

**WARRANT FOR TOWN MEETING  
MONDAY, MAY 3, 2021**

To either of the Constables of the Town of Stoneham in County of Middlesex, GREETING:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs to meet in the Town Hall, 35 Central Street, on April 6, at seven o'clock in the forenoon to act on the following articles of the warrant:

**Article 1.** To choose the following officers:

Two (2) Select Board Members for three (3) years.

Two (2) School Committee Member for three (3) years.

One (1) School Committee Member for one (1) year.

One (1) Town Moderator for two (2) years

One (1) Board of Health Member for three (3) years.

One (1) Planning Board Member for (5) years.

One (1) Board of Assessors Member for three (3) years.

Two (2) Library Trustees for three (3) years.

Three (3) Constables for three (3) years.

For consideration of the following Articles, the meeting shall be adjourned to meet in the Town Hall, 35 Central Street, at seven o'clock in the evening on Monday, May 3, 2021 in accordance with provisions of Article II, section 2-3 of the By-Laws of the Town of Stoneham.

**Article 2.** To choose all other necessary Town officers for the ensuing year in such a manner as the Town may determine.

**Select Board**

**Article 3.** To hear reports of Town officers and committees and to act thereon and to choose committees, or do anything in relation thereto.

**Select Board**

**Article 4.** To see if the Town will vote to fix the salaries of the several elected officers and the Boards of the Town for Fiscal Year 2022 as follows:

Town Moderator	\$200
Board of Assessors	\$1,200
Select Board	\$3,000
Town Clerk	\$82,904

or do anything in relation thereto.

### **Select Board**

**Article 5.** To see if the Town will vote to dissolve the Bike and Greenway Committee as established at the October 2009 Town Meeting or do anything in relation thereto.

### **Town Moderator**

**Article 6.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 11, Wetlands Protection Bylaw, by amending the provisions relating to a 25' continuous no-touch strip by inserting the underlined text in the existing bylaw as follows:

A continuous strip no less than twenty-five (25) feet in width, untouched and in its natural state, shall be left undisturbed adjacent to those areas meeting the description of a "wetland" as identified in the Wetlands Protection Act, G.L. Ch. 131§40, and regulations thereunder (310 CMR 10.00) and areas meeting the description of a "wetland" under this Ch. 11, Wetland Protection Bylaw and the regulations thereunder. No person shall remove, fill, dredge, alter or build upon or within this strip.

Establishment of this strip shall be accomplished in the same manner as the buffer zone boundary is established as described in the Wetlands Protection Act, G.L. Ch 131,§40, and regulations thereunder (310 CMR 10.00) and under this Ch. 11, Wetland Protection Bylaw and the regulations thereunder.

or do anything in relation thereto.

### **Conservation Commission**

**Article 7.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 11A, Stormwater, by amending certain sections of the existing bylaw as follows:

1. By amending Section 11A.1.(a) by inserting the words "and associated fees" after the word "regulations" prior to the end of subsection (a).

2. By inserting the following new paragraph after the existing first paragraph of Section 11A.3.3 as follows:

“The SSB shall have the authority to seek remedies as described within this Bylaw and the stormwater regulations to enforce the Bylaw, Regulations, and/or the terms and conditions of permits issued thereunder.”

3. By deleting the existing paragraph under Subsection 1 Rules and Regulations in Section 11A.3.3 and inserting the following new paragraph:

“The SSB may adopt, and periodically amend, rules and regulations to effectuate the purposes of Section 11A.3 or to implement any requirements of the Town’s NPDES stormwater discharge permit. Said regulations may include but shall not be limited to provisions regarding administration, application requirements, fees, permitting procedures, design standards, surety requirements, inspection and site supervision requirements, waivers and exemptions, and enforcement procedures.”

4. By adding new subsections (e) to (g) under Section 11A.3.4, Applicability, Section 1, Regulated Activities, as follows:

(e) No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the Municipal Storm Drain System, into a watercourse, or into the waters of the Commonwealth of Massachusetts.

