

▪ **THE COMMONWEALTH OF MASSACHUSETTS**

**TO EITHER OF THE CONSTABLES OF THE TOWN OF MENDON, IN THE COUNTY OF WORCESTER, SS. GREETINGS:**

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS YOU are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at the **Miscoe Hill School** in said MENDON on the **6th** day of **May** next, at 7:00 o'clock in the fore noon, then and there to act on the following articles:

- ARTICLE 1  
(Fin Com)** To see if the Town will vote that any motion or amendment to increase any monetary articles or line items as proposed by the Finance Committee, presented at this Town Meeting Shall be OUT OF ORDER unless such motion, or amendment, states the source of funding as being from available free cash, or the line item or article that will be reduced by the same amount; or take any action in relation thereto.
- ARTICLE 2  
(Fin Com)** To see if the Town will vote to appropriate funds provided to the Town by the Commonwealth under so-called Chapter 90 type money and such other funds as the Commonwealth of Massachusetts Department of Transportation (including its Highway Division) may provide, and to authorize the Board of Selectmen to enter into contracts with the Massachusetts Department of Transportation (including its Highway Division) for so-called Chapter 90 type money and such other funds allocated to the Town; or take any action in relation thereto.
- ARTICLE 3  
(Fin Com)** To fix the salaries and compensations of the elected officials of the Town.
- ARTICLE 4  
(Fin Com)** To determine what sums of money the Town will raise and appropriate and/or transfer from available funds to defray charges and expenses of the Town including debt and interest and to provide for a reserve fund for the ensuing fiscal year; or take any action in relation thereto.
- ARTICLE 5  
(Fin Com)** To see if the Town will vote to raise and appropriate and/or transfer from available sources a sum of money to fund the FY2017 portion of the Assessor's Cyclical Inspection Program; or take any action in relation thereto.
- ARTICLE 6  
(Fin Com)** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the FY2017 portion of the Update Valuation Account; or take any action in relation thereto.
- ARTICLE 7  
(Fin Com)** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to purchase a vehicle to be shared by Town departments; or take any action in relation thereto.
- ARTICLE 8  
(Fin Com)** To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to match the Community Compact Grant funds; or take any action in relation thereto.
- ARTICLE 9  
(Fin Com)** To see if the Town will vote to raise and appropriate, transfer from available funds, and/or otherwise provide, a sum of money to replace and/or retrofit water meters; or take any action in relation thereto.
- ARTICLE 10  
(Library)** To see if the Town will vote to establish a revolving fund as recommended by the Board of Selectmen for the Taft Public Library in accordance with M.G.L. Chapter 44, Section 53E 1/2. The purpose of this fund shall be to replace items lost or damaged by those who borrow materials and to purchase new materials. Receipts to this fund shall be monies paid by borrowers for lost or damaged materials and for overdue fines. The Library Director, with the approval of the Library Board of Trustees, shall be authorized to expend from this fund but at no time may exceed more than the available balance in the revolving fund nor expend more than six thousand dollars.
- ARTICLE 11  
(Planning Board)** To see if the Town will vote to establish a revolving fund as recommended by the Board of Selectmen for the Planning Board in accordance with M.G.L. Chapter 44, Section 53E 1/2. The purpose of this fund shall be to hold deposits made by applicants before the Planning Board for engineering and other applicable fees incurred by the Planning Board for processing the requests of said applicants. The Planning Board Chair, with the approval of the Planning Board, shall be authorized to expend from this fund but at no time may exceed more than the available balance in the revolving fund nor expend more than thirty thousand dollars.
- ARTICLE 12  
(Highway)** To see if the Town will vote to establish a revolving fund as recommended by the Board of Selectmen for the Highway Department in accordance with M.G.L. Chapter 44, Section 53E 1/2. The purpose of this fund shall be to hold all monies related to recycling materials including, but not limited to, metal, tires, light bulbs, batteries, etc.

collected at the recycling center located at the Highway Department to maintain and improve the recycling facility. The Highway Surveyor, with approval of the Board of Selectmen, shall be authorized to expend from this fund but at no time may exceed more than the available balance in the revolving fund nor expend more than twenty-five thousand dollars.

