

WARRANT

ANNUAL TOWN ELECTION, APRIL 23, 2024 ANNUAL TOWN MEETING, APRIL 29, 2024

MIDDLESEX COUNTY, SS

TO ANY OF THE CONSTABLES OF THE TOWN OF WAKEFIELD IN THE COUNTY OF MIDDLESEX,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Wakefield qualified to vote in elections and in Town affairs to meet at Precincts 1, 2, 3, 4, 5, 6 & 7 at the **Galvin Middle School, 525 Main Street** in said Wakefield on **Tuesday, the 23rd day of April, 2024 when the polls will be open between the hours of 7:00 AM and 8:00 PM**, then and there to act on the following:

To give their votes to the election of officers on one ballot for the following Town Officers: two (2) Town Council members for three (3) years; two (2) School Committee members for three (3) years; three (3) Library Trustees for three (3) years; one (1) Planning Board member for five (5) years; one (1) Board of Health member for three (3) years; one (1) Board of Assessor member for three (3) years; two (2) Municipal Gas & Light Commissioners for three (3) years; one (1) Tax Collector for three (3) years; one (1) Constable for three (3) years; one (1) Housing Authority member for five (5) years.

ANNUAL TOWN MEETING APRIL 29, 2024

All business of said meeting, except the election of such officers and the determination of such matters as by law are required to be elected or determined by ballot, shall be considered at 7:00 PM, on Monday, the 29th day of April, 2024 at the Galvin Middle School Auditorium, 525 Main Street, in said Town, then and there to act on the following articles:

Subsequent Sessions. If there is business remaining, the Moderator will consider a motion to adjourn to a subsequent session.

ARTICLE 1. To determine how much money the Town will vote to raise and appropriate or transfer from available funds for General Government, Protection of Persons and Property, Human Services, Public Works, Public Service Enterprises, Education, Unclassified, Benefits & Administration and Light Department specifying what appropriation shall be taken from the receipts of a department; or to see what the Town will do about it.

Town Council

ARTICLE 2. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for Capital Outlay; or to see what the Town will do about it.

Capital Outlay Committee

ARTICLE 3. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to the Capital Projects/Debt Service Fund, also known as the Debt Service Fund; or to see what the Town will do about it.

Town Council

ARTICLE 4. To see if the Town will vote to authorize the Board of Assessors to use such sum of the balance of the operating fund of the Municipal Gas and Light Department as of June 30, 2023 as the Board of Light Commissioners may vote in computing the tax rate for the fiscal period July 1, 2024 to June 30, 2025; or to see what the Town will do about it.

Municipal Light Commissioners

ARTICLE 5. To see if the Town will vote to raise and appropriate or transfer from available funds including the excess and deficiency account a sum of money to supplement the appropriations of all budgets for the period of July 1, 2023 to June 30, 2024; or to see what the town will do about it.

Town Council

ARTICLE 6. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to indemnify certain police officers and firefighters of the Town for medical, surgical and hospitalization expenses as a result of injuries received by the officers/firefighters in the performance of their duties, as provided for under Section 100, Chapter 41 of Massachusetts General Laws in such amount and to such extent as may be recommended by the Town Council; or to see what the Town will do about it.

Town Council

ARTICLE 7. To see if the Town will vote to authorize the Town Council to accept, or take by eminent domain proceedings, conveyances or easements from time to time, giving the Town the right to construct and maintain drains, sewers, water lines, retaining walls and streets and to raise and appropriate a sufficient sum of money to carry out the purpose of this Article; or to see what the Town will do about it.

Town Council

ARTICLE 8. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the collection, disposal, recycling and composting of refuse; or to see what the Town will do about it.

Town Council

ARTICLE 9. To see if the Town will vote to amend the General Bylaws by adding as Chapter 184 thereof the following: Chapter 184 Trash and Recycling - § 184-1. The Town shall offer trash removal and recycling services to all residential properties, regardless of the number of dwelling units there may be in any multi-family residential building; or to see what the Town will do about it.

Citizen Petition

ARTICLE 10. To see if the Town will vote to amend the General Bylaws by adding as Article 2 of Chapter 185 thereof the following: Chapter 185 Water – Article II § 185-7. Billing Residents of Multi-Family Dwellings for Water and Sewer. In determining water and sewer bills for multi-family buildings that have a single master water meter, the Town shall first divide the total population of the building (according to the most recent street list) by 2.44 (which is the average number of persons in a Wakefield household), to yield the variable X. The total amount of water consumption in the building will then be divided by X to yield the variable Y. The total amount of water consumption in the building will then be divided by Y to yield the amount deemed attributable to each dwelling unit. The Town’s tiered rate structure, which charges a higher rate for greater consumption, will then be applied to the amount deemed attributable to each unit. Those bills would then be combined for one final bill for the building in question; or to see what the Town will do about it.

Citizen Petition

ARTICLE 11. To see if the Town will vote will vote to raise and appropriate or transfer from available funds a sufficient sum of money for water main improvements, and to determine whether the appropriation shall be raised by borrowing or otherwise; or to see what the Town will do about it.

Town Council

ARTICLE 12. To see if the Town will vote to raise and appropriate or transfer from available funds a sufficient sum of money to pay for the design of a fueling island; or to see what the Town will do about it.

Town Council

ARTICLE 13. To see if the Town will vote will vote to implement collective bargaining agreements between the Town of Wakefield and the Wakefield Clerical (Town Hall) AFSCME Council 93, Local 3117 for the period July 1, 2024 to June 30, 2027 and to provide therefor that the Town raise and appropriate or transfer from available funds a sufficient sum of money to carry out the purposes of this Article; or to see what the Town will do about it.

