE: 31 Amend Meeting Minutes Bylaw

Sponsor: Town Clerk

To see if the Town will vote to amend the General Bylaws, Section 5-29, "Meeting Minutes," subsection A, by: (1) striking "boards, committees, and commissions" and in its place insert the

phrase “multi-member public bodies”, (2) striking the phrase “forty (40) calendar days” and inserting in its place “thirty (30) days”, and (3) inserting after “later” the phrase “unless the public body finds good cause to exceed these timeframes”, so that the amended Section 5-29, subsection A will read as follows:

“Approval of Minutes. All multi-member public bodies of the Town shall approve the minutes of their open session or executive session meetings within thirty (30) days of the meeting, or at its next meeting, whichever is later, unless the public body finds good cause to exceed these timeframes.”

Pass any vote or take any act relative thereto.

Motion (Town Clerk): *I move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 31 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority.

ARTICLE: 32 Amend Leash Law

<i>Sponsor: Select Board</i>

To see if the Town will vote to amend Article III, Leashing of Dogs, in Chapter 62, Animals, of the General Bylaws as follows:

1. By deleting Section 62-3 “Leashing and curbing required certain hours; exception” in its entirety and inserting in its place, a new Section 62-3 “Leashing and curbing required; exceptions” to read as follows:

No person who owns or keeps a dog or dogs shall allow the same to run free unless said dog is on the owner's or keeper's premises. Any dog not on the premises of its owner or keeper shall be leashed and curbed, provided that the said leashing or curbing shall not apply to hunting, guide, and therapy dogs under direct command of its owner or keeper, or to dogs used in law enforcement.

2. By deleting the text of Section 62-4 in its entirety and replacing it with the text: “Whoever violates this article shall be subject to a fine in the amount of \$50 or the minimum amount permitted by Section 173A of Chapter 140 of the General Laws, whichever is higher.”
3. By deleting “\$15” in Section 62-5, Redemption fee, and inserting in its place “\$25”.

Pass any vote or take any act relative thereto.

Motion (Select Board): *I move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 32 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority.

To see if the Town will vote to amend the General Bylaws of the Town of Hopkinton by adopting a new Chapter 164, Short Term Rental of Residential Property, as follows:

CHAPTER 164

Short-Term Rental of Residential Property

§164-1 Purpose

The purpose of this Chapter is to establish regulations and a licensing process for the administration and enforcement of the short-term rental of residential property in the Town of Hopkinton. The regulations and the licensing process are designed to protect the health, safety, and welfare of the short-term tenants, the property owner, the residents of the surrounding neighborhood, and the public, and to ensure compliance with applicable Massachusetts General Laws and regulations.

§164-2 Applicability

The rental of residential property to short-term paying guests shall be allowed only in accordance with the requirements of this Bylaw. The provisions of this chapter 164 shall apply to all short term rental units (defined in §164-3) that are rented for more than 7 consecutive or non-consecutive calendar days in any 365-day period. Short term rental units that are rented for 7 or less consecutive or non-consecutive calendar days in any 365-day period shall be exempt from the provisions of this chapter 164.

§164-3 Definitions

DWELLING UNIT – An owner-occupied, tenant-occupied or non-owner-occupied residential property including, but not limited to, a dwelling unit, single-family dwelling unit, condominium, apartment, multi-family dwelling, or a furnished accommodation that is not a: hotel; inn; bed and breakfast establishment; lodging house; or continuing care retirement facility, assisted living facility, nursing home facility, or similar facility.

LICENSE – A license issued by the Select Board for operation of a Short-Term Rental Unit.

OPERATOR – Any person or entity operating a Short-Term Rental Unit. An Operator may be the owner of a Short-Term Rental Unit, or a lessee of a Short-Term Rental Unit with express written permission from the unit's lessor.

SHORT-TERM RENTAL UNIT – Any Dwelling Unit where at least one room or unit is rented to an occupant or sub-occupant; and all accommodations are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased and rented as such.

§164-4 General Requirements

The following requirements shall apply to all short term rentals:

- A. No property other than a Dwelling Unit may be operated as a Short-Term Rental Unit.
- B. No non-residential property may be operated as a Short-Term Rental Unit.
- C. No Dwelling Unit may be operated as a Short-Term Rental Unit without a License.
- D. Notwithstanding the issuance of a License, no Dwelling Unit may be used as a Short-Term Rental Unit except in compliance with these General Requirements.
- E. No Dwelling Unit shall be operated as Short-Term Rental Unit if it is designated as affordable or otherwise income-restricted, which are subject to affordability covenants or are otherwise subject to housing or rental assistance under local, state, or federal programs or law.
- F. No Dwelling Unit shall be operated as Short-Term Rental Unit if it is in violation or noncompliance with any provisions of the Building Code, Fire Code, and Board of Health regulations.
- G. No Dwelling Unit shall be operated as Short-Term Rental Unit if the Operator, or owner of the property if different from the Operator, is in arrears for payment of the unit's Town taxes, water, or sewage charges.
- H. No Dwelling Unit shall be operated as Short-Term Rental Unit unless the number of off-street parking spaces for the property on which the unit is located is sufficient to accommodate all guest occupants.
- I. No Dwelling Unit shall be operated as Short-Term Rental Unit if said unit is subject to zoning or other restrictions that prohibit short-term rental use.
- J. Operators shall designate for each Short-Term Rental Unit a person to be the manager of said unit. Managers shall respond within 2 hours to any problem or complaint and within 30 minutes in an emergency.
- K. The maximum occupancy of any short-term rental unit shall be limited to two people per bedroom.
- L. No commercial trash receptacle, including but not limited to a dumpster, may be maintained on the property on which a Short-Term Rental Unit is located for use by the Short-Term Rental Unit occupants for trash disposal. All trash removal for occupants of a Short-Term Rental Unit shall be by regular residential trash removal services, and shall be collected weekly, at a minimum.

- M. Short-Term Rental Units shall be subject to inspection by the Board of Health, Fire Department and the Director of Municipal Inspections.
- N. All Operators shall maintain an up-to-date log of all occupants that occupy any Short-Term Rental Unit. Said log shall contain all occupants' names, ages, and dates of commencement and expiration of each short-term rental period. The log shall be available for inspection by the Board of Health, Fire Department, and the Director of Municipal Inspections.
- O. All Licenses shall be issued to Operators and shall not run with the Short-Term Rental Unit or the property on which the unit is located. All Licenses shall terminate immediately upon any sale or transfer of ownership of the Short-Term Rental Unit or property on which the Short-Term Rental Unit is located. All Licenses shall terminate if the Operator to whom the license is issued transfers or is no longer in control of said Short-Term Rental Unit or property on which the Short-Term Rental Unit is located; provided, however, that the Select Board may allow the transfer of a license at its sole discretion.
- P. Short-Term Rental Units may only be rented for a minimum of 2 consecutive days and a maximum of 30 consecutive days. No Operator may rent a Short-Term Rental Unit to the same person for more than 30 consecutive days in any 6-month period. Rental durations outside of these minimum and maximum time periods are prohibited.
- Q. Operators shall maintain the structure and property exterior in good condition, including the upkeep of lawns, shrubbery, and other landscape features.
- R. Operators shall furnish each short-term rental occupant with a community information card containing, at a minimum, (i) emergency telephone numbers for the Hopkinton Police Department, Fire Department, and manager designated by the Operator, (ii) a description of the regulations, if any, relative to on-street parking at the address and fines for parking violations, (iii) a description of the Town's trash and recycling requirements, including the date of trash and recycling collection at the address, and (iv) a copy of the Town's noise bylaw.
- S. Operators shall post a sign on the inside of the Short-Term Rental Unit providing information on the location of all fire extinguishers in the unit, and, if applicable, the location of all fire exits and pull fire alarms in the dwelling.
- T. Operators shall retain and make available to the Town, upon written request, records to demonstrate compliance with this Section. The Operator shall retain such records for as long as a Dwelling Unit is offered as a Short-Term Rental Unit.

§164-5 License

Operators shall apply annually to the Select Board for a License for all Short-Term Rental Units. All Licenses will expire on June 30 of each year. The Select Board may adopt regulations, an application form, or other procedures governing the issuance and regulation of Licenses and Operators. Short-Term Rental Units shall be annually recorded in a Short-Term Rental Registry for

a fee or fees set by the Select Board.

§164-6 Violations and Penalties

- A. Failure to comply with the requirements of this Bylaw, regulations adopted by the Select Board, conditions of a License, or an order issued by the Board of Health, Fire Department, or Director of Municipal Inspections, shall be subject to the following penalties:

First Violation: \$150
Second violation: \$250
Third and subsequent violations: \$350

Each day that such violation continues shall be deemed to be a separate violation and be subject to the above penalty.

- B. The Select Board may suspend or revoke any License for failure to comply with the requirements of this Bylaw, regulations adopted by the Select Board, conditions of a License, or an order issued by the Board of Health, Fire Department, or Director of Municipal Inspections.
- C. Any person or entity maintaining Short-Term Rental Unit without a License shall be punished by a fine of \$500. Each day that such violation continues shall be deemed to be a separate violation and be subject to the penalty.
- D. In lieu of the penalties set forth in this section, violations may be addressed in accordance with the provisions of M.G.L. c. 40, § 21D, and Ch. 1, Art. II, Noncriminal Disposition, of the General Bylaws of the Town of Hopkinton.

Pass any vote or take any action related thereto.

Motion (Select Board): *We move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 33 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority.

ARTICLE: 34	Gun Club Indoor Shooting
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<i>Sponsor: Citizens Petition</i>

To see if the Town will vote to amend the General Bylaws of the Town of Hopkinton as follows:

Protect “we the people, babies, animals & birds”, from noise pollution. Gun clubs, should practice firing gun shots indoor and stop noise pollution and make the Town of Hopkinton, enjoyable to every citizen, babies, animals & birds.

Pass any vote or take any action relative thereto.

Motion (Petitioner): *I move that the Town vote to amend the General Bylaws of the Town of Hopkinton, as set forth in Article 34 of the Annual Town Meeting Warrant.*

Vote Needed: Simple Majority.

LAND ACQUISITION AND DISPOSITION

ARTICLE: 35 Street Acceptance - Foxhollow Road

Sponsor: Planning Board and Select Board

To hear the report of the Select Board relative to the laying out of the following named street, under the provisions of General Laws chapter 82, and to see if the Town will vote to accept such street as and for public ways and to authorize the Select Board to acquire by gift, purchase, or eminent domain any land or interest in land necessary for such laying out, and act on all matters relating thereto:

Foxhollow Road, from Pond Street to end.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends _____.
Planning Board recommends _____.
Capital Improvements Committee recommends _____.

Motion (Select Board): *We move that the Town vote to accept the report of the Select Board relative to the laying out and the widening and relocating of Foxhollow Road and, pursuant to Chapter 82 of the Massachusetts General Laws, to accept that street as and for public ways and to authorize the Select Board to acquire by gift, purchase or eminent domain any land or interest in land necessary for the laying out of that street as public ways, conditioned upon the execution, if determined to be in the Town's interests by the Select Board in its sole discretion of an agreement, in a form acceptable to Town Counsel, indemnifying and holding the Town harmless against claims arising from pesticide contamination of land within that public way for a period of ten years from the completion of such acquisition.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 36 Street Acceptance - Box Mill Road

Sponsor: Planning Board and Select Board

To hear the report of the Select Board relative to the laying out of the following named street, under the provisions of General Laws chapter 82, and to see if the Town will vote to accept such street as and for public ways and to authorize the Select Board to acquire by gift, purchase, or eminent domain any land or interest in land necessary for such laying out, and act on all matters relating thereto:

Box Mill Road, from Leonard Street to end.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends _____.
Planning Board recommends Approval.
Capital Improvements Committee recommends _____.

Motion (Select Board): *We move that the Town vote to accept the report of the Select Board relative to the laying out and the widening and relocating of Box Mill Road and, pursuant to Chapter 82 of the Massachusetts General Laws, to accept that street as and for public ways and to authorize the Select Board to acquire by gift, purchase or eminent domain any land or interest in land necessary for the laying out of that street as public ways, conditioned upon the execution, if determined to be in the Town's interests by the Select Board in its sole discretion of an agreement, in a form acceptable to Town Counsel, indemnifying and holding the Town harmless against claims arising from pesticide contamination of land within that public way for a period of ten years from the completion of such acquisition.*

Vote Needed: Two-Thirds Majority.

ARTICLE: 37	Accept Gift of Land – Turkey Ridge Subdivision	<i>Sponsor: Planning Board</i>
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To see if the Town will vote to authorize the Select Board to acquire, by gift, a fee interest in certain parcels of land consisting of 10.22 acres in Parcels B and C as shown on a plan entitled "Definitive Residential Subdivision Turkey Ridge" prepared by J.D. Marquedant & Associates, Inc. and dated June 11, 2021, revised November 12, 2021, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property located at 35 Lincoln Street and 52 Cedar Street Extension and as shown on Assessors Map as R3 Block 14 Lot 0 and R3 Block 8 Lot 0, and said land to be used for open space purposes.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends _____.
Capital Improvements Committee recommends _____.

Motion: (Planning Board) *We move that the Town vote to authorize the Select Board to acquire, by gift, a fee interest in certain parcels of land, consisting of 10.22 acres of land as shown as "Parcel B" and "Parcel C" on a plan entitled "Definitive Residential Subdivision Turkey Ridge" prepared by J.D. Marquedant & Associates, Inc. and dated June 11, 2021, revised November 12, 2021, a copy of which is available for inspection at the Office of the Town Clerk. Said land to be under the jurisdiction of the Open Space Preservation Commission.*

Vote Needed: Simple Majority.

ARTICLE: 38 **Solar Canopy Leases, Middle School and High School** *Sponsor: Town Manager*

To see if the Town will authorize the Select Board and the School Committee to take the following actions, with respect to parking lot solar canopy facility projects on parcels of land under their custody and control:

1. To authorize a lease of a portion of the parking lot located at 88 Hayden Rowe, for a maximum of thirty (30) years, upon such terms and conditions as are acceptable to the Select Board and School Committee, to a solar energy provider for the purposes of constructing, maintaining, and operating a parking lot solar canopy facility on the property.

2. To authorize a lease of a portion of the parking lot located at 90 Hayden Rowe, for a maximum of thirty (30) years, upon such terms and conditions as are acceptable to the Select Board and School Committee, to a solar energy provider for the purposes of constructing, maintaining, and operating a parking lot solar canopy facility on the property.

3. To authorize the Town to grant easements to Eversource to install, maintain, operate, repair, reinstall, or replace utility pole lines and a substation for three phase power for the parking lot solar canopy facility installations at 88 and 90 Hayden Rowe.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends Approval.
Appropriation Committee recommends _____.
Capital Improvements Committee recommends _____.

Motion: (Select Board) *We move to authorize the Select Board and the School Committee to: 1) authorize a lease of a portion of the parking lot located at 88 Hayden Rowe, for a maximum of thirty (30) years, upon such terms and conditions as are acceptable to the Select Board and School Committee, to a solar energy provider for the purposes of constructing, maintaining, and operating a parking lot solar canopy facility on the property; 2) authorize a lease of a portion of the parking lot located at 90 Hayden Rowe, for a maximum of thirty (30) years, upon such terms and conditions as are acceptable to the Select Board and School Committee, to a solar energy provider for the purposes of constructing, maintaining, and operating a parking lot solar canopy facility on the property; and 3) authorize the Town to grant easements to Eversource to install, maintain, operate, repair, reinstall, or replace utility pole lines and a substation for three phase power for the parking lot solar canopy facility installations at 88 and 90 Hayden Rowe.*

Vote Needed: Simple Majority.

To see if the Town will vote to authorize the Select Board to increase the portion of Parcel 8, as depicted on the Fruit Street Master Plan dated March 24, 2015, to be leased to a non-profit philanthropic organization for the benefit of Hopkinton youth and based in the Town of Hopkinton from 5 acres, as adopted by the Town under Article 56 of the 2015 Annual Town Meeting, to the remainder of Parcel 8 not already leased to Baypath Humane Society and to negotiate and enter into a lease agreement with Hopkinton Scout Leaders Association, Inc.

Pass any vote or take any act relative thereto.

Required Recommendations: Select Board recommends ____.
Appropriation Committee recommends ____.
Capital Improvements Committee recommends ____.

Motion: (Petitioner) *I move that the Town vote to authorize the Select Board to increase the portion of Parcel 8, as depicted on the Fruit Street Master Plan dated March 24, 2015, to be leased to a non-profit philanthropic organization for the benefit of Hopkinton youth and based in the Town of Hopkinton from 5 acres, as adopted by the Town under Article 56 of the 2015 Annual Town Meeting, to the greatest extent legally permissible of the remainder of Parcel 8 not already leased to Baypath Humane Society and to negotiate and enter into a lease agreement with Hopkinton Scout Leaders Association, Inc.*

Vote Needed: Simple Majority.

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain, or otherwise, an easement located at 14 Hazel Road as shown as "Proposed Drainage Easement" on a plan entitled "Easement Plan of Land in Hopkinton. Massachusetts", prepared by VHB, Inc. and dated May, 4, 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Assessors' Map U22 46 0, and said easement to be used for installing drainage infrastructure from EMC Park to the existing municipal drainage infrastructure in Hazel Road.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvements Committee recommends ____.
Appropriation Committee recommends Approval.

Motion: (Select Board) *We move that the Town vote to authorize the Select Board to acquire, by gift, an easement located at 14 Hazel Road as shown as "Proposed Drainage Easement" on a plan entitled "Easement Plan of Land in Hopkinton. Massachusetts",*

prepared by VHB, Inc. and dated May, 4, 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Assessors' Map U22 46 0, and said easement to be used for installing drainage infrastructure from EMC Park to the existing municipal drainage infrastructure in Hazel Road.

Vote Needed: Simple Majority.

ARTICLE: 41 Drainage Easement, 77 South Street

Sponsor: Director of Public Works and Town Manager

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain, or otherwise, an easement located at 77 South Street as shown on the Condominium Site Plan recorded with the Middlesex South District Registry of Deeds as Plan No. 657 of 2022, entitled "Condominium Site Plan - Bevele Business Park Condominium," prepared by Control Point Associates, Inc., dated September 22, 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Assessors' Map R27 7 B, and said easement to be used for the operation, maintenance, repair, inspection, and replacement of the Stormwater Basin with appurtenant utilities, including but not limited to piping, outlet(s), headwall and riprap collectively the "Drainage Structure").

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvements Committee recommends ____.
Appropriation Committee recommends Approval.

Motion: (Select Board) *We move that the Town vote to authorize the Select Board to acquire, by gift, an easement located at 77 South Street as shown on the Condominium Site Plan recorded with the Middlesex South District Registry of Deeds as Plan No. 657 of 2022, entitled "Condominium Site Plan - Bevele Business Park Condominium," prepared by Control Point Associates, Inc., dated September 22, 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Assessors' Map R27 7 B, and said easement to be used for the operation, maintenance, repair, inspection, and replacement of the Stormwater Basin with appurtenant utilities, including but not limited to piping, outlet(s), headwall and riprap collectively the "Drainage Structure").*

Vote Needed: Simple Majority.

ARTICLE: 42 Drainage Easement, 20 Downey Place

Sponsor: Director of Public Works and Town Manager

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain, or otherwise, an easement located at 20 Downey Place as shown "Proposed 20' Wide Easement Area = 2,000 ± sq ft." on a plan entitled "Sketch Plan of Proposed Drainage Easement

in Hopkinton Massachusetts”, prepared by VHB, Inc. and dated April 3, 2023, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Assessors’ Map L36 51 0, and said easement to be used for installing and maintaining drainage infrastructure.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvements Committee recommends ____.
Appropriation Committee recommends Approval.

Motion: (Select Board) *We move that the Town vote to authorize the Select Board to acquire, by gift, an easement located at 20 Downey Place as shown as “Proposed 20’ Wide Easement Area = 2,000 ± sq ft.” on a plan entitled “Sketch Plan of Proposed Drainage Easement in Hopkinton Massachusetts”, prepared by VHB, Inc. and dated April 3, 2023, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Assessors’ Map L36 51 0, and said easement to be used for installing and maintaining drainage infrastructure.*

Vote Needed: Simple Majority.

ARTICLE: 43	Home Rule Petition for Special State Legislation to Authorize Taking of Easements in Milford for Lake Maspenock Dam Repairs	<i>Sponsor: Director of Public Works and Town Manager</i>
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To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation, as set forth below, authorizing the Select Board to acquire by eminent domain such temporary and permanent easements on land in the Town of Milford as are required for the repair and maintenance of the Lake Maspenock Dam, which is owned and maintained by the Town of Hopkinton but is situated in the Town of Milford; provided, however, that the General Court may reasonably vary the form and substance of this requested legislation within the scope of the general public objectives of this petition:

An Act Authorizing the Town of Hopkinton to Take by Eminent Domain Certain Easements in the Town of Milford for the Repair and Maintenance of the Lake Maspenock Dam

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. The Town of Hopkinton may take and hold, by and subject to the provisions of Chapter 79 of the General Laws, certain easements on land situated in the Town of Milford, described with particularity in the following Section 2, that are necessary for the repair and maintenance of the Lake Maspenock Dam, acquired by the Town of Hopkinton from the Milford Water Company, a statutory corporation incorporated pursuant to Chapter 77 of the Acts of 1881.

