

SPECIAL TOWN MEETING WARRANT
TOWN OF WAREHAM
JANUARY 13, 2025

*A True Copy of the est
Richard J. Collett,
Constable & Disinterested
Person 12/18/24*

WAREHAM HIGH SCHOOL
7 VIKING DRIVE
WAREHAM, MA

7:00 PM

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, §

TO THE CONSTABLES OF THE TOWN OF WAREHAM

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the legal voters of the Town qualified to vote in Town affairs to meet in the Wareham High School, 7 Viking Avenue, Wareham, MA on Monday, January 13, 2025 to act on the following articles:

ARTICLE 1 – AVAILABLE FUNDS TRANSFER FOR SOLAR EXPERTS

To see if the Town will vote to transfer the sum of \$100,000 from Certified Free Cash to fund solar experts to be used for litigation, or take any other action relative thereto.

Inserted by the Select Board

ARTICLE 2 - APPROVE FUNDING TO PURCHASE 80 MARION ROAD

To see if the Town will vote to transfer the sum of \$600,000 from Certified Free Cash to acquire for general municipal purposes a parcel of land consisting of the buildings thereon and 1.36 acres, more or less, shown at lots 1002A and 1002B on Sewer Betterment Plan number 48, however, that any such purchase shall be subject to a duly negotiated purchase and sale agreement, and further that the Select Board shall be authorized to execute any and all instruments necessary to effectuate such purchase and further, authorize the Town Administrator to make any and all expenditures necessary to effectuate said purchase, or take any other action relative thereto.

Inserted by the Select Board at the request of the Town Administrator

ARTICLE 3 – ACCESSORY DWELLING MORATORIUM

To see if the Town will vote to impose a moratorium in the Town Zoning Bylaws, [proposed section 860] from January 13, 2025 to January 13, 2026 on the permitting and building of non-affordable [non-deed-restricted] accessory dwelling units as contemplated under the “Affordable Homes Act of 2024” [Chapter 150, Section 8 of the Acts of 2024] for the purpose of study and to allow the Commonwealth time to promulgate final regulations and regulatory guidance, or take any other action relative thereto.

Inserted by the Select Board at the request of the Director of Planning and Community Development

ARTICLE 4 – LARGE SCALE GROUND-MOUNTED SOLAR INSTALLATIONS

To see if the Town will vote to amend the Zoning By-Law to allow Large-Scale Ground–Mounted Solar Photovoltaic Installations in the Business Development Overlay District as follows:

Amend **ARTICLE 3, Zoning Bylaws, Use Regulations, Table 320 “Table of Principle Use Regulations”** to read as printed below:

PRINCIPLE USE	R130	R60	R43	R30	MR30	WV1	WV2	OV1	OV2	CS	CG	CP	CR	MAR	INS	IND	WV1R
Large-Scale Ground-Mounted Solar Photovoltaic Installations	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

Amend section 451 of the Zoning By-Law to read as follows:

“The following uses shall require a Site Plan Review–Special Permit granted by the Planning Board:”
 And add a listing to read “10. Large-scale, ground-mounted solar photovoltaic installations.”,

or take any other action relative thereto.

Inserted by the Select Board at the request of the Director of Planning and Community Development

ARTICLE 5 – ACCESSORY DWELLING BYLAW

To see if the Town will vote to amend the Zoning By-Laws to allow Accessory Dwelling Units in accordance with the State’s Affordable Homes Act implementation:

1. Amend Table 330 to delete the Accessory Apartment row and add;
 - a. “Accessory Dwelling Units” and
 - b. “Accessory Dwelling Units – Multiple”

To read as follows:

Table 330 Table of Accessory Use Regulations

	R 130	R 60	R 43	R 30	MR 30	WV 1	WV 2	OV 1	OV 2	CS	CG	CP	CR	MAR	INS	IND	WV 1R
Accessory Dwelling Unit	SPR ZBA	SPR ZBA	SPR ZBA	SPR ZBA	SPR ZBA	SPR ZBA	SPR ZBA	SPR ZBA	SPR ZBA	SPR ZBA	N	N	N	SPR ZBA	SPR ZBA	N	SPR ZBA
Accessory Dwelling Units - Multiple	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	N	N	N	SPZ	SPZ	N	SPZ

