

Boxford
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ADJOURNED ANNUAL TOWN MEETING
May 13, 1987

With a quorum being present, Moderator DeWitt T. Minich called the continued session of the Annual Town Meeting of the Town of Boxford to order at 7:37 p.m.

ARTICLE 40. To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of \$3,000 to fund a student intern to compile existing groundwater related data from the Boxford Health Agent's records, said funds to be expended under the direction of the Board of Selectmen, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote to transfer from Free Cash the sum of \$3,000 to fund a student intern to compile existing groundwater related data from the Boxford Health Agent's records, said funds to be expended under the direction of the Board of Selectmen.

ARTICLE 41. To see if the Town will vote to place a conservation restriction on a portion of the 7.8 acre well site bordering Curtis Road, Fish Brook, and Route 95, this portion of conservation land to cover an area bounded on the north by the center line of Fish Brook, on the east running south 100 feet along Route 95, on the south by a line 100 feet deep running parallel to the center line of Fish Brook and 100 feet on the west running north along lot 15 on the Subdivision Plan in Boxford called "The Boxford Country Club Estates" dated July 19, 1966. This conservation area to be granted to the Essex County Greenbelt Association, Inc., or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by hand count, 64 in favor and 27 opposed, to place a conservation restriction on a portion of the 7.8 acre well site bordering Curtis Road, Fish Brook and Route 95, 675 feet, this portion of conservation land to cover an area bounded on the north by the center line of Fish Brook, on the east running south 100 feet along Route 95, on the south by a line 100 feet deep running parallel to the center line of Fish Brook and 100 feet on the west running north along lot 15 on the Subdivision Plan in Boxford called "The Boxford Country Club Estates" dated July 19, 1966. This conservation restriction to be granted to the Essex County Greenbelt Association, Inc.

ARTICLE 42. To see if the Town will vote to accept the following roads as Town Ways:

1. SURREY LANE - from station 0+0 to 12+37.82 as shown on a plan entitled "Definitive Plan, Woodshire, Boxford, MA", Owner - Betty Trust, Main Street, Topsfield, MA, Engineer - Hayes Engineering, Inc., 828 Lynn Fells Parkway, Melrose, MA, dated July 18, 1974, and recorded in Essex Registry of Deeds, South District on November 21, 1974, Plan Book 132, Plan 33.
2. SURREY LANE - from station 12+37.82 to 31+32.13 as shown on a plan entitled "Definitive plan, Surrey Lane Ext., Boxford, MA", Owner - Betty Trust, Main Street, Topsfield, MA, Engineer - Hayes Engineering, Inc., 828 Lynn Fells Parkway, Melrose, MA, dated October 14, 1975 and recorded in Essex Registry of Deeds, South District on August 20, 1976, Plan Book 139, Plan 57.
3. COACH LANE - from station 0+0 to 6+73.83 as shown on a plan entitled "Definitive Plan, Woodshire, Boxford, MA", Owner - Betty Trust, Main Street, Topsfield, MA, Engineer - Hayes Engineering, Inc., 828 Lynn Fells Parkway, Melrose, MA, dated July 18, 1974, and recorded in the Essex Registry of Deeds, South District on November 21, 1974, Plan Book 132, Plan 33.
4. LONG HILL - from station 0+0 to 17+81.84 as shown on a plan entitled "Plan of Land in Boxford, MA", Owner - Betty Trust, Main Street, Topsfield, MA, Engineer - Hayes Engineering, Inc., 828 Lynn Fells Parkway, Melrose, MA, dated March 31, 1981, Plan Book 164, Plan 99.
5. BATCHELDER ROAD - from station 0+0 to 26+95 as shown on plan entitled "Plan of Land in Boxford, MA", Owner & Developer, Wild Meadow Trust, 55 Salem Street, Lynnfield, MA 01940, Engineer - Hancock Survey Associates, Inc., dated September 5, 1979, and revised January 15, 1980 and recorded in the Essex South Registry of Deeds, on May 9, 1980, Plan Book 158, Plan 87.

