

TOWN OF WILMINGTON, MASSACHUSETTS



WARRANT

ANNUAL TOWN MEETING AND ELECTION

TO: EITHER OF THE CONSTABLES OF THE TOWN OF WILMINGTON:

GREETINGS:

In the name of the Commonwealth of Massachusetts and in the manner prescribed in the By-laws of said Town, you are hereby directed to notify and warn the inhabitants of the Town qualified to vote in Town affairs to meet and assemble at the Boutwell School (Precincts 1 and 2), Wildwood School (Precincts 3 and 4) and the Town Hall Auditorium (Precincts 5 and 6), Saturday the twenty-third day of April, A.D. 2022 at 7:45 o'clock in the forenoon, the polls to be opened at 8:00 a.m. and shall be closed at 8:00 p.m. for the election of Town Officers:

ARTICLE 1. To bring in your votes on one ballot respectively for the following named offices to wit: Two Selectmen for the term of three years, three members of the School Committee for the term of three years, one member of the Regional Vocational Technical School Committee for the term of three years and one member of the Housing Authority for the term of five years.

You are also hereby further required and directed to notify and warn the said inhabitants of the Town of Wilmington who are qualified to vote on elections and Town affairs therein to assemble subsequently and meet in the Town Meeting at the Wilmington High School Joanne M. Benton Auditorium, Church Street, in said Town of Wilmington on Saturday the thirtieth day of April, A.D. 2022 at 9:00 a.m., then and there to act on the following articles:

ARTICLE 2. To hear reports of Committees and act thereon.

Board of Selectmen

ARTICLE 3. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute a sum of money for the purpose of paying unpaid bills of previous years; or take any other action related thereto.

Board of Selectmen

ARTICLE 4. To see if the Town will vote to authorize the Treasurer/Collector, with the approval of the Selectmen, to enter into an agreement, under the provisions of Chapter 44, Section 53F of the Massachusetts General Laws, with one or more banks doing business in the Commonwealth of Massachusetts during Fiscal Year 2023 for a term not to exceed three years, which will permit the Town of Wilmington to maintain funds on deposit with such institutions in return for said institutions providing banking services; or take any other action related thereto.

Board of Selectmen

ARTICLE 5. To see how much money the Town will appropriate for the expenses of the Town and the salaries of several Town Officers and Departments and determine how the same shall be raised, whether by taxation, transfer from available funds, or otherwise; or take any other action related thereto.

Board of Selectmen

ARTICLE 6. To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute a sum of money for the purchase and equipping of new and/or replacement capital equipment, including but not limited to the following items, including any incidental or related expenses, and further to authorize the sale, trade-in, conveyance or other disposition of any equipment being so replaced, such funds to be spent by the town department, so indicated, with the approval of the Town Manager and, to the extent set forth in Chapter 592 of the Acts of 1950, the Board of Selectmen, as follows:

Police Department

Purchase of three (3) replacement police cruisers.

Fire Department

Purchase of one (1) replacement ambulance.

Perform corrosion prevention of Tower 1 body and frame.

Department of Public Works

Purchase of one (1) heavy duty 10-wheel dump truck with plow to be assigned to the Highway Division.

Purchase of one (1) heavy duty dump truck with plow and sander to be assigned to the Highway Division.

Purchase of one (1) heavy duty one-ton utility body truck with plow to be assigned to the Parks and Grounds Division.

Public Buildings Department

Purchase of one (1) replacement Aerial Platform truck.

or take any other action related thereto.

