COMMONWEALTH OF MASSACHUSETTS

SPECIAL TOWN MEETING WARRANT

TOWN OF NORWOOD

Norfolk, ss.

To either of the constables in the Town of Norwood in said County, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Norwood, qualified as the law requires to vote in Town affairs, to meet in the Auditorium of the Norwood High School on Nichols Street in said Town on Monday, October 24, 2016, 7:30 o'clock in the afternoon to meet and act at said time and place on the following Articles:

ARTICLE 1. To see if the Town will vote, pursuant to M.G.L. c.40, §59, and M.G.L. c.23A, §3E and §3F, and any other enabling authority, to:

(a) approve a Tax Increment Financing Agreement among the Town and Moderna Therapeutics, Inc. and Campanelli-Trigate Norwood Upland, LLC for property located at 100 Tech Drive (the “TIF Agreement”), which TIF Agreement provides for real estate tax exemptions at the exemption rate schedule set forth therein and approve a Local Incentives Only Project submission to the Massachusetts Economic Assistance Coordinating Council (the “EACC”);

(b) authorize the Board of Selectmen to execute the TIF Agreement, and approve submission to the EACC of the TIF Agreement and the Local Incentive-Only Application, all relating to the project as described in the said documents, and any necessary documents relating thereto, and to take such other actions as are necessary or appropriate to obtain approval of the TIF Agreement and Local Incentive-Only Application, and related submissions, and to take such other actions as necessary or appropriate to implement those documents;

(c) or take any other action relative thereto.

ARTICLE 2. To see if the Town will vote to amend Article XVIII of the By-laws of the Town of Norwood, entitled “Council on Aging”, by deleting in its entirety the existing Section 1 and by substituting a new Section 1, as follows:

Section 1. There is hereby established a Council on Aging consisting of five (5) members appointed by the Board of Selectmen, for terms of two (2) years each. Any vacancy shall be filled by the Board of Selectmen, and the member so appointed shall serve for the remainder of the unexpired term of that member’s predecessor. Members of the Council on Aging on the effective date of this amendment shall continue in their positions until their current terms expire. All successive terms shall be for two (2) years each; or take any other action in the matter.
ARTICLE 3. To see if the Town will vote to Amend the Zoning By-Law, as required by the Town’s acceptance of the “Expedited Permitting Program” created by Massachusetts General Laws Chapter 43D, as follows:

Section 7.0 Special Regulations, to add the following new Subsection:

7.6 PRIORITY DEVELOPMENT SITES

7.6.1 Purpose

The purpose of this Section is to further expedite permitting in Priority Development Sites (PDS), as designated by Town Meeting pursuant to G.L. c. 43D. The properties included in the University Avenue Expedited Permitting District are identified in Table 7.6.1a. below.

Table 7.6.1a.

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In addition, this section of the Bylaw will provide mechanisms for the change of facilities after the issuance of a Special Permit and/or Site Plan Approval by the Planning Board or the Board of Appeals, if applicable.

7.6.2 Changes to Special Permits or Approved Site Plans

After the issuance of any Special Permit or Site Plan Approval for a project or land use in a Priority Development Site (PDS), as designated by Town Meeting pursuant to G.L. c. 43D and identified above in Table 7.6.1a; the following requirements shall apply. Any proposed change(s) to the plans for the project shall be deemed substantial or insubstantial by the original permit granting authority, Board of Appeals or Planning Board, upon written request by the applicant. The Board of Appeals shall make such determination by a majority vote at a public meeting. Insubstantial changes shall be allowed without the need for further hearing or approval.
1. **Insufficient Changes.** The following shall be presumed to constitute insubstantial modifications:
   - all underground changes;
   - any reduction in project size;
   - any change in the location of buildings, parking, retaining walls or drainage facilities, provided they do not move closer to a lot line;
   - any change in colors and/or style of materials used for exterior construction; and
   - The addition of non-habitable accessory structures for storage or other purposes that in a single structure do not exceed 2,000 square feet and, in the aggregate, do not exceed 5,000 square feet.