Section 2. The Town of Hopkinton may take and hold permanent and temporary easements on

land in the Town of Milford, situated off Pine Island Road, and identified, at the time of this act's passage, as Milford Assessors' Parcels numbered 10-0-3, 10-0-4, and 10-0-5.

Section 3. This act shall take effect upon its passage.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends Approval.

Motion: (Select Board) *We move that the Town vote to authorize and request the Select Board to petition the General Court of the Commonwealth, on behalf of the Town, for passage of special legislation substantially as provided below; provided, however, that the General Court may make clerical or editorial changes of form only to said legislation, unless the Select Board votes to approve amendments thereto; and provided further that the Select Board is hereby authorized to approve amendments that shall be within the scope of the general public objectives of said petition:*

An Act Authorizing the Town of Hopkinton to Take by Eminent Domain Certain Easements in the Town of Milford for the Repair and Maintenance of the Lake Maspenock Dam

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. The Town of Hopkinton may take and hold, by and subject to the provisions of Chapter 79 of the General Laws, certain easements on land situated in the Town of Milford, described with particularity in the following Section 2, that are necessary for the repair and maintenance of the Lake Maspenock Dam, acquired by the Town of Hopkinton from the Milford Water Company, a statutory corporation incorporated pursuant to Chapter 77 of the Acts of 1881.

Section 2. The Town of Hopkinton may take and hold permanent and temporary easements on land in the Town of Milford, situated off Pine Island Road, and identified, at the time of this act's passage, as Milford Assessors' Parcels numbered 10-0-3, 10-0-4, and 10-0-5.

Section 3. This act shall take effect upon its passage.

Vote Needed: Simple Majority.

ARTICLE: 44 Easements for Lake Maspenock Dam Repairs
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<i>Sponsor: Director of Public Works and Town Manager</i>

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain, or otherwise, easements located as follows:

1. 32 Pine Island Road as shown as “Map 10 Lot 3, 32 Pine Island Road, N/F William F. Sweeney Jr., Plan BK 54773 PG 171” on a plan entitled “Lake Maspenock Dam Left Downstream Wall Repair”, prepared by PARE Corporation and dated September 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Milford Assessors’ Map 10 Lot 3;
2. Rear North Pond Terrace as shown as “Map 10 Lot 5, Rear North Pond Terrace, N/F William F. Sweeney Jr., C/O Catherine A. Sweeney & Ruth Geringer, Plan BK 54773 PG 171” on a plan entitled “Lake Maspenock Dam left Downstream Wall Repair”, prepared by PARE Corporation and dated September 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Milford Assessors’ Map 10 Lot 5;

Said permanent access easements to be used for future dam repairs for the Lake Maspenock Dam.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends Approval.
 Capital Improvements Committee recommends ____.
 Appropriation Committee recommends ____.

Motion: (Select Board) *We move that the Town vote to authorize the Select Board to acquire, by gift, an easement located 32 Pine Island Road as shown as “Map 10 Lot 3, 32 Pine Island Road, N/F William F. Sweeney Jr., Plan BK 54773 PG 171” on a plan entitled “Lake Maspenock Dam Left Downstream Wall Repair”, prepared by PARE Corporation and dated September 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Milford Assessors’ Map 10 Lot 3 and Rear North Pond Terrace as shown as “Map 10 Lot 5, Rear North Pond Terrace, N/F William F. Sweeney Jr., C/O Catherine A. Sweeney & Ruth Geringer, Plan BK 54773 PG 171” on a plan entitled “Lake Maspenock Dam left Downstream Wall Repair”, prepared by PARE Corporation and dated September 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Milford Assessors’ Map 10 Lot 5 copies of which are available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Milford Assessors’ Maps Map 10 Lot 3 and Map 10 Lot 5, said easements to be used for future dam repairs for the Lake Maspenock Dam.*

Vote Needed: Simple Majority.

ARTICLE: 45	Temporary Easement for Lake Maspenock Dam Repairs
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<i>Sponsor: Director of Public Works and Town Manager</i>

To see if the Town will take a temporary easement of 2,883 square feet on a piece of land by eminent domain identified on the Milford Assessors maps as Map 10 Lot 4, Rear North Pond Terrace, N/F Heirs of William H. Casey, Plan Book 2667 Page 557 on a plan entitled “Lake Maspenock Dam Left Downstream Wall Repair”, prepared by PARE Corporation and dated

September 2022, a copy of which is available for inspection at the Office of the Town Clerk.

Pass any vote or take any action relative thereto.

Required Recommendations: Select Board recommends Approval.
Capital Improvements Committee recommends ____.
Appropriation Committee recommends ____.

Motion: (Select Board) We move that the Town vote to authorize the Select Board to acquire, by gift, a temporary easement of 2,883 square feet on a piece of land by eminent domain as shown as "Lake Maspenock Dam Left Downstream Wall Repair", prepared by PARE Corporation and dated September 2022, a copy of which is available for inspection at the Office of the Town Clerk, said land being a portion of property shown on Assessors' Map 10 Lot 4, Rear North Pond Road Terrace, N/F Heirs of William H. Casey, Plan Book 2667 Page 557, and said easement to be used for future dam repairs for the Lake Maspenock Dam.

Vote Needed: Simple Majority.

ADMINISTRATIVE

ARTICLE: 46 Net Zero Resolution

*Sponsor: Select Board and
Sustainable Green Committee*

To see if the Town will vote to accept the following Resolution:

WHEREAS, the United Nations Intergovernmental Panel on Climate Change (IPCC) has reiterated its call for ambitious climate action on a global scale to limit warming to within 1.5°C (2.7°F) above pre-industrial temperatures to avoid the worst consequences of climate change, and indicated that such a threshold requires at minimum decreasing carbon pollution by 45% from 2010 levels by 2030 and reaching global net zero carbon emissions by 2050; and

WHEREAS, the goals of the National Climate Task Force include reducing U.S. greenhouse gas emissions 50-52% below 2005 levels by 2030, reaching 100% carbon pollution-free electricity by 2035, and achieving a net zero emissions economy by 2050, and the US Inflation Reduction Act of 2022 makes significant advances toward achieving these goals; and

WHEREAS the Commonwealth of Massachusetts has set a 2050 target date for achieving net zero emissions, and has enacted "An Act driving clean energy and offshore wind" (H.5060) to accelerate fossil fuel independence; and

WHEREAS the residents of Hopkinton have already experienced negative effects of climate change including rising overall temperatures, an increase in extreme weather conditions including flooding and winter storm events, adverse impact on our flora and fauna, an increase in algal blooms in our waterways, an increase in insect-borne illness, and increased exposure to ultraviolet radiation; and

WHEREAS the Town of Hopkinton's Master Plan (2017) called for a strategic plan or policies "to achieve long term sustainability and efficiency in energy and other fields to improve public health and community resiliency"; and

WHEREAS the Town of Hopkinton was among the first Massachusetts municipalities designated as Green Communities and has already completed numerous sustainability projects through the use of Green Communities funding; and

WHEREAS the Town of Hopkinton enjoys numerous sustainability advantages including relatively few large industries, more new construction, and more green space than many other towns and therefore the Town has a responsibility and capability to establish a somewhat earlier net zero target date than 2050; and

WHEREAS the health and safety of all our residents are affected by rising temperatures and extreme weather emergencies but not on an equal basis, with our seniors, children, fixed income residents, non-native speakers, and disabled residents being among the most vulnerable; and

WHEREAS the welfare of future generations depends upon actions taken now and with a sense of urgency;

BE IT THEREFORE RESOLVED [1] that the Town of Hopkinton commits to a net zero goal of 2045 to eliminate or offset all carbon emissions including municipal, commercial, and residential sources with intermediate milestones of 50% emissions reductions by 2030, and 75% emissions reductions by 2037, relative to 2017 baseline levels.

BE IT FURTHER RESOLVED [2] that the Sustainable Green Committee will present to the Select Board in 2023 a Climate Action Plan, including a Greenhouse Gas Inventory, describing the Town's current status and providing recommendations to reach the Town's net zero targets, and that in drafting the document the Committee will seek community input and prioritize social justice and equity.

BE IT FURTHER RESOLVED [3] that all Town boards, committees, and departments deemed appropriate by the Select Board will present to the Board by year end 2024 their plans to align with the Town's net zero targets.

BE IT FURTHER RESOLVED [4] that the Sustainable Green Committee shall present to the Select Board following each calendar year a report describing progress toward the Town's net zero targets, following the targets and methodology set forth in the Climate Action Plan and Greenhouse Gas Inventory, and including areas such as energy, buildings, transportation, environment, waste, and industry.

BE IT FURTHER RESOLVED [5] that Town boards, committees, and staff shall take the Town's net zero targets into consideration, to the extent allowed by law, when making budget requests or recommendations; making procurement decisions concerning design, construction,

purchase, renovation, or maintenance of any municipal property; and conducting municipal operations or directing contracted services.

Pass any vote or take any act relative thereto.

Motion: (Select Board) *We move that the Town vote to accept the Net Zero Resolution as set forth in Article 46 of the 2023 Annual Town Meeting Warrant.*

Vote Needed: Simple Majority.

ARTICLE: 47 Abolish Upper Charles Trail Committee and Establish Subcommittee <i>Sponsor: Citizens Petition</i>
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To see if the Town will, in accordance with Section 6.1 of the Town Charter, vote to direct the Town Manager to abolish the Upper Charles Trail Committee (UCTC) and establish a subcommittee termed the Upper Charles Trail Subcommittee under the direction of the Trails Coordination and Management Committee (TCMC; hereafter to be known as the Hopkinton Trails Committee). This subcommittee shall perform the function of the former UCTC, including 1) establishing at least two possible trail routes for review by the town and selection by the Select Board, and 2) developing this trail using all available funds. The subcommittee shall be comprised of seven (7) members chosen by the Trails Committee and will follow guidance for public communication as previously developed by the TCMC. Funds from this town meeting and from other sources allotted to the UCTC shall be spent under the direction of the Trails Committee and subcommittee for the tasks indicated above and as intended by town meeting. Pass any vote or take any action relative thereto.

Pass any vote or take any act relative thereto.

Motion (Petitioner): *We move the article as written in the Warrant.*

Vote Needed: Simple Majority.

ARTICLE: 48 Upper Charles Trail Committee Spending, Segment 7 <i>Sponsor: Citizens Petition</i>

To see if the Town will vote that no further public funds will be expended by the Upper Charles Trail Committee (UCTC) for work related to establishing a Shared Use Path along that section of Hayden Rowe referred to as Segment 7 in the UCTC's plan entitled "Upper Charles Trail Overall Alignment Schematic 3/14/2022," a section that roughly encompasses the land along Hayden Rowe from 147 Hayden Rowe Street to 192 Hayden Rowe Street. Pass any vote or take any action relative thereto.

Pass any vote or take any act relative thereto.

Motion (Petitioner): *We move the article as written in the Warrant.*

Vote Needed: Simple Majority.

To: Select Board

From: Norman Khumalo 

Date: April 20, 2023

Ref: Staff Report - Unpaid Bills, Revolving Funds and Community Preservation Fund and Keefe Tech Stabilization Fund

In response to questions raised by the Board at its last meeting, find attached the following for your review:

1. Unpaid Bills from prior years;
2. Revolving Funds Balances
3. Community Preservation Fund Balances
4. Keefe Tech Capital Stabilization Fund slides.

Prior Year Bills (Art. 2)

<u>Department #</u>	<u>Vendor</u>	<u>Amount</u>
Town Manager	Miyares & Harrington LLP	\$ 12,438.50
Public Works	Hiller's Pizza	\$ 107.95
Police	Waterlogic	\$ 382.20
Trails Management	Michael C. Boelsen	\$ 1,200.00
Facilities	Scott's Landscaping, Inc.	\$ 333.00
Facilities	Hopkinton Business Center LLC	\$ 1,473.50
Facilities	Radiant Cleaning	\$ 5,470.92
Facilities, Engineering	Gatehouse Media	\$ 484.84
Recycling Center	Chase/Harris Portable Toilets	\$ 267.00
Employee Benefits	Middlesex County Retirement	\$ 4,967.54
Town Clerk / Public Works	Hopkinton Police Department	\$ 1,372.00
	TOTAL	\$ 28,497.45

Changes to Revolving Fund Spending Limits FY23 to FY24 (Art. 6)

<u>Revolving Fund</u>	<u>Spending Limit for Fiscal Year 2023</u>	<u>Spending Limit for Fiscal Year 2024</u>	<u>Reason for Change</u>
Building Department	\$300,000	\$500,000	Anticipated costs and needs for large format printer, online permitting, Town Hall vehicles, and consultants. Shift of more employee salaries from budget to revolving account.
Part-Time Wire Inspector	\$100,000	\$100,000	No change
Part-Time Plumbing Inspector	\$100,000	\$100,000	No change
Hazardous Materials	\$20,000	\$20,000	No change
Conservation Commission	\$200,000	\$200,000	No change
Library	\$10,000	\$10,000	No change
Public Safety	\$5,000	\$5,000	No change
Planning Board	\$70,000	\$100,000	Increased costs for consultant peer review.
Open Space Preservation Commission	\$10,000	\$10,000	No change
Youth and Family Services Department	\$4,000	\$4,000	No change
Zoning Board of Appeals	\$50,000	\$50,000	No change

Department of Public Works (Expenses of operation of the Highway Division.)	\$8,000	\$8,000	No change
Department of Public Works (Expenses of operation of Recycling Center)	\$15,000	\$15,000	No change
Department of Public Works (To purchase Overflow Trash bags and to meet expenses of Waste Collection and Disposal)	\$8,000	\$8,000	No change
Cemetery Commission	\$3,500	\$3,500	No change
Cemetery Lot Fund	\$10,000	\$10,000	No change
School Department 1:1 Laptop Initiative	\$475,000	\$475,000	No change
Fingerprinting Fund	\$500	\$500	No change
Senior Center Programs Fund	\$75,000	\$75,000	No change
Police Department	\$10,000	\$12,500	Increased cost of detail tracking and billing software.
Parks and Recreation	\$130,000	\$130,000	No change
Shared Housing Services Office	\$125,000	\$125,000	No change

Revolving Funds

Fund	Title	Balance 7/1/21	FY22 Receipts	FY22 Expenses	Balance 6/30/22	FY23 Receipts to Date	FY23 Expenses to Date	Balance 3/31/23
Town	PLN BRD CONS 53G 0HRW	10,396	0	7,347	3,049	10,000	10,153	2,895
Town	PLN BRD CONS 53G 0SOUT	6,456	0	450	6,006	0	450	5,556
Town	PLN BRD CONS 53G 37EAS	21,350	9,950	13,170	18,130	6,400	5,475	19,055
Town	DETAIL ADMIN FEES	21,618	12,427	12,600	21,446	10,000	148	31,297
Town	BUILDING FEES 53E 1/2	1,547,692	149,547	111,441	1,585,798	62,490	89,763	1,558,525
Town	BOH CONSULTANTS 53G	18,082	0	0	18,082	0	0	18,082
Town	CONS COMM FEES 53E1/2	81,538	7,350	38,211	50,677	22,608	23,877	49,407
Town	PLN BRD CONS 53G CHEST	7,550	0	0	7,550	0	0	7,550
Town	FAC INS REIMB UNDER \$20K	20,249	0	0	20,249	0	0	20,249
Town	HIGHWAY CONSULTANTS 53G	12,280	0	0	12,280	0	0	12,280
Town	PLN BRD CONS 53G LFPNW	36,841	0	3,046	33,795	0	0	33,795
Town	PLN BRD FEES 53E1	6,607	3	0	6,610	0	0	6,610
Town	PLN BRD CONS 53G	215,113	24	0	215,136	219	0	215,356
Town	POLICE FEES 53E 1/2	13,361	0	0	13,361	0	0	13,361
Town	PLUMBING GAS FEES 53E1/2	232,143	79,120	718	310,545	57,620	37,733	330,432
Town	RECYCLING FEES 53E1/2	6,729	5,841	8,888	3,682	3,546	0	7,228
Town	RECREATION PROGRAMS	512,425	734,720	968,629	278,516	360,374	311,286	327,603
Town	SENIOR CENTER PROGRAMS	36,571	40,716	41,842	35,445	27,756	0	63,201
Town	SENIOR DISABLED REV FD	30,317	8,900	15,200	24,017	2,796	0	26,813
Town	SEL INS REIMB UNDER \$20K	11,567	0	0	11,567	0	0	11,567
Town	WCD TRASH BAG FEES 53E1/2	14,492	18,000	17,364	15,128	9,000	3,946	20,182
Town	WIRING FEES 53E1/2	222,768	114,451	75,052	262,167	111,373	51,896	321,644
Town	ZONING BOA FEES 53E1/2	10,240	7,200	542	16,898	8,000	974	23,924
Town	ZONING BOA CONSULTANTS 5	16,960	0	0	16,960	0	0	16,960
Town	FRUIT STREET	334,199	217,760	137,088	414,870	41,727	45,272	411,325
School	ATHLETIC HS	587,613	340,449	210,684	717,378	244,885	407,133	555,130
School	BUILDING USE	383,130	182,469	91,706	473,893	150,378	300,463	323,808
School	BUS FEES	678,494	261,715	129,203	811,005	43,600	212,840	641,765
School	CIRCUIT BREAKER SPED	484,044	657,793	484,044	657,793	578,272	417,984	818,081
School	DRAMA HS	25,504	10,848	18,446	17,905	7,587	13,677	11,816
School	DRAMA MS	22,685		6,513	16,173	22,389	7,058	31,504
School	LOST BOOKS HS	6,384	1,435	0	7,819	25	735	7,110
School	LAPTOP INIT 53E1/2 HS	305,701	262,312	280,839	287,174	69,123	251,269	105,029
School	PARKING HS	187,344	64,400	746	250,998	9,750	26,114	234,634
School	TUITION INT STUD	718,731	230,644	104,588	844,786	143,862	233,586	755,063
School	TUITION PRE K	464,203	209,890	102,746	571,348	183,930	138,703	616,575
School	HIGH SCHOOL TURF FIELD	73,992	63,895	3,015	134,872	27,393	10,287	151,978

Community Preservation Funds

	Opening Balance, 7/1/2022	FY23 Adjustments	Proposed FY24 Funding	Proposed ATM Spending (Including FY24 Requested Budget)	Ending Balance, After May 2023 Town Meeting Action
Open Space	\$1,331,065	\$46,338	\$212,131	-\$35,000	\$1,554,534
Historic Resources	\$802,028	\$357,894	\$212,131	-\$40,000	\$1,332,053
Community Housing	\$1,119,404	\$84,020	\$212,131	-\$350,000	\$1,065,555
Recreation	\$394,940	\$217,545	\$212,131	-\$178,400	\$646,216
Budgeted Reserve	\$1,051,890	-\$1,051,890	\$1,076,476		\$1,076,476
Undesignated	\$3,080,306	\$800,000		-\$1,233,430	\$2,646,876
Available for Appropriation	\$7,779,633	\$453,907	\$1,925,000	-\$1,836,830	\$8,321,710
Allocated to Projects	\$1,919,687	-\$361,514		\$1,603,400	\$3,161,573
Available & Allocated to Projects	\$9,699,320	\$92,393	\$1,925,000	-\$233,430	\$11,483,283



South Middlesex Regional Vocational
Technical School District
Keefe Regional Technical School

Grant Funded Facility Upgrades

Four Classroom Modular Building

- To provide additional classroom space
- Cost – Approximately \$1.6 million
- Funding Source - ESSER Funding

New HVAC Program

- Repurpose space in current Graphic Design area
 - Cost – Approximately \$500K
 - Funding Source - Skills Capital Grant



South Middlesex Regional Vocational
Technical School District
Keefe Regional Technical School

Request for Capital Stabilization Account

Capital Stabilization Accounts

M.G.L. c. 71, § 16 G ½

Rationale

- To have funding available to respond to unanticipated facility needs as we await approval for a larger building project
- Unused accumulated balance may be applied toward a future building project



South Middlesex Regional Vocational
Technical School District
Keefe Regional Technical School

Building Status

- The Keefe Technical School facility is generally regarded as well maintained and in good working order for a 50 year old building
- A new roof was installed in 2014
- In FY23, we completed funding for a long-term energy lease that provided an upgrade to fire detection systems, electrical fixtures, HVAC systems

Future Planning

- In 2021, the district submitted a Statement of Interest to the Massachusetts School Building Authority. We were not accepted in our first attempt
- A new Statement of Interest will be submitted this year



South Middlesex Regional Vocational
Technical School District
Keefe Regional Technical School

Specific Concerns as we Await Approval for a Major Renovation

- Original Boilers
- Electrical System
- Plumbing Infrastructure
- Other Miscellaneous



South Middlesex Regional Vocational
Technical School District
Keefe Regional Technical School

Advantages of a Capital Stabilization Account

- Unused balances can roll forward at the end of a fiscal year
- Funds may be used for building needs through a 2/3rds vote of our school committee
- Unlike an Excess and Deficiency account, funds are available throughout the fiscal year



South Middlesex Regional Vocational
Technical School District
Keefe Regional Technical School

Capital Stabilization Funding

- No funding included in FY24 Budget
- Funding request anticipated as a line item in the FY25 Budget
- Funds may only be deposit as part of an annual budget, which is approved by our member communities



South Middlesex Regional Vocational
Technical School District
Keefe Regional Technical School

Approval Process

- A vote of the Regional School Committee – January 2023
- Approval from the majority of our member communities through Annual Town Meetings and a vote of the Framingham City Council

Current Status

- Unanimous Approval – Framingham City Council
- Unanimous Approval – Natick Finance Committee

**AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR
PERSONAL PROPERTY**

GHTJA04 LLC (Grasshopper) – 17 Wilson Street

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR PERSONAL PROPERTY (this “Agreement”) is made and entered into on [DATE] (the “Effective Date”) by and between GHTJA04 LLC, a Delaware limited liability company, registered as a foreign limited liability company in the Commonwealth (“Developer”), and the Town of Hopkinton, a municipal corporation duly established and located in the Commonwealth of Massachusetts (the “Town”). Developer and the Town are collectively referred to in this PILOT Agreement as the “Parties” and are individually referred to as a “Party”.