Board of Selectmen

ARTICLE 7. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for a Dispatch Recorder for the Public Safety Dispatch Center, including any incidental or related expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 8. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the upgrade of critical radio communications infrastructure and equipment in the Public Safety Dispatch Center and related and ancillary facilities to be utilized by Dispatch, Fire and Police, including design and engineering costs and any incidental or related expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 9. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the installation of traffic control lights on Route 62 at the Public Safety Building, including design and engineering costs and any incidental or related expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 10. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the Information Technology Department to continue the replacement of a Voice Over Internet Protocol (VOIP) phone systems at all municipal buildings and the public safety building, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the construction of intersection signal improvements at Shawsheen Avenue/Hopkins Street/Lake Street, including design and engineering costs and any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement of the Frank Kelley Track surface at Alumni Stadium, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 13. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to resurface the teachers' parking lot at the Wilmington Middle School, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 14. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to comply with the Municipal Separate Storm Sewer Systems (MS4) requirement as part of the National Pollutant Discharge Elimination System (NPDES), including design and engineering costs and any other incidental and related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 15. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the demolition and removal of existing structure at 64 Wildwood Street, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 16. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the phased cemetery development, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 17. To see if the Town will vote to appropriate the sum of \$3,886.80, or such other amount as Town Meeting may approve from the Transportation Infrastructure Receipts Reserve Account for the purpose of Roadway Surface Crack Sealing, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 18. To see if the Town will vote to raise and appropriate or transfer from department receipts or user fees a sum of money to operate the Department of Public Works Sewer Division Enterprise; or take any other action related thereto.

Board of Selectmen

ARTICLE 19. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the relocation of an underground control panel at Main Street (Route 38) Sewer Pump Station, including design and engineering costs and any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 20. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement of approximately 24,000 square feet of roofing at the Shawsheen School, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 21. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the design phase to replace approximately 19,124 square feet of roofing at the West Intermediate School, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 22. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the design phase to replace two oil fired boilers with Variable Frequency Drives (VFDs) at the Woburn Street School, including any incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 23. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement of existing projectors with interactive projectors and classroom sound system at the Woburn Street School, including any incidental or related costs and expenses; or take any other action related thereto.

School Committee

ARTICLE 24. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement of existing projectors and classroom sound systems at the Wilmington High School with interactive projectors and replacement classroom sound systems, including any incidental or related costs and expenses; or take any other action related thereto.

School Committee

ARTICLE 25. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement and upgrade of Public Address (PA) systems at the Early Childhood Centers, Elementary and Intermediate Schools, including any incidental or related expenses; or take any other action related thereto.

School Committee

ARTICLE 26. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement of network switches at the six elementary schools, including any incidental or related costs and expenses; or take any other action related thereto.

School Committee

ARTICLE 27. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the replacement of the wireless networks at the six elementary schools, including any incidental or related costs and expenses; or take any other action related thereto.

School Committee

ARTICLE 28. To see if the Town will vote to appropriate from the PEG Access and Cable Related Special Revenue Fund a sum of money to be expended under the direction of the Board of Selectmen for PEG access services pursuant to the provisions of M.G.L Chapter 44, Section 53F3/4; or take any other action related thereto.

Board of Selectmen

ARTICLE 29. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to deposit in the Other Post Employment Liability Trust Fund established in accordance with M.G.L. Chapter 32B, Section 20; or take any other action related thereto.

Board of Selectmen

ARTICLE 30. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to deposit in the "Capital Stabilization Fund" as established by vote on Article 23 at the April 27, 1991 Annual Town Meeting; or take any other action related thereto.

Board of Selectmen

ARTICLE 31. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money to pay the Middlesex Retirement System in addition to the annual assessment; or take any other action related thereto.

Board of Selectmen

ARTICLE 32. To see what sum the Town will vote to transfer into various line items of the Fiscal Year 2022 budget from other line items of said budget and from other available funds; or take any other action related thereto.

Board of Selectmen

ARTICLE 33. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the funding of a Fourth of July celebration, or take any other action related thereto.

Board of Selectmen

ARTICLE 34. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the observance of Memorial Day and Veterans' Day; or take any other action related thereto.

Board of Selectmen

ARTICLE 35. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute the sum of \$750.00 each (a total of \$1,500) for the purpose of renewing under the authority of Section 9 of Chapter 40 of the General Laws as amended, the lease of:

- a. Veterans of Foreign Wars Clubhouse for the purpose of providing suitable headquarters for the Nee-Ellsworth Post 2458 of the Veterans of Foreign Wars of the United States;
- b. American Legion Clubhouse, Inc. for the purpose of providing suitable headquarters for the Wilmington Post 136 of the American Legion;

or take any other action related thereto.

Board of Selectmen

ARTICLE 36. To see if the Town will vote to determine the spending limits for revolving accounts established pursuant to Section 53E½ of Chapter 44 of the General Laws and Section 29 of Chapter 3 of the Town of Wilmington Inhabitant By-Laws for the fiscal year beginning July 1, 2022 and ending on June 30, 2023 as follows; or take any other action related thereto.

