

Town of *Dracut*

MASSACHUSETTS

**2022 Fall Annual
Town Meeting
VOTE**

November 7, 2022

**ANNUAL FALL TOWN MEETING VOTE
TOWN OF DRACUT
November 7, 2022**

The Annual Fall Town Meeting for the Town of Dracut was held on Monday, November 7, 2022 at the Lester G. Richardson Center for the Performing Arts, Dracut High School, 1540 Lakeview Avenue, Dracut, Massachusetts.

The Meeting was called to order at 7:04 PM with a quorum certified by the Town Clerk.

The Pledge of Allegiance was recited.

A moment of silence was observed for all past employees and retirees of the Town of Dracut since the June 6, 2022 Annual Meeting and for all of our military who have made the ultimate sacrifice for our country.

**ARTICLE #1
READING OF TOWN MEETING ARTICLES**

Unanimously, the Town voted to waive the reading of the Town Meeting Articles as printed in the warrant.

Submitted by: Jayne Boissonneault, Town Clerk
Recommendations: Approval Recommended Selectmen

**ARTICLE #2
READING OF REPORTS**

Unanimously, the Town voted to hear the report of the Town Accountant, the Board of Selectmen, and any other committee having a direction from previous Town Meetings.

Submitted by: Jayne Boissonneault, Town Clerk
Recommendations: Approval Recommended Selectmen

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ARTICLE #3
FY2023 OPERATING BUDGETS

Unanimously, the Town voted to amend the sums appropriated under Article Five (5) of the 2022 June Annual Town Meeting, to make appropriations for expenditures in the fiscal year beginning July 1, 2022, and to determine whether such appropriations shall be raised in the tax levy, transferred from available funds, or by any combination of these methods:

School Department:

School Department Operations	\$ 36,330,000
Transportation	2,900,000

Greater Lowell Regional Technical High School

Education Assessment	\$ 4,911,236
Transportation	292,157

Essex North Shore Agricultural & Tech High School

Assessment	\$ 35,000
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Town Manager's Budgets

Salaries, Wages and Expenses	\$ 46,303,840
Transfer to Stabilization Fund	500,000
Transfer to Stormwater Enterprise Fund	266,779

Total Expenditures & Transfers	\$ 91,539,012
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To meet said appropriation the Town shall:

Raise through Taxes and other General Fund Revenues:	\$ 90,219,331
Transfer from Sewer Enterprise Fund	561,000
Transfer from Water Enterprise Fund	163,000
Transfer from Town Hall Reserve	86,756
Transfer from Wetland Protection Fund/Performance Bonds	8,925
Transfer from Free Cash	500,000
Total Revenues & Transfers	\$ 91,539,012

Submitted by: Ann Vandal, Town Manager
 Recommendations: Approval Recommended Finance Committee

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ARTICLE #4
FY2023 WATER ENTERPRISE BUDGET

Unanimously, the Town voted to amend the sums appropriated under Article Seven (7) of the 2022 June Annual Town Meeting, to raise and appropriate or transfer from available funds including retained earnings the sum of \$1,728,977 or any other sum to operate the Kenwood Water Department for fiscal year beginning July 1, 2022.

Direct Cost	
Salaries	\$ 64,477
Expenses	1,501,500
Total Direct Cost	<u>\$ 1,565,977</u>
Indirect Cost	
Departmental Expenses	\$ 129,482
Insurance & Benefits	33,518
Total Indirect Cost	<u>\$ 163,000</u>
Total Expenditures	<u>\$ 1,728,977</u>
Revenues	
Water Revenues	\$ 1,668,977
Water Retained Earnings	60,000
Total Revenues	<u>\$ 1,728,977</u>

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended Finance Committee

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ARTICLE #5
FY2023 PEG ACCESS ENTERPRISE BUDGET

Unanimously, the Town voted to amend the sums appropriated under Article Ten (10) of the 2022 June Annual Town Meeting, raise and appropriate or transfer from available funds including retained earnings the sum \$50,000 for Capital Improvements to operate the PEG Access Enterprise Fund for fiscal year beginning July 1, 2022.