Recitals

WHEREAS, Developer plans to build and operate a solar electric generating facility (the “Project”) with an expected nameplate capacity of approximately [INSERT] on a portion of the land known and numbered as 17 Wilson Street, shown as Assessors’ Maps U12 1 A, U12 2 A, U11 30 0 and U11 26 B (the “Property”) leased by the Developer, as depicted on Exhibit A attached to this Agreement;

WHEREAS, it is the intention of the Parties that Developer make payments to the Town for the term of this PILOT Agreement in lieu of personal property taxes, under the authority of and in accordance with General Laws Chapter 59, Section 5, Clause 45, as amended, and other application laws and regulations, including the regulations of the Massachusetts Department of Revenue adopted in connection therewith;

WHEREAS, because both Developer and the Town need an accurate projection of their respective expenses and revenues with respect to the personal property that is taxable under law relating to the Project, the Parties believe that it is in their mutual best interests to enter into this Agreement fixing the payments that will be made for the term of the Agreement with respect to all personal property for the Project;

WHEREAS, the Project consists of the following property: [For Grasshopper to Insert]

WHEREAS, the Parties intend that, during the term of the Agreement, Developer will make payments on a fixed schedule, and that this Agreement will provide for the exclusive payments in lieu of such personal property taxes that Developer (or any successor owner of the Project) will be obligated to make to the Town with respect to the Project; provided, however, that the Parties do not intend for this Agreement to affect any direct payments for services provided by the Town to the Project, including but not limited to, water and sewer services, and similar payment obligations not in the nature of personal property taxes or substitutes for such taxes that Developer may otherwise be obligated to pay the Town; and

WHEREAS, the Town is authorized to enter into this Agreement with Developer, as the culmination of good faith negotiations that anticipate that the payments in lieu of personal property taxes over the life of the Agreement will amount to the equivalent of the property tax payments that would otherwise be determined under General Laws Chapter 59 based upon the full and fair cash valuation of the Project.

NOW THEREFORE, in exchange for the mutual commitments and other good and

valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

Terms

1. Payment in Lieu of Personal Property Taxes.

A. Developer agrees to make annual payments to the Town in lieu of personal property taxes (“PILOT”) beginning in year 1 of this Agreement. The PILOT payment for each contract year shall be calculated by applying the actual personal property tax rate for the contract year listed in column 1 of the Table below to the personal property value listed in column 2 of the Table below.

Contract Year	Personal Property Value	Projected Annual Property Tax¹
1	\$2,723,160	\$43,026
2	\$2,587,002	\$41,283
3	\$2,450,844	\$39,502
4	\$2,314,686	\$37,680
5	\$2,178,528	\$35,818
6	\$2,042,370	\$33,916
7	\$1,906,212	\$31,971
8	\$1,770,054	\$29,984
9	\$1,633,896	\$27,955
10	\$1,497,738	\$25,881
11	\$1,361,580	\$23,764
12	\$1,225,422	\$21,601
13	\$1,089,264	\$19,393
14	\$953,106	\$17,139

¹ This column is for reference purposes, only, based on a projected future personal property tax rate. The actual PILOT payment due pursuant to this Agreement shall be the amount calculated by applying the actual personal property tax rate for the contract year to the personal property value listed in column 2 for that contract year.

Contract Year	Personal Property Value	Projected Annual Property Tax ¹
15	\$816,948	\$14,837
16	\$816,948	\$14,986
17	\$816,948	\$15,135
18	\$816,948	\$15,287
19	\$816,948	\$15,440
20	\$816,948	\$15,594
21	\$816,948	\$15,750
22	\$816,948	\$15,907
23	\$816,948	\$16,067
24	\$816,948	\$16,227
25	\$816,948	\$16,389

Contract Year “1” in the above Table shall be the tax year in which this Agreement is executed by the Town. Each annual payment will be paid to the Town in four (4) equal installments on or before the first business day of August, November, February, and May of each fiscal tax year during the term of this Agreement and the annual payment amount and payment date will be noted on a quarterly bill issued by the Town to the Developer.

B. Each annual payment shall be made to the Town in four (4) equal installments on or before the first business day of August, November, February and May of each fiscal tax year during the term of this Agreement, and the annual payment amount and payment date and the Town’s wire instructions will be noted on a quarterly bill issued by the Town to the Developer. The first and last payments shall be pro-rated based on the number of days in the quarterly periods, respectively

2. Improvements or Additions; Retirements.

A. Continuing throughout the term of this Agreement and any extension or renewal thereof, the Developer shall provide written notice to the Town of any improvement, addition, retirement or replacement of any personal to the Project, such notice to be provided within thirty (30) calendar days after such improvement, addition, retirement or replacement is installed and, if applicable, commissioned.

B. The Town, its officers, employees, consultants, and attorneys shall have the right

to inspect the Project in connection with any such notice. If such improvement, addition, retirement or replacement adds value to the Project, as reasonably determined by the Hopkinton Board of Assessors, which determination shall include consideration of documentation relating thereto provided by Developer and reasonably acceptable to the Hopkinton Board of Assessors, the remaining tax payments shall be adjusted to reflect any increase in the value of the Project using the cost method.

C. To the extent that Developer retires or removes any capital improvements from the Project, retires or removes any personal property from the Project, or retires or removes any existing improvements, equipment or personal property from the Project, and such retirement or removal reduces the value of the Project after the Commercial Operation Date based upon documentation provided by Developer and reasonably acceptable by the Hopkinton Board of Assessors, the remaining tax payments will be adjusted to reflect any temporary or permanent reduction in the value of the Project.

3. Inventory.

A. Within six (6) months after the Commercial Operation Date, Developer shall provide the Town with a comprehensive inventory of all personal property incorporated into the Project (the "Inventory").

B. The Town, its officers, employees, consultants, and attorneys shall have the right to inspect the Project in connection with the preparation of the Inventory.

C. Any written notice of an improvement, addition, retirement, or replacement given by Developer under [Section 2](#) shall reference the Inventory and such a notice shall constitute an update to the Inventory.

D. The Town, its officers, employees, consultants, and attorneys will have the right to periodically inspect the Project on reasonable prior notice to Developer, subject to the Town's agreeing to comply with all reasonable Developer safety and security requirements, and to review documents in the possession of Developer that relate to the inventoried property for the purpose of verifying that Developer has accurately updated the Inventory.

4. Ordinary Maintenance. No additional payments in lieu of taxes will be due or required for replacement of equipment or machinery that is nonfunctional, obsolete or is replaced solely due to wear and tear or casualty or as part of scheduled or unscheduled maintenance, or equipment installed as required by or in response to any statute, law, regulation, consent decree, order or case mandating such additional items.

5. Payment Collection. The provisions of General Laws Chapter 60 and other applicable law shall govern the collection of any payments in lieu of taxes provided for in this Agreement as though they were personal property taxes due and payable to the Town.

6. Tax Status. The Town agrees that during the term of this Agreement, the Town shall not assess Developer for any personal property taxes with respect to the Project which Developer might otherwise be subject under Massachusetts law, and the Town agrees that this Agreement shall exclusively govern the payments of all personal property taxes and payments in lieu of such taxes that Developer will be obligated to make to the Town with respect to the Project, provided, however, that this Agreement is not intended to affect, and will not preclude, other assessments of general applicability by the Town for real property taxes with respect to the Property, excise taxes

on vehicles due pursuant to General Laws Chapter 60A, and for services provided by the Town to the Project, including but not limited to, water and sewer services.

7. No Tax Abatement. The Developer shall not apply to the Town for any abatement of personal property taxes during the term of this Agreement.

8. Successors and Assigns. This Agreement shall be binding upon the successors and assigns of Developer, and the obligations created hereunder will run with the Project. Such purchaser, transferee or assignee shall notify the Town in writing of its address. Developer may record a notice of this Agreement in the applicable registry of deeds.

9. Statement of Good Faith. The Parties agree that the payment obligations established by this Agreement were negotiated in good faith in recognition of and with due consideration of the full and fair cash value of the Project, to the extent that such value is determinable as of the date of this Agreement, in accordance with General Laws Chapter 59, Section 5, Clause 45, as amended. Each Party was represented by counsel in the negotiation and preparation of this Agreement and has entered into this Agreement after full and due consideration and with the advice of its counsel and its independent consultants. The Parties further acknowledge that this Agreement is fair and mutually beneficial to them because it reduces the likelihood of future disputes over personal property taxes, establishes tax and economic stability at a time of continuing transition and economic uncertainty in Massachusetts and the region, and fixes and maintains mutually acceptable, reasonable and accurate payments in lieu of taxes for the Project that are appropriate and serve their respective interests. The Town acknowledges that this Agreement is beneficial to it because it will result in mutually acceptable, steady, predictable, accurate and reasonable payments to the Town. Developer acknowledges that this Agreement is beneficial to it because it ensures that there will be mutually acceptable, steady, predictable, accurate and reasonable payments for the Project.

10. Additional Documentation and Actions. Each Party will, from time to time hereafter, execute and deliver or cause to be executed and delivered, such additional instruments, certificates and documents, and take all such actions, as the other Party reasonably requests for the purpose of implementing or effectuating the provisions of this Agreement and, upon the exercise by a Party of any power, right, privilege or remedy pursuant to this Agreement that requires any consent, approval, registration, qualification or authorization of any third party, each Party will execute and deliver all applications, certifications, instruments and other documents and papers that the exercising Party may be so required to obtain.

11. Invalidity. If any provision of this Agreement shall be found invalid for any reason in a court of competent jurisdiction, such invalidity shall be construed as narrowly as possible, and the balance of this Agreement shall be deemed to be amended to the minimum extent necessary, so as to secure to the Parties the benefits thereof. The Parties understand and agree that this Agreement shall be void and unenforceable if (i) Developer is determined or declared by the Massachusetts Appellate Tax Board or a court of competent jurisdiction not to satisfy the requirements set forth in General Laws Chapter 59, Section 5, Clause 45; or (ii) this Agreement is not approved by Town Meeting, provided that any payments made hereunder by Developer before any such declaration or approval shall be and remain the property of the Town.

12. Notices. All notices, consents, requests, or other communications provided for or permitted to be given hereunder by a Party must be in writing and shall be deemed to have been properly given or served upon the personal delivery thereof, via courier delivery service or otherwise. Such notices shall be addressed or delivered to the Parties at their respective addresses

shown below.

If to the Town: Town Manager
 Town of Hopkinton
 Town Hall
 18 Main Street
 Hopkinton, MA 01748

With a copy to: Hopkinton Town Counsel
 Miyares and Harrington LLP
 40 Grove Street, Suite #190
 Wellesley, MA 02482

If to the Developer: [For Grasshopper to Insert]

With a copy to: [For Grasshopper to Insert]

Any such addresses for the giving of notices may be changed by either Party by giving written notice as provided above to the other Party. Notice given by counsel to a Party shall be effective as notice from such Party.

12. Applicable Law. This Agreement’s validity, interpretation, construction, performance, and enforcement, without regard to Massachusetts’ choice-of-law or conflicts-of-law principles or rules. Any claim or action arising under or relating to this Agreement may be brought only in Middlesex County Superior Court, and the Parties hereby agree that venue is proper, and shall only be proper, in that forum.

13. Covenants of Developer. During the term of the Agreement, Developer shall not voluntarily do any of the following: (a) seek to invalidate this Agreement, or otherwise take a position adverse to the purpose or validity of this Agreement; (b) convey, without the express consent of the Town, by sale, lease or otherwise any interest in the Property to any entity or organization that qualifies as a charitable organization pursuant to General Laws Chapter 59, Section 5, Clause 3; or (c) fail to pay the Town the amounts due hereunder when due in accordance with the terms of this Agreement.

14. Covenants of the Town. So long as Developer is not in breach of this Agreement during its term, the Town will not do any of the following: (a) seek to invalidate this Agreement or otherwise take a position adverse to the purpose or validity of this Agreement; (b) seek to collect from Developer any property tax with respect to the Property or the improvements thereon (including the Project) in addition to the amounts herein; or (c) impose any lien or other encumbrance upon the Property or the improvements thereon (including the Project) except as is expressly provided herein.

15. Representations of the Town. Subject to the terms of this Agreement and except as provided below, the Town represents, to the best of its knowledge and belief, that (i) it has secured all approvals of appropriate officers, boards and bodies necessary to duly authorize the execution, delivery and performance of this Agreement and its obligations hereunder, and (ii) it is not prohibited from entering into this Agreement and discharging and performing all covenants and obligations on its part to be performed under and pursuant to this Agreement by the terms, conditions or provisions of any law as currently understood, any order of any court

or other agency or authority of government, and (iii) this Agreement is a legal, valid and binding obligation of the Town and is enforceable in accordance with its terms, subject to applicable laws. Notwithstanding the foregoing, the parties acknowledge that this Agreement has not been approved by the Hopkinton Town Meeting and is contingent upon such approval.

16. Representations of Developer. Developer represents that (i) it is duly organized and validly existing as a limited liability company under the laws of Delaware, and is authorized to conduct business in the Commonwealth of Massachusetts, and (ii) it has all requisite power and authority to enter into this Agreement and to perform and carry out all covenants and obligations on its part to be performed under and pursuant to this Agreement, (iii) the performance of its obligations hereunder will not violate, result in a breach of or constitute a default under any agreement or instrument to which Developer is a party or by which Developer is bound; (iv) this Agreement constitutes the legal, valid and binding obligation of Developer enforceable in accordance with its terms, except to the extent that the enforceability may be limited by applicable bankruptcy, insolvency or other laws affecting other enforcement of creditors' rights generally or by general equitable principles; (v) as of the date of this Agreement, Developer satisfies the requirements set forth in General Laws Chapter 59, Section 5, Clause 45.

17. Termination. The Town may terminate this Agreement upon written notice to Developer in the event Developer fails to make timely payments hereunder on the date due and such failure continues for sixty days after Developer receives written notice of such failure from Town, provided that if the breach is cured within such sixty (60)-day period, the Agreement shall not be terminated.

18. Town Meeting Approval. The obligations of each Party under this Agreement are conditioned on approval of this Agreement by the Town's governing body.

19. No Waiver. Any Party's failure to enforce the provisions of this Agreement strictly shall not be construed as a waiver of any obligation in this Agreement.

20. Change in Law. If, as a result of a change in law, offsite solar photovoltaic electric generating facilities become wholly or partially exempt from personal property taxation, the provisions of this Agreement shall continue to be in full force and effect.

21. Multiple Counterparts. This Agreement may be executed in one or more counterparts each of which when so executed and delivered shall be an original, but all of which shall together constitute one and the same instrument.

[Remainder of Page Intentionally Blank]

Executed under seal by the undersigned as of the day and year first written above, each of whom represents that it is fully and duly authorized to act on behalf of and bind its principals.

EXHIBIT A

Depiction of the Project

[For Grasshopper to Insert]

2023 Annual Town Meeting - Select Board Required Recommendations

Article No.	Article Title	Recommendation
1	Acceptance of Town Reports	Yes (4/11/23)
2	FY 2023 Supplemental Appropriations and Transfers	Yes (4/11/23)
3	Unpaid Bills from Prior Fiscal Years	Yes (4/11/23)
4	Set the Salary of Elected Officials (Town Clerk)	Yes (4/11/23)
5	Fiscal Year 2024 Operating Budget	
6	FY 2024 Revolving Funds Spending Limits	
7	PEG Access and Cable Related Fund Revolving Account Funding	
8	Chapter 90 Highway Funds	
9	Transfer to Other Post-Employment Benefits Liability Trust Fund	
10	Transfer to the General Stabilization Fund	
11	Transfer to the School Special Education Reserve Fund	
12	Establish Capital Stabilization Account for South Middlesex Regional Vocational Technical School District	
13	PILOT Agreement, Wilson St. Solar Farm	
14	Pay-As-You-Go Capital Expenses	Yes (4/11/23)
15	Chestnut Street Sidewalk	Yes (4/11/23)
16	Sidewalk from EMC Park to Blueberry Lane	Yes (4/11/23)
17	Fire Station 2 Architectural and Engineering Design	Yes (4/11/23)
18	Hopkinton Public School HVAC Renewal Work	Yes (4/11/23)
19	Hopkins School Addition	Yes (4/11/23)

20	Roadway Paving - Pratt Way & Cemeteries	Yes (4/11/23)
21	Water Department Vehicle Replacement	Yes (4/11/23)
23	Community Preservation Funds	
24	Community Preservation Recommendations	
35	Street Acceptance - Foxhollow Rd.	
36	Street Acceptance - Box Mill Rd.	
37	Accept Gift of Land - Turkey Ridge Subdivision	Yes (4/11/23)
38	Solar Canopy Leases, Middle School & High School	Yes (4/11/23)
39	Fruit Street Lease	
40	Drainage Easement, 14 Hazel Rd.	Yes (3/14/23)
41	Drainage Easement, 77 South St.	Yes (3/14/23)
42	Drainage Easement, 20 Downey Pl.	Yes (3/14/23)
43	Home Rule Petition for Special State Legislation to Authorize Taking of Easements in Milfor for Lake Maspenock Dam Repairs	Yes (4/11/23)
44	Easements for Lake Maspenock Dam Repairs	Yes (3/14/23)
45	Temporary Easement for Lake Maspenock Dam Repair	Yes (3/14/23)



**TOWN OF HOPKINTON
SELECT BOARD**

18 Main Street, Hopkinton, MA 01748
508-497-9700 www.hopkintonma.gov

PARADE PERMIT APPLICATION

Date: April 4, 2023

Applicant Name: Hopkinton Freedom Team, Inc.

Applicant Address: P.O. Box 60, Hopkinton, MA 01748

Telephone Number: 617-413-1847 Email: cathleen@hopkintonfreedomteam

Applicant: Private/Individual Business Non-Profit

Town Dept./Board/Committee

Date of Event: 06/11/2023 Rain Date: _____ Time: 1:00 - 4:00 p.m.

Road Closures: None

Please provide a description/purpose of the event in the space below. (Attach a separate visual or map of the complete route of the event)

Please see attached Fire and Safety Application that both Chief Bennett and Chief Miller have approved. This document includes maps, a Safety Plan, and a Litter Control Plan. In addition to the Hopkinton Freedom Team, this event is co-hosted by the Hopkinton Youth & Family Services and the Hopkinton Center for the Arts. Insurance coverage is provided through the Town's coverage with HYFS's involvement.

Route Starting Point: Hopkinton Center for the ^{Arts}, Ending Point: Hopkinton Center for the ^{Arts}

Expected Number of Participants: approximately 300, hopefully 500!

Person Responsible for Control of Litter: Stacia Friedrich Krozy Phone: 617-620-4370

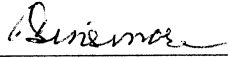
On-Site Person Responsible (Day of Event): Cathleen Dinsmore Phone: 617-413-1847

ADDITIONAL REQUIREMENTS:

1. A Certificate of Insurance must be provided with this application, naming the Town of Hopkinton as an additional insured for at least \$1 million dollars in the case of accident.
2. Map, plan, or specific written description of the route of the proposed event.
3. Safety Plan
4. Litter Control Plan

The undersigned Applicant agrees that the Applicant and parade participants will conform to applicable laws, bylaws and regulations, as well as special requirements that may be made a condition of the granting of a Parade Permit pursuant to this application.

I/we agree to hold the Town of Hopkinton harmless from any and all liability and will defend the Town of Hopkinton in connection therewith.



Signature of Applicant

04/07/2023

Date

Revised 10/5/2021

Permitting Team Comments
Parade Permit- Pride Parade
Select Board Meeting- 04/25/2023

April 11, 2023

The FD has reviewed and is good with this plan.

William R. Miller
Hopkinton Fire Department

April 11, 2023.

I approve the Litter Control Plan and I have no other comments on the application.

John Westerling
Director DPW

April 11, 2023

No comments

Dave Daltorio
Facilities.

April 19, 2023

PD has been working with the applicant and has no further comment.

