WARRANT
ANNUAL TOWN MEETING
TOWN OF DRACUT
NOVEMBER 2, 2015

TO: ANY CONSTABLE IN THE TOWN OF DRACUT

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in elections and in Town affairs to meet at the Lester G. Richardson Center for the Performing Arts, Dracut High School, 1540 Lakeview Avenue, on Monday, November 2, 2015 at 7:30 P.M., then and there to act on the following articles:

ARTICLE #1:

To see if the Town will vote to waive the reading of the Town Meeting Articles as printed in the warrant; or act in any other way relative thereto.

Submitted by Kathleen M. Graham, Town Clerk
Recommendations:

ARTICLE #2:

To see if the Town will vote to hear the report of the Town Accountant, the Board of Selectmen, and any other committee having a direction from previous Town Meetings; or act in any other way relative thereto.

Submitted by Kathleen M. Graham, Town Clerk
Recommendations:

ARTICLE #2-1:

To see if the Town will vote to hear the report on Article #30 of the June 1, 2015 Town Meeting.

ARTICLE #30 – June 1, 2015 Town Meeting:

Unanimously, the Town voted to accept the provisions of M.G.L. C40, Section 3, which authorizes the Dracut School Committee to retain in a revolving account at the end of the fiscal year any balance on 70% of original rental receipts received from a lease of any school building not in actual use and surplus space in a school building in actual use, said balance to be used by the Committee for upkeep and maintenance (excluding salaries)of any facility under the control of the School Committee of any facility under the control of the School Committee.

Submitted by Betsy L. Murphy, Dracut School Committee

Vote for Reconsideration of Article #30 (after Article #32). At 10:39 PM a motion was made from the floor by the original maker of the motion to reconsider the vote on Article #30.

By 2/3 Majority Voice Vote, (clearly heard and so called by the Moderator), the Town voted to reconsider Article #30.

Submitted by Betsy L. Murphy, Dracut School Committee

By Standing vote, (Yes -205, No – 169 the Town voted to refer Article #30 to the November 2015 Town Meeting.

Submitted by James A. Duggan, Town Manager

ARTICLE #9:

To see if the Town will vote to amend Dracut Town Bylaws, Chapter 14, Sewer Use Regulations, by striking from Article 12, Sewer User Fee subsections 2 & 3, the amount of Seven Thousand, Five Hundred Dollars ($7,500) and in its place inserting Three Thousand, Five Hundred Dollars ($3,500); or act in any other way relative thereto.

Submitted by James A. Duggan, Town Manager
Recommendations:

ARTICLE #10:

To see if the Town will vote to revoke and rescind Sections 2.11.21 & 2.11.21.2 of the Dracut Zoning Bylaws "Temporary Moratorium on Medical Marijuana Treatment Centers", which was originally approved at the June 3, 2013 Town Meeting with the provisions that the Moratorium would expire July 1, 2014; or act in any other way relative thereto.

Submitted by James A. Duggan, Town Manager
Recommendations:

ARTICLE #11:

To see if the Town will vote to rezone properties located at 2197 Lakeview Avenue, (assessor's map 31 Lot 29), containing 39,100 square feet, more or less, from Residential 1 to Business 3. The property being rezoned is approximately described as follows:

Beginning at a point Southeasterly by said Lakeview Avenue, 64.50 feet; Easterly by land formerly of Grace E. Canney, by a stone wall, 248 feet; Northeasterly by land formerly of one Varnum, by a stone wall, 77 feet; Northwesterly by land, now or formerly of Albert W. Sims, et ux, 262 feet; and Southwesterly by the parcel of land conveyed by me to Leonard L. Lindsay, et ux, by deed dated November 1,1963, and recorded with Middlesex North District Registry of Deeds, Book 1624, Page 486, be said contents and any or all of said measurements more or less and however otherwise said premises may be measured, bounded or described, and being the southeasterly portion of the premises shown on a plan of land entitled, "Plan of Land in Dracut, surveyed Oct. 21,

1912, Willie D. Brown," by O. F. Osgood, which plan is recorded with said Registry of Deeds. Plan Book 30, Plan 31. Subject to any and all rights, easements and restrictions of record, if any there may be, insofar as the same are now in force and effect.

Being the same premises described in a deed from the Town of Dracut to Dracut Housing Authority, dated August 22, 2005, recorded in Middlesex North District Registry of Deeds, Book 19396, Page 213; or act in any other way relative thereto.