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended Selectmen
Approval Recommended Finance Committee

ARTICLE #6
FY2023 CAPITAL PLAN PROJECTS
ROAD RESURFACING/HARDSCAPE IMPROVEMENTS

Unanimously, the Town voted to amend the language under Article Fifteen (15) of the 2022 June Annual Town Meeting, for Road Resurfacing (\$500,000 from Free Cash), to include Hardscape Improvements.

Submitted by: Victor Garofalo, Assistant Town Manager, Finance Director
Recommendations: Approval Recommended Finance Committee

ARTICLE #7
SEWER PIPE LINING AND FLOW REDUCTION

Unanimously, the Town voted to amend the language under Article Sixteen (16) of the 2022 June Annual Town Meeting, for phases two (2) – six (6) for the relining for the Sewer Pipes (\$5,000,000), to include sewer flow reduction and improvements.

Submitted by: Victor Garofalo, Assistant Town Manager, Finance Director
Recommendations: Approval Recommended Finance Committee

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ARTICLE #8
HARMONY HALL – PEG CABLE EQUIPMENT

Unanimously, the Town voted to raise and appropriate or transfer from available funds, the sum of \$25,000 or any other sum for the purchase and installation of PEG Cable Equipment at Harmony Hall including all incidental costs.

Submitted by: Victor Garofalo, Assistant Town Manager, Finance Director
Recommendations: Approval Recommended Finance Committee

ARTICLE #9
STABILIZATION FUND – OPIOID SETTLEMENT FUND

Unanimously, the Town voted, pursuant to Chapter 40, Section 5B of the Massachusetts General Laws, to establish a special purpose stabilization fund for money received from judgments or settlements in litigation or claims against opioid manufacturers or distributors, and determine how the money from such fund may be spent; and, further, to see if the Town will vote to accept the provisions of the fourth paragraph of Chapter 40, Section 5B of the Massachusetts General Laws; and, further, to see if the Town will vote to dedicate all or a percentage, which may not be less than 25 percent, of money received from judgments or settlements in litigation or claims against opioid manufacturers or distributors to the special purpose stabilization fund established under this Article, effective for Fiscal Year 2023 beginning on July 1, 2022.

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended Finance Committee

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ARTICLE #10
RECODIFICATION OF ZONING ARTICLES

Unanimously, the Town voted to recodify the Zoning Bylaws of the Town of Dracut by deleting the current Bylaw in its entirety and replacing it accordingly with a Recodified Zoning Bylaw on file with the Town Clerk with the following Table of Contents

Dracut Zoning Bylaw Recodification
Table of Contents

Section 1. Authority and Purpose

- 1.1 Authority
- 1.2 Purpose
- 1.3 Applicability
- 1.4 Amendments
- 1.5 Appeals
- 1.6 Severability

Section 2. Administration and Procedures

- 2.1 Administration
- 2.2 Board of Appeals
- 2.3 Special Permits
- 2.4 Site Plan Review

Section 3. Zoning Districts and Use Regulations

- 3.1 Establishment of Districts
- 3.2 Regulation of Uses
- 3.3 Table of Permitted Uses
- 3.4 Accessory Use Regulations
- 3.5 Nonconforming Lots, Uses, and Structures

Section 4. Intensity Regulations

- 4.1 Standard Dimensional Provisions
- 4.2 Lot Perimeter
- 4.3 Methods for Calculating Dimensional Requirements
- 4.4 Table of Standard Dimensional Requirements
- 4.5 Buffering, Screening, and Grading
- 4.6 Use of Buffer Areas
- 4.7 Landscaping (Applies to B-4, B-5, I-1, and I-2 districts only)
- 4.8 Grading

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ARTICLE #10
RECODIFICATION OF ZONING ARTICLES (Cont'd)

Section 5.Overlay Districts

- 5.1 Flood Plain and Floodway Districts
- 5.2 Wellhead Protection District
- 5.3 Mill Conversion Overlay District
- 5.4 Dracut Center Neighborhood Overlay District

Section 6.General Regulations

- 6.1 Off Street Parking and Loading
- 6.2 Sign Regulations
- 6.3 Soil, Vegetation, Rock, and Gravel Removal
- 6.4 Environmental Protection Standards