2. **Substantial Changes.** The following shall be presumed to constitute substantial modifications:
   - any change in the composition or number of uses on the site that results in an increase in traffic generation of more than 5% above the vehicle trips identified in the record documents;
   - any change in the location of buildings, roadways, parking areas and other accessory structures that decrease the setbacks from lot lines indicated on an approved Site Plan or in the record documents;
   - any increase in the number of parking spaces beyond the number(s) indicated on the approved Site Plan and the record documents;
   - any change that results in a net reduction of open space or lot coverage from that indicated on the approved Site Plan and in the record documents, with the exception of accessory structures defined as non-habitable above;
   - any change to the building(s) or grading that increases building height beyond that indicated on the approved Site Plan and in the record documents;
   - any changes to the building(s) that increases the total floor area of the project beyond that indicated on the approved Site Plan and in the record documents and
   - any change to the architectural character of the building(s), as indicated in the approved Site Plan and record documents.

Where a modification is deemed substantial, the same standards and procedures applicable to an original application for a Special Permit or Site Plan approval shall apply to said modification and a public hearing shall be required by the Board of Appeals or Planning Board where applicable.

**7.6.3 Change of Use**

After the issuance of any Special Permit or Site Plan approval for a project or land use in a Priority Development Site (PDS), as designated by Town Meeting pursuant to G.L. c. 43D and identified above in Table 7.6.1a; the following procedures shall govern a change of use therein:

1. **Change of Permitted Use to Another Permitted Use**
   - A use available as of right in the applicable zoning district may be changed to another use available as of right in said zoning district without modification of the Special Permit or approved Site Plan, provided that none of the thresholds in Section 7.6.2.2, above, are triggered. The Property owner shall notify the applicable Permit Granting Authority of any changes of use.
2. **Change of Permitted Use to Use Available by Special Permit**
A use available as of right in the applicable zoning district may be changed to another use available by Special Permit in said zoning district without modification of the Special Permit or approved Site Plan, provided that none of the thresholds in Section 7.6.2.2, above, are triggered. The Property owner shall notify the applicable Permit Granting Authority of any changes of use.

3. **Change of Use Authorized by Special Permit to Another Use Authorized by Special Permit**
A use authorized by Special Permit in the applicable zoning district may be changed to another use authorized by Special Permit in said zoning district without modification of the Special Permit or approved Site Plan, provided that none of the thresholds in Section 7.6.2.2, above, are triggered. The Property owner shall notify the applicable Permit Granting Authority of any changes of use.

Final action on application(s) relating to the use or development of Priority Development Site(s) (PDS), or the buildings and/or structures thereon, shall be taken within one hundred eighty (180) days, subject to extension as per G.L. c. 43D and 400 CMR 2.00, *et seq as amended*.

Amend Section 11. **Definitions** by inserting the properties listed in Table 7.6.1a, shown above, at the end of the definition of Priority Development Site(s).

Or take any other action in the matter.

**ARTICLE 4.** To see if the Town will vote to amend the Norwood Zoning Map by rezoning from General Residence (G) District to General Business (GB) District so much of the following parcels as are not already zoned as General Business (GB) District:

The land located at and known as 1237-1243 Washington Street, Norwood, Massachusetts, consisting of two parcels shown on Map 8, Sheet 1G of the Norwood Assessor's Maps as Lots 68 and 101.

Said parcels are the same premises as are described in a deed recorded in the Norfolk County Registry of Deeds at Book 33848, Page 12, and together have a total area of approximately 42,516 square feet, according to the records of the Norwood Assessor's Office; or take any other action in the matter.

(on request of Paul Eysie)

**ARTICLE 5.** To see if the Town will vote to authorize the Board of Selectmen to grant a utility easement to Lenox Village, LLC, its successors and assigns for the purpose of construction, installation, maintenance and repair on Town of Norwood property of an underground drainage system discharging into a detention basin. Said easement area is shown as “Drain Easement” on a plan entitled “Easement Plan of Land in Norwood, MA”, scale: 1” = 30’ dated September 14, 2016, prepared by Site Design Professionals, LLC, Civil Engineers, One Merchant Street – Suite 110, Sharon, MA 02067” a copy of which plan is on file in the office of the Norwood Town Clerk; and further, to determine what consideration shall be paid to the Town by the grantee for the grant of said easement; or take any other action in the matter.
ARTICLE 6. To see if the Town will vote to authorize the Board of Selectmen:

1. To acquire on behalf of the Town an easement over property located at 410 Vanderbilt Avenue, owned now or formerly by Marvin Gardens Realty Trust, for purposes of access from Vanderbilt Avenue to Norwood Light Department property shown on the plan described below as “Assessors Parcel 16-8-1, 2, 3 Lot A&B Plan Bk 422 No. 357 of 1994 Town of Norwood Bk 10545 Pg 498 (Ventrnor Realty Trust to Town of Norwood – 6/8/1994) and to Norwood Light Department transmission equipment, provided that the Town shall not pay any money to Marvin Gardens Realty Trust or the then current owner of the land on which said easement is located for acquisition of said easement. Said easement area is shown as “Proposed 20’ Wide Access Easement 4,927± s.f.” on a plan entitled “Access Easement Plan of Land 410 Vanderbilt Avenue, Norwood, Massachusetts”, scale 1” = 40’, dated September 26, 2016, prepared By: Norwood Engineering Company, Inc., Consulting Engineers, Land Surveyors, 1410 Route One, Norwood, MA 02062, a copy of which plan is on file in the office of the Norwood Town Clerk; and

2. to abandon an existing easement or such other interest that the Town may have over property owned now or formerly by Marvin Gardens Realty Trust, also for purposes of access from Vanderbilt Avenue to the aforesaid Norwood Light Department property. Said easement to be abandoned is shown as “Existing 20’ Wide Access Easement (To be Abandoned)” on the aforesaid plan entitled “Access Easement Plan of Land 410 Vanderbilt Avenue Norwood, Massachusetts” scale 1” = 40’ dated September 26, 2016, prepared by Norwood Engineering Company, Inc., Consulting Engineers, Land Surveyors, 1410 Route One, Norwood, MA 02062, a copy of which plan is on file in the office of the Norwood Town Clerk;

3. or take any other action in the matter.

ARTICLE 7. To see what sum of money the Town will vote to raise by taxation or transfer from Surplus Revenue or other available funds and appropriate for repairs to the Robert H. Ivatts Tennis Courts adjacent to the Coakley Middle School, or take any other action in the matter.

ARTICLE 8. To see if the Town will vote to transfer the sum of $109,877 from the Town of Norwood’s F.Y. 2017 Chapter 70 distribution or other available funds and appropriate for the Norwood School Department’s F.Y. 2017 budget appropriation, or take any other action in the matter.

ARTICLE 9. To see if the Town will vote to raise by taxation or transfer from Surplus Revenue or other available funds an amount not to exceed $300,000 for School Department out-of-district Special Education costs, or take any other action in the matter.

ARTICLE 10. To see what sum of money the Town will vote to raise by taxation or transfer from Surplus Revenue or other available funds and appropriate for Fire Department New Equipment, or take any other action in the matter.

ARTICLE 11. To see what sum of money the Town will vote to raise by taxation or transfer from Surplus Revenue or other available funds and appropriate for replacement of air conditioning equipment and related repairs at the Norwood Fire Department, or take any other action in the matter.

ARTICLE 12. To see what sum of money the Town will vote to raise by taxation or transfer from Surplus Revenue or other available funds and appropriate for payment of Unpaid Bills, or take any other action in the matter.
Any individual with a disability who needs accommodations related to accessibility/communications or other aspects of participation in Town Meeting or other related programs should contact:

John J. Carroll
General Manager
Town of Norwood
566 Washington St.
Norwood, MA 02062
(781-762-1240)

David Herr, Jr.
Town Meeting Moderator
Town of Norwood
566 Washington St.
Norwood, MA 02062
(781-762-1240)

THE TOWN OF NORWOOD DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY.

And you are directed to serve this warrant by posting attested copies thereof in ten public places in this Town fourteen days at least before the time and day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Selectmen on or before the day and time of said meeting.

Given under our hands at Norwood this fourth day of October A.D. 2016.

Allan D. Howard, Chairman

William J. Plasko

Helen Abdallah Donohue

Paul A. Bishop

Thomas F. Maloney
Selectmen of Norwood