Chief Bennett
Hopkinton Police Department

Submitted to:

Police Chief Joseph Bennett and Fire Chief William Miller

April 3, 2023

EVENT SAFETY PLAN FOR THE THIRD ANNUAL PRIDE PARADE

Submitted by: Cathleen Dinsmore on behalf of Hopkinton Freedom Team (HFT)

<https://www.hopkintonfreedomteam.org/home>

Event co-hosted by Hopkinton Youth and Family Services (HYFS) and Hopkinton Center for the Arts (HCA) with a grant from the Hopkinton Cultural Council

One of your most important roles in event management is to ensure that people are safe at your event. Every event safety plan needs an emergency plan in case there is a need to evacuate in case of a fire or any other similar crisis. The safety plan should be discussed with the emergency services, they should have a copy, and everything should be well-documented. You want to train staff on what to do in case of emergency, decide who will take action, how will you let people know about the emergency (i.e. radio, mobile phones, coded messages), who will make statements about the incident to the authorities and emergency services. They will need to know, for example, the number of guests and staff and their names, if possible, as well as contact details for each. For lesser emergencies, there needs to be a first aid kit (or several) on site too.

The event safety plan contains information under the following headings:

- **Event overview:** This is to help put into context what the event is for and for whom.

The Event will be hosted on Sunday June 11, 2023

- 11:00 a.m. -12:30 p.m. | HFT and HYFS Volunteers Set Up
- 12:00 p.m. - 4:00 p.m. | Police Officers arrive at the intersection of Route 85 and Hayden Rowe and at the intersection of Grove Street and Pleasant Street.
- 12:30 - 1:00 p.m. | All Parade participants will arrive at Hopkinton Center for the Arts (HCA) to assemble for the parade.
- 1:00 - 2:00 p.m. | Parade - HFT will lead the parade down from the HCA to the fork in the road going north on Grove Street, then right heading east on Pleasant Street, and another right on Hayden Rowe heading south, to return to the HCA.
- 2:00 - 4:00 p.m. | participants gather at HCA for a Post-Parade Celebration. We will have some music played through the speakers, a couple of speeches, dance and music performances by local groups, Drag Story Hour, 1-3 food trucks, and information/activity tables. In scope, this post-parade celebration will be much smaller than Family Day, as it will be an opportunity for people to come together after the parade to celebrate Pride, make connections and have fun.
- 4:00 p.m.-onwards | Clean-up by HFT, HYFS and other volunteers

Please see the Event FAQs about the event logistics that will be on the HFT website.

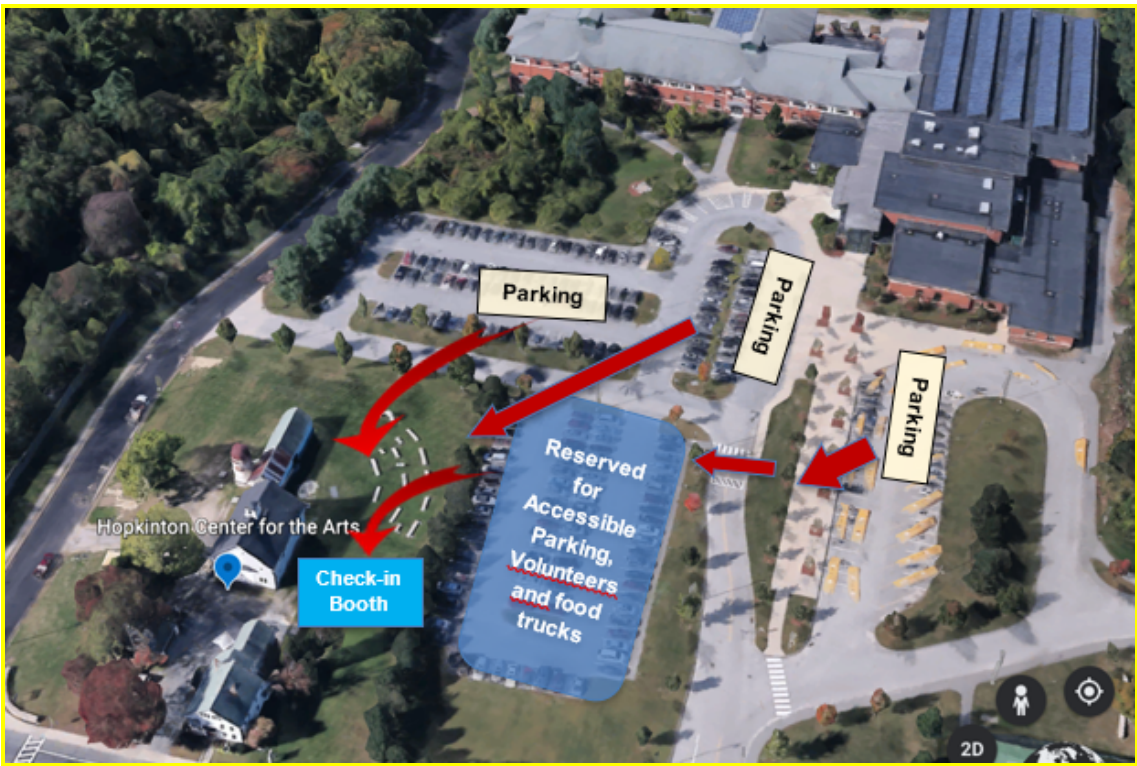
- **Venue overview:** This should cover information such as the contact/directional details, a floor plan and any specific access information.

The event will be held at the HCA and the shared parking lot with Hopkinton High School. Participants will gather in front of the HHS/HCA parking lot where groups will be arranged into order and prepared for the parade. At the time of the parade, HFT will lead participants north on Route 85 from the HCA, then a right on Pleasant Street, a right on Hayden Rowe, and heading back to the HCA. Parade volunteers will be posted along the route to make sure the participants are following the route and staying safe, to answer questions and to contact emergency or medical personnel as necessary. All volunteers will be wearing a neon yellow high-visibility vest or yellow slash with “VOLUNTEER” on it, so they can be spotted quickly.

After the parade, there will be a post-parade celebration on the HCA grounds and at the HCA/HHS parking lot. Visitors will be asked to park in areas outside of the designated areas for the celebration and food trucks. The HFT has reserved the HHS parking lots for this event with the School Facilities department.

We are expecting a maximum of about 500 people. Last year the turnout was roughly 250 people. We hope to have approximately 300-500 participants.

Everyone in the parade will be proceeding on foot or by way of mobility device participants. Groups/Organizations in the Parade will not be allowed to bring vehicles, as we don’t want to mix people and vehicles. However, we are requesting that we may have a lead car at the beginning of the Parade and at the end of the Parade. All vehicles will be driven by licensed adults with the idea that we will play our official “Hopkinton Pride Parade” playlist using the speakers in these vehicles.





= Booths



Participants Arriving at HCA at 12:30 p.m.

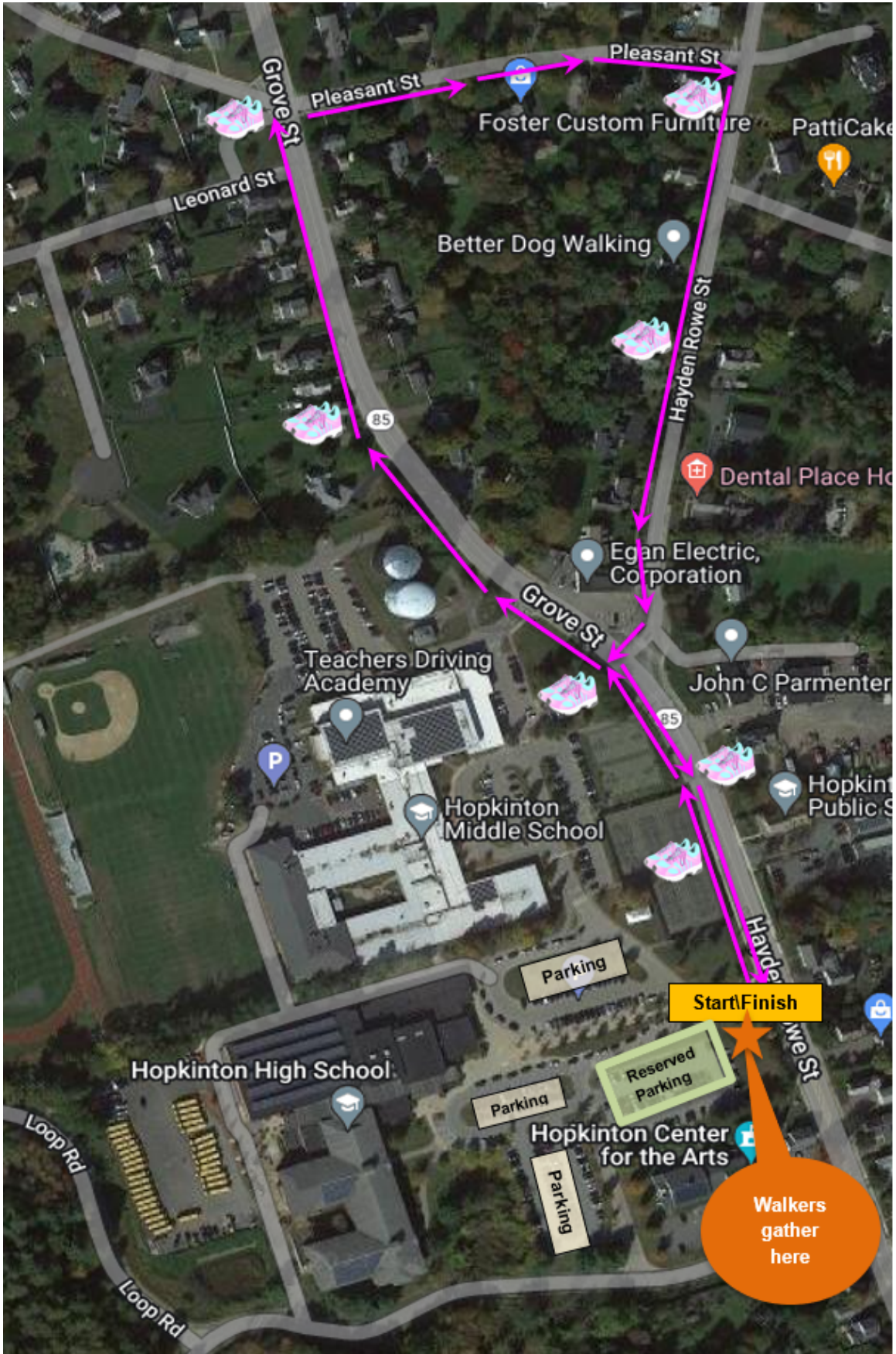
Participants who are walking with a group or organization will check in with volunteers at a Check-in Tent. The volunteers will begin lining up the participating organizations and individuals for a 1:00 p.m. start to the parade.



Parking and Foot Traffic Route for Parade participants and spectators



Parade Route



- **Risk assessment:** This shows all readers that you have considered all the potential risks, but more importantly how you are minimizing or removing those risks.

We have approval for use of the HHS school parking lots from HPS Facilities (Tim Perssons & Katie Putnam), and will continue to keep them updated on any changes. They have also confirmed to the HFT that participants may park anywhere on school grounds and that the lots can easily accommodate more than 500 participants.

We will ensure that food trucks are on the approved vendors list, per the advice of the Hopkinton Health Department.

This safety plan is built on past safety plans for the Hopkinton Pride Parade where organizers have met with the HPD for advice on how to maximize the safety of participants.

We will require an official parade permit from the town, and this safety plan is required for the permit approval. The insurance coverage for this event is covered through the Town's coverage with HYFS as a co-sponsor.

The Pride Parade Planning Committee meets regularly and as needed to thoroughly discuss logistics about this event. We also meet with the HCA and HYFS to provide an update and discuss logistics.

All the volunteers helping on the day will be required to attend a mandatory volunteer briefing meeting (delivered by the Pride Parade Planning Committee) in the week or two before the Parade. The lead organizers will again go over all the essential logistics and health and safety information.

The HFT is planning to have one of the regular volunteers who is a retired nurse to be present during the event in case basic first aid is needed. HYFS employees who will be at the event are certified in CPR. Of course, the two police officers who will be at the event will be able to respond to a medical emergency. If there is an emergency, volunteers will be instructed to call the emergency services 911 immediately. Lead organizer Cathleen Dinsmore will be the designated contact person to ensure that 911 has been called. Volunteers will be given her cell number to call if there is an emergency. All volunteers will be instructed to contact 911 for an emergency or contact the volunteer retired nurse or HYFS personnel if only basic first aid is required. The HCA, HYFS and HFT will also have first aid kits at the event.

We have a dedicated section on our website where we will direct the community for all official information about the parade: <https://www.hopkintonfreedomteam.org/events/celebrating-pride>. There is an FAQ document included there. The FAQ document will also be sent to all participants: [FAQs Pride event](#)

Restrooms are available in the HCA, and we will rent a Porta-Potty for this event, which may be handicap accessible, that will be set up on the HCA grounds.

It is likely that June could be a hot day, so we will have a "Water station" where participants will be able to get a free bottle of water. The HCA will be open and there will also be a couple pop-up tents if people

need to get out of the sun. We will remind all participants in advance to prepare for the weather. This means bringing hats, sun block, water bottles, and whatever else is needed. In the event of rain, we will have several pop-up tents available to set up over the performance space and other areas. However, if the weather is too inclement to continue the event outside, Kelly Grill, Executive Director of the HCA, has confirmed that all outdoor activities, except the parade, can be moved indoors to the HCA performance area. If the weather is not good, we anticipate significantly fewer participants. The HCA has capacity for 200 people in the performance space and another 100 in the gallery. The HFT will designate two or more individuals to stand at the entrances to monitor the number of individuals entering and exiting the HCA to ensure the capacity is not exceeded in the building at any time.

For music, we have an official “Hopkinton Pride Parade” playlist. The HFT has screened all these songs for expletive language and content. It is a completely family-friendly playlist and event. This music will be played on the HCA grounds and along the parade route during the parade.

We will inform all participants that they will not be allowed to throw anything during the parade, including sparkles, confetti and glitter, because there is a priority to protect the wetlands and ensure as little disruption as possible to the residents and area where the parade is taking place.

To ensure safety, there will be police detail at the Hayden Rowe and Grove Street intersection and possibly one needed at the intersection of Grove Street and Pleasant Street. This police detail will be asked to be present at the event from 12:00 p.m. to 4:00 p.m. Everyone must park in the HHS lots outside of the designated event areas at the HCA to ensure we aren't mixing cars and people in the same area. We will have signs directing people where to park. This is also important to avoid congestion and to allow us to keep the roads as clear as possible for emergency access if required.

- **Event health, safety and welfare:** There are various methods that can be used to ensure your team's and guest's welfare at your event. The reader of this document will not need to know every individual plan, but more an overview that you are aware of what is required and any specific details that may be pertinent to the local authorities.

In summary:

- The FAQ document will be on our website and will be sent to all participants to ensure strong communication of essential logistics and health/safety information.
 - Restrooms are available on the first floor of the HCA and a Porta-Potty will be available outside.
 - Free water bottles will be available.
 - No Parking on the Loop Road itself to help keep the road clear and accessible for emergency vehicles.
 - At least 20 volunteers with neon yellow high-visibility vests or yellow VOLUNTEER sashes for help at all times.
 - Emergency services 911 or on-site police will be contacted immediately in case of an emergency. Lead organizer Cathleen Dinsmore will be the designated contact person to ensure that 911 has been called. Volunteers will be given her cell number to call if there is an emergency.
- **Stage, temporary structures and infrastructure:** Provide an overview of any major structure, of their manufacturer and any health and safety notes such as wind speed ratings.

The HCA will be providing temporary staging at their outdoor performance area. We will be using the infrastructure already in place at the HCA outdoor amphitheater along with the HCA audio equipment for speeches and music. The HFT will also hire a professional sound person with their own equipment, whom the HCA has hired and highly recommends.

Small pop-up tents will be secured into the ground using the tent pins. Zip ties will be used to tie down any signs and other items that might blow away in the wind.

- **Electrical systems:** Information on the level of power that is required and how this is being provided and maintained on site.

We will be using the infrastructure already in place at the HCA as well as the equipment our hired sound person will bring to use at the event.

We hope to have HCAM broadcast the parade again. They will be in charge of their own filming equipment.

- **Food, refreshments and traders:** You are likely to provide food not only for your guests but also for your crew. Give information in the event safety plan about the food – not whether it will be lamb or chicken, but how many caterers you will have on site and the types of food-preparation techniques they will be using. If using food trucks, make sure that all proper permits are obtained and inspections done prior to the event.

All food trucks will come from Hopkinton's Board of Health's Approved Vendors List. We are considering having a maximum of three food trucks. It will most likely be ice cream and food that can be eaten with one's hands to limit the amount of trash. All food vendors will need to contact the Fire Prevention division a minimum of two weeks prior to the event to ensure they meet the FD's food truck requirements.

- **Waste disposal:** Detail your plan for this – whether you will be having recycling bins, how often these will be emptied and whether you are employing litter pickers, for example.

We will ask participants to take their own trash when they leave. Last year there was very little trash from the event, and we expect trash to remain low. We will also have garbage bags and bins in the area. The event volunteers will remove all trash from the parade route and HCA grounds after the event is over.

- **Security/stewarding:** Include information on how many staff will be on site and any particular processes they will need to follow.

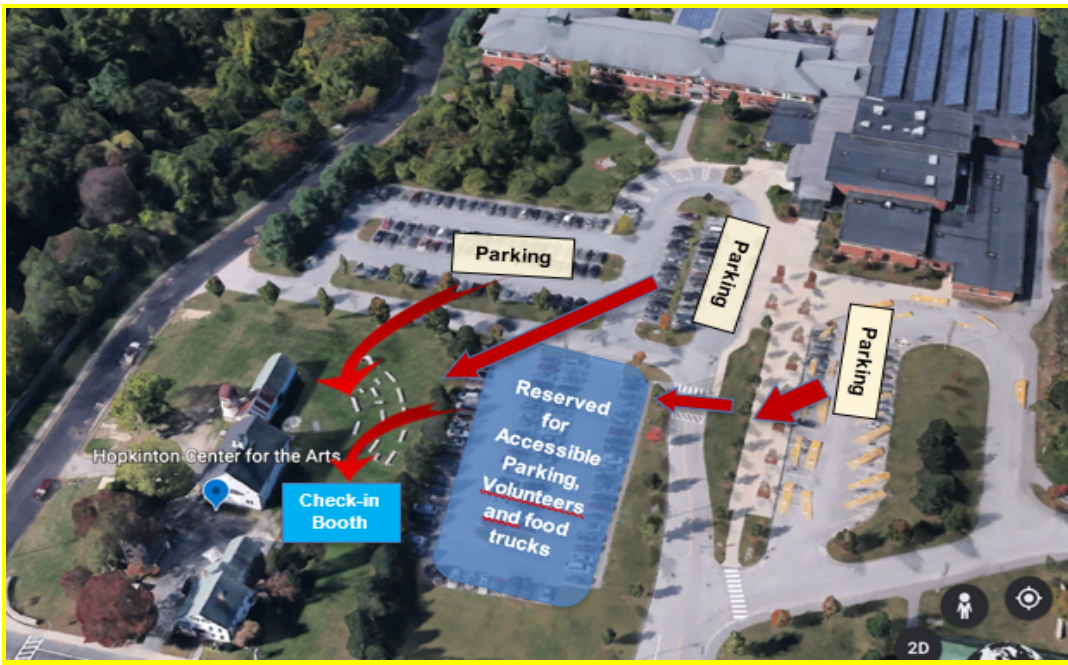
In addition to the Pride Parade Planning Committee, there will be approximately 20 volunteers or more from the HFT, HYFS, and other organizations to set up, direct participants, answer questions, respond to issues and clean-up. Twenty or more volunteers will be wearing a neon yellow high-visibility vest or yellow VOLUNTEER sash so they can be readily spotted.

All the volunteers helping on the day will be required to attend a mandatory volunteer meeting with the Pride Parade Planning Committee a week or so prior to the parade and at the event before set up. The Planning Committee will convey all the essential logistics and health/safety information to the volunteers.

- **Crowd/traffic management:** This will be of particular interest to the local authorities who will want to ensure that you have taken adequate precautions to manage large movements of people. Check Massachusetts Regulations to see if a venue requires a Crowd Manager.

We will be sending instructions, directions, and a map with people flow to all registered participants in advance. To ensure safety, there will be police detail at the necessary intersections along the parade route during the parade. The police detail will be present at the event from 12:00 p.m. to 4:00 p.m. Some of our volunteers will be dispersed around the venue and parade route to help direct participants and spectators where they need to go. We will also have signs with arrows to direct participants.

Parking and Foot Traffic Route for Parade **participants and spectators**



- **Parking Plan:** Ensure that no fire lanes or handicap parking spots are blocked. Make sure adequate parking exists for event size. If off site parking is going to be used, describe a method of transporting patrons from off site.

HPS Facilities (Tim Perssons & Katie Putnam) have approved the HFT's request for the use of the HHS parking lots for this event. They have confirmed that participants may park anywhere on school grounds and that the lots can easily accommodate more than 500 participants. We will continue to keep them updated on any changes.