And further to add in notes for the table "SPR ZBA – Site Plan Review by ZBA"

2. And further to delete the following text from Section 340.4: "Accessory Apartment - An accessory apartment is a second dwelling unit located within or attached to a structure originally designed, constructed, and occupied as a detached single-family dwelling unit in a manner that maintains the appearance of the structure as a detached single-family home."
3. And further to add the following text to Section 340.4 definitions: "Accessory Dwelling Unit – (see Article 850)"
4. And further to add a new Note 6 to Table 625 "Maximum gross floor area of an Accessory Dwelling Unit shall be 900 square feet or half the gross floor area of the primary dwelling unit, whichever is smaller."
5. And further to add A NEW Section 850 to the Zoning Bylaws to read as follows:

850 ACCESSORY DWELLING UNITS

851 PURPOSE

The purpose of the Accessory Dwelling Unit [ADU] bylaw is to broaden the range of housing choices in Wareham by increasing the number of small, affordable dwelling units, encourage a greater diversity of population, promote more economical and energy-efficient use of the Town's housing supply, and to maintain the appearance and character of the Town's single-family neighborhoods.

Article 852 DEFINITIONS

Accessory Dwelling Unit [ADU] a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that:

- (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress;
- (ii) is not larger in gross floor area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is smaller; and
- (iii) is subject to such additional restrictions as may be imposed by a municipality, including but not limited to additional size restrictions, owner-occupancy requirements and restrictions or prohibitions on short-term rental of accessory dwelling units.

Short-term rental an owner-occupied, tenant-occupied or non-owner occupied property, as defined in section 1 of MGL c. 64G, including, but not limited to: an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, lodging house or bed and breakfast establishment, where: (i) at least 1 room or unit is rented to an occupant or sub-occupant; and (ii) all accommodations

are reserved in advance; provided, however, that a private owner-occupied property shall be considered a single unit if leased or rented as such.

Bus Station. A location serving as a point of embarkation for any bus operated by a Transit Authority. For routes that allow flag stop locations where passengers may signal for a bus to stop at any point along its designated route, the entire route shall be considered a Bus Station.

Commuter Rail Station. Any commuter rail station operated by a Transit Authority with year-round service with trains departing at regular time intervals, rather than intermittent, seasonal, or event-based service.

853 REQUIREMENTS

1. Only one Accessory Dwelling Unit [ADU] shall be allowed per lot, as of right.
2. Both the principal dwelling and ADU may be rented. Rental periods shall be not less than six months and weekly/monthly rentals (so called "summer rentals") are prohibited. Neither the principal dwelling nor the accessory dwelling unit shall be used as commercial accommodations at any time and may not be used as a short-term rental unit. The exception shall be units rented to summer or seasonal employees as determined by the ZBA and included as part of the determination of proposed use as part of Site Plan Review.
3. The footprint of a new detached accessory dwelling unit cannot exceed that of the principal dwelling.
4. An existing dwelling in excess of four bedrooms may convert two of the existing bedrooms into one accessory unit.
5. The size of the accessory dwelling unit shall be limited to:
 - a. Fifty percent of the gross floor area of the principal structure or 900 square feet, whichever is smaller.
 - b. The total number of bedrooms on the lot may not exceed 4 bedrooms on a lot of less than 20,000 square feet. The maximum number of bedrooms for all units together may not exceed 4 bedrooms per 20,000 square feet of lot area, and may be less when on in-ground septic disposal.
6. There shall be one, off-street parking space per ADU except no additional off-street parking space will be necessary when the lot is within 0.5 miles to a Commuter Rail Station or Bus Station.
7. Maintain a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling, sufficient to meet the state building code requirements for safe egress.
8. The principal dwelling and Accessory Dwelling Unit shall have common utilities, including septic, electrical, and water service.