(f) No person shall construct, use, allow, maintain or continue any illicit connection to the Municipal Storm Drain System, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.

(g) No person shall obstruct or interfere with the normal flow of stormwater into or out of the Municipal Storm Drain System without prior written approval from the SSB.

5. By inserting a new Subsection 2 into Section. 11A.3.4 “Subsection 2. Allowable Discharges” as follows:

#### Subsection 2 Allowable Discharges

Discharge or flow resulting from firefighting activities are exemptions applicable to Sec. 11A.7 of this chapter.

The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwater discharges provided that the source is not a significant contributor of a pollutant to the Municipal Storm Drain System:

- (a) Waterline flushing;
- (b) Flow from potable water sources;
- (c) Springs;
- (d) Natural flow from riparian habitats and wetlands;
- (e) Diverted stream flow;
- (f) Rising groundwater;
- (g) Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
- (h) Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
- (i) Discharge from landscape irrigation or lawn watering;
- (j) Water from individual residential car washing;
- (k) Discharge from dechlorinated swimming pool water (less than one ppm chlorine) with written authorization to discharge received from the SSB, provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
- (l) Street wash water by methods approved by SSB;
- (m) Water used for dyed water testing, provided verbal notification is given to the SSB prior to the time of the test;
- (n) Non-stormwater discharge permitted under a NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
- (o) Discharge for which advanced written approval is received from the SSB as necessary to protect public health, safety, welfare or the environment.

6. By renumbering the existing Subsection 2 of Section 11A.3.4 entitled “Exempt Activities” as Subsection 3 Exempt Activities leaving the remainder of the existing Subsection.

7. By inserting a new Subsection 4, Notification of Spills in Section 11A.3.4 as follows:

#### Subsection 4 Notification of Spills

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the Municipal Storm Drain System or waters of the Commonwealth of Massachusetts, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the Fire and Police Departments, Board of Health, and the Department of Public Works. In the event of a release of non-hazardous material, the reporting person shall notify the SSB no later than the next business day. The reporting person shall provide to the SSB written confirmation of all telephone, e-mail, facsimile or in-person notifications within three business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

8. By inserting the words “land disturbing” before the word “activity” in Subsection 1 of Section 11A.3.5 and amending the first and second paragraphs of said section to read as follows:

“Prior to the commencement of any land disturbing activity regulated by Section 11A.3, a stormwater permit application shall be filed with the SSB.

Permit procedures and requirements shall be defined and included as part of any rules and regulations promulgated as permitted under this Bylaw.”

9. By deleting the existing Subsection 2 of Section 11A.3.5, renumbering existing Subsection 3 Public Hearing as Subsection 2 and amending its language as set forth below, by deleting existing Subsection 4 Information Requests and Subsection 5 Action by the SSB, and inserting in a new Subsection 3 as set forth below:

#### Subsection 2 Public Hearing

The SSB shall hold a public hearing on each stormwater permit application that satisfies the requirements of Sec. 11A.3.5 Subsection 1. The hearing may be combined with the hearing for any other permit or approval for the same project that is within the jurisdiction of the SSB.

#### Subsection 3 Fee Structure

Each stormwater permit application shall be accompanied by the appropriate application fee established by the SSB which shall not be less than five hundred (500) dollars. In addition, the SSB may retain a Registered Professional Engineer or other professional consultant to advise it on any aspects of the stormwater permit application. The SSB may require the applicant to pay the reasonable costs of such engineer or consultant pursuant to rules promulgated by the SSB pursuant to this Bylaw and MGL Chapter 44 Section 53G. The SSB shall not be required to act on the stormwater permit application until the costs of such engineer or consultant have been paid.

10. By inserting a new Section 11A.3.6 Authority to Enter, Inspect, Sample, Establish Sampling Devices, and Test as set forth below:

**Sec. 11A.3.6 Authority to Enter, Inspect, Sample, Establish Sampling Devices, and Test**

To the extent permitted by law, or if authorized by the owner or other party in control of the property, the SSB, or other agents, officers, and employees of the Department of Public Works may enter upon privately owned property for the purpose of performing their duties under this Bylaw and may make or cause to be made such examinations, surveys or sampling as the SSB deems reasonably necessary. During any inspection as provided herein, the SSB may take any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to record site activities.