- **Organization and contractors:** You should include a little information on the people you're going to have on site in your event safety plan. An organization chart helps show outside readers how your on-site team will be structured and who will be responsible for what.

HFT and HYFS Volunteers. From 12:00 p.m. to 4:00 p.m. there will be police detail on the parade route during the parade and on the HCA grounds during the rest of the event. There will also be volunteers from other groups and organizations. We will have a spreadsheet of the different groups and organizations and individuals who pre-register to walk as well as the names of the volunteers who pre-register. We have always had additional volunteers show up the day of the event, and we will have a meeting at the beginning of setup and will review the safety plan.

- **Communications:** Provide a basic overview of your communication plan in your event safety plan.

Event organizers will communicate all event logistics and health and safety information to pre-registered parade participants and organizations/groups via email in advance (the FAQ document). The FAQ document will also be available on the HFT website and social media pages and will be posted at the HCA grounds on the day of the event.

The Pride Parade Planning Committee meets regularly to thoroughly discuss logistics about this event and emails committee members with follow-up details and information.

All the volunteers helping on the day will be required to attend a mandatory meeting about a week before the parade when all the essential logistics and health and safety information will be reviewed. On the day of the event before set-up begins, a similar meeting will also be held at the HCA with all volunteers to review this same information.

Event organizers will communicate with each other through mobile phones during the event, if needed.

- **Medical/first aid provision:** Detail who on site will be available to provide first aid attention and how they can be contacted.

The HFT is planning to have one of the regular volunteers who is a retired nurse to be present during the event in case basic first aid is needed. HYFS employees who will be at the event are certified in CPR. Of course, the two police officers who will be at the event will be able to respond to a medical emergency. If there is an emergency, the emergency services 911 will be contacted immediately. All volunteers will be instructed to contact 911 for an emergency or contact the volunteer retired nurse or HYFS personnel if only basic first aid is required. The HCA, HYFS and HFT will also have first aid kits at the event. Lead organizer Cathleen Dinsmore will be the designated contact person to ensure that 911 has been called. Volunteers will be given her cell number to call if there is an emergency.

- **Fire precautions and equipment:** Your health and safety advisor and production manager will be able to help you fill in this section of the event safety plan. Readers will want to know what your exit routes are, how many extinguishers you have, where they are and who will use them in case of an emergency.

The event will be held outside unless the weather is too inclement. If the event, other than the parade itself, moves indoors, it will be held in the HCA performance area. There are various entrances/exits, and the HCA has its own emergency plan and precautions on their grounds. The HCA has capacity for 200 people in the performance space and another 100 in the gallery. The HFT will designate two or more individuals to stand at the entrances to monitor the number of individuals entering and exiting the HCA to ensure the capacity is not exceeded at any time. In the event of a fire or other emergency, we will contact the police detail on site and emergency services at 911.

- **Sanitary accommodation:** Include information on how many toilets are provided and how often they will be serviced during your event.

HCA restrooms and a Porta-Potty on the HCA grounds will be available during the event.

- **Emergency procedures:** This is an area where the local authorities will want to see lots of detail and feel confident that you are responsible enough to deal with emergencies on site.

In addition to the Pride Parade Planning Committee, there will be approximately 20 volunteers from HFT, HYFS and other groups available throughout the parade route and the HCA grounds to direct people and help where needed. Approximately 20 volunteers will be wearing neon yellow high-visibility vests or yellow VOLUNTEER sashes. They will have all been briefed on the health and safety procedures before the event. We have taken steps to reduce the potential for an emergency incident by providing health and safety information to registered participants before the event.

In the event of an emergency, we will immediately alert the police detail at the event and emergency services at 911. All volunteers will be instructed to contact 911 for an emergency or contact the volunteer retired nurse or HYFS personnel if only basic first aid is required. Lead organizer Cathleen Dinsmore will be the designated contact person to ensure that 911 has been called. Volunteers will be given her cell number to call if there is an emergency.

- **Event inspection:** Cover when and who will inspect your site and sign off the site in terms of structures and health and safety.

The Pride Parade Planning Committee and approximately 20 volunteers will be on site throughout the event to ensure that health and safety features are being followed. All volunteers will be briefed before and during the event regarding the health and safety procedures.

- **Accident reporting and investigation:** An overview of your process needs to be included.

If there is an accident, someone from the Pride Planning Committee will immediately contact the retired nurse the HCA anticipates will be at the event. We will contact emergency services and/or the police detail on site if there is a more serious accident that our resources on site cannot fully address.

- **Provisions for people with special needs:** Adhering to the Equality Act is important. Provide information in your event safety plan as to what visitors with various special needs will need to do.

Handicapped parking is provided at the HCA and at the HCA/ HHS shared parking lot. The restrooms at the HCA are handicap accessible, as is the HCA building, and the outdoor Porta-Potty may also be an accessible one. The sidewalks used in the parade are well maintained and predominantly flat and should be accessible.

- **Contingency plans:** Show the local authorities that you have considered all the main potential issues by putting contingency plan examples in your event safety plan.

If there is inclement weather that is too severe to allow the event to be held indoors at the HCA performance area, a disaster, an emergency or some other reason that prevents residents from safely getting to or participating in the event, we will cancel the event on June 11th and try to reschedule with the necessary approval. We will communicate the decision to all participants via email, social media, HCAM, and any other way possible. If possible, we will put up signage at the site. If it rains, we plan to continue with the event. The HCA has capacity for 200 people in the performance space and another 100 in the gallery. The HFT will designate two or more individuals to stand at the entrances to monitor the number of individuals entering and exiting the HCA to ensure the capacity is not exceeded at any time.

- **Alcohol Events:** Provide alcohol service plan, copies of TIPS certification, safety plan for over served or intoxicated patrons. It is recommended that any event with over 100 people has a detail officer.

No alcohol will be allowed at this event.



**TOWN OF HOPKINTON
SELECT BOARD**

18 Main Street, Hopkinton, MA 01748
508-497-9700 www.hopkintonma.gov

PARADE PERMIT APPLICATION

Date: _____

Applicant Name: _____

Applicant Address: _____

Telephone Number: _____ Email: _____

Applicant: Private/Individual Business Non-Profit
 Town Dept./Board/Committee

Date of Event: _____ Rain Date: _____ Time: _____

Road Closures: _____

Please provide a description/purpose of the event in the space below. (Attach a separate visual or map of the complete route of the event)

Route Starting Point: _____ Ending Point: _____

Expected Number of Participants: _____

Person Responsible for Control of Litter: _____ Phone: _____

On-Site Person Responsible (Day of Event): _____ Phone: _____

ADDITIONAL REQUIREMENTS:

1. A Certificate of Insurance must be provided with this application, naming the Town of Hopkinton as an additional insured for at least \$1 million dollars in the case of accident.
2. Map, plan, or specific written description of the route of the proposed event.
3. Safety Plan
4. Litter Control Plan

The undersigned Applicant agrees that the Applicant and parade participants will conform to applicable laws, bylaws and regulations, as well as special requirements that may be made a condition of the granting of a Parade Permit pursuant to this application.

I/we agree to hold the Town of Hopkinton harmless from any and all liability and will defend the Town of Hopkinton in connection therewith.



Signature of Applicant

Date

Revised 10/5/2021

Permitting Team Comments
Parade Permit- New England Chinese American Alliance
Select Board Meeting- 04/25/2023

April 6, 2023

I have forwarded the event host a copy of the FD/PD IAP event requirements. Once I have it back, Chief Bennet and I will review it with comments.

April 12, 2023

The FD approves the IAP for this event and has no further comment.

William R. Miller
Hopkinton Fire Department

April 6, 2023.

There will likely be ongoing work as part of the Main Street Project that will impact the event. Main Street may be in the middle of reconstruction at this time. This would mean the road would be gravel, not pavement, and that structures would be tripping hazards as they would not be level with the gravel surface.

I'm currently coordinating with MassDOT and their contractor (A.F. Amorello) in an effort to determine Amorello's proposed schedule of work. At this time, there is no way to ascertain what condition Main Street will be in for the proposed event, regardless of Amorello's proposed schedule. Construction schedules change on a daily basis based on unforeseen conditions, weather, or any other number of factors.

I will provide an update on the proposed schedule as soon as I receive it from MassDOT/Amorello.

The applicant should be made aware that the condition of Main Street may not be paved and that UG structures could potentially present tripping hazards. If that ends up being the case, the applicant should be required to provide additional protection to the Town.

Dave Daltorio
Facilities.

April 13, 2023

Applicant's Response - **We'll inform the runners and include a sentence in the waiver they need to sign.**

April 12, 2023

I approve the Litter Control Plan and I have no other comments on the application.

John Westerling
Director DPW

April 13, 2023

PD has no additional comments then those expressed above.
Chief Bennett
Hopkinton Police Department

NECAA May 20, 2023 Event Description of the Route

AAPI Run & Rally along the Boston Marathon Route

Runners will gather at Hopkinton Common around 8AM. After a brief speech by couple guest speakers, runner will leave the Common and run on the side walk of main street along the Boston Marathon route. In this relay, it took about 40 minutes for the runners to arrive at Framingham strain station, and the next group of runners at the station will start to run to next town .

NECAA May 20, 2023 Event Safety Plan

AAPI Run & Rally along the Boston Marathon Route

Event Overview:

Rally & Running along the Boston Marathon Route to celebrate AAPI heritage. The rally will be held on May 20, 2023 (rain day 5/21/23) start at 8:00AM at Hopkinton Common, and runners of eight towns along the Marathon route. We anticipate there will be approximately 100 participants holding signs and some of them will run along the sidewalk.

The leading organizer of this event is **New England Chinese American Alliance (“NECAA”)**, a non-profit organization dedicated to serve New England Chinese American communities. About 10 volunteers will arrive at Hopkinton Town Common around 7:30AM, May 20, 2023. The event at the Common will be done around 8:30, and the cleanup will be done by 9:30AM.

Venue Overview:

Contact info of the organizer and volunteers

Jun Qi 508-963-7186

Qian Ge 781-795-2497

Risk assessment: This shows all readers that you have considered all the potential risks, but more importantly how you are minimizing or removing those risks.

Event health, safety, and welfare

each participant of the running event needs to sign a waiver before participating the event.

Stage, temporary structures, and infrastructure:

We may bring couple portable speakers and microphones for the guest to do a quick announcement prior to the running. No safety and health concerns.

Electrical systems:

We plan to use the sockets of the Gazebo to power 2 speakers. If it doesn't work, we'll bring batteries.

Food, refreshments, and traders

N/A

Waste disposal

Volunteers will bring trash bags to the site and take all the waste with them once the event is concluded around 9AM.

Security/stewarding

About 10 volunteers will be onsite and each wears orange safety vest. They'll help for traffic control when the run starts and runners crossing main street.

Crowd/traffic management:

We don't anticipate a big crowd in Hopkinton for this event. Basing on our experience prior 2 years, we only need traffic control when the runners are crossing the main street to get on sidewalk. We'll hire police detail to help.

Parking Plan

The Organizer will share the parking map with the participants electronically 2 days before the event. Basing on our experience last year, no fire lanes or handicap parking spots are blocked. Volunteers will help to move the cars in case certain violation incurs.

Organization and contractors

The volunteers will welcome the participants at the entrance of the Common with visible signs to collect signed waivers.

Communications: Provide a basic overview of your communication plan in your event safety plan.

Medical/first aid provision

Volunteers will bring 1 first-aid kit to the site

Fire precautions and equipment

Volunteers will bring 2 fire extinguishers to the site.

Sanitary accommodation:

N/A

Emergency procedures

The event will be concluded within an hour and we don't anticipate any protest or conflict based on our experience in past 2 years. The volunteers wearing orange safety vest will help in case any issue arise.

Event inspection

N/A

NECAA May 20, 2023 Event Litter Control Plan AAPI Run & Rally along the Boston Marathon Route

Per our experiences of past 2 years, no litter concerns for the event. Volunteers will bring enough trash bags and clean up the Common before 9:30AM on 5.20.23. There will be around 5 volunteers responsible for cleaning up the Common once the runners left the park to ensure no trash left on the Common.

To: Select Board

From: Norman Khumalo 

Date: April 20, 2023

Ref: Staff Report - Select Board April 25, 2023 Meeting

1. *Main Street Corridor Project:* Dave Daltorio (Town Engineer/Facilities Director) and Mitchell Murdock (Project Specialist) have provided the attached update (See Attachment 1).
2. *Per- and Polyfluoroalkyl Substances (PFAS) treatment project:* *Per- and Polyfluoroalkyl Substances (PFAS) treatment project:* The Town is investigating soil testing methodologies and laboratories for PFAS detection. The Town has executed a contract with Weston & Sampson for construction inspection and DEP compliance. Again, PFAS information for owners of private wells is available [here](#). If residents have questions or concerns regarding PFAS in private wells, they may contact the Health Services Department at 508-497-9725.
3. *Massachusetts Water Resources Authority (MWRA) Southborough Interconnection Project:* Southborough and Hopkinton representatives discussed the following concepts to be reviewed further. The parties anticipate that the final concepts will become the “fact basis” of the Intermunicipal Agreement:
 - a. Hopkinton will be a direct MWRA customer and will deal with MWRA for its allotment;
 - b. MWRA will specify meter type at border and will provide meter reading;
 - c. MWRA will send Hopkinton a bill for MWRA water use;
 - d. Southborough will deliver MWRA water to Hopkinton;
 - e. Southborough must maintain the ability to provide peak supply capacity whether Hopkinton uses it or not;
 - f. Southborough will charge Hopkinton for short term (electricity) and long term (tank and pipe maintenance) costs;
 - g. Future maintenance and capital costs will be allocated per the following planned charges:
 - i. Share of pumping electricity
 - ii. Amortization of pump replacement
 - iii. Pump inefficiency factor - extra cost of using larger pumps
 - iv. Cost of extra lost water due to Hopkinton’s usage
 - v. Water storage maintenance allocation:
 1. Charge quarterly for anticipated cost of tank maintenance, or
 2. Fraction of tank usage then at peak demand;

- vi. System maintenance and management costs
 - 1. Charge quarterly based on fraction of pipe miles used

The Town is reviewing Pare Corporation's (town consulting engineer) scope of work for the project design, including survey, design and permitting at DEP and Water Resources Commission.

Attachment 1

TO: Select Board

FROM: Michelle Murdock, Dave Daltorio *Michelle Murdock*
VIA: Norman Khumalo, Town Manager *NK*
DATE: April 19, 2023
SUBJ: Select Board Update: Main Street Corridor Project Date: April 25, 2023

MassDOT's Original Completion Date for the Project is October 22, 2023. That date was set at the award of the contract. As of the most recent schedule, submitted by A.F. Amorello on November 8, 2022, the project is still on schedule for completion by that date.

Phase 1 and 2 of Main Street Reconstruction has been completed. This work focused on the area from West Main Street to the Fire Station and the 135/85 intersection. This work included the full-depth excavation of these sections of Main Street and the installation of two of the three final paving courses. The final course of pavement will be installed at the end of the project.

Installation of poles for traffic and speed limit signs have been placed and signs have been added. MassDOT accepted the Town's request to use single posts for street signs.

Anticipated Work for Spring 2023 includes the following:

- Curb/Sidewalk work on the west side of the project
- Large green highways signs will be installed starting by the Wood St. intersection.
- Full depth excavation/reconstruction from the Muffin House to the east end of the project (approximately Ray Street) will most likely begin mid May. A meeting with Public Safety to discuss this work is being scheduled.
- Resetting curb/bike lane/sidewalk work on the east side of the project will follow the full-depth reconstruction.

To Date Construction Cost and Quantities through 9/24/22

Paid By	Contract Bid Total (incl. contingencies)	As of Sept, 24, 2022	Percent Completed
MassDOT/TIP	\$9,919,513.90	\$5,535,689	56%
Paid By Town	\$10,014,173.48	\$6,578,583	66%
Total Cost	\$19,933,687.38	\$12,114,272.90	61%

Work Completed - rounded (does not include every bid item)

	As of 12/18/2021	As of 9/24/2022	Percent Complete
Catch Basins	80	82	100%
Drain Manholes	40	40	100%
Reinforced Concrete Pipe	5,100 ft	5,100 ft	100%
Ductile Iron Pipe	727 ft	727 ft	100%
Hot Mix Asphalt (all types)	2,750 tons	10,268 tons	71%
Gravel (all types)	2,456 cy	9,873 cy	51%
Rock Excavation	1,037 cy	1,037 cy	Est. 100%
Grading and Compaction	n/a	18,000 sy	47%
Granite Curbing	n/a	3,0147 lf	30%
Underground Conduit	2,012 ft	11,459 ft	42%
Utility Vaults Installed	12	18	1. 100%
Excavation (all types)	968 cy	13,326 cy	56%
Concrete Sidewalk	n/a	565 sy	6%

Community Contact (4-6-23 thru 4-19-23)

- Construction Advisory #59 was distributed via email on Friday, Apr 14, 2023 .
Construction Advisory #60 was distributed via email on Friday, Apr 21, 2023 .
- Construction Meeting held with MassDOT on Apr 18, 2023 .
- A total of 9 issues/concerns from the general public and project abutters were received, reviewed and researched, and an email response was sent to the individual(s) who reported an issue or asked a question. Issues reported/questions asked included:
 1. Email from project abutter to report trouble traffic light trigger not functioning; notified MassDOT. Amorello asked to get the sub-contractor onsite; date pending; project abutter updated.
 2. Email from project abutter to ask about widening of the entrance to Mayhew Street; reports that cars and trucks hit the curb to make the turn; ask that issue be

addressed. Advised that curbing discussion is ongoing with MassDOT; no schedule yet for modifications.

3. Phone call/email from project abutter to ask for assistance to file a claim for damage with Eversource; reached out to MassDOT and Town Water Dept. for assistance. Followed up with Eversource Community Relations contact to ask about status of claim.
4. Assisted resident with claim for damage to vehicle on Main Street
5. Email to two project abutters to notify of upcoming wall work on their property.
6. Email to three project abutters to notify of curb and sidewalk work at their property.
7. Communication with project abutter to obtain needed Right of Entry form.
8. Email to project abutter to advise of hydrant work in front of property.
9. Onsite visit by Michelle Murdock to Orale Mexican Restaurant to introduce herself as contact person for the project and to sign up the new tenants of 20-24 Main St. to receive Construction Advisories.

Miscellaneous

- The Project website will continue to be updated throughout the Project. Visit the website to sign up for Project Updates. A QR Code has been developed for quick access.
- Project photos and drone coverage of the 135/85 reconstruction have been added to the website <https://hopkintonmainstreet.com/construction-photos.htm>

SELECT BOARD LIAISON LIST FY 2023	Select Board Members					Norman	Elaine
	Amy	Mary Jo	Irfan	Muriel	Shahidul		
FINANCE							
Appropriation Committee					X	X	
Board of Assessors		X					
Town Manager's Budget Advisory Team					X		
Capital Improvement Committee						X	
Cable Advisory Committee						X	
PUBLIC SAFETY							
Animal Control							X
Fire Department	X						
Police Department	X						
PERMITTING							
Board of Appeals				X			
Conservation Commission			X				
Planning Board				X			
Board of Health					X		
Permanent Building Committee			X				
EDUCATION							
School Committee					X		
Regional Voc. Tech School Committee				X			
PUBLIC SERVICES							
Cemetery Commission		X					
Commission on Disability	X						
HUMAN SERVICES							
Town Clerk's Office						X	
Personnel Committee						X	
Council on Aging				X			
MetroWest Veterans Service District					X	X	
ADA Oversight Committee	X						
Veterans Celebration Committee				X			
Tax Relief Committee		X					

SELECT BOARD LIAISON LIST FY 2023	Select Board Members					Norman	Elaine
	Amy	Mary Jo	Irfan	Muriel	Shahidul		
CULTURAL/RECREATIONAL							
Hopkinton Cultural Council			X				
Marathon Committee		X					
Marathon Fund Committee					X		
Public Library					X		
Parks & Recreation Commission					X		
Youth Commission				X			
Community Preservation Committee				X			
HISTORIC PRESERVATION							
Woodville Historic District Commission	X						
Hopkinton Historic District Commission	X						
Historical Commission		X					
OTHER							
Sustainable Green Committee		X					
Trail Coordination and Management Committee				X			
Commissioners of Trust Funds						X	
Lake Maspenock Dam Advisory Group						X	
Fruit Street						X	
Hopkinton Schools Athletic Field Subcommittee			X				
Boston Athletic Association			X				
APPOINTED BOARD/COMMITTEE MEMBERSHIPS							
Elementary School Building Committee (Life of the Project)					X		
Irvine-Todaro Properties Advisory Group (Life of the Project)			X				
Pratt Farm Master Plan Team (Life of the Project)		X					
Upper Charles Trail Committee (3-year term expiring 6/30/25)			X				
Open Space Preservation Commission (5-year term expiring 6/30/26)			X				
Affordable Housing Trust Fund Board (2-year term expiring 6/30/24)			X				
Metropolitan Area Planning Council Representative, Select Board member (Town Manager Appointment)	X						X
MetroWest Regional Transit Authority (1-year term)		X					

	Select Board Members							
SELECT BOARD LIAISON LIST FY 2023	Amy	Mary Jo	Irfan	Muriel	Shahidul	Norman	Elaine	
Number of X's:	7	8	9	8	9	9	2	

Pending Select Board Member Future Agenda Items

February 15, 2023

Items are listed in the order they were identified. Items identified and already discussed at meetings are not included on this list.