Section 7.Special Residential Regulations

- 7.1 Open Space Residential Development
- 7.2 Multifamily Development
- 7.3 Residential Golf Course Planned Development
- 7.4 Accessory Dwelling Units

Section 8.Special Regulations

- 8.1 Site Plan Review_ Major Business Complex
- 8.2 Site Plan Review Major Industrial Complex
- 8.3 Fairs, Carnivals and Similar Events
- 8.4 Registered Marijuana Dispensary (RMD)
- 8.5 Retail/Recreational marijuana Establishment
- 8.6 Telecommunication Facility

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**ARTICLE #10
RECODIFICATION OF ZONING ARTICLES (Cont'd)**

Section 9. Definitions

Submitted by: Alison Manugian, Community Development Director
Recommendations: Approval Recommended Selectmen
Approval Recommended Planning Board

**ARTICLE #11
LEASE 10-YEAR 130 PLEASANT STREET**

Unanimously, the Town voted to authorize the Town Manager to enter into a long-term lease (10 Years) for the property located at 130 Pleasant Street, known as Map 62, Block 52, Parcel 1, or act in any other way relative thereto. The purpose of this lease is to provide parking for the property located at 1105-1109 Lakeview Avenue.

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended Selectmen

**ARTICLE #12
GREATER LOWELL TECHNICAL HIGH SCHOOL COMMITTEE
MEMBER STIPEND AUTHORIZATION**

By majority voice vote clearly heard and so called by the Moderator the Town voted to dismiss Article #12.

Submitted by Tami Dristiliaris
21 Winter Hill Drive, Dracut

Recommendations: Approval Recommended Selectmen (on original motion)
Disapproval Recommended Finance Committee (on original motion)

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**ARTICLE #13
SEEDSHED STABILIZATION AND MOTHBALLING**

By majority, the Town voted to appropriate a sum of money from the Community Preservation Fund Open Space Reserve, for the purpose of stabilizing and mothballing the building known as the “Seedshed” located at 771 (formally 761) Mammoth Road, known as Beaver Brook Farm, identified on the Town’s GIS system as GIS ID 44-0-106-1.

Submitted by: Josh Taylor, Beaver Brook Farm Ad Hoc Committee
Recommendations: Approval Recommended Selectmen
Approval Recommended Finance Committee
Approval Recommended Community Preservation Committee

**ARTICLE #14
SEEDSHED DEMOLITION**

A motion to withdraw Article 14 was submitted from the floor by the presenter of the original Article.

By majority, the Town voted to withdraw Article 14.

Submitted by: Ann Vandal, Town Manager
Recommendations: Approval Recommended Selectmen (on original motion)
Disapproval Recommended Finance Committee (on original motion)
Disapproval Recommended Community Preservation Committee
(on original motion)

A motion was made a seconded from the floor to take Article #19 out of order. Motion passed by majority.

Submitted by William Greenwood
50 Gloria Avenue, Dracut

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ARTICLE #19 (PETITIONERS ARTICLE)
BEAVER BROOK FARM BUILDING PRESERVATION

By majority, the Town voted to defer Article 19 for further study and report back to the June 2023 Town Meeting.

Submitted by Karen Merrill
7 Clyde Avenue, Dracut

Recommendations: Disapproval Recommended Selectmen (on original Article)
Approval Recommended Finance Committee (on original Article)

ARTICLE #15
WORKSHOP BUILDING

By majority, the Town voted to defer Article 15 to the June 2023 Town Meeting.

Submitted by: Ann Vandal, Town Manager

Recommendations: Approval Recommended Selectmen (on original motion)
Approval Recommended Finance Committee (on original motion)
Approval Recommended Community Preservation Committee
(on original motion)

ARTICLE #16
PETITIONER ARTICE – ACCEPTANCE LAND
PARCEL C - HIGH FIELD MEADOW

Unanimously, the Town voted to accept Parcel C in its entirety as described as follows: A certain parcel of land in Dracut, County of Middlesex, Commonwealth of Massachusetts shown as Parcel C on a plan entitled "High Fields Meadow", "Definitive" Open Space Subdivision Plan, 18 Kelley Road, Dracut, Massachusetts September 27, 2012," recorded on March 10, 2014 as revised, prepared by Village Surveying, and recorded with Middlesex North District Registry of Deeds in Plan Book 237, Plan 73, and escribed as follows: Beginning at a point at the southeast corner of Parcel C;