The SSB may require by written notice that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to stormwater pollution, Illicit Discharges, and/or non-stormwater discharges to the Municipal Storm Drain System or waters of the Commonwealth, undertake at said person's expense such monitoring and analyses and furnish such reports to the Town as deemed necessary to determine compliance with this Bylaw.

The SSB may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

11. By deleting the existing Section 11A.3.6 Erosion and Sediment Control Plan.

12. By deleting the existing Section 11.A.3.10 Surety and inserting a new Section 11A.3.7 Surety as follows:

**Sec. 11A.3.7 Surety**

The SSB may require the permittee to post before the start of any land disturbance activity, a surety bond, irrevocable letter of credit, cash, or other acceptable security. The form of the bond

shall be approved by the Town Counsel, if necessary, and be in an amount deemed sufficient by the SSB to ensure that the work will be completed in accordance with the permit. If the project is phased, the SSB may, in its sole and absolute discretion, release part of the bond as each phase is completed in compliance with the permit but the bond may not be fully released until the SSB has received a final report and As-Built Plan demonstrating compliance with the terms and conditions of the stormwater permit.

or do anything in relation thereto.

## **Director of Public Works**

**Article 8.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-law by adding Section 4.23 and Section 6.12 as follows:

### **4.23 DIVISION OF LAND IN TO TEN OR MORE LOTS OR CONSTRUCTION OF TEN OR MORE DWELLING UNITS**

#### **4.23.1 Applicability**

The division and/or subdivision of land held in single ownership as of January 1, 2021 into eight (8) or more lots or the construction of ten or more dwelling units whether on one or more contiguous parcels held in single ownership as of January 1, 2021 shall require a special permit from the Planning Board. In cases where the proposed division of land is for eight (8) or more lots and said division is proposed as a division of land not requiring Planning Board approval (G.L. c.41, s.81-P), the Planning Board's special permit powers shall be limited to enforcing the provisions of Section 6.12 of the Zoning Bylaw.

#### **4.23.2 Multiple Special Permits**

The special permit requirements of Section 4.23 may be subsumed by the special permit requirement of 6.12 such that only one special permit shall be required of an applicant dividing land into eight or more lots or constructing eight or more dwelling units.

and

### **6.12 INCLUSIONARY HOUSING**

#### **6.12.1 Purpose and Intent**

The purpose of this Bylaw is to outline and implement a coherent set of policies and objectives for the development of affordable housing in compliance with G.L. c. 40B §20-23 and ongoing programs within the Town of Stoneham to promote a reasonable percentage of housing that is affordable to moderate income buyers ("affordable housing units"). It is intended that the affordable housing units that result from this Bylaw meet the programmatic requirements for the

same as specified by the Department of Housing and Community Development (DHCD) and, that said units count toward and are placed on, the Town's Subsidized Housing Inventory as maintained by DHCD.

### **6.12.2 Definitions**

1. Affordable housing unit. A dwelling unit available at a cost generally of no more than 30% of gross household income of households at or below 80% of the Middlesex County median income as reported by the U.S. Department of Housing and Urban Development, such that the dwelling unit is included in the Town of Stoneham's Subsidized Housing Inventory.
2. Qualified affordable housing unit purchaser or tenant. An individual or family with household incomes that do not exceed 80% of the median income, with adjustments for household size, as reported by the United States Department of Housing and Urban Development (HUD) and DHCD or as otherwise established by DHCD such that the housing unit is included in the Town of Stoneham's Subsidized Housing Inventory.

### **6.12.3 Applicability**

1. Division of Land. This Bylaw shall apply to the division of land into eight (8) or more lots and shall require a special permit from the Planning Board under Section 7.4 et seq. of the Zoning Bylaw. A special permit shall be required for land divisions under G.L. c.40A §9 as well as for "conventional" or "grid" divisions allowed by G.L. c.41 §81-L and §81-U, including those divisions of land that do not require subdivision approval.
2. Multiple Units. This Bylaw shall apply to the construction of eight (8) or more dwelling units, whether on one or more contiguous parcels, and shall require a special permit from the Planning Board pursuant to Section 7.4.