1. Social Justice issues - Nasrullah (8/4/20)
2. Master Plan action plan/implementation plan items for Select Board - Ritterbusch (12/1/20) (12/15/20)
3. Examination into municipal cable - Nasrullah (9/7/21)
4. The role of the Select Board in the trails/Upper Charles Trail process and what are the next steps for the Board - Kramer (1/25/22)
5. Consider support for Senate and House bills regarding a temporary moratorium on construction of new jails and prisons in Massachusetts - Kramer (1/25/22)
6. Affordable housing updates - Mannan (5/17/22)
7. Economic Development position - Mannan (5/17/22)
8. West Main St. left turns, Cumberland Farms area - Kramer (5/17/22, 10/18/22)
9. Cemetery Commission Rate Changes - Ritterbusch (6/21/22)
10. Parks & Rec. future plans - Mannan (7/12/22)
11. Status and plans for roads & sidewalks; pavement management plan - Mannan (8/2/22)
12. Board & Committee appointments - fostering volunteerism, outreach, and appreciation - Kramer (9/13/22)
13. Discuss ways to keep seniors in their homes - LaFreniere (10/18/22)
14. Policy on redaction of public survey comments - Ritterbusch (11/1/22)
15. Communications plan for the MWRA connection project - Kramer (11/15/22)
16. Ways to support boards/committees & their Chairs, including reviewing committee Charge, and asking how things are going - Kramer (12/6/22)
17. Discuss volunteer appreciation - Kramer (12/20/22); Mannan (2/14/22)
18. Boston Marathon Ashland Recognition - Ritterbusch (2/14/22)
19. Center School and Elmwood School - 2/14/22



SB

TOWN OF HOPKINTON
OFFICE OF THE
PLANNING BOARD
18 Main Street, Hopkinton MA 01748
(508) 497-9745

HOPKINTON TOWN CLERK
2023 APR 7 9:21:13

Decision of Site Plan Review
Open Space Mixed Use Development (OSMUD)

DATE: April 7, 2023

RE: Application for OSMUD Site Plan Review for Weston Lane, Bandon Lane, Birkdale Lane, Clubhouse Lane pursuant to Article XXVI of the Hopkinton Zoning Bylaw

APPLICANT: The Trails LLC, 490B Boston Post Road, Sudbury, MA 01776

SITE ADDRESS: **Weston Lane, Bandon Lane, Birkdale Lane, Clubhouse Lane, as part of "The Trails at Legacy Farms" OSMUD Development; Hopkinton Assessors Map R8 Block 38 Lot F; Map R8 Block 38 Lot H; Map R8 Block 38 Lot K, and Map R8 Block 38 Lot L.**

OWNER: The Trails LLC, 490B Boston Post Road, Sudbury, MA 01776

A. Procedural History:

1. An Application for OSMUD Site Plan Review pursuant to Article XXVI of the Hopkinton Zoning Bylaw was filed with the Hopkinton Planning Board (hereinafter "the Board") by the referenced Applicant on October 7, 2022, to amend the approved and previously amended site plan for "The Trails at Legacy Farms."
2. A pre-submission meeting was held with relevant department representatives on September 28, 2022.
3. The property subject to the Application (the "Site") is located off of Legacy Farms Road North at Weston Lane, Bandon Lane, Birkdale Lane, Club House Lane, Hopkinton Assessors Map R8 Block 38 Lot F; Map R8 Block 38 Lot H; Map R8 Block 38 Lot K, and Map R8 Block 38 Lot L.
4. Public hearings on the Application were held on November 7, 2022 (no discussion), November 21, 2022, December 5, 2022 (no discussion), December 19, 2022, January 9,

2023, January 23, 2023 (no discussion), February 6, 2023, February 27, 2023 (no discussion), March 20, 2023, and April 3, 2023.

5. The Application included a series of site plans entitled:
 - a. "Site Modifications Exhibit, Trailhead Parking Lot & Rear Bandon Lane Slope The Trails At Legacy Farms Hopkinton, Massachusetts (Middlesex County)," prepared by Engineering Design Consultants, Inc., dated 01/04/23 with final revision date of 03/16/23;
 - b. "Site Modifications Exhibit Rear Bandon Lane & Wilson Street LID Features The Trails At Legacy Farms Hopkinton, Massachusetts (Middlesex County)," prepared by Engineering Design Consultants, Inc., dated 01/04/23 with final revision date of 03/16/23;
 - c. "Stormwater Basin #1 Terminus of Weston Lane," prepared by Engineering Design Consultants, Inc., dated 01/04/23 with final revision date of 03/16/23;
 - d. "Stormwater Wetland Basin #2," prepared by Engineering Design Consultants, Inc., dated 01/04/23 with final revision date of 03/16/23;
 - e. "Stormwater Basin #3 Phase 4 Off Walnut Street," prepared by Engineering Design Consultants, Inc., dated 01/04/23 with final revision date of 03/16/23;
 - f. "Roof Drain Modifications/Infiltration & Entrance Sidewalk Relocation The Trails Off Legacy Farm Road, Hopkinton, MA," prepared by Engineering Design Consultants, Inc., dated 01/04/23 with final revision date of 03/16/23;
 - g. "Revetment Slope Layout & Photographs," prepared by Engineering Design Consultants, Inc., dated 01/04/23 with final revision date of 03/16/23; and
 - h. "Revetment Slope Grading & Cross-Sections," prepared by Engineering Design Consultants, Inc., dated 01/04/23 with final revision date of 03/16/23.

This series of plans is attached to this Decision.

6. The Application and other submission materials were reviewed by the Planning Board and were submitted for comment to Town departments and officials as required.
7. Throughout its deliberations, the Planning Board has been mindful of the statements of the Applicant, and the comments of the general public, all as made at the public hearing.

B. OSMUD Site Plan Review Decision Criteria:

§ 210-173. Site Plan Review

- A. Construction of all Development Projects within the OSMUD District shall be subject to Site Plan Review by the Planning Board in accordance with the provisions of Article XX, with the following additions and exceptions:
 - (1) Construction of Development Projects for Residential Uses shall be subject to Site Plan Review, notwithstanding any provision of §210-133 or § 210-134 to the contrary. However Site Plan Review shall not apply to the alteration, reconstruction or enlargement of residential buildings. For the purposes of this

Section, a mixed-use building shall be considered a commercial building, and shall not be considered a residential building.

- (2) Construction of all Development Projects for Commercial Uses shall be considered a Major Project with respect to the procedures contained in Article XX.
- (3) The Decision Criteria in this Article shall supersede the Site Plan Standards listed in §210-136.1 and referred to in §210-136.2.A.

Section 210-173.D. Decision Criteria

The Planning Board shall approve an application for Site Plan review if it finds that:

- (1) The Site Plan complies with the Master Plan Special Permit;
- (2) The Site Plan meets all of the requirements and standards set forth in this Article, the Master Plan Special Permit, and applicable Design Guidelines;
- (3) The convenience and safety of vehicular and pedestrian movement within the Development Project and in relation to adjacent areas and public ways is ensured;
- (4) Substantial adverse potential impacts of the Development Project have been adequately mitigated.
- (5) Adequate mitigation has been provided with respect to any conditions impacting on-site safety, whether such conditions are created on-site or off-site.

C. Discussion

At the public hearing, the Applicant stated the Application was to modify the sidewalks internal to the site, modify stormwater infrastructure, and modify the parking area for the trailhead. The Applicant was simultaneously proceeding through permitting with the Conservation Commission for this proposed work.

D. Findings and Decision:

In view of the foregoing, the Planning Board voted on April 3, 2023 to find that the proposed OSMUD site plan conforms to the Site Plan Criteria as described in Section 210-173.D. of the Zoning Bylaws, specifically the following:

- The Site Plan complies with the Master Plan Special Permit;
- The Site Plan meets all of the requirements and standards set forth in this Article, the Master Plan Special Permit, and applicable Design Guidelines;
- The convenience and safety of vehicular and pedestrian movement within the Development Project and in relation to adjacent areas and public ways is ensured;
- Substantial adverse potential impacts of the Development Project have been adequately mitigated.
- Adequate mitigation has been provided with respect to any conditions impacting on-site safety, whether such conditions are created on-site or off-site.

The Board voted on April 3, 2023 to approve the Application for amendments to the approved and previously amended site plan for “The Trails at Legacy Farms,” and the attached series of plans as enumerated above, with the following conditions:

1. A Town Clerk-certified version of this Decision shall be recorded at the Middlesex South County Registry of Deeds prior to the issuance of a building permit for the work that is subject to this Decision.
2. The Director of Municipal Inspections inspects projects under construction for compliance with the approved Decision of Site Plan Review. This includes the driveway/roadway and infrastructure construction shown on the Plan, if applicable. If the Director of Municipal Inspections determines at any time before or during construction that a registered professional engineer or other such outside professional is required to assist with the inspections of the stormwater management system or any other component of the Site Plan, the Applicant shall be responsible for the cost of those inspections.
3. All construction activities shall adhere to applicable local, State and Federal laws and regulations regarding noise, vibration, dust, sedimentation, and the use of, interference with or blocking of Town roads.
4. The Applicant shall be responsible for mitigating all construction-related impacts, including erosion, siltation and dust control. The Applicant shall maintain all portions of any public way used for construction access free of soil, mud or debris deposited due to use by construction vehicles associated with the project, and shall regularly sweep such areas as directed by the Director of Municipal Inspections in consultation with the DPW Director.
5. The Applicant shall regularly remove construction trash and debris from the site in accordance with good construction practice and the Construction Management Plan. No tree stumps, demolition material, trash or debris shall be burned or buried on the site.
6. All exterior lighting within the Development Project, whether shown on the approved Site Plan or required by the Massachusetts State Building Code, shall be shielded, directed downward and not upward or outward, and shall not spill onto adjacent property.
7. All fixed mechanical equipment on the Site shall be screened from view from the ground. Such screening shall be sufficient in the opinion of the Director of Municipal Inspections.
8. If construction has not commenced within three (3) years of the date of filing of the Site Plan decision with the Town Clerk, approval shall be automatically rescinded, unless such time is extended by the Board. For the purposes of this condition, the term "commenced" shall mean the commencement of site work.
9. A completed, signed Construction Management Plan shall be submitted to the Planning Board prior to the commencement of any site work. The Applicant shall also submit a

revised full Plan Set which incorporates all of the modifications made during the public hearing process and any required in this Decision.

10. A completed, signed Long-term Operation and Maintenance Plan shall be submitted to the Planning Board prior to the commencement of construction. This can be combined with the Construction Management Plan, if preferred by the Applicant.
11. Erosion and sedimentation control measures shall be implemented during the construction period, in accordance with the approved Site Plan and the Construction Management Plan. If they are found to be inadequate, the Applicant shall immediately correct any deficiencies.
12. The Planning Board shall receive a sign-off confirming that the site contractor and any major subcontractors have received the Construction Management Plan prior to the commencement of any site work.
13. Construction may occur only between the hours of 7:00 AM and 7:00 PM Monday through Friday and Saturdays between 8:00 AM and 4:00 PM pursuant to Chapter 141 Article I of the Town of Hopkinton General Bylaws.
14. The Applicant shall submit final as-built plans to the Planning Board prior to the issuance of a Certificate of Occupancy.
15. The Applicant/Developer shall provide the Principal Planner with a project point-of-contact and contact information prior to the issuance of a Building Permit. This point-of-contact information shall be kept current through correspondence to the Principal Planner until the final Certificate of Occupancy is issued or construction is otherwise considered complete.
16. A copy of NOI (EPA) and signed SWPPP shall be provided to the Planning Board prior to construction.
17. A signed copy of the O&M Plan shall be submitted to the Planning Board prior to construction.
18. The Applicant/developer shall provide a signed illicit discharge statement prior to commencement of construction.

E. Record of Vote

The following members of the Planning Board voted in favor of the motion to make the findings and to approve the Application for amendments to the approved and previously amended “The Trails at Legacy Farms”:

Gary Trendel
Mary Larson-Marlowe
Elyse Mihajloski
Robert Benson

Ron Priefer
Paul Ostrander
Jane Moran
Matthew Wronka

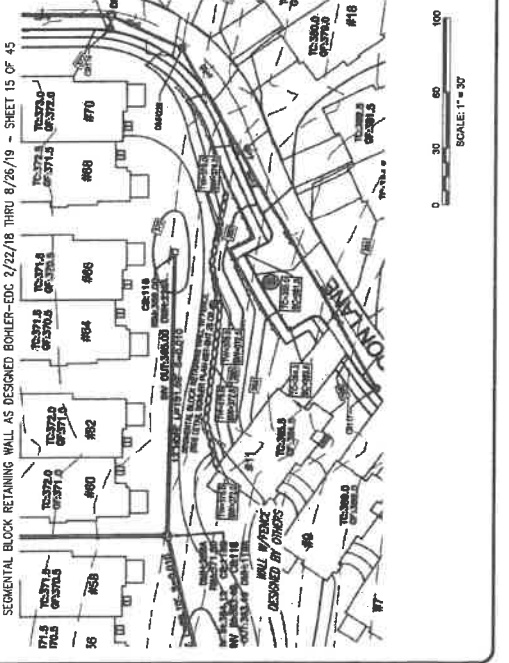
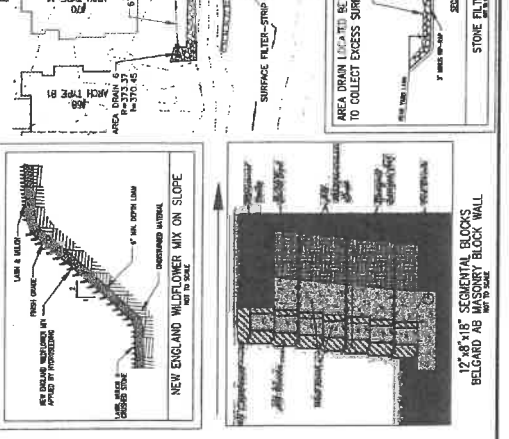
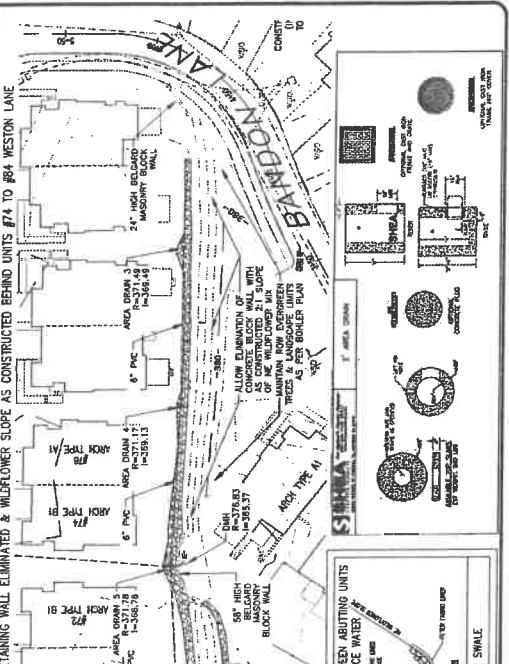
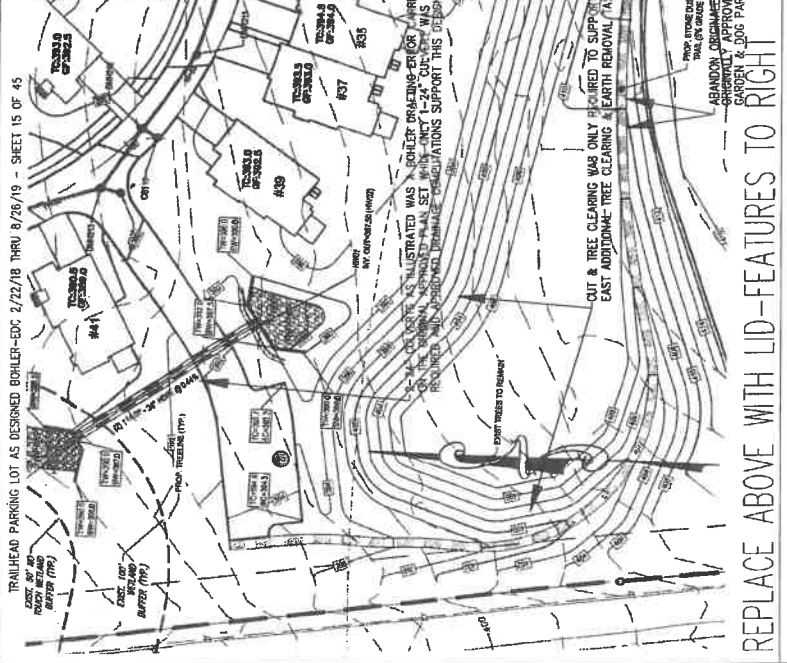
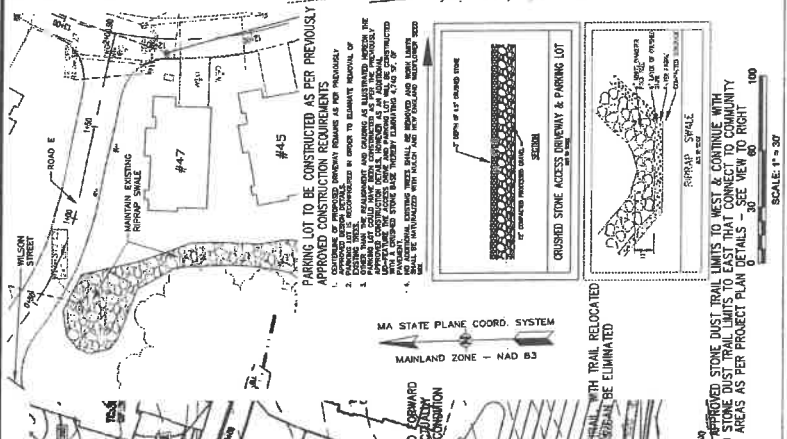
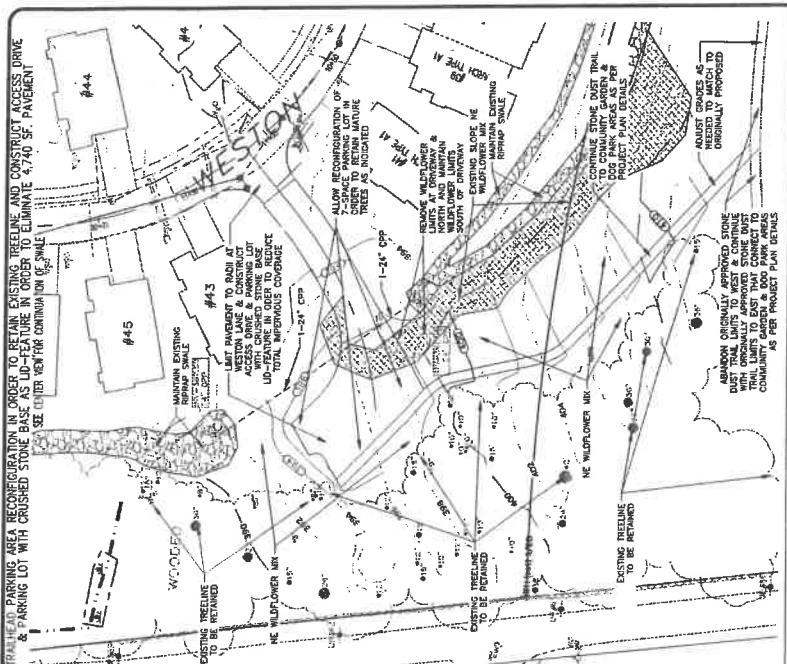
No members of the Planning Board voted in opposition to the motions to make the findings and to grant the approvals contained in this Decision.