Town Council

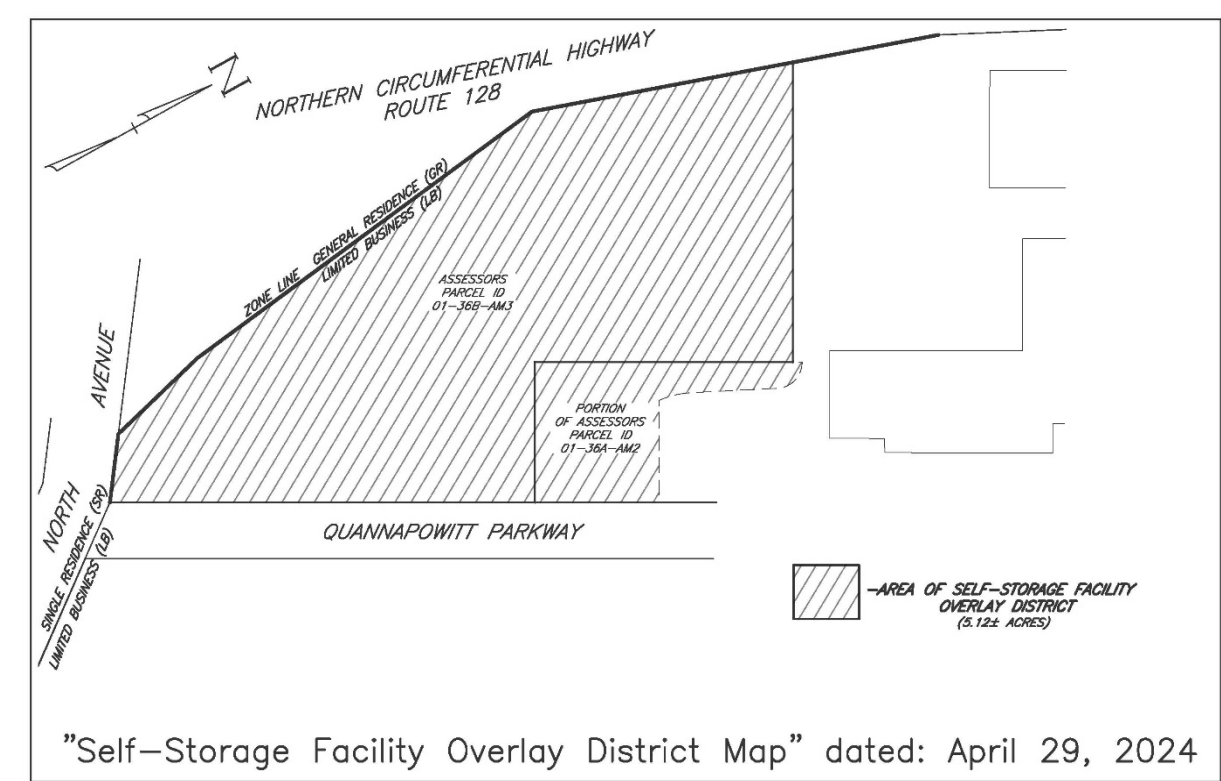
ARTICLE 14. To see if the Town will vote to implement collective bargaining agreements between the Town of Wakefield and the Lucius Beebe Memorial Library Staff Association for the period July 1, 2024 to June 30, 2027 and to provide therefor that the Town raise and appropriate from tax levy or transfer from available funds a sufficient sum of money to carry out the purposes of this Article; or to see what the Town will do about it.

Board of Library Trustees

ARTICLE 15. To see if the Town will vote to authorize the Town Council, pursuant to G.L. c. 40, § 14 and any other applicable authority, to accept an easement on the property currently known and numbered as 1 Hickory Hill, Wakefield, Massachusetts allowing for the removal of the existing wall(s) along Greenwood Street and/or the rebuilding and maintaining of said walls entirely within the lot lines of said property; or to see what the Town will do about it.

Town Council

ARTICLE 16. To see if the Town will vote to amend the Zoning Bylaw, Town of Wakefield as follows: 1. Amend §190-4B of the Zoning Bylaw, Town of Wakefield by adding the following definition: “Self-Storage Facility: A facility where individual portions of the space are rented to businesses or consumers for the temporary storage of business or personal items.” 2. Amend §190-5 of the Zoning Bylaw, Town of Wakefield entitled “Establishment” by adding the following district to the end thereof: “Self-Storage Facility Overlay District (SSFOD)” 3. Amend §190-6A of the Zoning Bylaw, Town of Wakefield entitled “General Description” by adding the following at the end thereof: “The Self-Storage Facility Overlay District (SSFOD) is a special overlay district to distinguish locations suitable for a Self-Storage Facility. Within the Self-Storage Facility Overlay District (SSFOD), all provisions of the Zoning Bylaw, Town of Wakefield applicable to the underlying districts shall continue to apply except that a Self-Storage Facility use shall also be allowed therein by Special Permit.” 4. Amend the Zoning Bylaw, Town of Wakefield by amending the Wakefield Zoning Map by adopting a map entitled “Self-Storage Facility Overlay District Map”, dated April 29, 2024.



5. Amend §190-7A of the Zoning Bylaw, Town of Wakefield entitled “Zoning Map” by adding the following at the end thereof: “The Self-Storage Facility Overlay District (SSFOD) is located as shown on a separate map entitled “”Self-Storage Facility Overlay District Map””, dated April 29, 2024.” 6. Amend Table of Use Regulations, § 190-23, Table 1 of the Zoning Bylaw, Town of Wakefield, by adding the following thereto below wholesale or warehouse establishment:

Principal Permitted Uses	SSR	SR	GR	MR	NB	LB	B	LI	I	Assisted Living Facility Overlay District	SSFOD
Self-Storage Facility	N	N	N	N	N	N	SP	Y	Y	N	SP

7. Amend Table of Required Off-Street Parking, § 190-41B, Table 3 of the Zoning Bylaw, Town of Wakefield, by adding the following thereto below auto sales and display (new and used): Self-Storage Facility – 1.0 per 10,000 square feet of gross floor area. 8. Amend § 190-31 of the Zoning Bylaw, Town of Wakefield by adding the following paragraph at the end thereof as § 190-31M: “M. The Board of Appeals may allow reductions from the requirements of Section 190-31 of the Zoning Bylaw, Town of Wakefield and the Front Yard, Side Yard, and Rear Yard Setback requirements of Table 2 (Table of Dimensional Regulations) of the Zoning Bylaw, Town of Wakefield for a Self-Storage Facility located in the Self-Storage Facility Overlay District (SSFOD) by special permit. Any such reductions shall be supported by evidence of lack of suitable land or design considerations or other similar factors. The Board of Appeals must also find that the granting of said special permit will not adversely affect the health, safety, convenience, character or welfare of the neighborhood or the Town.” 9. Amend §190-36 of the Zoning Bylaw, Town of Wakefield by adding the following paragraph at the end thereof as §190-36D: “D. Exceptions for a Self-Storage Facility. Notwithstanding anything to the contrary stated in the Zoning Bylaw, Town of Wakefield a common driveway may serve a Self-Storage Facility on a Lot located in the Self-Storage Facility Overlay District (SSFOD) and an adjacent Lot located in any zoning district. Furthermore, when the literal application of the standards for off-street parking and loading required herein proves to be infeasible for a Self-Storage Facility located in the Self-Storage Facility Overlay District (SSFOD), the Board of Appeals may reduce the requirements by issuance of a special permit. Any such reductions shall be supported by evidence of infeasibility due to lack of suitable land, design considerations or other similar factors. The Board of Appeals must also find that the granting of such special permit will not adversely affect the health, safety, convenience, character or welfare of the neighborhood or district or of the Town”. A copy of said map dated April 29, 2024 is on file with, and available for inspection at the office of, the Town Clerk; or to see what the Town will do about it.