### **6.12.4 Mandatory Provision of Affordable Units**

1. The Planning Board shall, as a condition of approval of any development referred to in Sections 6.12.3 (1) and 6.12.3 (2), require that the applicant for special permit approval comply with the obligation to provide affordable housing pursuant to this Bylaw and more fully described in Section 6.12.5.

### **6.12.5 Provision of Affordable Units**

1. The Planning Board shall deny any application for a special permit for development under Sections 7.0 of the Zoning Bylaw if the applicant for special permit approval does not comply, at a minimum, with the following requirements for affordable units:
  - (a) At least twelve (12) percent of the housing units in a division of land or multiple unit development subject to this Bylaw for developments up to thirty (30) dwelling units, and at least fifteen (15) percent of the housing units in a division



of land or multiple unit development subject to this Bylaw for developments greater than thirty (30) dwelling units, shall be established as affordable housing units either through new construction or rehabilitation of an existing structure(s) on the locus subject to the special permit.

- (b) If the percentages applied to the required number of affordable units results in a fraction, the required number of affordable units shall be rounded up to the next whole number. Example: A twenty dwelling unit development requires 2.4 affordable housing units (20 multiplied by 12%). Rounding up to the next whole number is 3. Three (3) affordable dwelling units are required.
- (c) The applicant may offer, and the Planning Board may accept, up to a fifty (50) percent reduction in the total number of affordable dwelling units required to be constructed on the locus subject to this Bylaw where the required number of affordable housing units is greater than ten (10), if and only if, the applicant pays, upon receipt of the special permit issued pursuant to this Bylaw and the expiration of all appeal periods governing the same, fees in lieu of each affordable housing unit not constructed in the amount of \$200,000 per dwelling unit. The fees shall be paid to the Town of Stoneham for the dedicated use by the Town for affordable housing purposes. Example: An eighty (80) dwelling unit development requires twelve (12) affordable housing units (80 multiplied by 15%). The applicant may offer and the Planning Board may accept a reduction of six (6) affordable housing units provided the applicant pays, upon receipt of a special permit and the lapse of relevant appeal periods, \$1,200,000 to the Town for affordable housing purposes.
- (d) The Planning Board may, as part of any Special Permit decision, modify the number of affordable units as required by Section 6.12.5. (1)(a) upon a finding that due to unique conditions effecting the property, project location, or other beneficial site designs, that the affordable unit requirements of this section would unreasonably restrict the use of the property or would be detrimental to the orderly development of the area or would create a better project. In granting such modifications, the Board may impose conditions it deems necessary to protect the purpose of this section. In no case shall the percentage of affordable units be reduced to less than twelve (12) percent.

#### **6.12.6 Provisions Applicable to Affordable Housing Units On- and Off-Site**

1. Siting of affordable units. All affordable units constructed or rehabilitated under this Bylaw 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.
2. Minimum design and construction standards for affordable units. The exterior of the

affordable housing units within market rate developments shall be integrated with the rest of the development and shall be compatible in design, appearance, construction and quality of materials with other units.

3. Timing of construction or provision of affordable units or lots. Where feasible, affordable housing units shall be provided coincident to the development of market-rate units, but in no event shall the development of affordable units be delayed beyond the schedule noted below:

<u>MARKET-RATE UNIT %</u>	<u>AFFORDABLE HOUSING UNIT %</u>
Up to 30%	None required
30% plus 1 unit	At least 12%
Up to 50%	At least 30%
Up to 75%	At least 50%
75% plus 1 unit	At least 70%
Up to 90%	100%

Fractions of units shall be rounded to the higher numerical value in counting the number of affordable units.

**6.12.7 Local Preference**

The Planning Board shall require the applicant to comply with local preference requirements, if any, as established by the Board of Selectmen or Stoneham Housing Authority pursuant to applicable law.