Submitted by: James A. Duggan, Town Manager
Recommendations:

ARTICLE #12:

To see if the Town will vote to rezone properties located at 2189 Lakeview Avenue (assessor's map 31 Lot 37) containing 19,693 square feet, more or less, from Residential 1 to Business 3. The property being rezoned is approximately described as follows: Beginning at the southwesterly corner of the premises on the northerly side of said Lakeview Avenue at a stone wall at land formerly of one Hills, now supposed one Ferron, and thence running northeasterly by the " wall and said last named land, Two

ARTICLE 14 (cont'd):

Parcel One:

Beginning at a point in the centerline of Methuen Street on the Dracut – Methuen Town line, being the northeasterly corner of the within described zone, thence;

Southwesterly by the centerline of Methuen Street a distance of 3643 feet more or less, thence;

Southeasterly a distance of 1498.00 feet more or less, thence;
Northeasterly a distance of 460.00 feet more or less thence;
Southeasterly a distance of 1135.76 feet more or less, the previous 3 courses as shown on Middlesex North District Registry of Deeds, Plan Book 70, Plan 67, thence;
Southeasterly a distance of 243 feet more or less, to Zone B-3, being a point 500' west of the bank of the Merrimack River thence;
Northeasterly a distance of 3167 feet more or less along Zone B-3, being 500' west of the bank of the Merrimack River to the Dracut-Methuen Town line a distance of 990 feet more or less, to the Point of Beginning at the centerline of Methuen Street.

Meaning and intending to describe Lots 33 and 34, and a portion of Lots 35, 35-1, and 72, Map 55 as shown on Middlesex North District Registry of Deeds, Plan Book 216, Plan 111, Plan Book 208, Plan 103, and Plan Book 70, Plan 67.

Parcel Two:

Beginning at a point in the centerline of Methuen Street on the Dracut – Methuen town line, being the southeasterly corner of the within described tract, thence;

N 10° 47' 25"W along said Dracut – Methuen town line a distance of 3275 feet more or less, to a point, thence;
S 52° 54' 01" W a distance of 156.63 feet more or less, thence;
S 56° 08' 14" W a distance of 72.58 feet more or less, thence;
S 87° 28' 43" W a distance of 31.84 feet more or less, thence;
S 87° 50' 51" W a distance of 410.06 feet more or less, the previous 4 courses as shown on Middlesex North District Registry of Deeds, Plan Book 201, Plan 94, thence;
Southwesterly 504.50 feet more or less to a point, thence;
Southwesterly a distance of 1407.77 feet more or less, the previous 2 courses as shown on Middlesex North District Registry of Deeds, Plan Book 161, Plan 136, thence;
S 12° 07' 30" E a distance of 112.20 feet more or less, as shown on Middlesex North District Registry of Deeds, Plan Book 201, Plan 94 thence;
S 71° 48' 30" W a distance of 47.10 feet more or less, thence
N 68° 12' 29" W a distance of 227.00 feet more or less, thence;
N 57° 13' 19" W a distance of 91.00 feet more or less, thence;
N 47° 14' 49" W a distance of 135.00 feet more or less; thence;
N 47° 37' 49" W a distance of 75.00 feet more or less, thence;
N 54° 52' 49" W a distance of 40.00 feet more or less, thence;
N 71° 37' 49" W a distance of 77.00 feet more or less, thence;
N 82° 52' 49" W a distance of 97.00 feet more or less, thence;
N 84° 37' 49" W a distance of 64.50 feet more or less; thence;
N 86° 07' 49" W a distance of 81.00 feet more or less, thence;
N 88° 52' 49" W a distance of 119.00 feet more or less, thence;
N 66° 22' 49" W a distance of 86.00 feet more or less, thence;
N 61° 07' 49" W a distance of 78.00 feet more or less, thence;
N 67° 22' 49" W a distance of 49.00 feet more or less, thence;
S 70° 47' 47" W a distance of 677.88 feet more or less, thence;
S 64° 15' 43" W a distance of 151.74 feet more or less, thence;
S 44° 38' 37" E a distance of 987.04 feet more or less, thence;
S 60° 48' 58" W a distance of 377.36 feet more or less, thence;
S 60° 49' 44" W a distance of 277.62 feet more or less, thence;
S 60° 25' 06" W a distance of 606.02 feet more or less, thence;

ARTICLE #16 (cont'd):

Sections 31- 33 that includes language allowing the leasing of land for agricultural purposes, and that the Board of Selectmen be authorized to take any action necessary to carry out this project; or act in any other way relative thereto.

Submitted by Helen Dunlap, Chairperson, Community Preservation Committee, by vote of a majority of committee.
Recommendations:

ARTICLE #17:

To see if the Town will vote to authorize the Board of Selectmen to submit a Home Rule Petition to the State Legislature to **amend Section 7 of the Acts of 2010, Chapter 48, An Act Authorizing the Appointment of Special Police Officers in the Town of Dracut. Approved, March 18, 2010.**

EXISTING LANGUAGE:

Section 1

The Town Manager of the Town of Dracut may appoint at the recommendation of the Police Chief and as he deems necessary, retired Dracut Police Officers as Special Police Officers for the purpose of performing police details or any other duties arising there from or during the course of Police detail work, whether or not related to detail work; provided, however that the Officers shall have been regular Dracut Police Officers and retired based on superannuation. The Special Police Officers shall be subject to the same maximum age restriction as applied to regular Police Officers under Chapter 32 of the General Laws. Prior to appointment under this Act, a retired Police Officer shall pass a medical examination conducted by a physician or other certified professional chosen by the Town to determine whether he or she is capable of performing the essential duties of a Special Police Officer and the cost thereof shall be borne by the Special Police Officer.