- ARTICLE 13  
(Con Com)** To see if the Town will vote to establish a revolving fund as recommended by the Board of Selectmen for the Conservation Commission in accordance with M.G.L. Chapter 44, Section 53E 1/2. The purpose of this fund shall be to hold deposits made by applicants before the Conservation Commission for engineering and other applicable fees incurred by the Conservation Commission for processing the requests of said applicants. The Conservation Commission Chair, with approval of the Conservation Commission, shall be authorized to expend from this fund but at no time may exceed more than the available balance in the revolving fund nor expend more than twenty-five thousand dollars.
- ARTICLE 14  
(Fin Com)** To see if the Town will vote to raise and appropriate and/or transfer a sum of money from available sources for Police Department State/Federal General Matching Grants; or take any action in relation thereto.
- ARTICLE 15  
(Board of Assessors)** To see if the Town will authorize the Board of Assessors, pursuant to Massachusetts General Laws Chapter 268A, Section 21A, to appoint one of its members to perform designated field agent/data lister duties, with said duties to be compensated from the stipend paid to said Board of Assessors; or take any action in relation thereto.
- ARTICLE 16  
(Board of Assessors)** To see if the Town will vote to increase the amount of qualifying maximum gross receipts to \$40,000 pursuant to M.G.L. Chapter 59, Section 5, Clause 41A.; or take any action in relation thereto.
- ARTICLE 17  
(Board of Assessors)** To see if the Town will vote to accept the provision of M.G.L. c.60A, Section 1 that allows cities and towns to exempt from excise taxation a motor vehicle owned and registered by or leased to a Massachusetts resident who is on active and fulltime military service as a member in the armed forces of the United States or the National Guard, army or air, of any state, and has been deployed or stationed outside the territorial boundaries of the Commonwealth for a period of at least 45 days in the calendar year of exemption. If the military member is wounded or killed in an armed conflict, he shall not be subject to the foregoing period of service qualification for the calendar year in which he is wounded or killed; or take any action in relation thereto.
- ARTICLE 18  
(Board of Assessors)** To see if the Town will vote to accept, pursuant to Clause 56 of Section 5 of General Laws Chapter 59, to extend the authority of the Assessors to grant abatements to members of the Massachusetts National Guard or Military reservists who are on active duty in foreign countries with respect to all or part of their real estate and personal property taxes for the fiscal year in which they performed such service, subject to eligibility criteria to be established by the Board of Assessors, effective Fiscal Year 2017, with said authority to expire after two years of acceptance unless extended by a vote of the Town; or take any action in relation thereto.
- ARTICLE 19  
(Board of Assessors)** To see if the Town will vote to accept, pursuant to Section 3(e)1 of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, the following exemption from the surcharge on real property permitted by said Act, to commence in Fiscal Year 2017: property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in Mendon; or take any action in relation thereto.
- ARTICLE 20  
(Land Use Com)** To see if the Town will vote to approve the Mendon Land Use Committee's Five Year Land Use Program, copies of which are available in the Town Clerk's office and on the Town website; or take any action in relation thereto.
- ARTICLE 21  
(Land Use Com)** To see if the Town will vote to transfer a sum of money from the Community Preservation Budgeted Reserve Account and/or Community Preservation Open Space Account to fund the removal of the non-native invasive water chestnut weeds in the Inman Pond on the Meadow Brook Woods property in the spring/summer of 2016; or take any action in relation thereto.
- ARTICLE 22  
(CPC)** To see if the Town will vote to transfer a sum of money from the Community Preservation Affordable Housing Account to renew the position of the part-time Affordable Housing Coordinator for FY17; or take any action in relation thereto.
- ARTICLE 23  
(CPC)** To see if the Town will vote to transfer a sum of money from the Community Preservation Budgeted Reserve Account to fund the installation of a drainage system on Tetreault Field, as well as upgrades and repairs to the Veteran's Park outfield; or take any action in relation thereto.

**ARTICLE 24 (CPC)** To see if the Town will vote to transfer a sum of money from the Community Preservation Historical Preservation Account to digitize the 1967 Town of Mendon 300th Anniversary 16mm film; or take any action in relation thereto.

**ARTICLE 25 (CPC)** To see if the Town will vote to transfer a sum of money from the CPA Community Preservation Budgeted Reserve Account to fund a portion of the FY 17 Fino Land Debt; or take any action in relation thereto.

**ARTICLE 26 (BOS)** To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 59, Section 38H, and/or any other enabling authority, to ratify and approve, and/or to authorize the Board of Selectmen to negotiate and enter into on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, a so-called Payment in Lieu of Taxes (PILOT) Agreement with BWC Wading River, LLC, or its affiliate, with respect to payments for a sum certain in lieu of real and/or personal property taxes owed to the Town over a twenty (20) year period relative to a proposed solar electric generating facility at 128 Providence Street, 67 Bates Street, and 72 Thayer Road, Mendon, MA 01756, with an option for extension coterminous with the lease of said parcel; and to authorize the Board of Selectmen to take such actions and execute any necessary documents relating thereto; or act or do anything in relation thereto.

**ARTICLE 27 (BOS)** To see if the Town will vote to authorize the Board of Selectmen to execute a so-called Assent Agreement, by whatever name called, for the property at 36 Milford Street, Mendon, MA 01756, on such terms and conditions as the Board of Selectmen deems in the best interests of the Town, and to further authorize the Board of Selectmen to take such actions and execute any necessary agreements relating to a proposed solar electric generating facility at said property; or take any action in relation thereto.

**ARTICLE 28 (BOS)** To see if the Town will vote to accept as public ways within the Town of Mendon, the streets known as **Warfield Road, Russell Court, Haywood Circle and a portion of Puffer Drive** in Cobbler’s Knoll subdivision, as laid out by the Board of Selectmen, provided, however, that the owner(s) of the properties comprising such streets provide(s) to the Town a deed or certificate of title acceptable to the Board of Selectmen with respect to the fee, easement, interest and/or rights in the roadways to be conveyed to the Town, and pay(s) all costs and recording expenses related hereto, and provided that all of the requirements of the Planning Board have been met; or take any action in relation thereto.