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ARTICLE #16 (Cont'd)
PETITIONER ARTICE – ACCEPTANCE LAND
PARCEL C - HIGH FIELD MEADOW

- thence at a bearing of N 56°21'30" W and a distance of 218.57 feet to a stone bound;
- thence with a curve turning to the left with an arc length of 17.75 feet and a radius of 205.00 feet to a point marking the southeast corner of Lot 13;
- thence at a bearing of N 28°40'00" E and a distance of 150.79 feet to a stone bound;
- thence at a bearing of S 73°30'30" E and a distance of 85.31 feet to a stone bound;
- thence at a bearing of S 18°31'37" E and a distance of 198.32 feet to a stone bound;
- thence at a bearing of S 21°40'31" W and a distance of 54.15 feet to the point of beginning.

Said Parcel C contains area of 30363 square feet of land, more or less.

Submitted by: Louis Baldoumas, Rainbow Builders Corp
Recommendations: Approval Recommended Selectmen

ARTICLE #17
ROAD ACCEPTANCE (PETITIONERS ARTICLE)
BURGESS FARM ROAD

Unanimously, the Town voted to accept Burgess Farm Road in its entirety as described as follows:

A certain parcel of land in Dracut, County of Middlesex, Commonwealth of Massachusetts shown as **Burgess Farm Road** on a plan entitled "High Fields Meadow", "Definitive" Open Space Subdivision Plan, 18 Kelley Road, Dracut, Massachusetts September 27, 2012," recorded on March 10, 2014, as revised, prepared by Village Surveying, and recorded with Middlesex North District Registry of Deeds in Plan Book 237, Plan 73, and escribed as follows:

- Beginning at a point marking the intersection of the northeasterly property line of Lot 12 with the northerly side of Kelly Road;
- thence at a bearing of S 48°05'17" W and a distance of 67.76 feet to a stone bound;
- thence with a curve turning to the right with an arc length of 78.99 feet and a radius of 150.00 feet to a stone bound;

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ARTICLE #17 (Cont'd)
ROAD ACCEPTANCE (PETITIONERS ARTICLE)
BURGESS FARM ROAD

- thence with a compound curve turning to the right with an arc length of 42.91 feet and a radius of 30.00 feet to a stone bound;
- thence with a reverse curve turning to the left with an arc length of 52.42 feet and a radius of 150.00 feet to a stone bound;
- thence at a bearing of N 39°48'11" W and a distance of 246.79 feet to a point;
- thence with a curve turning to the left with an arc length of 43.34 feet and a radius of 150.00 feet to a point;
- thence at a bearing of N 56°21'30" W and a distance of 218.57 feet to a stone bound;
- thence with a curve turning to the left with an arc length of 336.79 feet and a radius of 205.00 feet to a point;
- thence at a bearing of S 29°30'43" W and a distance of 106.16 feet to a stone bound;
- thence with a curve turning to the left with an arc length of 72.89 feet and a radius of 200.00 feet to a stone bound at the intersection with the northerly line of Demitri Circle;
- thence continuing along the same curve turning to the left with an arc length of 71.05 feet and a radius of 200.00 feet to a point;
- thence at a bearing of S 11°43'23" E and a distance of 30.00 feet to a stone bound at the intersection with the southerly line of Demitri Circle;
- thence continuing at a bearing of S 11°43'23" E and a distance of 244.90 feet to a stone bound;
- thence with a curve turning to the right with an arc length of 47.92 feet and a radius of 30.00 feet to a stone bound;
- thence along the northerly line of Methuen Street at a bearing of N 79°48'11" E and a distance of 110.04 feet to a stone bound;
- thence with a curve turning to the right with an arc length of 46.32 feet and a radius of 30.00 feet to a stone bound;
- thence at a bearing of N 11°43'23" W and a distance of 277.83 feet to a stone bound;
- thence with a curve turning to the right with an arc length of 107.95 feet and a radius of 150.00 feet to a stone bound;
- thence at a bearing of N 29°30'43" E and a distance of 106.16 feet to a stone bound;
- thence with a curve turning to the right with an arc length of 254.65 feet and a radius of 155.00 feet to a stone bound;
- thence at a bearing of S 56°21'30" E and a distance of 218.57 feet to a point;