<u>Revolving Fund Account</u>	<u>Spending Authority Limit</u>	<u>Fiscal Year</u>
Compost Bin Revolving Fund	\$4,500	Fiscal Year 2023
Subsurface Sewage Disposal Upgrade Revolving Fund	\$200,000	Fiscal Year 2023

Board of Selectmen

ARTICLE 37. To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statute a sum of money for the acquisition of interests in land necessary to carry out the Lowell Street and Woburn Street road improvement project more or less depicted on the plan entitled: "Massachusetts Department of Transportation Highway Division Plan and Profile of Lowell Street (Route 129) & Woburn Street in the Town of Wilmington, Middlesex County, Preliminary Right of Way Plans," dated 5/31/2019, last rev. 8/6/2021, prepared by TEC, containing 16 sheets, as said plan may be amended, including all incidental or related costs and expenses; or take any other action related thereto.

Board of Selectmen

ARTICLE 38. To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, eminent domain or otherwise, and upon such terms and for such consideration as the Selectmen deem appropriate, permanent and temporary interests in lands abutting Lowell Street and Woburn Street in the locations more or less depicted on the plan entitled: "Massachusetts Department of Transportation Highway Division Plan and Profile of Lowell Street (Route 129) & Woburn Street in the Town of Wilmington, Middlesex County, Preliminary Right of Way Plans," dated 5/31/2019, last rev. 8/6/2021, prepared by TEC, containing 16 sheets (the "Plan"), as said Plan may be amended, a copy of which has been placed on file with the Town Clerk, for public way and public way construction purposes and otherwise for general municipal purposes sufficient to carry out the Lowell Street and Woburn Street road improvement project depicted on the Plan, which purposes shall include, without limitation, the construction of public sidewalks, curbing, sloping, drainage, installation and relocation of utilities, and other roadway improvements, and further to authorize the Board of Selectmen to apply for, accept, and expend any donations, mitigation payments, grants or loans in connection herewith, and to take such actions, enter into agreements, and execute such documents as are necessary to effectuate the purposes of this article; or take any action related thereto.

Board of Selectmen

ARTICLE 39. To see if the Town will vote to accept the alteration of the layout of Lowell Street, a public way in the Town, as ordered by the Board of Selectmen and more or less depicted as the addition to said layout of Parcel E-1 on the plan entitled: "Massachusetts Department of Transportation Highway Division Plan and Profile of Lowell Street (Route 129) & Woburn Street in the Town of Wilmington, Middlesex County, Preliminary Right of Way Plans," dated 5/31/2019, last rev. 8/6/2021, prepared by TEC, containing 16 sheets, as such plan may be amended or replaced, and as described in that Easement recorded with the Middlesex North District Registry of Deeds in Book 36151, Page 210, said alteration having been placed on file with the Town Clerk as required by law, and further to authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, and upon such terms and conditions and for such consideration as the Board of Selectmen deems appropriate, interests in the land included within the layout by such alteration sufficient to complete its acceptance; or take any other action related thereto.

Board of Selectmen

ARTICLE 40. To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 90, Section 20A allowing the Town Manager to designate or appoint a parking clerk, who may also perform other municipal functions except police functions, and who shall be directly responsible to the Town Manager and shall supervise and coordinate the processing of parking notices in the Town in accordance with the provisions of the statute; or take any other action related thereto.

Board of Selectmen

ARTICLE 41. To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 140, Section 139 which provides that no fee shall be charged for a license for dog owned by a person aged 70 years over in the Town; or take any other action related thereto.

Board of Selectmen

ARTICLE 42. To see if the Town will vote, pursuant to Chapter 3, Section 28 of the Inhabitant By-laws, to name the corner of Arlene Avenue and Salem Street as “Richard K. “Dick” Hayden Memorial Corner” in the memory and honor of Richard K. Hayden, who served his country honorably in United States Marines and volunteered for many years in the community including serving on the Finance Committee, the Friends of the Library and the Wilmington Education Foundation, and to have a sign installed to commemorate the same; or take any other action related thereto.