**ARTICLE 29 (CITIZEN PETITION)** To see if the Town will vote to amend the Mendon Zoning By-Laws as follows:

1. Article III, Use Regulations, Section 3.01 Table A, Table of Uses to appear as follows:

		GB	HB	RR	GR
67. a.	Roof Mounted Accessory Residential and Accessory Non-Residential Solar Voltaic Facilities as defined and in accordance with the Mendon Zoning By-Laws, Section 6.02	Y	Y	Y	Y
67. b.	Ground- mounted Accessory Non-Residential and Accessory Residential Solar Photovoltaic Facilities as defined and in accordance with the Mendon Zoning By-laws, Section 6.02	SPR	SPR	SPR	SPR
67. c.	Non-accessory Solar Photovoltaic Facilities as defined and in accordance with the Mendon Zoning By-Laws, Section 6.02	SPR/PB	SPR/PB	<del>SPR/PB</del> N	SPR/PB

2. Article VI, Special Provisions, Section 6.02(G)(i)(6) “Solar Photovoltaic Facilities” to appear as follows:

Commercial uses are generally discouraged in residential districts. In lieu of prohibiting such uses all together, the following restrictions shall apply: (i) no non-accessory SPF shall be permitted on any parcel of land located within ~~a residential subdivision~~ five-hundred (500) feet of a residential subdivision approved in accordance with the Subdivision Control Laws by the Planning Board; and (ii) no Large Scale Ground Mounted Solar Photovoltaic Facility shall be located within one (1) radius mile of another LSGM SPF in a residential district. ~~the Residential Rural District;~~ or act or do anything in relation thereto.

**ARTICLE 30  
(CITIZEN  
PETITION)**

To see if the Town will vote, to amend the Zoning By-Law and the Zoning Map of the Town of Mendon by extending the General Business District from Cape Road over the entirety of the parcels shown on the Assessors Tax Map 14 as lots 16, 28, and 28-1, which parcels are now within the Rural Residential District and partly within the General Business District as follows:

*A certain parcel of land located on the Easterly side of Cape Road (Route 140) in the Town of Mendon, County of Worcester, Commonwealth of Massachusetts, depicted on Mendon Tax Map 14 as Lots 16, 28 and 28-1, bounded and described as follows:*

*Beginning at a point on the Easterly side of Cape Road marking the Northwesterly corner of the herein described parcel at land now or formerly of Donald H. Keller and Patricia M. Keller;*

*Thence Easterly 326 feet to a drill hole at a stone wall intersection;*

*Thence Easterly 159.07 feet to a drill hole at a stone wall corner, the last two courses following said stone wall;*

*Thence Easterly 409.63 feet along a fence to a drill hole in a stone wall intersection at land now or formerly of Eugene E. Pettinelli and Susan R. Pettinelli, the last three courses following said land of Keller;*

*Thence Southerly 35 feet to a point;*

*Thence Southerly 380 feet to a point;*

*Thence Southerly 355 feet to a point;*

*Thence Westerly 250 feet to a point at a fence at land now or formerly of Edward P. Grace, Jr. and Paulette M. Grace, the last four courses following said stone wall and land of Pettinelli;*

*Thence Northerly 245.24 feet along said fence and land of Grace to a point at a stone wall at land now or formerly of Elizabeth J. Loftus;*

*Thence Easterly 18.24 feet to a point;*

*Thence Northerly 197.88 feet to a point, the last two courses following said stone wall;*

*Thence Westerly 538.93 feet to a bound at said Easterly side of Cape Road, the last three courses following said land of Loftus;*

*Thence Northerly approximately 211 feet along said Cape Road to said point of beginning of the herein described parcel.*

*The herein described parcel, consisting of 7 acres, more or less, is intended to describe the parcels conveyed to Eric Hollander by Quitclaim Deed recorded on July 11, 2003 in Book 30752 Page 111 of the Worcester District Registry of Deeds.*

*The scrivener has prepared this description without the benefit of a field survey and it is subject to such facts as a survey may disclose.*

And you are directed to serve this Warrant, by posting up attested copies thereof at three or more public places in said Town, 14 days at least before the time of holding said meeting.

**HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.**

**Given under our hands this 11<sup>th</sup> day of April, in the year of our lord two thousand sixteen.**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ **Selectmen of Mendon**

**A True copy. Attest:**

\_\_\_\_\_ **Constable**

**Worcester, ss.**

**PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Mendon by posting up attested copies of the same at:**

Town Hall; \_\_\_\_\_; \_\_\_\_\_

\_\_\_\_\_ **days before the date of the meeting, as within directed.**

\_\_\_\_\_, **Constable**

PRSRT STD  
ECRWSS  
U.S. POSTAGE  
**PAID**  
EDDM RETAIL

Local  
Postal Customer