

***To Whom It May Concern:***

The following is a certified copy of the proceedings of the Fall Annual Town Meeting held in Walpole, Massachusetts on October 19, 2009 at Walpole High School. All rules and regulations concerning the call of an Annual Town Meeting were fulfilled and a quorum was present. Moderator Jon W. Rockwood called the meeting to order at 7:45 p.m.

**ARTICLE 13: On Motion by the Finance Committee; It was Moved and Seconded:**

That the Town amend the Zoning Bylaw by correcting the following typographical/clerical or housekeeping errors in the following Sections of the Zoning Bylaw, such that after being corrected said Sections shall read as follows [words and/or punctuation to be removed are ~~crossed off~~, and words and/or punctuation to be inserted are in italics and underlined, in the following text]:

1. **TABLE OF CONTENTS, SECTION 5: USE REGULATIONS, Table 5-B-1. Use Table**, by removing the dash between “B” and “1” and inserting a period in its place, such that that section of the Table of Contents of the Zoning Bylaw will be changed to read as follows:
  - **Table 5-B-1. Use Table** to become **Table 5-B.1. Use Table**
  
2. **TABLE OF CONTENTS, SECTION 6: DIMENSIONAL REGULATIONS, Table 6-B-1. Table of Dimensional Regulations**, by removing the dash between “B” and “1” and inserting a period in its place, such that that section of the Table of Contents of the Zoning Bylaw will be changed to read as follows:
  - **Table 6-B-1. Table of Dimensional Regulations** to become **Table 6-B.1. Table of Dimensional Regulations**
  
3. **TABLE OF CONTENTS, SECTION 12: WATER RESOURCE PROTECTION OVERLAY DISTRICT, 4. Produces for Issuance of Special Permit**, by changing the word “**Produces**” to the word “**Procedures**”, such that that section of the Table of Contents of the Zoning Bylaw will be changed to read as follows:
  - **4. ~~Produces~~ Procedures for Issuance of Special Permit**

4. **SECTION 2: ADMINISTRATION, 7. Subdivision Phasing, B.**  
 Applicability, second paragraph, first sentence, by changing the number “15” to the number “14”, such that that sentence within the Zoning Bylaw will be changed to read as follows:
  - This section of the Zoning Bylaw shall apply to all developments as defined as “DEVELOPMENT” in Section ~~15~~ 14.
  
5. **SECTION 2: ADMINISTRATION, 7. Subdivision Phasing, C. Procedures,** first sentence/statement, by changing the number “15” to the number “14”, such that that sentence/statement within the Zoning Bylaw will be changed to read as follows:
  - The issuance of building permits for the construction of new single-family detached dwellings on lots within a development as defined as “DEVELOPMENT” under Section ~~15~~ 14 shall be in conformance with an approved development schedule as formulated under the procedures set forth hereunder.
  
6. **SECTION 5: USE REGULATIONS, 5-B. SCHEDULE OF USE REGULATIONS, Table 5-B.1 Use Table,** by inserting a period after the number “1”, such that that section of the Zoning Bylaw will be changed to read as follows:
  - **Table 5-B.1, Use Table**
  
7. **SECTION 6: DIMENSIONAL REGULATIONS, SECTION 6-B. SCHEDULE OF DIMENSIONAL REGULATIONS, EXPLANATORY NOTES TO SCHEDULE OF DIMENSIONAL REGULATIONS,** notes 2 and 9, by changing “6.C” to “6-C”, such that said notes within the Zoning Bylaw will be changed to read as follows:
  - 2. See applicable provisions in Section ~~6-C~~ 6-C.
  - 9. Other than for uses permitted under Subsection ~~6-C~~ 6-C, the frontyard setback is to be used for no purpose other than walks, drives, landscaping, flag poles, lights, signs, canopies for gasoline service stations and fences as permitted or required elsewhere in this Bylaw. Unless elsewhere provided, a minimum of six (6) feet of the setback adjacent to the street right-of-way line shall be landscaped and planted with trees and shrubs and in the Limited Manufacturing and Industrial District, a minimum of ten (10) feet of the setback shall be similarly landscaped, providing in both instances no planting shall be located as to restrict the visibility of vehicles leaving the districts by the exit driveways.
  