Board of Selectmen

ARTICLE 43. To see if the Town will vote, pursuant to Chapter 3, Section 28 of the Inhabitant By-laws, to name the Hathaway Acres Conservation Trail as the “Officer John “Jack” Maguire Memorial Trail” in the memory and honor of the late Woburn Police Officer and Wilmington resident John Maguire who was killed in the line of duty, and to have a sign installed to commemorate the same; or take any other action related thereto.

Board of Selectmen

ARTICLE 44. To see if the Town will vote amend the Inhabitant By-laws to renumber and recaption the Inhabitant By-laws by (a) assigning a chapter/article number to each of the Inhabitant By-laws; (b) renumbering each section of each by-law accordingly; (c) inserting chapter, article, section and subsection titles; and (d) updating internal references to reflect the new numbering system, all as set forth in the Final Draft of the Code of the Town of Wilmington, dated February 2022, on file with the Town Clerk, or take any other action relative thereto.

Board of Selectmen

ARTICLE 45. To see if the Town will vote to amend the Inhabitant By-laws to make clerical and substantive revisions fully set forth in the document entitled “Inhabitant By-laws General Revisions” and the Final Draft of the Code of the Town of Wilmington, dated February 2022 both as on file with the Town Clerk, or take any other action relative thereto.

Board of Selectmen

ARTICLE 46. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation to amend the provisions of Chapter 592 of the Acts of 1950, entitled “An Act Establishing a Town Manager Form of Government for the Town of Wilmington” by: (1) replacing the term “Board of Selectmen”, “Board of Selectman”, “Board” or “Selectmen,” appearing in any context where reference is made to the entire Board, with the term “Select Board”, (2) replacing any reference to individual members of the Board with, “Select Board member,” and, (3) replacing any reference to a “Chairman” with the word “Chair”; and further, to authorize the General Court to make clerical or editorial changes of form only to any bill so filed unless approved in advance by the Board of Selectmen, and to authorize the Board of Selectmen to approve such revisions as fall within the scope, intent and public purposes of this vote; or take any other action related thereto.

Board of Selectmen

ARTICLE 47. To see if the Town will to amend the Town’s Inhabitant By-laws by replacing, in each instance in which they appear: (1) the words “Board of Selectmen” , “Board of Selectman”, “Board”, or “Selectmen” , when such terms reference the entire Board, with the term “Select Board”; the term “Selectman” with “Select Board member” and (3) the term “Chairman” with the term “Chair; provided, however, that this by-law amendment shall take effect only after the special act as referenced in Article 46 of this warrant has been enacted; or take any other action related thereto.

Board of Selectmen

ARTICLE 48. To see if the Town will vote to amend the Zoning By-laws to rename the Board of Selectmen as the “Select Board” therein and, for such purposes, to replace the words “Board of Selectmen” or “Selectmen” with “Select Board” and “Selectman” with “Select Board Member”, and to authorize the Town Clerk to make non-substantive ministerial revisions to ensure that gender and number issues in related text is revised to properly reflect such change in title; provided, however, that this by-law amendment shall take effect only after the special act as referenced in Article 46 of this warrant has been enacted; or take any other action related thereto.

Board of Selectmen

ARTICLE 49. To see if the Town will vote to amend the Zoning Map of the Town of Wilmington by rezoning the following parcels to Neighborhood Mixed Use as follows, and as shown on a plan entitled, “Proposed North Wilmington Neighborhood Mixed Use District”, available for viewing in the Office of Planning and Conservation; or take any other action related thereto.

Rezone from General Industrial (GI) to Neighborhood Mixed Use (NM)

Map 79, Parcels: 29, 30, 31B, 31C, 31D, 31E, 31F, 31G;

Rezone from General Business (GB) to Neighborhood Mixed Use (NM)

Map 79, Parcels: 10, 11, 28

Map 88, Parcels: 13

Map 89, Parcels: 6A, 7, 8A, 10, 13A, 13B;

Rezone from General Business (GB) to Neighborhood Mixed Use (NM)

the portions of Map 89 Parcels 8 and 9 that are zoned General Business

Planning Board

ARTICLE 50. To see if the Town will vote to amend Section 6.4.4.1 of the Zoning By-laws by inserting the underlined language, and removing the strikethrough language, as follows, and to amend Section 6.4.4.2 of the Zoning By-laws by inserting a new Section 6.4.4.2.a, as follows, and renumber the remainder of Section 6.4.4.2 accordingly; or take any other action related thereto:

6.4.4 Site Design Standards

6.4.4.1 **General Regulations** - Site design and construction standards are intended to ensure that further consideration in all districts will be given to the natural resources and characteristics of a site, to its topographic and geologic conditions, to public convenience and safety and to the attractiveness of a proposed use on a site.