**6.12.8 Marketing Plan for Affordable Units**

Applicants under this Bylaw shall submit a marketing plan or other method approved by the Planning Board, to the Planning Board for approval, which describes how the affordable units will be marketed to potential homebuyers or tenants. This plan shall include a description of the lottery or other process to be used for selecting buyers or tenants.

**6.12.9 Maximum Incomes, Sale and Rental Prices**

1. The maximum sale or rental price for an affordable housing unit shall be as established by DHCD for the type, size and tenancy of the housing unit.

**6.12.10 Preservation of Affordability; Restrictions on Resale and Rental**

1. Each affordable unit created in accordance with this Bylaw and made available for sale,

shall have limitations governing its resale. The purpose of these limitations is to preserve the long-term affordability of the unit and to ensure its continued availability for affordable income households. The resale controls shall be established through the execution of an affordable housing restriction pursuant to G.L. c.184, ss.31-32 and shall be in force in perpetuity or for the longest period permitted by law.

- (a) Resale price. The resale price of any affordable housing units created pursuant to this Bylaw shall be determined based upon then current formulas set by the Department of Housing and Community Development such that the resold unit will remain on the Town's Subsidized Housing Inventory.
- (b) The Planning Board shall require, as a condition for special permit under this Bylaw, that the applicant comply with the affordable housing unit requirements and accompanying restrictions on affordability, including the execution and recording of an affordable housing restriction pursuant to G.L. c.184, ss31-32. The Building Commissioner shall not issue an occupancy permit for any affordable unit until an affordable housing restriction for each relevant dwelling unit has been recorded at the Middlesex County Registry of Deeds.
- (c) For developments subject to this Bylaw where the affordable housing units are made available for rental purposes, the Building Commissioner shall not issue an occupancy permit for any affordable unit until an affordable housing restriction pursuant to G.L. c.184, ss.31-32 has been recorded against the affordable unit at the Middlesex County Registry of Deeds.

or do anything in relation thereto.

### **Planning Board**

**Article 9.** To see if the Town will vote to amend the Stoneham Town Code, Chapter 15, Zoning By-law by amending the Zoning Map and adding Section 4.23 as follows:

#### MAPLE STREET RESIDENTIAL OVERLAY DISTRICT

##### 4.23 *Maple Street Residential Overlay District*

4.23.1 *Purpose:* The purpose of the Maple Street Residential Overlay District is to encourage the development of residential use within the Commercial 1 District on Maple Street, and this bylaw is adopted as an overlay district for all properties within the Commercial 1 District that abut Maple Street and sets forth the design and dimensional standards that apply to all developments in the Maple Street Residential Overlay District. These standards shall apply to any development proposing a new building or any redevelopment that will require the alteration of an existing building and parking area. All applications under this Maple Street Residential Overlay District shall comply with Section 6.8 "Performance Standards" and Section 7.4 "Special Permit", of the Zoning By-Laws.

4.23.2. *Uses in the Maple Street Residential Overlay District:* Uses within the Maple Street Residential Overlay District are permitted on a Special Permit granted by the Planning Board and Site Plan Approval by the Select Board as follows:

4.23.2.1 *Apartment Buildings or Garden Style Dwelling Units*

- (a) Each structure shall be connected to and serviced by municipal water and sewer.
- (b) All existing or proposed utilities shall be installed underground at the time of initial construction
- (c) The applicant must provide documentation to the Town of Stoneham Department of Public works that the site is satisfactory in regard to drainage, water supply, and sewage disposal for the number of units to be constructed, such documentation to be prepared by a registered professional engineer and approved by the Town Engineer.