Section 2

Special Police Officers appointed under this act shall not be subject to Chapter 31 of the General Laws or to Section 99A of Chapter 41 of the General Laws.

Section 3

Special Police Officers shall, when performing duties under Section 1, have the same power to make arrests and perform other functions as do regular Police Officers of the Town of Dracut.

Section 4

A Special Police Officer shall be appointed for an indefinite term, subject to removal by the Town Manager at any time with 14 days written notice. Upon request, the Town Manager shall provide the reasons for removal in writing.

Section 5

Special Police Officers shall also be subject to the rules and regulations, policies and procedures and requirements of the Town Manager and the Chief of Police of the Town of Dracut, including restrictions on the type of detail assignments, requirements regarding medical examinations to determine continuing capability to perform the duties of a Special Police Officer, requirements for training, requirements for firearms licensing and qualifications and requirements regarding uniforms and equipment. Special Police Officers shall not be subject to Section 96B of Chapter 41 of the General Laws. The cost of all training, uniforms, and equipment shall be borne by the Special Police Officer.

ARTICLE #17 (cont'd):

when a Police Officer reaches the age of **68**. In the event the age limitation applicable to regular Police Officers serving a Town is increased from the current **68** years of age, the termination of benefits under said Section111F of said Chapter 41, as provided herein to Special Police Officers, shall terminate at such higher age limit but shall not extend beyond the age of 70 for any Special Police Officer. Special Police Officers appointed under this act shall not be subject to Section 85H of said Chapter 32 nor shall they be eligible for any benefits pursuant thereto.

Submitted by James A. Duggan, Town Manager
Recommendations:

ARTICLE #18:

To see if the Town will vote to accept a portion of Clement Road and a portion of G Street, described as follows:

Two certain parcels of land known as (1) Clement road and (2) a portion of G Street as laid out in the town of Dracut, Middlesex County, Massachusetts as now shown on a plan of land entitled "Acceptance Plan of Land", Great Woods Subdivision, Dracut Massachusetts, Clement Road & G Street"' prepared for PAV Properties, LLC, prepared by Village Surveying, dated July 8, 2015, more particularly described as follows:

Clement Road:

Beginning at a stone bound on the westerly side of Mammoth Road at the end of a stone wall; thence

Along a curve to the right having a radius of 30.00 feet, a distance of 52.51 feet to a stone bound; thence

South 85° 41' 46" West, a distance of 296.66 feet to a stone bound; thence

Along a curve to the right having a radius of 200.00 feet, a distance of 86.77 feet to a stone bound; thence

North 69° 26' 47" West, a distance 198.57 feet to a stone bound; thence

Along a curve to the left of having a radius of 150.00 feet a distance of 56.51 feet to a stone bound; thence

South 88° 58' 09" West, a distance of 244.15 feet to a point; thence

Along a curve to the left having a radius of 150.00 feet, a distance of 963.63 feet to a stone bound; thence

South 52° 03' 31" West, a distance of 429.25 feet to a stone bound; thence

Along a curve to the right having a radius of 100.00 feet, a distance of 110.32feet to a stone bound; thence

Orth 64° 43' 59" West, a distance of 770.62 feet to a stone bound; thence

North 64° 43' 59" West a distance of 110.07 feet to a stone bound; thence

North 64° 43' 59" West, a distance of 45.60 feet to a stone bound; thence

Along a curve to the right having a radius of 150.00 feet, a distance of 68.08 feet to a stone bound; thence

North 38° 43' 46" West, a distance of 19.24 feet to a point; thence

South 51° 16' 14" West, a distance of 50.00 feet to a stone bound; thence

South 38° 43' 46" East, a distance of 65.42 feet to a point; thence

South 64° 43' 59" East, a distance of 34.88 feet to a stone bound; thence

South 64° 43' 59" East, distance of 937.60 feet to a point; thence

Along a curve to the left having a radius of 150.00, a distance of 165.48 feet to a stone bound; thence

North 52° 03' 31" East, a distance of 429.25 feet to a stone bound; thence

Along a curve to the right having a radius of 100.0 feet, a distance of 64.42 feet to a stone bound; thence

North 88° 58' 09" East, a distance of 244.15 feet to a stone bound; thence

Along a curve to the right having a radius of 100.00 feet, a distance of 37.67 feet To a stone bound; thence

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NOVEMBER 2, 2015

October 14th, 2015, I have this date posted up attested copies of the above Warrant at the following places as designated in the By-Law of the Town.

Precincts 1 & 6A - Senior Center, 951 Mammoth Rd.
Precincts 2 & 6 - Richardson Junior High School, 1570 Lakeview Ave.
Precincts 3 & 8 - Moses Greeley Parker Library, 28 Arlington St.
Precincts 4 & 7 - Campbell School, 1021 Methuen St.
Precincts 5 & 9 - Richardson Junior High School, 1570 Lakeview Ave.

Also, at Town Hall, inside and outside.

A TRUE COPY ATTEST: Kathleen M Graham
Kathleen M. Graham, Town Clerk
Town of Dracut