6. PORTER ROAD - from station 0+00 to 37+78 as shown on "As Built" plan, Owner - Beechhill Corp., 2 Bourbon Street, Peabody, MA, Engineer - Thomas E. Neve, C. E., dated January 28, 1985, and recorded in Plan Book 154, Plan 32; dated July 31, 1979.
7. PEARL ROAD - from station 0+00 to 9+30 as shown on "As Built" plan, Owner - Beechhill Corp., 2 Bourbon Street, Peabody, MA, Engineer - Thomas E. Neve, C. E., dated January 28, 1985, and recorded in Plan Book 154, Plan 32; dated July 31, 1979.

or take any other action there.

Upon motion made and duly seconded, to accept the following roads as Town Ways, with the exception of Batchelder Road, exactly as said roads and descriptions are printed in the warrant for the May 12, 1987, Annual Town Meeting:

it was VOTED, by unanimous voice vote, to accept as Town Way - SURREY LANE - from station 0+0 to 12+37.82 as shown on a plan entitled "Definitive Plan, Woodshire, Boxford, MA". Owner - Beetty Trust, Main Street, Topsfield, MA, Engineer - Hayes Engineering, Inc., 828 Lynn Fells Parkway, Melrose, MA, dated July 18, 1974, and recorded in Essex Registry of Deeds, South District on November 21, 1974, Plan Book 132, Plan 33:

it was VOTED, by unanimous voice vote, to accept as Town Way - SURREY LANE - from station 12+37.82 to 31+32.13 as shown on a plan entitled "Definitive Plan, Surrey Lane Ext., Boxford, MA, Owner - Beetty Trust, Main Street, Topsfield, MA, Engineer - Hayes Engineering, Inc., 828 Lynn Fells Parkway, Melrose, MA, dated October 14, 1975, and recorded in Essex Registry of Deeds, South District on August 20, 1976, Plan Book 139, Plan 57:

it was VOTED, by unanimous voice vote, to accept as Town Way - COACH LANE - from station 0+0 to 6+73.83 as shown on a plan entitled "Definitive Plan, Woodshire, Boxford, MA", Owner - Beetty Trust, Main Street, Topsfield, MA, Engineer - Hayes Engineering, Inc., 828 Lynn Fells Parkway, Melrose, MA, dated July 18, 1974, and recorded in the Essex Registry of Deeds, South District on November 21, 1974, Plan Book 132, Plan 33;

it was VOTED, by unanimous voice vote, to accept as Town Way - LONG HILL - from station 0+0 to 17+81.84 as shown on a plan entitled "Plan of Land in Boxford, MA", Owner - Beetty Trust, Main Street, Topsfield, MA, Engineer - Hayes Engineering, Inc., 828 Lynn Fells Parkway, Melrose, MA, dated March 31, 1981, Plan Book 164, Plan 99;

it was VOTED, by unanimous voice vote, to accept as Town Way - PORTER ROAD - from station 0+00 to 37+78 as shown on "As Built" plan, Owner - Beechhill Corp., 2 Bourbon Street, Peabody, MA, Engineer - Thomas E. Neve, C. E., dated January 28, 1985, and recorded in Plan Book 154, Plan 32; dated July 31, 1979.

it was VOTED, by unanimous voice vote, to accept as Town Way - PEARL ROAD - from station 0+00 to 9+30 as shown on "As Built" plan, Owner - Beechhill Corp., 2 Bourbon Street, Peabody, MA, Engineer - Thomas E. Neve, C. E., dated January 28, 1985, and recorded in Plan Book 154, Plan 32; dated July 31, 1979.

Craig Falk of the Planning Board made an oral report of a favorable recommendation by the Planning Board.

ARTICLE 43. To see if the Town will vote to amend Section VI (B) (2) (c) (2) of the Zoning Bylaw to delete the first sentence thereof and substitute the following: "Every lot laid out for residential use shall have at least one (1) acre of contiguous buildable area of naturally occurring land with soils not subject to flooding and sufficiently dry to permit installation and use of facilities of the disposal of sanitary wastes. In determining the one (1) acre of such contiguous buildable area, no area which is less than fifty (50) feet wide may be included."

EXPLANATION: This Article is intended to insure that the one acre of contiguous buildable area is not created through landfill, leveling or similar earth moving, and that no thin, useless strip of so-called buildable area is counted.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to amend Section VI (B) (2) (c) (2) of the Zoning Bylaw to delete the first sentence thereof and substitute the following: "Every lot laid out for residential use shall have at least one (1) acre of contiguous legally buildable area of naturally occurring land with soils not subject to flooding and sufficiently dry to permit installation and use of facilities for the disposal

of sanitary wastes. In determining the one (1) acre of such contiguous buildable area, no area which is less than fifty (50) feet wide may be included."