- a. Design and construction shall minimize, to the extent possible, the following features:
 - Encroachment within any wetland or flood plain;
 - Area over which existing vegetation is to be removed;
 - Earth removal and volume of cut and fill;
 - Grade changes that are not in character with the surrounding area;
 - Points of traffic conflict (both pedestrian and vehicular); and
 - Amount of impervious cover especially in aquifer areas.
- b. Design and construction shall maximize, to the maximum extent feasible, the following features:
 - Siting multi-family, commercial, and mixed-use structures so they relate to the street in a pedestrian fashion, creating a walkable, inviting, active streetscape with parking in the rear. Streetscapes should include bicycle amenities, shade trees, and wider sidewalks for pedestrian activity and outdoor seating;
 - Low impact development techniques employed to manage stormwater runoff;
 - Shade trees in parking areas to combat heat island effect;
 - Landscaping buffers abutting single-family residential areas;
 - Use of native plantings that are drought tolerant;
 - Connections to any existing trails or sidewalks to create a walkable network;

- Screening HVAC equipment from view;
- Maintenance of existing rates of runoff from the site;
- Preservation of the existing flood storage capacity of the site;
- Phased construction with detailed erosion control measures;
- Preservation and maintenance of existing site features, particularly existing vegetative cover; and vegetative cover; and
- On-going maintenance of the site's land and water resources.

6.4.4.2 Site Design and Construction Standards

a. Building and Site Design in the Central Business District and Neighborhood Mixed Use District

Development in the Central Business District and Neighborhood Mixed Use District should provide a mix of uses similar to a downtown or village center where storefronts are located on the ground floor to create an active pedestrian streetscape. The following design standards shall be met unless otherwise approved by the Planning Board through Site Plan Review:

- Site design shall focus on pedestrian experience and provide pedestrian connections and amenities within the front setback, including walkways, seating areas, benches, lighting, and landscaping.
- Parking and loading areas shall be hidden from view, located in the rear of the building. Parking areas shall include delineated pedestrian routes to the buildings.
- Streetscapes shall provide bicycle amenities, shade trees, and wider sidewalks for pedestrian activity and outdoor seating.
- Buildings shall be designed with architectural details and shall relate to the street in a pedestrian fashion, creating a walkable, inviting streetscape with active storefronts.

Planning Board

ARTICLE 51. To see if the Town will vote to amend Section 3.8.14 of the Zoning By-laws by inserting the underlined language as follows; or take any other action related thereto:

- 3.8.14 Pet Care Facilities in a General Business District, Highway Industrial District, Neighborhood Mixed Use District, or a General Industrial District shall be allowed only by Special Permit from the Planning Board, and further only upon Site Plan Approval by the Town of Wilmington Planning Board. Pet Care Facilities shall also be subject to the following minimum Special Permit criteria:

Use to be allowed in the General Business District, Highway Industrial District, Neighborhood Mixed Use District, or a General Industrial District only.

Pet Care Facilities shall have a minimum of 3,000 square feet of area, inclusive of all floors dedicated to any use allowed by this Section, and exclusive of any exterior area.

Such use shall be subject to any and all Rules and Regulations as may from time to time be promulgated by the Board of Health and further subject to the Approval of the Health Director.

Planning Board

ARTICLE 52. To see if the Town will vote to amend the Zoning By-law by deleting Section 6.4.2.5 in its entirety, and replacing it with a new Section 6.4.2.5 as follows; or take any other action related thereto:

6.4.2.5 Parking Lot Landscaping - All parking and loading facilities shall be suitably landscaped. Such landscaping shall be designed to minimize the impact of the parking area upon adjacent property and within the lot by the use of existing vegetation to the extent practicable, and new native, drought tolerant trees and shrubs, walls, fences or other landscape elements. Native shade trees shall be provided to combat heat island effect. In the case of parking facilities for more than 20 spaces, at least five percent of the area within the limits of the parking facilities, exclusive of the perimeter, shall be set aside for landscaped areas. Such areas shall be provided with a minimum width of ten feet. Interior landscaping may consist of vegetated low impact development methods to treat stormwater runoff (rain gardens, bioretention areas, etc.) if shade trees are also provided. Interior landscaping shall be reviewed and approved by the Planning Board under site plan review pursuant to Section 6.5.