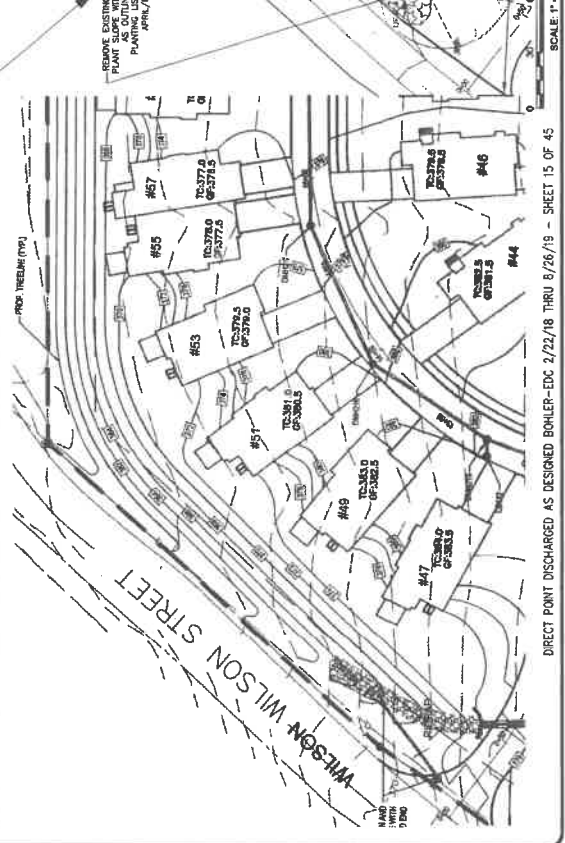
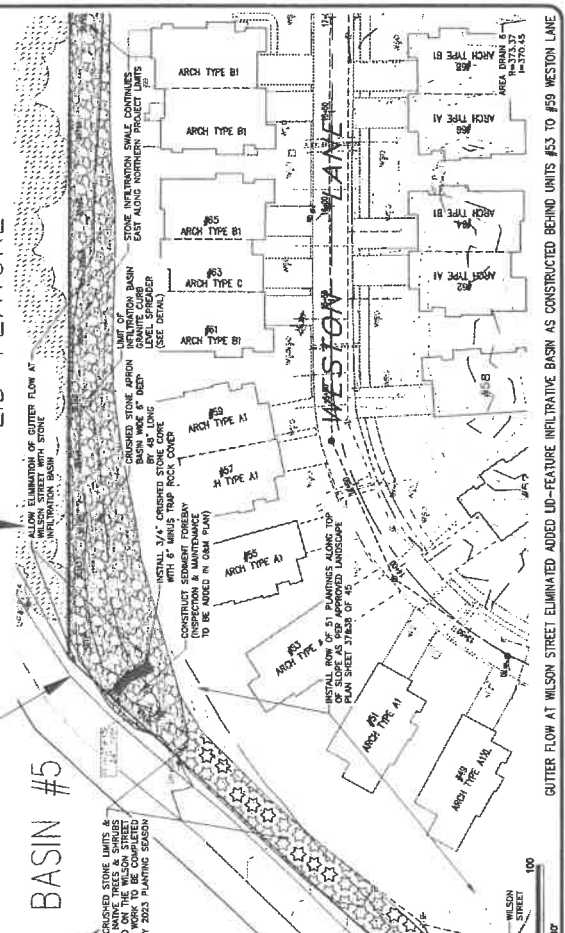
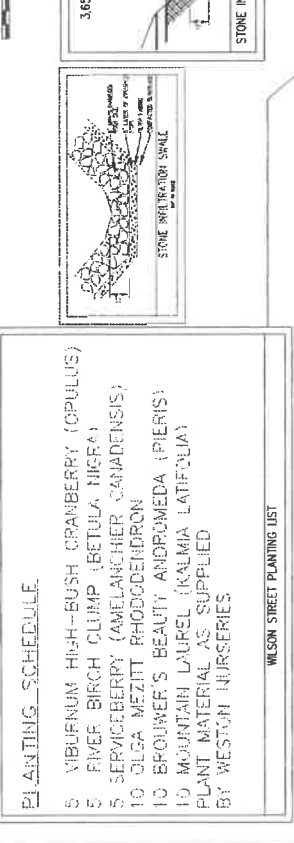
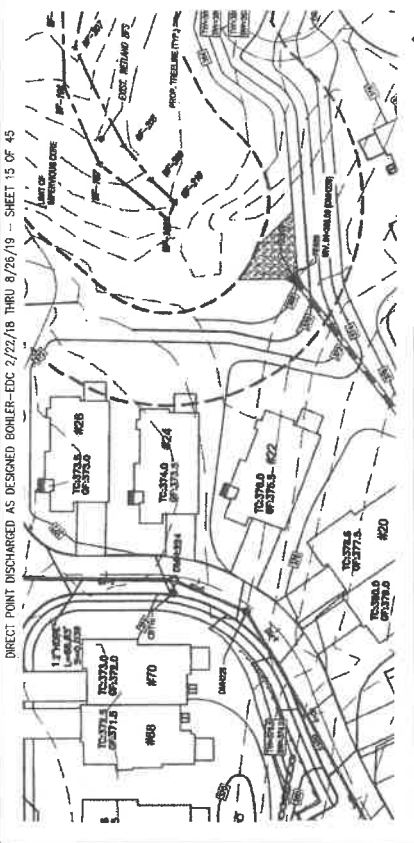
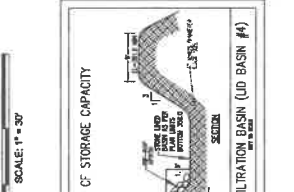
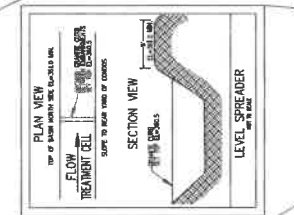
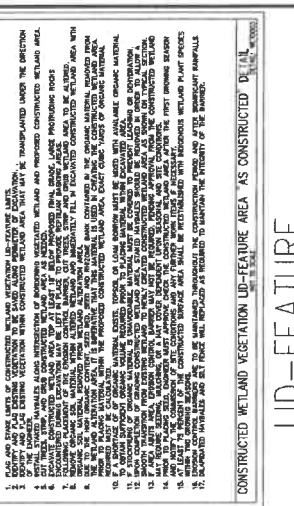
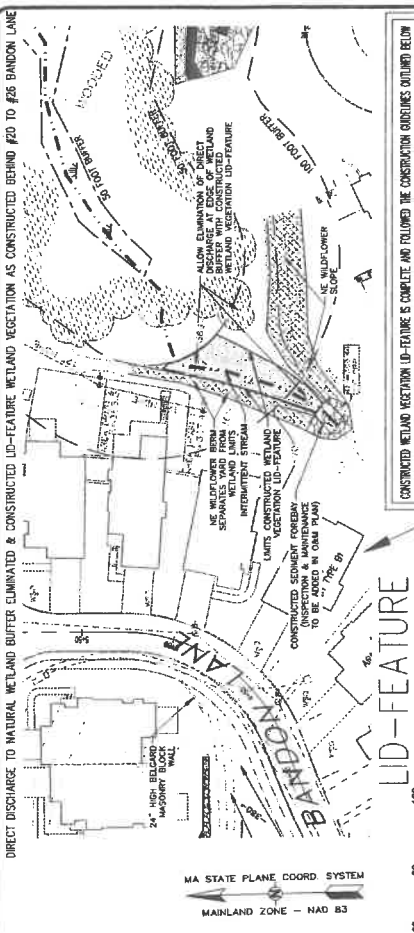
Gary Trendel, Chair

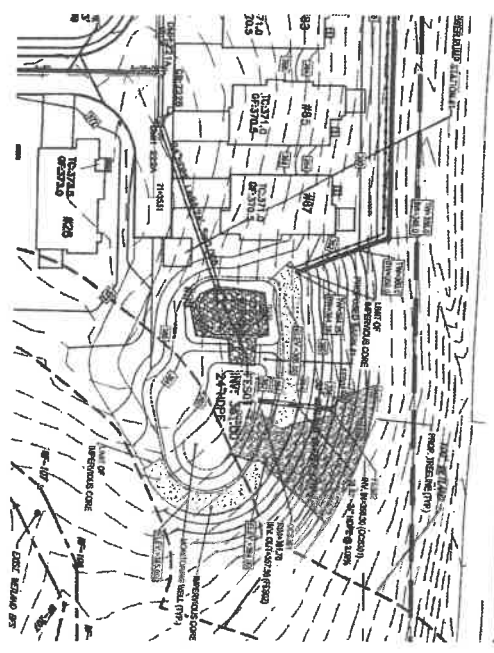
F. Right of Appeal

Any person aggrieved by this Decision may appeal such Decision to the Board of Appeals within 20 days of the date of the Decision, as provided for in Article XX of the Zoning Bylaw, and in *M.G.L. c. 40A*, §§ 8 and 15.

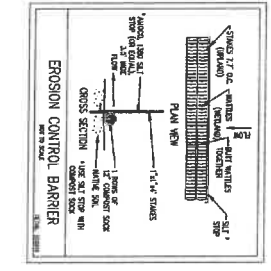
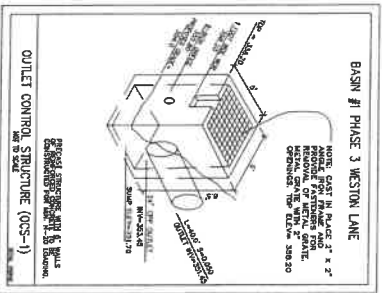
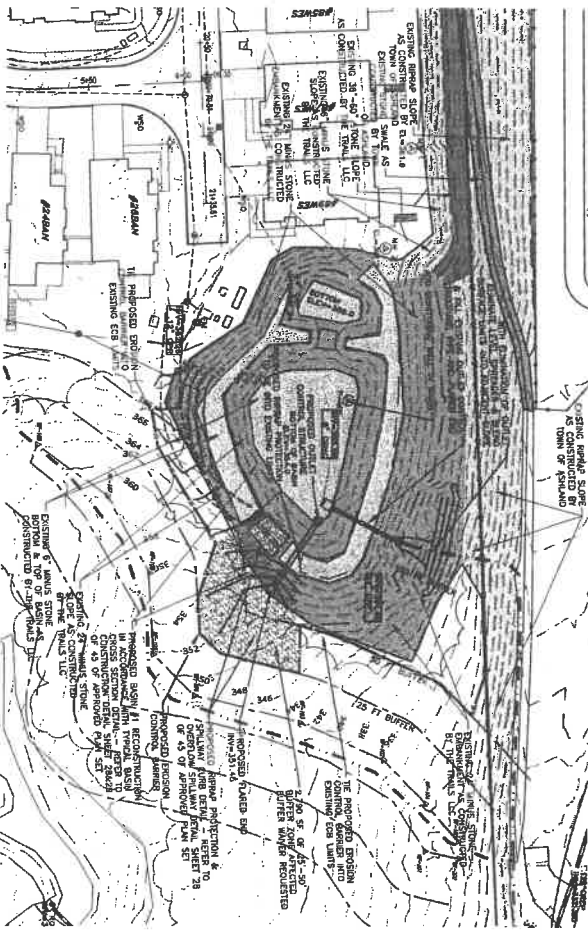


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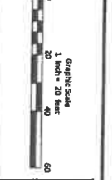


SCALE 1" = 30'



REVISIONS:

NO.	DATE	DESCRIPTION
1	1/11/20	NO CHANGE ISSUED FOR FINAL APPROVAL.
2	1/22/20	REVISIONS TO CONSTRUCTION DETAILS AND MATERIALS.
3	2/22/19	ISSUED FOR PERMIT REVIEW COMMENTS.
4	8/26/19	ISSUED FOR PERMIT REVIEW COMMENTS.

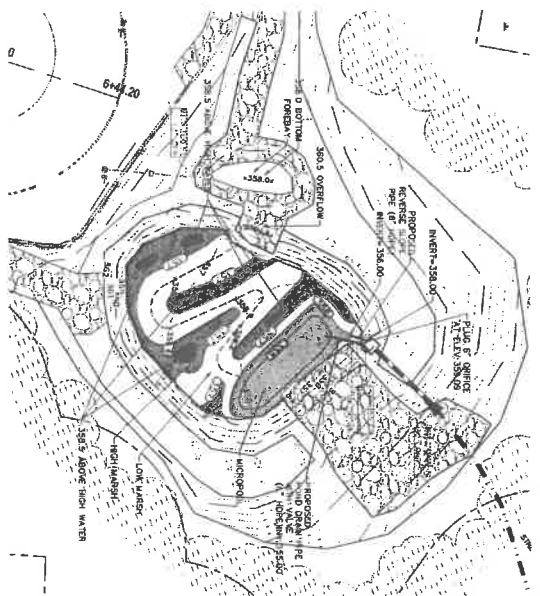
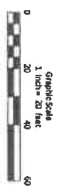
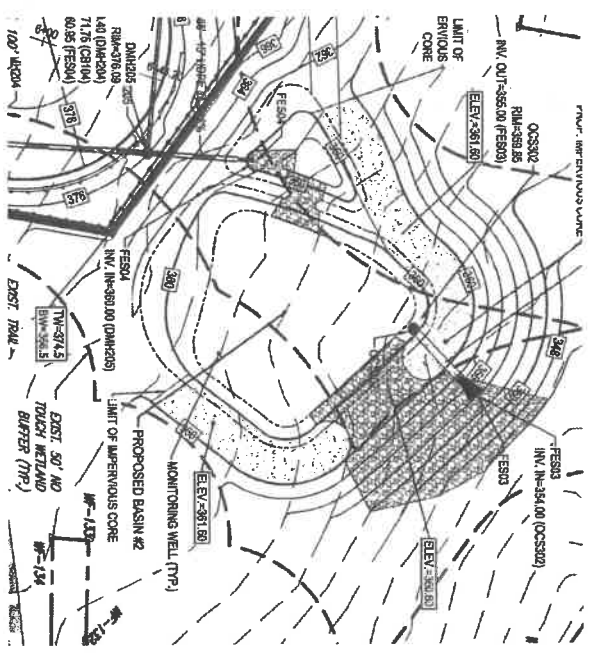


Richard M. Vail
Engineering Design Consultants, Inc.
 32 Temple Road
 Southborough, Massachusetts
 (609) 480-0225

PROJECT:
THE TRAILS AT LEGACY FARMS
 HOPKINTON, MASSACHUSETTS
 (MIDDLESEX COUNTY)

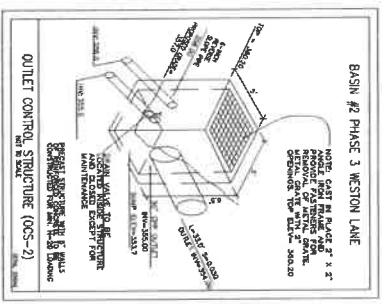
TITLE:
STORMWATER BASIN #1
 TERMINUS OF WESTON LANE
 THE TRAILS LLC
 490 B BOSTON POST ROAD SUITE 202
 SUDBURY, MASSACHUSETTS 01776

DATE:
 JANUARY 4, 2020
 SHEET:
 3 OF 8
 SEE PROJECT NUMBER:
 3595



TYPICAL MASSDEP CONSTRUCTED WETLAND DETAIL FROM STORMWATER HANDBOOK

NOV=141,286 SF x 0.571% = 8,087 CF REQUIRED
 FOREBAY=141,286 SF x 0.171% = 24,064 CF REQUIRED
 NOW PROVIDED AT ELEVATION 358.0 = 5,921 CF
 FOREBAY PROVIDED = 1,235 CF
 WETLANDS ZONES
 REQ. LOW MARSH = 5,887 CF x 0.20 = 1,177.4 CF
 REQ. HIGH MARSH = 2,100 CF x 0.40 = 840 SF
 REQ. EXT. DET. = 5,887 CF x 0.50 = 2,943.5 CF
 PROVIDED EXT. DET. = 1,730 CF
 PROVIDED WETLAND = 4,480 CF x 0.415 CF
 PROVIDED AREA = 210,010 x 0.01 = 2,100 SF
 REQ. VOL. MARSH = 2,100 x 0.01 = 21 SF
 REQ. HIGH MARSH = 2,100 x 0.04 = 84 SF
 PROVIDED HIGH MARSH = 1,600 SF
 PROVIDED LOW MARSH = 1,400 SF
 PROVIDED WETLANDS = 1,600 SF
 PROVIDED EXT. DET. = 1,730 CF
 PROVIDED WETLANDS = 210 SF



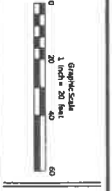
SHRUB PLANTING SCHEDULE
 1 SHRUB EVERY 60 SF
 Butterfly Bush (*Buddleia davidii*) - plant only in low marsh limits
 Butterfly Bush (*Buddleia davidii*) - plant in both low and high marsh limits
 Pussy willow (*Salix discolor*) - plant in both low and high marsh limits

GROUND COVER PLANTING SCHEDULE LOW MARSH AREAS
 1 PLUG EVERY 20 SF
 Purple Loosestrife (*Lythrum hysserifolium*)
 Pimpernel (*Erigeron philadelphicus*)
 Wild celery (*Valeriana americana*)
 Woodruff (*Saxifraga oppositifolia*)
 Pursh's Sphagnum (*Sphagnum purshii*)
 Marsh Marigold (*Chrysopsis caryocarpus*)
 Salt-stem bulrush (*Scheuchzeria palustris*)

GROUND COVER PLANTING SCHEDULE HIGH MARSH AREAS
 1 PLUG EVERY 20 SF
 Broadleaf Sedge (*Carex comosa*)
 Broadleaf Sedge (*Carex comosa*)
 Hop sedge (*Carex lupulina*)
 Tule sedge (*Carex lasiocarpa*)
 Spine rush (*Elyonurus pectinatus*)
 Blue flag iris (*Iris versicolor*)
 Soft rush (*Juncus effusus*)

REVISIONS:

NO.	DATE	DESCRIPTION
1	2/22/18	NO CHANGE STATED FOR THIS REVISION.
2	2/22/18	REVISED AND REPROCESSED PER REVIEW COMMENTS.
3	2/22/18	REVISED AND REPROCESSED PER REVIEW COMMENTS.
4	2/22/18	REVISED AND REPROCESSED PER REVIEW COMMENTS.



PREPARED BY:
Engineering Design Consultants, Inc.
 32 Turnpike Road
 Southborough, Massachusetts
 (508) 480-0222

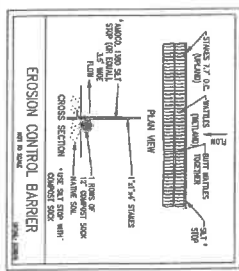
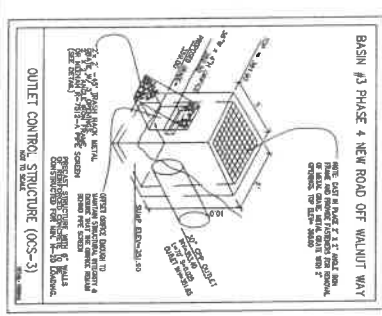
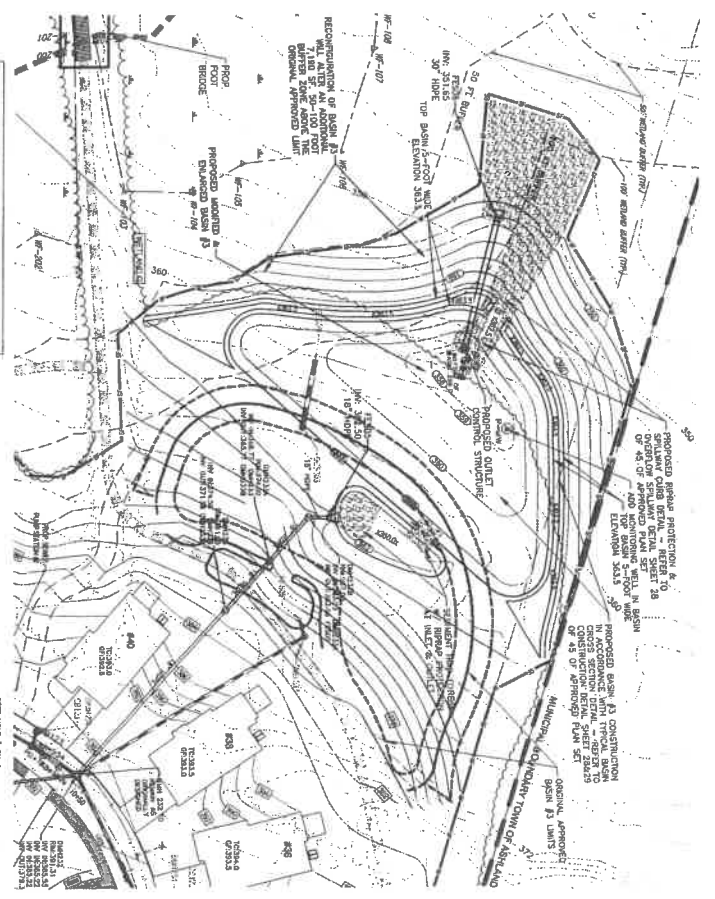
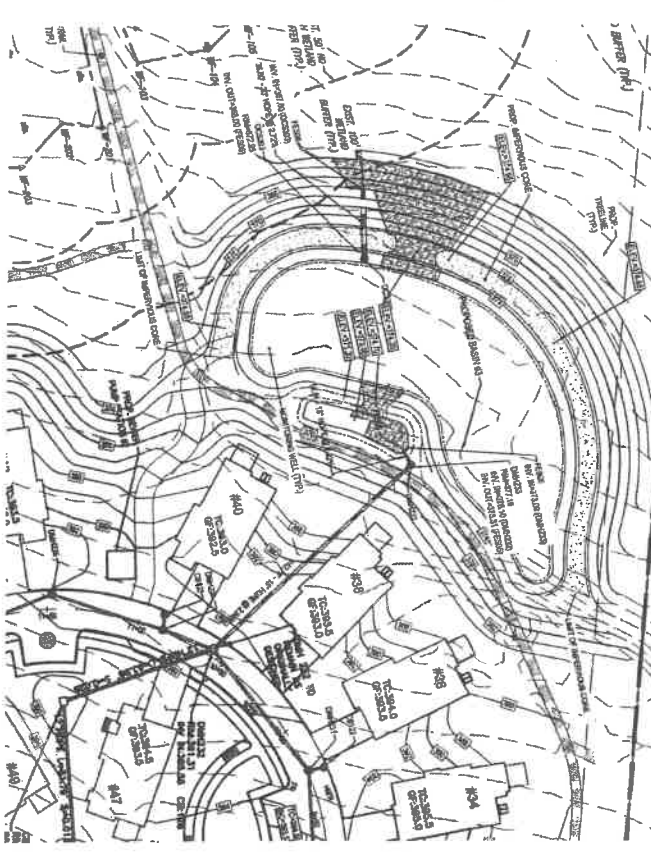
PROJECT:
THE TRAILS AT LEGACY FARMS
 HOPKINTON, MASSACHUSETTS
 (MIDDLESEX COUNTY)