Craig Falk of the Planning Board made an oral report of a favorable recommendation by the Planning Board.

ARTICLE 44. To see if the Town will vote to revise Section VI (B) (4) (b) (1) of the Zoning Bylaw in its entirety to read: "Each lot for residential use in an R-A Residence-Agricultural District shall contain a minimum two hundred (200) feet diameter area within which any dwelling shall be built, subject to all setback and other provisions of the bylaws. The two hundred (200) feet diameter area shall be designated on any plans for the lot."

EXPLANATION: This Article is intended to make clear that the dwelling site must be of a certain minimum size but that the dwelling can be located any place therein, subject to all setback and other provisions.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to revise Section VI (B) (4) (b) (1) of the Zoning Bylaw in its entirety to read: "Each lot for residential use in an R-A Residence-Agricultural District shall contain a minimum of two hundred (200) feet diameter area within which any dwelling shall be built, subject to all setback and other provisions of these bylaws. The two hundred (200) feet diameter area shall be designated on any plans for the lot."

Craig Falk of the Planning Board made an oral report of a favorable recommendation by the Planning Board.

ARTICLE 45. To see if the Town will vote to add Section VI (B) (4) (b) (3) of the Zoning Bylaw as follows: "3) Each lot for residential use in an R-A Residence-Agricultural District shall have a minimum depth of at least fifty (50) feet along its frontage."

EXPLANATION: This Article is intended to insure that the road frontage for a lot is along a portion of a lot which is useful and not created solely for the purpose of meeting the minimum frontage requirements.

Upon motion made and duly seconded, it was VOTED, by hand count of 67 in favor and 26 opposed, to add Section VI (B) (4) (b) (3) of the Zoning Bylaw as follows: "3) Each lot for residential use in an R-A Residence-Agricultural District shall have a minimum depth of at least fifty (50) feet along its frontage."

Darman Wing of the Planning Board made an oral report of a favorable recommendation by the Planning Board.

ARTICLE 46. To see if the Town will vote to amend the last sentence of Section VI (B) (11) of the Zoning Bylaw by adding the following bold language thereto: "The aforementioned percentage standards may be applied to the entire lot or, at the discretion of the owner, to the minimum lot area which conforms to all other requirements of these bylaws, **except that for the purpose of this sentence only, the minimum lot area need not include the lot's frontage.**"

EXPLANATION: This Article is intended to liberalize the exception to the tests for irregular shaped lots so that large lots are not unduly penalized.

Upon motion made and unduly seconded, it was VOTED, by unanimous voice vote, to amend the last sentence of Section VI (B) (11) of the Zoning Bylaw by adding the following bold language thereto: "The aforementioned percentage standards may be applied to the entire lot or, at the discretion of the owner, to the minimum lot area which conforms to all other requirements of these bylaws, **except that for the purpose of this sentence only, the minimum lot area need not include the lot's frontage.**"

Darman Wing of the Planning Board made an oral report of a favorable recommendation by the Planning Board.

ARTICLE 47. To see if the Town will vote to amend Section VI, B, 1 of the Zoning Bylaw to read as follows: Nothing in this section shall prevent the use of land for the activities which comply with the permitted uses for the district in which they are located upon lots legally established preceding the adoption of any amendment and nonconforming as to width, area, or frontage; provided that no such lot shall be changed in width, area or frontage respectively in such manner as to increase its nonconformity. Nothing in this section shall be construed as to permit any lot so affected without 50' of frontage.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to pass over this article.

ARTICLE 48. To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to the Town Insurance Fund, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by majority voice vote, to transfer from Free Cash the sum of \$10,000 to the Town Insurance Fund.

ARTICLE 49. To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to the Town Unemployment Fund, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to transfer from Free Cash the sum of \$10,000 to the Town Unemployment Fund.

ARTICLE 50. To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to the Finance Committee Reserve Fund, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to transfer from Overlay Surplus Reserve the sum of \$50,800 to the Finance Committee Reserve Fund.