Citizen Petition

ARTICLE 17. To see if the Town will vote to amend the Zoning Bylaws by: **1. Adding as Article XX of the Zoning Bylaw, Chapter 190 of the Code of the Town, the following text: ARTICLE XX. MBTA Communities Multi-Family Overlay District (MCMOD) § 190-114. Establishment, Applicability and Purpose. 1. Underlying Zoning.** The MBTA Communities Multi-Family Overlay District (MCMOD) is an overlay district superimposed on underlying zoning districts. The regulations for use, dimensions, and all other provisions of the Zoning Bylaw governing the underlying zoning district(s) shall remain in full force, except for uses allowed as of right in the MCMOD. **2. Applicability of MCMOD.** An applicant may develop multi-family dwellings located within the MCMOD in accordance with the provisions of this Article. **3. Non-inclusion of partial lots.** A lot that is not 100% within the MCMOD district as drawn in Zoning Map of the Town shall be considered excluded from the MCMOD. **4. Purpose.** The purpose of the MCMOD is to allow multi-family dwellings as of right in accordance with G.L. c. 40A, § 3A. **§ 190-115. Permitted Uses.** In the MCMOD, a multi-family dwelling building with a maximum of four dwelling units per lot is allowed as of right, subject to site plan review, as provided in §190-23, the Table of Use of Regulations. The Planning Board shall be the site plan review authority. **§ 190-116. MCMOD Dimensional Standards. 1. Table of Dimensional Regulations.** Notwithstanding anything to the contrary in the Zoning Bylaw, the dimensional requirements applicable in the MCMOD shall be as set forth in Table 2, the Table of Dimensional Regulations. **2. Height.** The limitation on the height of buildings shall not apply in the MCMOD to chimneys, ventilators, towers, elevator shafts, silos, spires, or similar features of buildings, which features are in no way used for living purposes and do not constitute more than 20% of the ground floor area of the building. **§ 190-117. Parking. 1. Refer to Parking and Loading Requirements, §190-37, Location and design of off-street parking spaces, A.-C. 2. Number of parking spaces.** The minimum number of off-street parking spaces shall be 1.5 spaces per dwelling unit, either in surface parking or within garages or other structures. **3. Parking Materials.** The parking surface may be concrete, asphalt, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure. **4. Parking Area.** The parking area located within the lot must reasonably and safely accommodate the entering and exiting of dwelling unit vehicles. **5. Parking Area Location.** Parking areas shall be located to the rear or side of the principal building. Parking shall not be located between the building and any lot line adjacent to the public right-of-way. **6. Buffers.** The surfaced areas of off-street parking areas shall be set back a minimum of 4 ft. from all buildings and side and rear property lines, except as may be approved by the Planning Board. Buffers between property lines and parking areas shall be landscaped. Buffers between the buildings (rear and side) and parking areas shall include landscaping or walkways. **§ 190-118. MCMOD Development Standards. 1. Site Design.** Site plans for developments in the MCMOD shall include the following: **a. Connections.** Sidewalks shall provide a direct connection among building entrances, the public sidewalk (if applicable), and vehicular and bicycle parking. **b. Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged. **c. Plantings.** Planting is encouraged to include the use of native vegetation. Refer to the Town of Wakefield Conservation Commission Native Planting policy. **d. Outdoor Lighting Plan.** Plans must show the location and type of outdoor lighting and lighting fixtures, said lighting to be designed to minimize glare and light spillover onto adjacent

properties and streets. All exterior lighting shall be designed and installed so as to be shielded or downcast, and to avoid light trespass onto adjacent properties. Lighting fixtures shall be selected in accordance with dark sky compliance principles. Plans shall depict the light intensity (foot-candle) in an appropriate grid. All exterior lighting shall be limited to 15 feet in height and shall cast a maximum of 8-foot candles of light on the ground. Lighting shall also be directed so as not to blind vehicular or pedestrian traffic, shine into adjacent buildings or spill over to abutting properties.

e. Stormwater Management. Refer to §170 Storm Drain System; Stormwater Management for Wakefield stormwater bylaw and associated requirements.

f. Offsite Improvement Plans. Plans shall depict full design, grading and layouts for any work required within the public way to support the project. This includes but is not limited to pedestrian, traffic and utility improvements.

2. Buildings: General.

a. Position relative to the principal street. The primary building shall have its principal façade and entrance facing the principal street, except as set forth below with respect to corner lots.

b. Entries. Entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk or right of way.

3. Buildings: Shared Outdoor Space. All multi-family dwelling units shall have outdoor space that residents can access. Such space may be located in any combination of the ground floor, courtyard, rooftop, or terrace. Space shall either be shared among all residents or allocated on a unit by unit basis.

4. Buildings: Corner Lots. A building on a corner lot shall have a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.

a. Such entries shall be connected by a paved surface to the public sidewalk or right of way.

b. All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.

c. Fire escapes serving more than one story shall not be located on either of the street-facing façades.

5. Buildings: Principal Façade and Garages. Parking garages shall be subordinate in design and location to the principal building façade. The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.

§ 190-119. Site Plan Review.

1. Applicability. Site Plan Review is required for any building with three or four dwelling units. An application for Site Plan Review shall be reviewed by the Planning Board for consistency with the purpose and intent of § 190-118, MCMOD Development Standards.

2. Submission Requirements. As part of any application for Site Plan Review for a project within the MCMOD, the Applicant must submit the following documents:

a. Application for Site Plan Review.

b. Site plans that show the position of the building on the site, points of vehicular access to and from the site and vehicular circulation on the site, stormwater management, utilities, and landscape treatments, including any screening of adjacent properties, and other information commonly required by the Planning Board for Site Plan Review.

c. Elevations of the building(s) showing the architectural design of the building.

d. Stormwater Report consistent with the requirements of §170 Storm Drain System; Stormwater Management, demonstrating no increase in stormwater rate or volume to adjacent properties or the public/private way.

e. Site plans and stormwater report shall be prepared and stamped by civil engineers, land surveyors, architects, and/or landscape architects, registered in the Commonwealth of Massachusetts per their area of expertise as required by law.

f. The plan shall be submitted on D-size sheets (24 inches by 36 inches). All plans shall be signed and stamped, and drawings should be prepared at a scale of suitable size.

g. Narrative of compliance with the applicable MCMOD Development Standards.

3. Timeline. Site Plan Review should be commenced no later than 30 days following the submission of a complete application and should be completed expeditiously. The Planning Board may, when appropriate, seek the input of other municipal boards or officials. In general, site plan review should be completed no more than 6 months after the submission of the application, provided, however, that no failure to meet the deadlines set forth herein shall result in a constructive approval.

4. Site Plan Approval. Site Plan approval for uses listed in §190-115, “Permitted Uses,” shall be granted upon determination by the Planning Board that the following conditions have been satisfied. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied:

a. the Applicant has submitted the required information as set forth in the Town’s requirements for a Building Permit and Site Plan Review; and

b. the project as described in the application meets the MCMOD Development Standards.

§ 190-120. Severability. If any provision of this Article XX is found to be invalid by a court of competent jurisdiction, the remainder of this Article shall not be affected but shall remain in full force and effect. The invalidity of any provision of this Article XX shall not affect the validity of the remainder of the Zoning Bylaw.

2. adding to § 190-4 of the Zoning Bylaw, the definitions section, the following definition: **“AS OF RIGHT** “Development that may proceed under the zoning in place at the time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.”

3. revising the first sentence of the definition of “Multifamily Dwelling” in § 190-4 of the Zoning Bylaw by changing the word “four” to “three,” so that such sentence will read as follows: **“MULTIFAMILY DWELLING** “A building (other than an ‘attached dwelling,’ as defined herein) designed or intended or used as the home of three or more families, each in a separate dwelling unit, living independently of each other and who may have a common right in halls and stairways.”