4.23.2.2 *Application of Maple Street Residential Overlay District Regulations*

- (a) *Application Process:* The Planning Board shall be the Special Permit Granting Authority and the Select Board shall be the Site Plan Granting Authority for developments proposed under Section 4.23 “Maple Street Residential Overlay District.” Applicants shall comply with the procedures for Site Plan and Special Permit review as listed elsewhere in this by-law.
- (b) *Waivers:* The Planning Board may, as part of any Special Permit decision, modify or waive any dimensional requirement of the Maple Street Residential Overlay District unless otherwise noted, upon a finding that due to unique conditions effecting the property, project location, or other beneficial site designs, that the dimensional requirements of this section would unreasonably restrict the use of the property or would be detrimental to the orderly development of the area or would create a better project. In granting such modifications or waivers, the Board may impose conditions it deems necessary to protect the purpose of this section.

4.23.3 *General Requirements:*

- (a) *Design:* The site layout shall utilize appropriate building placement and landscape design to reasonably protect project residents from excessive noise, lights, and traffic, emanating from adjacent properties.
- (b) *Infrastructure:* The proposed site shall be serviced by municipal water and sewer services and shall comply with all utility design standards imposed by the Town Department of Public Works and Town Engineer.
- (c) The proposed site is an appropriate location for such use, structure, or condition
- (d) The proposed use as developed and operated will not adversely affect the neighborhood

- (e) There will be no nuisance or serious hazard to vehicles or pedestrians.
- (f) Adequate and appropriate facilities will be provided for the proper operation of the proposed use
- (g) Access to the site over streets is appropriate for the type of vehicles involved.

#### 4.23.4 *Signage:*

- (a) Developments constructed under the Maple Street Residential Overlay District By-law shall comply with the signage requirements of the Commercial 1 District, as described within Section 6.7 “Signs” contained elsewhere within this By-law.

#### 4.23.5 *Dimensional Requirements and Additional Regulations:*

- (a) *Dimensional Restrictions:* Dimensional restrictions shall be consistent with the limitations specified for the Commercial 1 District, as described within Section 5.2.1 “Table One – Dimensional Requirements”, of this By-law, subject to the following requirements below and waiver provisions as detailed in Section 4.23.2.2(b) of this By-Law.
- (b) *Building Height:* If some or all of the required parking spaces for the proposed dwelling units are enclosed within the structure of the building, the height requirement specified within Section 5.2.1 “Table One – Dimensional Requirements”, is permitted to be raised by ten (10) feet for that specific structure.
- (c) *Multiple Structures;* The Maple Street Residential Overlay District allows for the construction of multiple structures on one lot in order to minimize sprawl and to encourage the creation of useable open space for residents. In all cases, the buildings shall maintain a minimum separation of thirty (30) feet and shall be subject to applicable Massachusetts State Building Code requirements. The building locations shall be designed to ensure that adequate emergency vehicle access is provided.
- (d) *Connections:* Buildings may be connected by a series of covered walkways, pursuant to applicable Massachusetts State Building Code requirements.
- (e) *Common Open Space:* The development shall provide an area of useable common open space which will be accessible by residents of the development for passive recreational opportunities. Qualifying useable common open space shall mean (i) Existing vegetated areas which are left substantially in a natural state; (ii) areas improved by such landscaping as required in Section 6.5 and primarily designed and intended for passive recreational opportunities; or (iii) enclosed common space (i.e., clubhouse), available for use only by residents of the facility and their guests. Useable common open space shall not include a public or privately owned right-of-way, open parking or service areas, or driveways.

- (f) *Base Unit Density*: subject to the dimensional requirements and restrictions outlined within this By-law, the base number of units permitted within a Maple Street Residential Overlay development shall be limited to 1 unit per 1,000 square feet of total land area, inclusive of wetlands or other land areas regulated by the Conservation Commission.
- (g) *Density Bonus*: Notwithstanding the limitations set out above, the Planning Board may, at their discretion, authorize an increase in the permissible intensity of a Maple Street Residential Overlay District development for the Base Unit Density, provided the applicant offers one or more of the following public benefits: (In no event shall the Density Bonus increase the Base Unit Density more than 10%)
  - 1. Traffic or pedestrian improvements (such as, but not limited to, bike path connections, off-site sidewalks, or pedestrian improvements; traffic mitigation).
  - 2. Landscaped open space which adds unusual value or character to the community or provides enhanced protection to an environmentally sensitive area.
  - 3. Any other benefits as determined by the Planning Board in its reasonable discretion.