ARTICLE 51. To see if the Town will vote to raise and appropriate, or transfer from available funds a sum of money to the Town Stabilization Fund, or take any other action thereon.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to transfer the sum of \$25,000 from Free Cash to the Town Stabilization Fund.

ARTICLE 52. To transact any other business that may legally come before said meeting.

Upon motion made and duly seconded, it was VOTED, by unanimous voice vote, to dissolve the Annual Town Meeting at 9:02 p.m.

Registered voters attending the meeting were 105. Counters and checkers for the meeting were appointed by Town Clerk Frank H. Weatherby.

A true record.

ATTEST:

Frank H. Weatherby
Town Clerk

BUDGET APPROVED FOR 1987 - 1988

1.	General Government				
	Selectmen	\$	71,055		
	Town Clerk		18,368		
	Town Counsel		45,000		
	Planning Board		3,167		
	Board of Appeals		2,001		
	Recreation Committee		14,540		
	Council on Aging		5,586		
	Conservation Commission		2,973		
	Board of Health		1,194		
	TOTAL			\$	196,512
2.	Finance	\$	61,521		
	Accountant		42,326		
	Assessors		1,405		
	Finance Committee		26,773		
	Tax Collector		20,731		
	Treasurer		2,500		
	Interest on Loans				
	TOTAL			\$	155,256
3.	Public Safety	\$	299,438		
	Police Salary		54,750		
	Police - All Other				
	Police - Reserves		90,181		
	Police - Overtime				
	(combined Reserves and Overtime)				(444,369)
	(Police - Subtotal)				
	Fire		71,075		
	Communications - Salary		84,195		
	Communications - All Other		17,673		
	(Communications - Subtotal)				(101,868)
	Dog Officer		6,872		
	Parking Clerk		1,004		
	Ambulance Service		31,000		
	TOTAL			\$	656,188
4.	Education	\$	74,039		
	Library - Salary		31,254		
	Library - All Other				
	(Library - Subtotal)				(105,293)
	Elementary Schools		1,686,685		
	Masconomet		1,960,921		
	North Shore Vocational		23,548		
	TOTAL			\$	3,776,447

5.	Town Maintenance		
	DPW - Salary	\$	150,301
	DPW - Materials		123,522
	DPW - All Other		104,078
	(DPW - Subtotal)		(377,901)
	Building Maintenance		25,340
	Cemeteries		1,250
	Moth Suppression		1,500
	TOTAL		\$ 405,991
6.	Inspectors		
	Animal	\$	1,150
	Building		26,217
	Electrical		6,971
	TOTAL		\$ 34,338
7.	Insurance and Pensions		
	Health and Life Insurance	\$	70,500
	General Insurance		177,545
	Veterans Benefits		5,000
	Retirement Pension		0
	TOTAL		\$ 253,045
	GRAND TOTAL TOWN BUDGET		\$ 5,477,777

RAISE AND APPROPRIATE

Article 4	\$5,477,777.00
Article 14	120,000.00
Article 15	10,000.00
Article 16	36,761.50
TOTAL TO BE RAISED AND APPROPRIATED	\$5,644,538.50

APPROPRIATE

Article 6	\$ 4,152.35
TOTAL TO BE APPROPRIATED	\$ 4,152.35

TRANSFERS

(Free Cash)

Article 8	\$ 11,940.00
Article 9	13,000.00
Article 10	3,600.00
Article 14	5,000.00
Article 18	14,186.00
Article 19	35,000.00
Article 20	31,690.00
Article 28	1,500.00
Article 29	18,157.00
Article 30	3,500.00
Article 31	5,699.18
Article 32	500.00
Article 33	10,000.00
Article 40	3,000.00
Article 48	10,000.00
Article 49	10,000.00
Article 51	25,000.00
(Free Cash - Subtotal)	(\$ 201,772.18)

(Overlay Surplus Reserve)		
Article 17	20,122.00	
Article 21	500.00	
Article 25	28,000.00	
Article 26	3,000.00	
Article 28	5,800.00	
Article 50	50,800.00	
(Overlay Surplus Reserve - Subtotal)		(\$ 108,222.00)
(Old Warrant Articles)		
Article 31	<u>4,300.82</u>	
TOTAL TO BE TRANSFERRED		\$ 314,295.00

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