4. revising the Table of Use Regulations, § 190-23, by adding the following line after the entry for “Creative Development”:

Principal Permitted Uses	SSR	SR	GR	MR	NB	LB	B	LI	I	Assisted Living	MCMOD
Multi-Family Dwelling (Pursuant to Article XX with a maximum of 4 dwelling units)	N	N	N	SP	N	N	N	N	N	N	Y

5. revising the Table of Dimensional Regulations, Attachment 2 to the Zoning Bylaws, by adding the following line after the entry for MR-2:

District	Lot Area	Maximum Density	Frontage and Width	Floor Area	Setbacks			Maximum Stories/Height	Maximum Building Coverage	Minimum Open Area	Distance Between Buildings
					Front	Side	Rear				
MCMOD	4,000	--	80	--	15	10	20	3/35	35%	30%	--

6. adding the following to the end of § 190-5 of the Zoning Bylaws: “MBTA Communities Multi-family Overlay District (MCMOD)”

7. adding the following to the end of § 190-6.A of the Zoning Bylaws: **“(18) The MBTA Communities Multi-family Overlay District (MCMOD) is a special overlay district to allow multi-family dwellings as of right in accordance with G.L. c. 40A, § 3A, subject only to site plan review by the Planning Board, and is shown on the Zoning Map entitled ‘MBTA Communities Multi-family Overlay District.’ Within such district, all provisions of the Zoning Bylaw applicable to the underlying districts shall continue to apply except as provided in Article XX of the Zoning Bylaw.”**

8. adding the following to the end of § 190-7.A of the Zoning Bylaws: “The MBTA Communities Multi-family Overlay District is located as shown on a separate map entitled ‘MBTA Communities Multi-family Overlay District Map, dated January 29, 2024.’”

9. amending the Wakefield Zoning Map by adopting the “MBTA Communities Multi-family Overlay District Map, dated January 29, 2024,” a copy of which is on file with, and available for inspection at the office of, the Town Clerk; or to see what the Town will do about it.

Planning Board

ARTICLE 18. To see if the Town will vote to amend the Zoning Bylaws by:

1. adding as Article XX of the Zoning Bylaw, Chapter 190 of the Code of the Town, the following text: **ARTICLE XX. MBTA Communities Multi-Family Overlay District (MCMOD) § 190-114. Establishment, Applicability and Purpose.**

1. Underlying Zoning. The MBTA Communities Multi-Family Overlay District (MCMOD) is an overlay district superimposed on underlying zoning districts. The regulations for use, dimensions, and all other provisions of the Zoning Bylaw governing the underlying zoning district(s) shall remain in full force, except for uses allowed as of right in the MCMOD.

2. Applicability of MCMOD. An applicant may develop multi-family dwellings located within the MCMOD in accordance with the provisions of this Article.

3. Non-inclusion of partial lots. A lot that is not 100% within the MCMOD district as drawn in Zoning Map of the Town shall be considered excluded from the MCMOD.

4. Purpose. The purpose of the MCMOD is to allow multi-family dwellings as of right in accordance with G.L. c. 40A, § 3A.

§ 190-115. Permitted Uses. In the MCMOD, a multi-family dwelling building with a maximum of four dwelling units per lot is allowed as of right, subject to site plan review, as provided in §190-23, the Table of Use of Regulations. The Planning Board shall be the site plan review authority.

§ 190-116. MCMOD Dimensional Standards.

1. Table of Dimensional Regulations. Notwithstanding anything to the contrary in the Zoning Bylaw, the dimensional requirements applicable in the MCMOD shall be as set forth in Table 2, the Table of Dimensional Regulations.

2. Height. The limitation on the height of buildings shall not apply in the MCMOD to chimneys, ventilators, towers, elevator shafts, silos, spires, or similar features of buildings, which features are in no way used for living purposes and do not constitute more than 20% of the ground floor area of the building.

§ 190-117. Parking.

1. Refer to Parking and Loading Requirements, §190-37, Location and design of off-street parking spaces, A.-C.

2. Number of parking spaces. The minimum number of off-street parking spaces shall be 1.5 spaces for 1- or 2-bedroom dwelling units and 2 spaces for 3+ bedroom dwelling units (unless this number would fail to comply with the minimum requirements for the Overlay District per G.L. c. 40A, §3A, in which case 1.5 spaces shall be the minimum number required for each dwelling unit, regardless of number of bedrooms), either in surface parking or within garages or other structures.

3. Parking Materials. The parking surface may be concrete, asphalt, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.

4. Parking Area. The parking area located within the lot must reasonably and safely accommodate the entering and exiting of dwelling unit vehicles.

5. Parking Area Location. Parking areas shall be located to the rear or side of the principal building. Parking shall not be located between the building and any lot line adjacent to the public right-of-way.

6. Buffers. The surfaced areas of off-street parking areas shall be set back a minimum of 4 ft. from all buildings and side and rear property lines, except as may be approved by the Planning Board. Buffers between property lines and parking areas shall be landscaped. Buffers between the buildings (rear and side) and parking areas shall include landscaping or walkways.

§ 190-118. MCMOD Development Standards.

Site Design. Site plans for developments in the MCMOD shall include the following:

a. Connections. Sidewalks shall provide a direct connection among building entrances, the public sidewalk (if applicable), and vehicular and bicycle parking.

b. Vehicular access. Where feasible, curb cuts shall be minimized, and shared driveways encouraged.

c. Plantings. Planting is encouraged to include the use of native vegetation. Refer to the Town of Wakefield Conservation Commission Native Planting policy.

d. Outdoor Lighting Plan. Plans must show the location and type of outdoor lighting and lighting fixtures, said lighting to be designed to minimize glare and light spillover onto adjacent properties and streets.

All exterior lighting shall be designed and installed so as to be shielded or downcast, and to avoid light trespass onto adjacent properties. Lighting fixtures shall be selected in accordance with dark sky compliance principles. Plans shall depict the light intensity (foot-candle) in an appropriate grid. All exterior lighting shall be limited to 15 feet in height and shall cast a maximum of 8-foot candles of light on the ground. Lighting shall also be directed so as not to blind vehicular or pedestrian traffic, shine into adjacent buildings or spill over to abutting properties.

e. Stormwater Management. Refer to §170 Storm Drain System; Stormwater Management for Wakefield stormwater bylaw and associated requirements.

f. Offsite Improvement Plans. Plans shall depict full design, grading and layouts for any work required within the public way to support the project. This includes but is not limited to pedestrian, traffic and utility improvements.

2. Buildings: General.

a. Position relative to the principal street. The primary building shall have its principal façade and entrance facing the principal street, except as set forth below with respect to corner lots.

b. Entries. Entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk or right of way.

3. Buildings: Shared Outdoor Space. All multi-family dwelling units shall have outdoor space that residents can access. Such space may be located in any combination of the ground floor, courtyard, rooftop, or terrace. Space shall either be shared among all residents or allocated on a unit by unit basis.

4. Buildings: Corner Lots. A building on a corner lot shall have a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.

a. Such entries shall be connected by a paved surface to the public sidewalk or right of way.

b. All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.

c. Fire escapes serving more than one story shall not be located on either of the street-facing façades.

5. Buildings: Principal Façade and Garages. Parking garages shall be subordinate in design and location to the principal building façade. The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.

§ 190-119.Site Plan Review. Applicability. Site Plan Review is required for any building with three or four dwelling units. An application for Site Plan Review shall be reviewed by the Planning Board for consistency with the purpose and intent of § 190-118, MCMOD Development Standards.