854 DESIGN STANDARDS

1. Design standards – Accessory Dwelling Unit, whether a part of new construction, reconstruction, alteration, or change to a single-family residence, or within an attached or detached accessory structure, shall maintain the following standards:
 - a. The dimensional standards of the underlying zoning district shall apply.
 - b. The architectural effect, as the result of the accessory apartment being constructed within or attached to the principal dwelling, shall be that of a single-family residence consistent in its exterior character.
 - c. The architectural effect, as the result of the accessory apartment being constructed as a detached accessory structure, shall be incidental to a single-family structure and in the same character of architecture as the primary residence.
2. Density and Dimensional regulations are otherwise determined by the underlying zoning district.

855 PROCEDURES

Prior to the issuance of a building permit for an Accessory Dwelling Unit, Site Plan Review shall be conducted by the Zoning Board of Appeals, taking into account the design standards, requirements and purposes of this Accessory Dwelling Unit bylaw. The application for site plan review shall include the information contained in the Rules and Regulations of the Zoning Board of Appeals, on file with the Town Clerk, or take other action relative thereto.

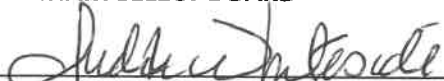
Inserted by the Select Board at the request of the Director of Planning and Community Development

You are hereby directed to serve this Warrant by posting attested copies thereof on or before December 20, 2024 in at least one public place in each precinct within the Town, and by publishing a copy of the Warrant by December 20, 2024.

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

Given under our hands this 17th day of December in the year 2024.

WAREHAM SELECT BOARD




Judith Whiteside, Chair



Jared S. Chadwick, Clerk

Ronald S. Besse



Sarah Corbitt



Sherry Quirk

A True Copy

ATTEST:

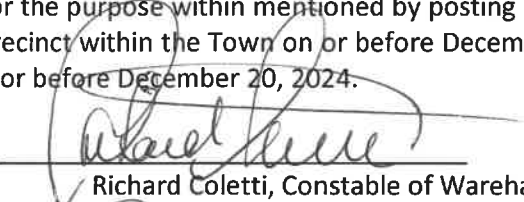
DATE: 12/18/24


Richard Coletti, Constable of Wareham

Plymouth, §

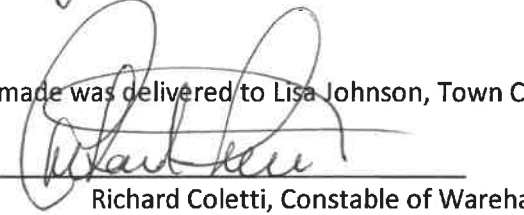
Pursuant to the within Warrant, I have notified the inhabitants of the Town of Wareham herein described, to meet at the time and place for the purpose within mentioned by posting attested copies thereof in at least one public place in each precinct within the Town on or before December 20, 2024 and by causing this Warrant to be published on or before December 20, 2024.

Date: 12/18/24


Richard Coletti, Constable of Wareham

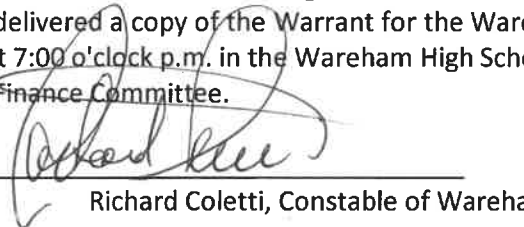
The original posting with return made was delivered to Lisa Johnson, Town Clerk.

Date: 12/18/24


Richard Coletti, Constable of Wareham

In accordance with the Wareham Charter, Article 2 - Legislative Branch - Section 2-4, Town Meeting Warrants, Item (e), I have hand delivered a copy of the Warrant for the Wareham Special Town Meeting to be held on January 13, 2025 at 7:00 o'clock p.m. in the Wareham High School Auditorium, to the Town Moderator and the Chair of the Finance Committee.

Date: 12/18/24


Richard Coletti, Constable of Wareham