TITLE:
STORMWATER WETLAND BASIN #2

PREPARED FOR:
THE TRAIL S LLC
 490-B BOSTON POST ROAD SUITE 202
 SUDBURY, MASSACHUSETTS 01776

DATE:
 JANUARY 4, 2020

4 OF 8
 EDC PROJECT NUMBER
 35955



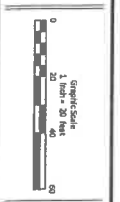
DATE: 8/26/19

SCALE: 1\"/>

NO.	DATE	BY	DESCRIPTION
1	8/26/19	MM	ISSUED FOR PERMITS
2	8/26/19	MM	REVISED TO ADD PROPOSED MODIFICATIONS
3	8/26/19	MM	REVISED TO ADD PROPOSED MODIFICATIONS
4	8/26/19	MM	REVISED TO ADD PROPOSED MODIFICATIONS

REVISIONS:

NO.	DATE	BY	DESCRIPTION
1	8/26/19	MM	ISSUED FOR PERMITS
2	8/26/19	MM	REVISED TO ADD PROPOSED MODIFICATIONS
3	8/26/19	MM	REVISED TO ADD PROPOSED MODIFICATIONS
4	8/26/19	MM	REVISED TO ADD PROPOSED MODIFICATIONS



PREPARED BY: **Engineering Design Consultants, Inc.**
 32 Turnpike Road
 Southborough, Massachusetts
 (508) 480-0225

PROJECT: **THE TRAILS AT LEGACY FARMS
 HOPKINTON, MASSACHUSETTS
 (MIDDLESEX COUNTY)**

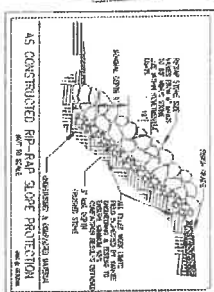
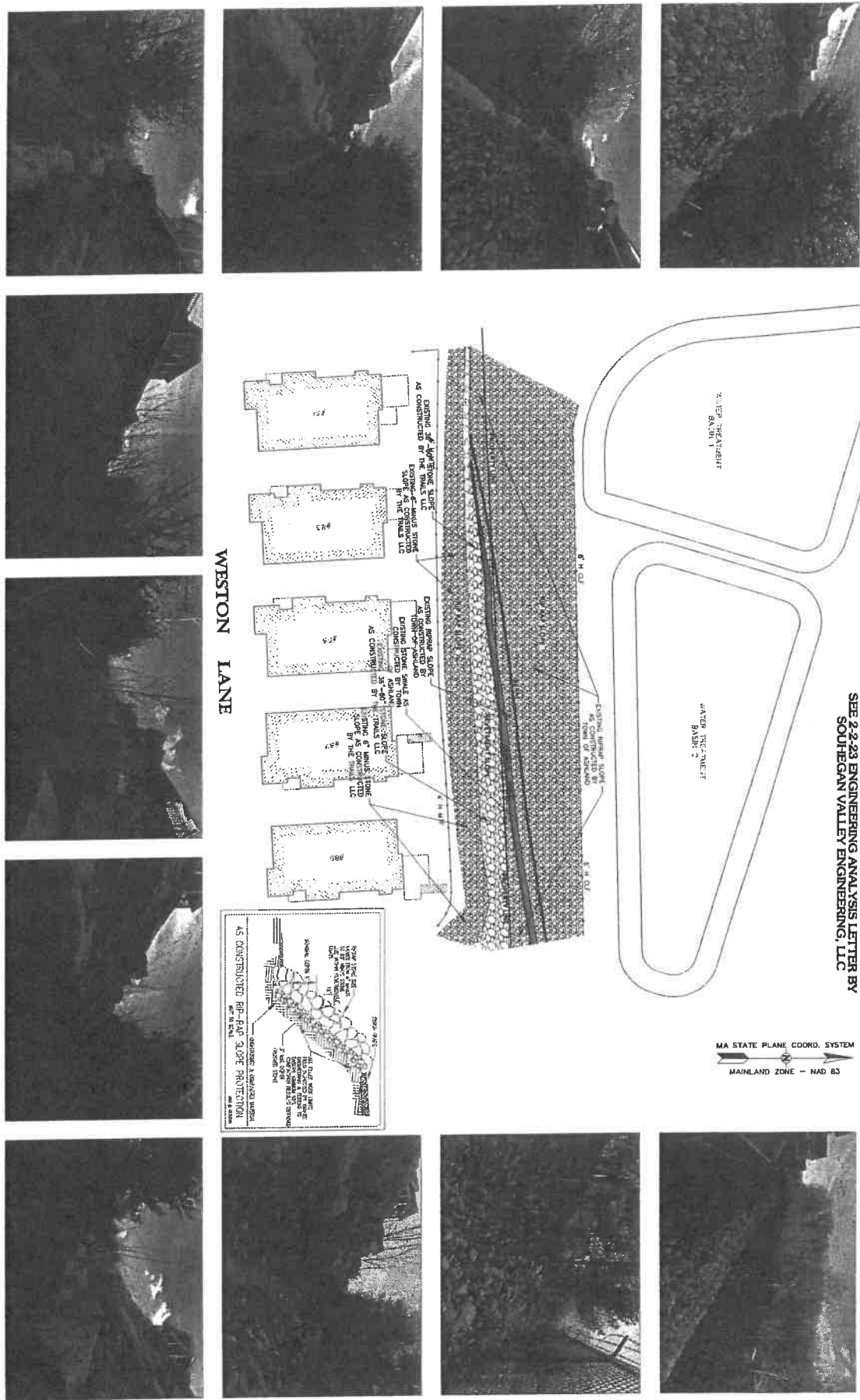
TITLE: **STORMWATER BASIN #3
 PHASE 4 OFF WALNUT STREET**


PREPARED FOR: **THE TRAILS LLC
 490-B BOSTON POST ROAD SUITE 202
 SUDBURY, MASSACHUSETTS 01776**

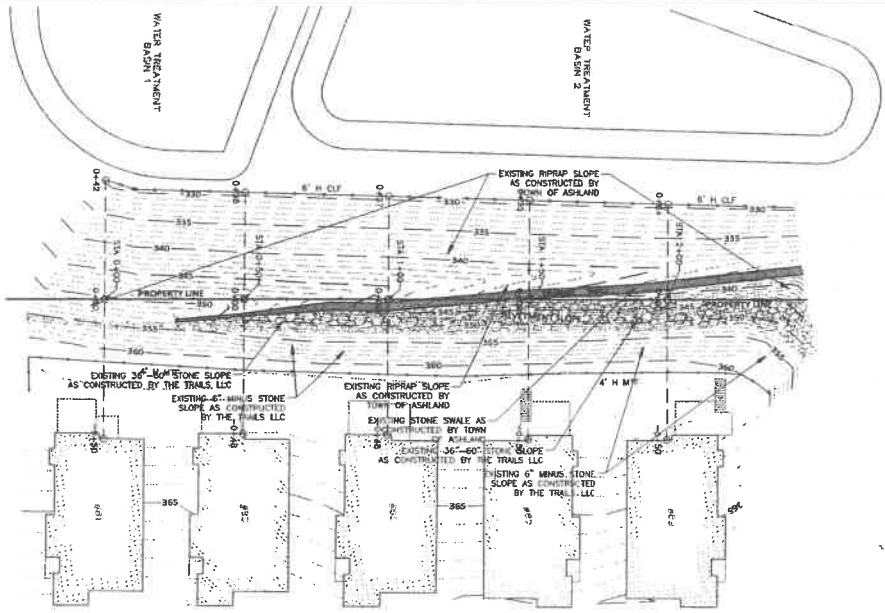
DATE: JANUARY 4, 2023
 5 OF 8
 EDC PROJECT NUMBER: 3595

SEE 2.2.23 ENGINEERING ANALYSIS LETTER BY
SOUTHEAST VALLEY ENGINEERING, LLC

MA STATE PLANE COORD. SYSTEM
MAINLAND ZONE - NAD 83

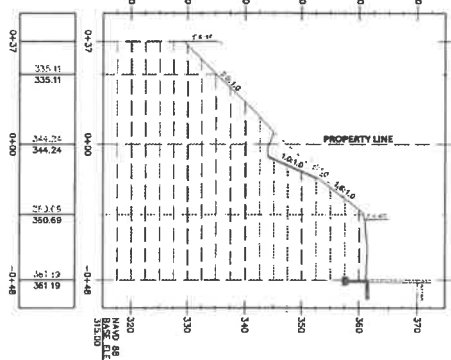


REVISIONS: 1 3/27/23 NO CHANGE ISSUED FOR FINAL APPROVAL. 2 1/27/23 ISSUED FOR REVIEW & APPROVAL FOR REVIEW. 3 1/27/23 ISSUED FOR REVIEW & APPROVAL FOR REVIEW. DATE DESCRIPTION	PREPARED BY:  Engineering Design Consultants, Inc. 32 Turnpike Road Southborough, Massachusetts (508) 480-0225	PROJECT: THE TRAILS AT LEGACY FARMS HOPKINTON, MASSACHUSETTS (MIDDLESEX COUNTY)	TITLE: REVESTMENT SLOPE LAYOUT & PHOTOGRAPHS	DATE: JANUARY 4, 2023 7 OF 8 100 PROJECT NUMBER 3595
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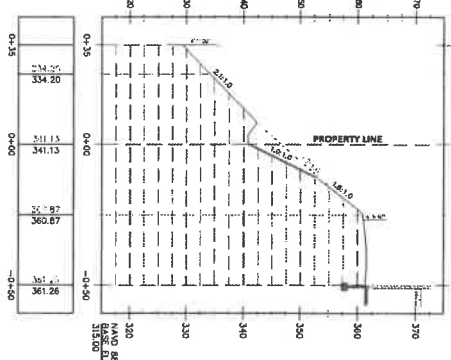


WESTON LANE

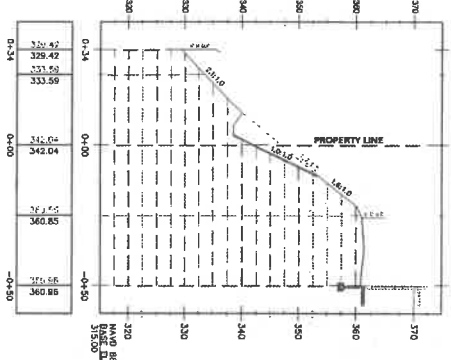
CROSS-SECTION VIEW AT STA 1+00
(FROM STA -0+48 TO STA 0+37)



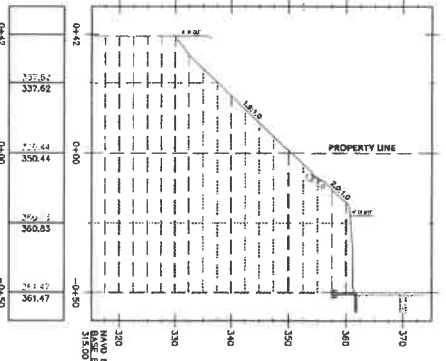
CROSS-SECTION VIEW AT STA 1+50
(FROM STA -0+50 TO STA 0+35)



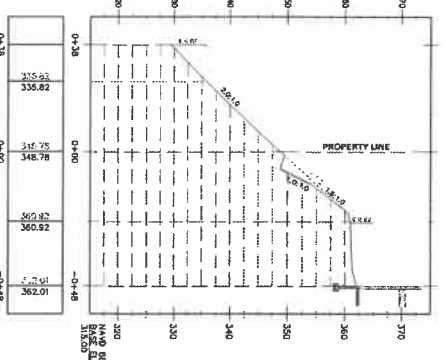
CROSS-SECTION VIEW AT STA 2+00
(FROM STA -0+50 TO STA 0+34)



CROSS-SECTION VIEW AT STA 0+00
(FROM STA -0+50 TO STA 0+42)



CROSS-SECTION VIEW AT STA 0+50
(FROM STA -0+48 TO STA 0+38)



PLAN NOTES
1. THE GRADES SHOWN HEREIN ARE REPORTED AS FINISH OR FIN TO RISE (F/R).

REVISIONS:

NO.	DATE	DESCRIPTION
1	3/27/23	NO CHANGE REQUIRED FOR FINAL APPROVAL
2	3/27/23	REVISIONS FOR MAINTENANCE & IMPROVEMENT PER REVIEW
3	3/27/23	REVISIONS FOR MAINTENANCE & IMPROVEMENT PER REVIEW
4	3/27/23	REVISIONS FOR MAINTENANCE & IMPROVEMENT PER REVIEW
5	3/27/23	REVISIONS FOR MAINTENANCE & IMPROVEMENT PER REVIEW

DATE: JANUARY 4, 2023
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1" = 20 FT
PROJECT: THE TRAILS AT LEGACY FARMS HOPKINTON, MASSACHUSETTS (MIDDLESEX COUNTY)

PREPARED BY:
ED Engineering Design Consultants, Inc.
32 Turnpike Road
Southborough, Massachusetts
(603) 480-0225

PROJECT:
THE TRAILS AT LEGACY FARMS
HOPKINTON, MASSACHUSETTS
(MIDDLESEX COUNTY)

TITLE:
REVIEWMENT SLOPE
GRADING & CROSS-SECTIONS
FOR
THE TRAILS LLC
490-B BOSTON POST ROAD SUITE 202
SUDBURY, MASSACHUSETTS 01776

DATE: JANUARY 4, 2023
8 OF 8
ECC PROJECT NUMBER
3595



Elaine Lazarus <elaine1@hopkintonma.gov>

Thank you!

Renee Gowda <rgowda@hillers.org>

Fri, Apr 14, 2023 at 10:40 PM

To: vdutta@hopkintonma.gov, selectmen@hopkintonma.gov

On the behalf of HHS Robotics, I wanted to thank you for your continued time and support. Your help with getting all the marathon runner support has been amazing. It has allowed us to make it this far, and we could not have been here without you!

All email messages and attached content sent from and to this email account are public records unless qualified as an exemption under the [Massachusetts Public Records Law](#).

www.hopkinton.k12.ma.us



HHS_Robotics_TY_2023.jpeg
2252K



Elaine Lazarus <elainel@hopkintonma.gov>

Support for Marguerite Concrete rezoning/April 11 meeting

DAVID ORENSTEIN <davealli@comcast.net>

Mon, Apr 10, 2023 at 4:51 PM

To: "selectboard@hopkintonma.gov" <selectboard@hopkintonma.gov>

Cc: "nkhumalo@hopkintonma.gov" <nkhumalo@hopkintonma.gov>

Dear Select Board:

I am writing to provide my support for the rezoning proposal request from Marguerite Concrete, as I may not be able to attend the session on April 11. Please consider this part of the public comments.

This is the type of investment that I would like to see within our community as it will bring revenue to the Town of Hopkinton. We should be making it easy for businesses to do business in our town, especially in areas that are already expected to be commercial zones. I understand that in this situation, the request is to change the zoning from Residential Lake Front (wherein none of the parcels are lake front) to Rural Business (which matches the other properties along South Street that are not already zoned Industrial A).

I am sympathetic to the residents who do not want traffic on Hayward Street, however, I have to assume the overall traffic volume on South Street is much less than prior to Covid based on the high work-from-home scenarios at Dell/EMC.

If we are to continue to invest in services in our community along with the ongoing investments in our schools that have been taxing our economic structure, I believe that we have to work to support companies who want to move to and grow within our town. While re-use of an existing structure on South Street would be admirable, this zoning change request seems to reflect the nature of development on South Street. This proposal benefits the community by bringing additional professional positions to Hopkinton, along with additional revenue. I would request the Selectboard vote in favor of continued investment in Hopkinton businesses and approve the rezoning proposal request.

Regards,

Allison Orenstein
199 Wood Street



Elaine Lazarus <elainel@hopkintonma.gov>

REMINDER: I-495/I-90 Interchange: Virtual Public Information Meeting, April 26

1 message

MassDOT <massDOT@public.govdelivery.com>

Wed, Apr 19, 2023 at 12:42 PM

Reply-To: massDOT@public.govdelivery.com

To: elainel@hopkintonma.gov



You are subscribed to I-495/I-90 Interchange Improvements project updates from the Massachusetts Department of Transportation.

I-495/I-90 Interchange Improvements Project: Design of I-495 and Ramp WN Virtual Public Information Meeting

What Is Happening?

The Massachusetts Department of Transportation (MassDOT) is advancing the I-495/I-90 Interchange Improvements Project and has scheduled a Virtual Public Information Meeting on the Design of I-495 and Ramp WN (the ramp from I-90 Westbound to I-495 Northbound) improvements on April 26 at 6:00 PM. The meeting will begin with a presentation by the project team. Attendees can view plans for I-495 and Ramp WN and ask questions.

Date: Wednesday, April 26, 2023 at 6:00 PM

Register in Advance: https://us02web.zoom.us/webinar/register/WN_InWra2kiQpWSNTUke_SqMg

All residents, abutters, local business owners, and interested commuters are invited to attend. All attendees who sign into the meeting and provide an email address will be entered into the project's email database to receive project updates.

About the Project

For years, the I-495/I-90 Interchange has experienced traffic demands exceeding its capacity. On an average day, this interchange carries hundreds of thousands of vehicles that travel on both I-90 and I-495, with approximately half of all trucking in eastern Massachusetts using this interchange. The deficient geometry concentrates movements through the former toll plaza area, resulting in queuing onto the interstate mainlines and crash rates twice the statewide average.

Through this project, we will improve the movement of people and goods through the area - today and into the future. The project will replace the interchange, eliminate the old toll booth area and weaving areas, improve ramp spacing, acceleration, and deceleration lanes, and add an auxiliary lane from I-495 Northbound to Route 9. New bridges will be constructed on I-495 over I-90, on I-495 and I-90 over the MBTA/CSX/Amtrak lines, on I-495 Northbound over Flanders Road, and on

Fruit Street. The project design is taking place now through December 2024 with project completion scheduled for June 2027.

Stay Informed

If someone you know would like to subscribe to receive project updates, meeting notices, and traffic impact advisories, they can do so [here](#).

Project email: 495-90Improvements@state.ma.us

Project website: www.mass.gov/massdot/495-90interchange

Note: This meeting is accessible to people with disabilities. MassDOT provides reasonable accommodations and/or language assistance free of charge upon request (e.g interpreters in American Sign Language and languages other than English, live captioning, videos, assistive listening devices and alternate material formats), as available. For accommodation or language assistance, please contact MassDOT's Chief Diversity & Civil Rights Officer by phone at (857) 368-8580, MassRelay Service 7-1-1, fax (857) 368-0602 or by email to MASSDOT.CivilRights@dot.state.ma.us. Requests should be made as soon as possible prior to the meeting, and for more difficult to arrange services including sign-language, CART or language translation or interpretation, requests should be made at least ten business days before the meeting.

Title VI Notice of Nondiscrimination: MassDOT complies with Title VI of the Civil Rights Act of 1964 and related federal and state statutes and regulations. It is the policy of MassDOT to ensure that no person or group of persons shall on the grounds of Title VI protected categories, including race, color, national origin, or under additional federal and state protected categories including sex, age, disability, sexual orientation, gender identity or expression, religion, creed, ancestry, veteran's status, or background, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity administered by MassDOT. To request additional information about this commitment, or to file a complaint under Title VI or a related nondiscrimination provision, please contact MassDOT's Title VI Specialist by phone at (857) 368-8580, MassRelay Service 7-1-1, fax (857) 368-0602 or by e-mail at MASSDOT.CivilRights@dot.state.ma.us.

If information is needed in another language, please contact the MassDOT Title VI Specialist by phone at (857) 368-8580.

Caso esta informação seja necessária em outro idioma, favor contar o Especialista em Título VI do MassDOT pelo fone 857-368-8580.

Si necesita información en otro lenguaje, favor contactar al especialista de MassDOT del Título VI al 857-368-8580.

如果需要使用其它语言了解信息, 请联系马萨诸塞州交通部 (MassDOT) 《民权法》第六章专职人员, 电话 857-368-8580。

如果需要使用其它语言了解信息, 請聯系馬薩諸塞州交通部 (MassDOT) 《民權法》第六章專職人員, 電話 857-368-8580。



Questions?
[Contact Us](#)

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This email was sent to elainel@hopkintonma.gov using GovDelivery Communications Cloud on behalf of the: Massachusetts Department of Transportation · 10 Park Plaza, Suite 4160 · Boston, MA 02116 877-623-6846