4.23.6 *Off-Street Parking, Layout and Loading Requirements*: Off-Street parking, layout and loading requirements for Maple Street Residential Overlay District shall be in accordance with section 6.3 Off Street Parking Requirements except as follows:

- (a) Minimum required parking of 1.7 parking spaces per dwelling unit.
- (b) Parking spaces shall be a minimum of eight (8') feet by sixteen (16') feet.
- (c) Minimum aisle width of twenty-two (22') feet.
- (d) No minimum or maximum for the number of driveways permitting entrance to and exit from a lot to a street.
- (e) Parking spaces shall be on the same lot as the principle use except that parking spaces may be provided on an adjacent lot provided there is a special permit granted for said parking by the Planning Board.
- (f) One level of parking within the building footprint is allowed beneath the uses permitted as described in 4.16.2.1 above in which case the height regulations of Section 5.2.1 Table One will be raised ten (10') feet for that building.
- (g) No requirement for off-street loading area for apartment buildings or garden style dwelling units.

or do anything in relation thereto.

## **Planning Board**

**Article 10.** To see if the Town will vote to authorize the Superintendent of Schools, with the approval of the School Committee, to lease for a term of years a portion of the premises known as Central Middle School and located at 101 Central Street, Stoneham, Massachusetts, including but not limited to a portion of the roof area, in compliance with Mass. Gen. L. c. 30B, for a roof-mounted solar photovoltaic facility, and to execute such other and further documents as may be necessary to effectuate the terms hereof, or do anything in relation thereto.

**Superintendent of Schools**

**Article 11.** To see if the Town will vote to authorize the Town Administrator to negotiate and execute a PILOT (Payment in Lieu of Taxes) agreement to be negotiated by the Town Administrator with the successful proposer of a solar facility on the premises at Central Middle School, 101 Central Street, Stoneham, for the purposes of a solar array, or do anything in relation thereto.

**Town Administrator**

**Article 12.** To see if the Town will vote to authorize the Superintendent of Schools, with the approval of the School Committee, to lease for a term of years a portion of the premises known as Colonial Park Elementary School and located at 30 Avalon Road, Stoneham, Massachusetts, including but not limited to a portion of the parking lot area, in compliance with Mass. Gen. L. c. 30B, for a ground-mounted solar photovoltaic facility, and to execute such other and further documents as may be necessary to effectuate the terms hereof, or do anything in relation thereto.

**Superintendent of Schools**

**Article 13.** To see if the Town will vote to authorize the Town Administrator to negotiate and execute a PILOT (Payment in Lieu of Taxes) agreement to be negotiated by the Town Administrator with the successful proposer of a solar facility on the premises at Colonial Park Elementary School, 30 Avalon Road, Stoneham, for the purposes of a solar array, or do anything in relation thereto.

**Town Administrator**

**Article 14.** To see if the Town will vote to raise and appropriate from taxation or transfer from available funds, such sums as may be necessary to defray Town charges for the ensuing year, including debt and interest and a reserve fund, or do anything in relation thereto.

**Select Board**

**Article 15.** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$1,030,505 for the capital projects set forth below, including all incidental and related costs and to authorize the Treasurer with the approval of the Select Board, to borrow all or a portion of said sum under the applicable provisions of M.G.L. c. 44 or any other enabling authority, or do anything in relation thereto.

Department	Amount	FY21 Funded Projects (Bonding)	Funding Source
Public Works	\$ 100,000.00	Streets and Sidewalks	Bonding
Public Works	\$ 64,000.00	Drainage MS4	Bonding
Fire	\$ 820,000.00	Fire Engine	Bonding
Golf Course	\$ 21,505.00	Rebuild Hole 9	Bonding
Public Facilities	\$ 25,000.00	Design study: Ice Arena Lower Roof and Envelope Replacement	Bonding
<b>Total</b>	<b>1,030,505.00</b>	<b>General Fund Funding</b>	

**Select Board**

**Article 16.** To see if the Town will vote to raise and appropriate from taxation or by transfer from available funds, such sums as may be necessary to defray Town charges for the ensuing year, including debt and interest and a reserve fund, or do anything in relation thereto.