8. **SECTION 7: SIGN REGULATIONS, 3. General Requirements, C. COLOR.,** first word: Change “o” to “No”

9. **SECTION 9: NON-CONFORMING SITUATIONS, 3. Nonconforming Uses, A.**, first sentence, by removing the word “Zoning”, capitalizing the word “appeals”, and removing the comma at the end of said sentence such that that sentence within the Zoning Bylaw will be changed to read as follows:
- A nonconforming use may be continued to the same degree and for the same purpose but may be altered, expanded or extended only with a special permit from the ~~Zoning~~ Board of ~~a~~Appeals in accordance with the provisions of § 2.2, provided further that the Board finds such alteration, expansion or extension will not be substantially more detrimental to the neighborhood than the existing nonconforming use.
10. **SECTION 9: NON-CONFORMING SITUATIONS, 4. Nonconforming Buildings, A. *One-family or two-family dwelling.***, second sentence, by removing the word “Zoning” within said sentence such that that sentence within the Zoning Bylaw will be changed to read as follows:
- Any other change, extension, or alteration of an existing nonconforming one-family or two-family dwelling may be permitted provided the ~~Zoning~~ Board of Appeals grants a special permit including a determination that such enlargement or extension will not increase the nonconforming nature of the structure, or that such enlargement or extension will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.
11. **SECTION 9: NON-CONFORMING SITUATIONS, 4. Nonconforming Buildings, C.**, by removing the word “Zoning” within said sentence such that that sentence within the Zoning Bylaw will be changed to read as follows:
- An existing nonconforming building, other than a one-family or two-family dwelling, which is nonconforming with respect to another requirement of Section 6.B., other than a minimum yard setback, may be enlarged or extended with a special permit from the ~~Zoning~~ Board of Appeals in accordance with the provisions of § 2.2 of this Bylaw, provided that the Board of Appeals finds that such enlargement or extension will not be substantially more detrimental to the neighborhood than the existing nonconforming building.
12. **SECTION 9: NON-CONFORMING SITUATIONS, 5. Nonconforming Lots, B.**, second sentence, by removing “4-B” and replacing 4-B with “9.4.A” within said sentence, such that that sentence within the Zoning Bylaw will be changed to read as follows:
- In all other cases, the change, extension, or alteration of a building on a nonconforming lot shall require a special permit under Section ~~4-B~~ 9.4.A.

13. **SECTION 10: SPECIAL CONDITIONS, 10-C. AGE QUALIFIED VILLAGE (AQV), 2. Special Permit Required, B. Density Calculations, (3),** first sentence/statement, by capitalizing the word “households” at the beginning of said sentence/statement such that that sentence/statement within the Zoning Bylaw will be changed to read as follows:

- ~~H~~households that earn less than 80% of the median income for the Boston Metropolitan Statistical Area (MSA).

14. **SECTION 10: SPECIAL CONDITIONS, 10-F. WIRELESS COMMUNICATIONS, 3. Location of facilities, C.,** second sentence/statement, **SECTION 10: SPECIAL CONDITIONS, 10-F. WIRELESS COMMUNICATIONS, 3. Location of facilities, C.(2),** second sentence/statement, and **SECTION 10: SPECIAL CONDITIONS, 10-F. WIRELESS COMMUNICATIONS, 4. Dimensional, screening and other site development requirements, E.,** fourth sentence/statement, by changing “E” to “F” within said sentences/statements such that those sentences/statements within the Zoning Bylaw will be changed to read as follows, consecutively in the order referenced above:

- A wireless communication facility may be installed in the locations indicated in Sections 10-~~E~~F.3.C (1) and (2) provided all prescribed conditions are met and the SPGA grants a special permit.
- A wireless communication facility may be installed on a lot in a B, CBD, HB, LM, or IND district provided the wireless communication facility is camouflaged and does not exceed the height controls under Section 10-~~E~~F.4.E, below.
- Erection of a new tower that exceeds the height restrictions listed in Section 6.B is not permitted unless the applicant demonstrates in the special permit process that adequate coverage within the Town of Walpole cannot be met for the locations permitted under Section 10-~~E~~F.3.

15. **SECTION 14: DEFINITIONS, 2. Selected Words and Terms, EARTH REMOVAL,** by changing the word “principle” to the word “principal” within said definition, such that that definition within the Zoning Bylaw will be changed to read as follows:

- EARTH REMOVAL — Earth removal as a primary or ~~principle~~ *principal* use is defined as a quarry, sand or gravel pit, or other commercial operations for the extraction and/or processing of earth products, including the processing of materials imported from other premises.

*2/3 Vote Required: Motion Was: So Voted Unanimous*

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*Ronald A. Fucile, Town Clerk  
A True Copy Attest*