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ARTICLE #17 (Cont'd)
ROAD ACCEPTANCE (PETITIONERS ARTICLE)
BURGESS FARM ROAD

- thence with a curve turning to the right with an arc length of 28.89 feet and a radius of 100.00 feet to a stone bound;
- thence at a bearing of S 39°48'11" E and a distance of 246.79 feet to a stone bound;
- thence with a curve turning to the right with an arc length of 28.40 feet and a radius of 100.00 feet to a stone bound;
- thence with a compound curve turning to the right with an arc length of 43.08 feet and a radius of 30.00 feet to a stone bound;
- thence with a reverse curve turning to the left with an arc length of 72.60 feet and a radius of 150.00 feet to a drill hole;
- thence along the original line of Kelly Road at a bearing of N 77°09'41" E and a distance of 37.74 feet to a point;
- thence at a bearing of N 72°53'11" E and a distance of 83.55 feet to a point;
- thence with a curve turning to the left with an arc length of 69.65 feet and a radius of 141.14 feet to a point;
- thence at a bearing of N 44°41'41" E and a distance of 129.34 feet to the point of beginning.

The said Right of Way contains an area of 77,325 square feet of land, more or less.

Submitted by: Louis Baldoumas, Rainbow Builders Corp
Recommendations: Approval Recommended Selectmen
Approval Recommended Planning Board

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ARTICLE #18
ROAD ACCEPTANCE (PETITIONERS ARTICLE)
DEMITRI CIRCLE

Unanimously, the Town voted to accept **Demitri Circle** in its entirety as described as follows: A certain parcel of land in Dracut, County of Middlesex, Commonwealth of Massachusetts shown as Demitri Circle on a plan entitled "High Fields Meadow", "Definitive" Open Space Subdivision Plan, 18 Kelley Road, Dracut, Massachusetts September 27, 2012," recorded on March 10, 2014 as revised, prepared by Village Surveying, and recorded with Middlesex North District Registry of Deeds in Plan Book 237, Plan 73, and escribed as follows:

- Beginning at a stone bound point marking the intersection of the westerly line of Burgess Farm Road with the northerly line of Demitri Circle;
- thence with a curve turning to the right with an arc length of 36.47 feet and a radius of 30.00 feet to a stone bound;
- thence at a bearing of S 78°16'37" W and a distance of 67.79 feet to a stone bound;
- thence with a curve turning to the right with an arc length of 46.365 feet and a radius of 50.00 feet to a stone bound;
- thence with a reverse curve turning to the left with an arc length of 374.71 feet and a radius of 75.00 feet to a stone bound;
- thence with a reverse curve turning to the right with an arc length of 46.365 feet and a radius of 50.00 feet to a stone bound;
- thence at a bearing of N 78°16'37" E and a distance of 53.43 feet to a stone bound;
- thence with a curve turning to the right with an arc length of 47.12 feet and a radius of 30.00 feet to a stone bound at the intersection of the westerly line of Burgess Farm Road with the southerly line of Demitri Circle;
- thence at a bearing of N 11°43'23" W and a distance of 30.00 feet to a point;
- thence with a curve turning to the right with an arc length of 71.05 feet and a radius of 200.00 feet to the point of beginning.

The said Right of Way contains an area of 23,790 square feet of land, more or less.

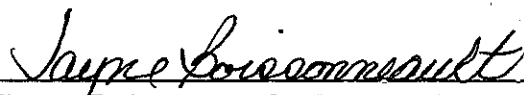
Submitted by: Louis Baldoumas, Rainbow Builders Corp
Recommendations: Approval Recommended Selectmen
Approval Recommended Planning Board

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A motion was made and seconded from the floor to adjourn the November 7, 2022 Annual Fall Town Meeting.

Unanimously, the Town voted to adjourn the November 7, 2022 Annual Fall Town Meeting at 8:32 PM.

A True Copy Attest:



Jayne Boissonneault, Dracut Town Clerk