	Department Requested FY22	Administrator Recommended FY22	Select Board Recommended FY22	Finance Committee Recommended FY22
<b>PEG Access Enterprise Fund</b>				
Expenses	600,000	600,000	600,000	600,000
Total Expenses	<b>600,000</b>	<b>600,000</b>	<b>600,000</b>	<b>600,000</b>
<b>Total PEG Access Budget</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>	<b>\$ 600,000</b>

**Select Board**

**Article 17.** To see if the Town will vote to transfer the sum of \$300,000 from the Water Enterprise Fund Retained Earnings to the account of Current Water Revenue to be used and applied by the Town Administrator to reduce water rate(s), or do anything in relation thereto.

**Select Board**

**Article 18.** To see if the Town will vote to transfer the sum of \$350,000 from the Sewer Enterprise Fund Retained Earnings to the account of Current Sewer Revenue to be



used and applied by the Town Administrator in the reduction of sewer rate(s), or do anything in relation thereto.

**Select Board**

**Article 19.** To see if the town will vote to fix the maximum amount that may be spent during Fiscal Year 2022 beginning on July 1, 2021 for the revolving funds established in the town by-laws for certain departments, boards, committees, agencies or officers in accordance with Massachusetts General Laws Chapter 44, Section 53E1/2, or do anything in relation thereto.

<b>Revolving Fund</b>	<b>Department, Board, Committee, Agency or Officer</b>	<b>FY2021 Spending Limit</b>
Recreation	Recreation Director	\$ 100,000
Farmers' Market	Farmers' Market Committee	\$ 20,000
Council on Aging	COA Director	\$ 85,000
Health Services	Health Director	\$ 25,000
Energy	Director of Planning & Community Development	\$ 100,000
Prevention & Outreach	Stoneham Coalition	\$ 20,000

**Select Board**

**Article 20.** To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum of money to amend the Fiscal Year 21 departmental budgets approved under Article No. 8 of the June 29, 2020 Annual Town Meeting, as amended, or do anything in relation thereto.

**Select Board**

**Article 21.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to clean out a ditch system, sketched by Town DPW Engineer M.J. Markham and installed in September of 1935 and entitled North Meetinghouse Brook, over which the Town has Easement rights and runs Westerly from land of/formerly of Samuel Weiss (also known as Weiss Farm).

No funds shall be expended from said money appropriated or transferred pursuant to the motion for this warrant article if said funds are otherwise available to the Town pursuant to applicable state law or Town bylaw or regulations, including, but not limited to, M.G.L. c. 44, sec. 53G.

Or do anything in relation thereto.

**Martin H. Wantman**  
**20 Gerald Road**

And you are directed to serve this Warrant by posting attested copies in at least (10) public places in the Town fourteen (14) days at least before the time for holding said meeting and by causing an attested copy to be published in some newspaper in the town, the publication to be not less than three (3) days before said meeting.

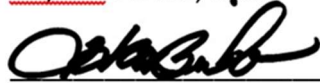
Hereof fail not and make due return of the Warrant with your doings thereon to the Town Clerk at the time and place aforesaid.

Given unto our hands this 16th day of March in the year of our Lord two thousand twenty one.


Stoneham Select Board



Raymie Parker, Chair



Heidi Bilbo, Vice Chair



George Seibold, Clerk



Caroline Colarusso



Shelly MacNeill

Pursuant to the within warrant, I have notified and warned the inhabitants of the Town of Stoneham qualified to vote in elections and Town Affair of the within meeting by posting attested copies of the said Warrant in at least ten (10) public places in the Town on March 24, 2021, and by publishing a duly attested copy of said Warrant in the Stoneham Independent on March 24, 2021.

A true copy. Attest: \_\_\_\_\_  
David Luciano, Constable of Stoneham