2. Submission Requirements. As part of any application for Site Plan Review for a project within the MCMOD, the Applicant must submit the following documents:

a. Application for Site Plan Review.

b. Site plans that show the position of the building on the site, points of vehicular access to and from the site and vehicular circulation on the site, stormwater management, utilities, and landscape treatments, including any screening of adjacent properties, and other information commonly required by the Planning Board for Site Plan Review.

c. Elevations of the building(s) showing the architectural design of the building.

d. Stormwater Report consistent with the requirements of §170 Storm Drain System; Stormwater Management, demonstrating no increase in stormwater rate or volume to adjacent properties or the public/private way.

e. Site plans and stormwater report shall be prepared and stamped by civil engineers, land surveyors, architects, and/or landscape architects, registered in the Commonwealth of Massachusetts per their area of expertise as required by law.

f. The plan shall be submitted on D-size sheets (24 inches by 36 inches). All plans shall be signed and stamped, and drawings should be prepared at a scale of suitable size.

g. Narrative of compliance with the applicable MCMOD Development Standards.

3. Timeline. Site Plan Review should be commenced no later than 30 days following the submission of a complete application and should be completed expeditiously. The Planning Board shall, whenever appropriate, seek the input of other municipal boards or officials and in all instances seek input of the public. In general, site plan review should be completed no more than 6 months after the submission of the application, provided, however, that no failure to meet the deadlines set forth herein shall result in a constructive approval.

4. Site Plan Approval. Site Plan approval for uses listed in §190-115, “Permitted Uses,” shall be granted upon determination by the Planning Board that the following conditions have been satisfied. The Planning Board may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied:

a. Applicant has submitted the required information as set forth in the Town's requirements for Building Permit and Site Plan Review; and

b. the project as described in the application meets the MCMOD Development Standards.

§ 190-120. Severability. If any provision of this Article XX is found to be invalid by a court of competent jurisdiction, the remainder of this Article shall not be affected but shall remain in full force and effect. The invalidity of any provision of this Article XX shall not affect the validity of the remainder of the Zoning Bylaw.

2. adding to § 190-4 of the Zoning Bylaw, the definitions section, the following definition: **"AS OF RIGHT** Development that may proceed under the zoning in place at the time of application without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.”

3. revising the first sentence of the definition of “Multifamily Dwelling” in § 190-4 of the Zoning Bylaw by changing the word “four” to “three,” so that such sentence will read as follows: **"MULTIFAMILY DWELLING** A building (other than an ‘attached dwelling,’ as defined herein) designed or intended or used as the home of three or more families, each in a separate dwelling unit, living independently of each other and who may have a common right in halls and stairways.”

4. revising the Table of Use Regulations, § 190-23, by adding the following line after the entry for “Creative Development”:

Principal Permitted Uses	SSR	SR	GR	MR	NB	LB	B	LI	I	Assisted Living	MCMOD
Multi-Family Dwelling (Pursuant to Article XX with a maximum of 4 dwelling units)	N	N	N	SP	N	N	N	N	N	N	Y

5. revising the Table of Dimensional Regulations, Attachment 2 to the Zoning Bylaws, by adding the following line after the entry for MR-2:

District	Lot Area	Maximum Density	Frontage and Width	Floor Area	Setbacks			Maximum Stories/Height	Maximum Building Coverage	Minimum Open Area	Distance Between Buildings
					Front	Side	Rear				
MCMOD	4,000	--	80	--	15	10	20	3/35	35%	30%	--

6. adding the following to the end of § 190-5 of the Zoning Bylaws: “MBTA Communities Multi-family Overlay District (MCMOD)”

7. adding the following to the end of § 190-6.A of the Zoning Bylaws: “**(18)** The MBTA Communities Multi-family Overlay District (MCMOD) is a special overlay district to allow multi-family dwellings as of right in accordance with G.L. c. 40A, § 3A, subject only to site plan review by the Planning Board, and is shown on the Zoning Map entitled ‘MBTA Communities Multi-family Overlay District.’ Within such district, all provisions of the Zoning Bylaw applicable to the underlying districts shall continue to apply except as provided in Article XX of the Zoning Bylaw.”

8. adding the following to the end of § 190-7.A of the Zoning Bylaws: “The MBTA Communities Multi-family Overlay District is located as shown on a separate map entitled ‘MBTA Communities Multi-family Overlay District Map, dated March 1, 2024.’”

and 9. amending the Wakefield Zoning Map by adopting the “MBTA Communities Multi-family Overlay District Map, dated March 1, 2024,” a copy of which is on file with, and available for inspection at the office of, the Town Clerk; or to see what the Town will do about it.

Citizen Petition

ARTICLE 19. To see if the Town will hereby amend Chapter 190 § 4 (Definitions) by inserting after the definition of “Lot Width” the following new definitions: MARIJUANA. All parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol; provided that "marijuana" shall not include: A. The mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination; B. Hemp; or C. The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products. MARIJUANA ACCESSORIES. Equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body. MARIJUANA CULTIVATOR. An entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers. MARIJUANA ESTABLISHMENT. A marijuana cultivator, marijuana product manufacturer, Marijuana Retailer, marijuana testing laboratory, or any other type of licensed marijuana-related business, except a registered marijuana dispensary (RMD), subject to regulation under Chapter 94G of the Massachusetts General Laws. MARIJUANA PRODUCT MANUFACTURER. An entity licensed to obtain, manufacture, process and package marijuana and Marijuana Products, and to transfer marijuana and Marijuana Products to other Marijuana Establishment(s), but not to consumers. MARIJUANA PRODUCTS. Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils, and tinctures. MARIJUANA RESEARCH FACILITY. An entity licensed to engage in research projects by the Cannabis Control Commission. MARIJUANA RETAILER. A Marijuana Establishment licensed to purchase and transport cannabis or marijuana product from Marijuana Establishment(s) and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or Marijuana Products to consumers, and from offering cannabis or Marijuana Products for the purposes of on-site social consumption on the premises of a Marijuana Establishment. MARIJUANA TESTING LABORATORY. A laboratory that is licensed by the Cannabis Control Commission and is: A. Accredited to the most current International Organization for Standardization 17025 by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Cooperation mutual recognition arrangement or that is otherwise approved by the Commission; B. Independent financially from any medical marijuana treatment center or any licensee or Marijuana Establishment for which it conducts a test; and C. Qualified to test marijuana in compliance with regulations promulgated by the Commission. MARIJUANA TRANSPORTATION OR DISTRIBUTION FACILITY. An entity with a fixed location that is licensed to purchase, obtain, and possess cannabis or Marijuana Products solely for the purpose of transporting and temporarily storing the same on the premises for sale and distribution to Marijuana Establishments, but not consumers. Section

190-23 (Table of Use Regulations) as appearing in Article IV (Use Regulations) of the Town of Wakefield Bylaws is hereby amended by inserting prior to the words “Registered marijuana dispensary” the following:

Principal Permitted Uses	SSR	SR	GR	MR	NB	LB	B	LI	I	Assisted Living Facility Overlay District	Marijuana Establishment Overlay District
Marijuana cultivator	N	N	N	N	N	N	N	N	N	N	SP
Marijuana product manufacturer	N	N	N	N	N	N	N	N	N	N	SP
Marijuana research facility	N	N	N	N	N	N	N	N	N	N	SP
Marijuana testing laboratory	N	N	N	N	N	N	N	N	N	N	SP
Marijuana transportation or distribution facility	N	N	N	N	N	N	N	N	N	N	SP
Marijuana Retailer	N	N	N	N	N	N	N	N	N	N	SP

Chapter 190 (Zoning Bylaws) of the Town of Wakefield Bylaws is hereby amended by deleting the existing article XIX and inserting in place thereof the following new Article XIX: ARTICLE XIX 190-111 Purpose. Purpose. The purpose of this section is to permit state-licensed Marijuana Establishments to operate in select locations in the Town of Wakefield, pursuant to local requirements that seek to protect the health, safety, and public welfare of residents and in accordance with Chapter 94G of the Massachusetts General Laws, 935 CMR 500.000 ("Adult Use of Marijuana"), and regulations promulgated by the Cannabis Control Commission. 190-112. Applicability. The provisions of this section shall be applicable to all Marijuana Establishments in the Town of Wakefield, with the exception of registered marijuana dispensaries (RMDs). Regulations for RMDs can be found in Article XVIII of the Wakefield Zoning Ordinance (Sections 190-104 through 190-110). 190-113 General Requirements and Conditions. General requirements and conditions. (1) Location and operation. a. Marijuana Establishments are permitted as allowed in the Table of Use Regulations (§190-23). b. All aspects of a Marijuana Establishment relative to the cultivation, possession, processing, distribution, dispensing or administration of marijuana, Marijuana Products, or related supplies must take place at a fixed location within a fully enclosed building and shall not be visible from the exterior of the building. A Marijuana Establishment shall not be located in a trailer, storage freight container, motor vehicle or other similar movable enclosure. c. No outside storage of marijuana, Marijuana Products, or related supplies is permitted. d. The Marijuana Establishment shall provide an odor control plan that provides for proper and adequate ventilation at such facilities in such a manner so as to prevent pesticides, insecticides or other chemicals used in the cultivation or processing of marijuana or marijuana related products from being dispersed or released outside the facilities. All resulting odors, smoke, vapor, fumes, gases and particulate matter from marijuana or its processing or cultivation shall be effectively confined to the premises or so disposed of so as to avoid any air pollution. e. The Marijuana Establishment shall provide for adequate and proper security at the premises so as to avoid, deter and prevent illegal activities from taking place upon or about the applicant’s premises. f. No marijuana or marijuana product shall be smoked, eaten or otherwise consumed or ingested on the premises. All Marijuana Establishments permitted under this Section shall comply with all state and local laws, rules and regulations governing the smoking of tobacco. g. All signs associated with Marijuana Establishments shall comply with 935 CMR 500.000 and Article XIII (§§190-74 through 83), Signs, of the Wakefield Zoning Ordinance. Signs shall only identify the Marijuana Establishment by its registered name and shall not utilize graphics related to marijuana or paraphernalia on the exterior of the building in which the establishment is located. (2) Additional location requirements. (a) A Marijuana Establishment shall not be located within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12. Distances shall be measured in a straight line from the geometric center of the Marijuana Establishment entrance to the geometric center of the nearest school entrance, unless there is an Impassable Barrier within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the Marijuana Establishment entrance to the geometric center of the nearest school entrance. “Impassable Barrier” means, for the purposes of determining the 500 feet buffer zone, a highway, public or private way or path, inaccessible structure, body of water or wetland, or other geographical feature or obstruction that renders any part of the 500- straight-line distance between a Marijuana Establishment entrance and a school entrance inaccessible by a pedestrian or automobile. (b) Marijuana Establishments shall not be located in a building that contains a pre-existing daycare center. (c) Marijuana product manufacturing shall not be done in any building containing assembly, educational, health care, ambulatory health care, residential board and care, residential, or detention and correctional facilities. (3) Security. a. Marijuana Establishments shall provide the Wakefield Police Department and Building Commissioner with the names, phone numbers, and e-mail addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment and update that list whenever there is any change in management staff or key holders. b. Solid waste dumpsters or other waste containers shall be locked and enclosed by a screening enclosure so as not to be accessible to the public. c. Landscaping elements must be nonobtrusive. The placement of landscaping elements for the Marijuana Establishment must ensure landscaping elements, including trees, bushes, and other foliage, do not allow for a person or persons to conceal themselves at night. d. The exterior grounds, including the parking lot and landscaped areas, shall be lighted in such a manner that all areas are clearly visible at all times during business hours. e. Marijuana Establishments shall secure every entrance to the Marijuana Establishment so that access to areas containing the storage of Marijuana Products are restricted to employees and others permitted by the Marijuana Establishment to access the area and to Cannabis Control Commission or state and local law enforcement officers, agents, and emergency personnel. 190-114 Special Permit. Special permit. For special permits for Marijuana Establishments, the Zoning Board of Appeals is the special permit granting authority. The Zoning Board of Appeals may grant a special permit for a Marijuana Establishment as allowed herein if the Board finds that the proposal satisfies the purposes set forth in §190-111 above, the general requirements and conditions for Marijuana Establishments in Subsection §§190-112 & 113 above, the findings in §190-44 of the Zoning Ordinance, and the following statements, regulations, requirements, findings, conditions, and limitations. Applications for a special permit for a Marijuana Establishment shall not be subject to site plan review (§§190-45 & 46). (1) Requirements. a. It shall be unlawful for any person to operate a Marijuana Establishment without obtaining a special permit to operate pursuant to the requirements of this section. b. A separate special permit is required for each different Marijuana Establishment detailed in § 190-4, entitled “Definitions”. In the case that one or more different types of Marijuana Establishments are proposed, each establishment type shall require a special permit from the Zoning Board of Appeals. c. The special permit requirements set forth in this chapter shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state, or local law. d. The issuance of a special permit pursuant this chapter does not create an exception, defense, or immunity to any person or entity in regard to any potential criminal liability the person or entity may have for the production, distribution, or possession of marijuana. e. A special permit issued for a Marijuana Establishment is not transferable or assignable to a different location or a different type of Marijuana Establishment. (2) All applicants are encouraged to contact the Zoning Board of Appeals to schedule a pre-application meeting. In addition to all the application requirements related to special permits the applicant shall include the following at the time of application: a. Copies of all licenses, permits and documentation demonstrating application status, registration or licensure by the Commonwealth of Massachusetts Cannabis Control Commission. b. A security plan showing the arrangement of pedestrian circulation and access to the public points of entry to the premises from the nearest public or private street or off-street parking area. The security plan shall detail how the property will be monitored so as to avoid, deter and prevent illegal activities from taking place upon or about the applicant’s premises and shall show the location of any walkway structures, lighting, gates, fencing and landscaping. c. A list of all managers, officers, directors, persons or entities having direct or indirect authority over the management, policies, security operations or cultivation operations of the Marijuana Establishment. d. A list of all persons or entities contributing 10% or more of the initial capital to operate the Marijuana Establishment, including capital in the form of land or buildings. e. Proof that the Marijuana Establishment is registered to do business in the Commonwealth of Massachusetts as a domestic business corporation or another domestic business entity in compliance with 935 CMR 500 and is in good standing with the Secretary of the Commonwealth and Department of Revenue. f. Documentation of a bond or other resources held in an escrow account in an amount sufficient to adequately support the dismantling or winding down of the Marijuana Establishment, if required. g. An odor control plan detailing the specific odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted from the facility, the frequency of such odor-emitting activities, the duration of such odor-emitting activities, and the administrative and engineering controls that will be implemented to control such odors, including maintenance of such controls. h. An applicant who is not the property owner shall submit evidence in the form of a deed, an executed lease or valid purchase and sale agreement documenting the applicant’s contingent property interest and legal right to operate a Marijuana Establishment at the property. i. Any other information requested by the Zoning Board of Appeals that will allow fair and full consideration of the special permit request. (3) Applications for a Marijuana Retailer seeking to co-locate with a registered marijuana dispensary shall include a narrative detailing the physical separation between medical and adult-use (recreational) sales areas. Separation may be provided by a temporary or semi-permanent physical barrier, such as a stanchion, that adequately separates sales areas of Marijuana Products for medical use from sales areas of Marijuana Products for adult use. A retailer shall provide for separate lines for sales of Marijuana Products for medical use from Marijuana Products for adult use within the sales area; provided, however, that the holder of a medical registration card may use either line and shall not be limited only to the medical use line. A retailer shall additionally provide an area that is separate from the sales floor to allow for confidential consultation. (4) The Zoning Board of Appeals shall distribute a set of the application materials to the Police Chief, Health Director, and Building Commissioner for review. The Zoning Board of Appeals will provide notice of receipt of an application to the Town Engineer, Fire Chief, Conservation Commission, Town Solicitor, Town Council, and Town Administrator. All