Planning Board

ARTICLE 53. To see if the Town will vote to ban the use of polystyrene a food establishments and town facilities. This excludes food and goods purchased outside of Wilmington and packaging intended for meat. Food establishments and town facilities will be encouraged to use biodegradable, compostable, or reusable packaging.

Section 1. Purpose and Intent:

The purpose of this bylaw is to limit the use of polystyrene and its impact on the environment of Wilmington and the health of its citizens by using alternatives that are recyclable, reusable, or compostable.

Section 2. Definitions:

“Polystyrene” – The term means and includes blown polystyrene and expanded and extruded foams (sometimes called “Styrofoam,” a Dow Chemical Co. trademarked form of EPS insulation) also referred to as expanded polystyrene (EPS), which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene): and in this chapter is referenced as “Foam Polystyrene.” Foam Polystyrene is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons.

The term also means and includes clear or solid polystyrene which is also known as “oriented,” and referenced in this chapter as “Rigid Polystyrene.” “Rigid Polystyrene” is generally used to make clear clamshell containers, and clear or colored straws, lids, and utensils

“Food Establishments” – Any establishment whose purpose is to prepare and vend food and drink items

“Town Facilities” – Any building, structure, land or park operated by the town of Wilmington, its agents and departments.

“Biodegradable” – Materials that will completely degrade and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.

“Compostable” – Materials that will completely degrade into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner.

“Reusable” – Materials that will be used more than once in its same form by a business establishment. Reusable food service ware includes: tableware, flatware, food or beverage containers, packages or trays, such as but not limited to, soft drink bottles and milk containers that are designed to be returned to the distributor and customer that is provided take-out containers. Reusable also includes durable containers, packages, or trays used on-premises or returnable containers brought back to the food establishment.

"Recyclable" – Material that can be sorted, cleansed, and reconstituted using available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. "Recycling" does not include burning, incinerating, converting, or otherwise thoroughly destroying solid waste.

Section 3. Enforcement

Enforcement:

The Town of Wilmington Board of Health and its Director/Agent or their designee shall have the authority to administer and enforce this bylaw.

The following penalties shall apply:

First offense: Written warning, each day of violation after written notice, is a separate violation.

Second offense: \$100.00

Third Offense: \$300.00 and appearance in front of the Board of Health, any subsequent offenses: \$300.00 or take any other action related thereto.

As Petitioned for by Laura Tran and others

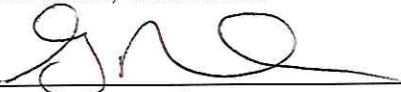
ARTICLE 54. To see if the Town will vote to authorize the selectmen to enter an agreement, the terms of which shall be determined by the selectmen, to sell, convey or otherwise dispose of all or part of the following described parcel: following a determination made by the Town Manager that the land is not needed for any municipal purpose, and in accordance with Chapter 3, Section 16 of the By-Laws of the Inhabitants of the Town of Wilmington Revised and other applicable law; the parcel being located on Pershing Street and described in the town of Wilmington Assessor records as Map 77, Parcel #77-26; or take any other action related thereto.

As Petitioned for by Ryan Donnell and others

Hereof fail not and make due return of this Warrant, or a certified copy thereof with your doings thereon to the Town Clerk as soon as may be and before said meeting, GIVEN OUR HAND AND SEAL OF SAID TOWN THIS 14TH day of March, A.D., Two Thousand Twenty-Two.




Lilia Maselli, Chairman



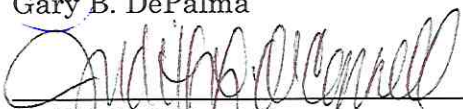
Gregory B. Bendel



Kevin A. Caira



Gary B. DePalma



Judith L. O'Connell