departments shall report their comments, conditions, remedial measures and recommendations, in writing, to the Zoning Board of Appeals within 30 days. (5) Findings. In addition to the findings required by 190-44, the Zoning Board of Appeals shall not issue a special permit for a Marijuana Establishment unless it finds that: a. The Marijuana Establishment does not derogate from the purposes and intent of this Section and this Bylaw. b. The application information submitted is adequate for the SPGA to consider approving the special permit request. c. The proposed establishment is designed to minimize any adverse impacts on abutting properties. d. The security plan provides sufficient assurance that adequate security controls have been implemented to ensure the protection of the public health and safety during hours of operation and that any marijuana or marijuana related products are adequately secured on-site or via delivery. e. The odor control plan proposed adequately provides for the ongoing safe operation of the establishment and minimizes any adverse impacts to abutting properties from odor-emitting activities to be conducted on-site. f. The proposed design and operation of the Marijuana Establishment will meet the requirements of this Section. (6) Lapse. A special permit granted under this Section shall lapse if not exercised within two years of issuance. (7) Inspections and reporting. a. Marijuana Establishments shall consent to unannounced, unscheduled, periodic inspections of its premises by the Building Commissioner or designee, including an agent from the Building, Health, Police, and Fire Departments on weekdays during normal business hours to determine the Marijuana Establishment's compliance with the requirements of applicable state and local laws, regulations, codes, license and permit conditions, and this section. b. Routine inspections may be made on weekdays during regular Town business hours by authorized inspectional departments to determine compliance with applicable state and local laws, regulations, codes, and license and permit conditions. Inspections by the authorized inspectional departments may be made at other times to investigate complaints or suspected noncompliance issues. c. Inspections may include all areas occupied, used, or controlled by the Marijuana Establishment. Inspections shall be conducted in conformity with applicable federal, state, and local law. d. Each Marijuana Establishment permitted shall as a condition of its special permit file an annual report to the special permit granting authority, the Board of Health, the Building Commissioner, the Police Department, and the Town Clerk no later than January 31, providing a copy of all current applicable state licenses for the Marijuana Establishment and/or demonstrating continued compliance with 935 CMR 500.000 as well as the conditions of the special permit. (8). Abandonment or discontinuance of use. a. A special permit granted under this section shall have a term limited to the duration of the applicant's operation of the premises as a Marijuana Establishment. b. A Marijuana Establishment shall be required to remove all material, plants, equipment, and other paraphernalia: (i) If any required permit or license is revoked or suspended by the issuing authority; (ii) Prior to surrendering its state licenses or permits; or (iii) Within six months of ceasing operations; whichever comes first. Chapter 190 (Zoning Bylaws) of the Town of Wakefield Bylaws is hereby amended by the following new Article XX: **ARTICLE XX MARIJUANA ESTABLISHMENT OVERLAY DISTRICT** **1. Purpose.** It is the purpose of the Marijuana Establishment Overlay District (MEOD) to encourage the use of property within its boundaries for a Marijuana Establishment, as defined in Section 190-4. The MEOD is designed to strengthen the area's existing uses and infrastructure by permitting the development of a Marijuana Establishment, consistent. Among the objectives of the MEOD are: a. To facilitate development in the MEOD of a Marijuana Establishment together with uses accessory thereto; b. To stimulate the general economy of the Town by creating jobs and generating real estate and other tax revenue; c. To encourage the appropriate use of land. **2 Overlay District 2.1 Map.** The MEOD is an overlay district which encompasses land shown on Wakefield Assessors' Map, Lots 36W-017-008, 36W-010-012 & 36W-009-015 which land is shown on the map entitled "Exhibit to Accompany an Amendment to the Wakefield Zoning Ordinance - Marijuana Establishment Overlay District" dated January 31, 2024, incorporated herein by reference and hereby made a part of the Town's official zoning map. A copy of said map is on file with the Town Clerk's Office and the Planning Department. **2.2 Establishment.** The MEOD is an overlay district superimposed on the underlying zoning district and the land affected thereby. The underlying zoning shall remain in full force and effect. To the extent that any provision in this Section is in contradiction or conflicts with any other provision of this ordinance, the provisions of this Section shall control. **2.3 Applicability.** The Zoning Board of Appeals shall be the special permit granting authority for special permits granted pursuant to this Section. Notwithstanding anything to the contrary contained in this ordinance, in any instance where the ZBA has jurisdiction to issue a special permit for a Marijuana Establishment pursuant to this Section, it shall also be the sole special permit granting authority for all other special permits or any site plan required by this ordinance for such use and/or development. **2.4 Standard to be Applied.** Special Permits under this Article shall be granted under the standards of Article XVIII (Registered Marijuana Dispensaries) and XIX (Marijuana Establishments). **2.5 uses. 2.6 Uses Allowed by Right.** Uses allowed by right in the underlying zoning district shall be allowed by right in the MEOD. **2.7 Uses Authorized by Special Permit.** In addition to the uses permitted as of right or by special permit in the underlying zoning district(s), the following uses shall be permitted subject to the issuance of a special permit issued by the Zoning Board of Appeals (ZBA) (a) Marijuana Establishment and Registered Marijuana Dispensary, as defined in §190-4 of the Zoning Bylaws; and (b) The accessory uses authorized by the definition of "accessory use" in Section 190-4 (Definitions) of the Zoning Bylaws and other uses customarily accessory to a Marijuana Establishment or Registered Marijuana Dispensary whether or not specifically mentioned in the Zoning Bylaws. **2.8 Prohibited Uses.** Any use not specifically allowed by right or by special permit within the MEOD as provided in said Article XVIII (Registered Marijuana Dispensaries) or XIX (Marijuana Establishments) or in the underlying zoning district[s] is prohibited. **2.9 Dimensional Requirements. 2.10-Dimensional Table.** All buildings and structures permitted pursuant to the MEOD shall conform to the following dimensional requirements, which requirements shall be deemed to be a part of Article VII (Parking and Loading Requirements) under an MEOD designation: **2.11 Off-Street Parking and Loading Requirements. 2.12 Off-Street Parking Requirements.** The parking requirement for a Marijuana Establishment within the MEOD shall require a minimum of one space for every 300 square feet of publicly accessible retail area and one space for every 3 employees in the largest shift, with no additional parking required for any use determined by the ZBA to be accessory to a Marijuana Establishment, including but not necessarily limited to warehouse or inventory storage. If a proposed Marijuana Establishment within the MEOD does not conform with any parking provision in this ordinance, the special permit granting authority may authorize such nonconformance by the grant of a special permit under the standard set forth in Section 4.2.1. Without limiting the generality of the foregoing, the special permit granting authority may grant a special permit to authorize shared, valet and/or tandem parking, on and off-site, regardless of the distance of the off-site parcel from the principal use and to modify the design and layout standards of the Zoning Bylaws. In connection with any special permit application hereunder, the special permit granting authority may allow by special permit the use of a lot off-site to provide parking accessory to a Marijuana Establishment located within the MEOD, provided that such off-site lot is not located within a residential district, and a Marijuana Establishment use on such off-site lot is allowed as of right or by special permit. Such off-site lot(s) may be a shared lot, served by a valet and/or may have tandem parking if so authorized by the special permit granting authority. **2.13 Off-Street Loading Requirements.** The loading requirements for a Marijuana Establishment within the MEOD shall require a minimum of one loading bay. **2.14 Signs.** Article XIII of this ordinance shall govern signage in the MEOD. **2.15 Submissions. 2.16 Contents.** Any application for a special permit under the MEOD shall include a plan or plans with the information required by Article XVIII (Registered Marijuana Dispensaries) or XIX (Marijuana Establishments), any other special permits required pursuant to this ordinance, for which the ZBA is designated as the special permit granting authority, shall include the information required in this ordinance. Review of an application for a special permit shall comply with the procedural requirements of this ordinance as applicable to ZBA special permits, including the requirements of notice and a public hearing and deadline for the same and for the issuance of a decision thereon. **2.17 Relief by Special Permit.** In any instance where a Marijuana Establishment, including any uses determined by the ZBA to be accessory uses to a Marijuana Establishment, does not comply with any provisions of this Section, the ZBA is authorized to issue zoning relief for such non-compliance by the issuance of a special permit. In granting a request for a special permit, the ZBA may condition its grant on the provision of certain open space, or traffic or pedestrian improvements or other amenities. A copy of the map dated January 31, 2024 which is on file with, and available for inspection at the office of, the Town Clerk; or to see what the Town will do about it.

Citizen Petition

ARTICLE 20. To see if the Town will vote to amend Chapter 154 (Peace and Good Order) of the Town of Wakefield Bylaws, by deleting Section 154-9 (Marijuana establishments forbidden); or to see what the Town will do about it.

Citizen Petition

ARTICLE 21. To see if the Town will vote to adopt a General Bylaw: Use of Flagpoles on Town Property. 1. Application. This bylaw applies to all flagpoles that are, and from time to time may be, in use for the display of the American Flag on real property belonging to the Town of Wakefield (the “Town”). 2. American Flag. Except during inclement weather, the Flag of the United States shall regularly be flown during the daylight hours from at least one flagpole at each Town facility that has one or more flagpoles. It shall not be flown at night except when illuminated. It shall be flown at half-staff whenever ordered by the President of the United States, the Governor of the Commonwealth of Massachusetts, or the Town Administrator to honor the death of a public officer or Military Veteran. No flag or banner may be displayed above the flag of the United States, and no flag other than the POW-MIA flag shall be displayed below the American Flag, on any Town flagpole. The Flag of the United States shall be flown in accordance with all applicable laws, including 4 U.S.C. §§ 1-10. In the event of any inconsistency between such laws and this bylaw, such laws shall take precedence. 3. State Flag. Wherever a second flagpole of equal height is present the Commonwealth of Massachusetts flag shall be the only flag flown except for the Four-Star Army General flag flown to honor General John Galvin at the Galvin Middle School and the Marine Corp flag flown to honor Colonel James Landrigan at the Colonel James Landrigan field. 4. POW-MIA Flag. In accordance with Mass. Acts 1986, c. 399, § 1, the POW-MIA flag shall regularly be flown during the daylight hours from a flagpole on the grounds of at least one Town facility; or to see what the Town will do about it.

Citizen Petition

ARTICLE 22. To see if the Town will vote to direct the Town Administrator to send a letter on or before May 3, 2024 by certified mail, return receipt requested, to each member of Wakefield’s federal delegation (that is, the two US Senators from Massachusetts and the US Representative for Massachusetts’s 6th Congressional District) and to US President Joseph R. Biden stating that the Town urges them to use their positions and best efforts to immediately stop all transfers of arms, without exception, from the US to the State of Israel; and further, to immediately stop all scheduled and potential future transfers of funds from the US to the State of Israel including, but not limited to, all funding provided via the US’s Foreign Military Financing (FMF) program; and further, to immediately restore US funding to the United Nations Relief and

Works Agency for Palestine Refugees in the Near East (UNRWA) to the level in place prior to January 26, 2024, and to increase US funding to UNRWA to levels commensurate with the humanitarian needs in the Gaza Strip and all other places where UNRWA operates; or to see what the Town will do about it.

Citizen Petition

ARTICLE 23. To see if the Town will vote to direct the Town Administrator to send a letter by certified mail return receipt requested, to each member of Wakefield’s federal delegation (that is, the two US Senators from Massachusetts and the US Representative for Massachusetts 6th Congressional District) and to US President Joseph R. Biden stating that the Town urges them to use their positions and best efforts to immediately increase all transfers of arms from the US to the state of Israel; and further, to immediately increase transfers of funds from the US to the state of Israel including, but not limited to all funding provided via the US Foreign Military Financing Program; and further, to immediately stop US funding to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA); and to release all Israeli and international hostages including the eight (8) American hostages held in Gaza since October 7th, 2023; or to see what the Town will do about it.

Citizen Petition

And to transact such other business as may properly come before this meeting, and you are directed to serve this warrant by causing the same to be published in two issues of the Wakefield Daily Item, and by posting attested copies thereof at the official polling places and at the Police and Fire Stations in said Town, two consecutive Sundays, at least, the first time being not less than seven 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 eighth day of April, two thousand and twenty-four.

Jonathan P. Chines, Chair
Michael J. McLane, Vice-Chair
Mehreen N. Butt
Anne P. Danehy
Edward F. Dombroski, Jr.
Julie Smith-Galvin
Robert E. Vincent II
WAKEFIELD TOWN COUNCIL

A true copy attest:
Christian K. Lopes
Constable