

**WARRANT  
FALL ANNUAL TOWN MEETING  
TOWN OF DRACUT  
NOVEMBER 7, 2016**

**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 7<sup>th</sup>, 2016 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 Meeting; or act in any other way relative thereto.

Submitted by Kathleen M. Graham, Town Clerk

Recommendations:

**ARTICLE #3:**

To see if the Town will vote to appropriate from free cash a sum of money for the purchase of equipment for the Police Department for the fiscal year beginning July 1, 2016; or act in any way relative thereto.

Submitted by James A. Duggan, Town Manager

Recommendations

**ARTICLE #4:**

To see if the Town will vote to appropriate from free cash a sum of money for the purchase of equipment for the Department of Public Works for the fiscal year beginning July 1, 2016, or act in any way relative thereto.

Submitted by James A. Duggan, Town Manager

Recommendations

**ARTICLE #5:**

To see if the Town will vote to adopt Chapter 40, Section 5B, Stabilization fund to be established for the purpose of creating a Technology Stabilization Fund and transfer a sum of money from Free Cash to the new account to be made available for appropriation at a later date; or act in any other way relative thereto.

Submitted by James A. Duggan, Town Manager

Recommendations:

**ARTICLE #6:**

To see if the Town will vote to establish a "Reserve Account" for the purpose of depositing the revenues received from the issuance of 40U code violations; it is further voted that all expenses associated with said enforcements shall be paid from this account; or act in any other way relative thereto.

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**ARTICLE #6 (Cont'd):**

Submitted by James A. Duggan, Town Manager  
Recommendations:

**ARTICLE #7:**

To see if the Town will vote to raise and appropriate, borrow and /or transfer from available funds such sums of money as may be necessary to defray Town charges and expenses for the fiscal year beginning July 1, 2016, and to make appropriations for the same; or act in any other way relative thereto.

Submitted by James A. Duggan, Town Manager  
Recommendations:

**ARTICLE #8:**

To see if the Town will vote to appropriate from free cash a sum of money for the fiscal year beginning July 1, 2016; said sum of money to be used for the costs associated with the Owners Project Manager, schematic design services, demolition, legal and all other incidental costs for a proposed fire station at the property located at 2197 Lakeview Ave., Map 31, Block 0, Lot 29; or act in any other way relative thereto.

Submitted by James A. Duggan, Town Manager  
Recommendations:

**ARTICLE 9:**

To see if the Town will vote to appropriate a sum of money for the purchase and installation of technology equipment (fiber, VOIP, computers, servers, peripherals, etc.) for the School Department for the fiscal year beginning July 1, 2016; said appropriation shall be from Free Cash, a 50% Grant Match and/or a 0% loan provided by the State of Massachusetts; to meet said appropriation the Town Treasurer is authorized to borrow such amount; 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 authorize the Recreation Commission, with the approval of the Town Manager, to expend the funds from field use fees to defray operational expenses for the fiscal year beginning July 1, 2016; said expenditures shall be in accordance with the provisions of General Laws, Chapter 44, Section 53E1/2 and shall not exceed in total the sum of One Hundred Thousand Dollars (\$100,000.00); 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 appropriate a sum of money for the purpose of performing a feasibility Study and Engineering Services for the Kenwood Water Department; said appropriation shall be paid for with the Kenwood Water Enterprise Retained Earnings; or act in any other way relative thereto.

Submitted by Jay Reynolds, Superintendent of Sewer and Kenwood Water  
Recommendations:

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**ARTICLE #12:**

To see if the Town will vote to amend Chapter 113, Section 11 of the Town Bylaw as follows:

**Current:**

Whenever out-of-state travel is required of any and all Town employee(s), the maximum per diem allowance shall be as follows:

1. Transportation – Actual cost, except that no employee using public transportation shall travel first class.
2. Lodging – Actual cost, however, the maximum per diem allowance shall not exceed \$100.00
3. Meals and all other incidental expenses – the maximum per diem allowance shall not exceed \$25.00.

Travel by all Town employee(s) must be approved, in advance of the planned travel, by the Town Manager. The following information must be submitted to the Town Manager, by the Department Head, prior to any anticipated expenses being incurred.

- A. Name(s) of participant(s)
- B. Date(s) of Convention/Conference
- C. Purpose and nature of trip

**Proposed (Changes Highlighted):**

Whenever out-of-state travel is required of any and all Town employee(s), the maximum per diem allowance shall be as follows:

1. Transportation – Actual cost, except that no employee using public transportation shall travel first class.
2. Lodging – Actual cost, however, the maximum per diem allowance shall not exceed **\$200.00**.
3. Meals and all other incidental expenses – the maximum per diem allowance shall not exceed **\$50.00**.

Travel by all Town employee(s) must be approved, in advance of the planned travel, by the Town Manager. The following information must be submitted to the Town Manager, by the Department Head, prior to any anticipated expenses being incurred.

- A. Name(s) of participant(s)
- B. Date(s) of Convention/Conference
- C. Purpose and nature of trip

Or act in any other way relative thereto.

Submitted by James A. Duggan, Town Manager  
Recommendations:

**ARTICLE #13:**

To see if the Town will vote to amend section 3.11.51 of the Bylaws of the Town of Dracut to allow electronic illuminated signs in all business districts by adding the following language to Section 3.11.51, after #3:

“4. by electronic illumination. An electronically illuminated sign shall include a sign or portion thereof using digital electronic or other methods to display characters, letters, illustrations, or images, subject to the following:

- a. No moving display or animation of any kind shall be allowed;
- b. The brightness and intensity of illumination shall not be greater than necessary to meet the reasonable needs of the business or use served;
- c. Light sources shall be shielded from all adjacent buildings and streets;
- d. The lighting shall not create excessive glare to pedestrians and/or motorists, and will not obstruct traffic control or any other public informational signs.
- e. All electronic signs shall require a permit issued by the Inspector of Buildings.”;

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**ARTICLE #13 (Cont'd):**

Or act in any other way relative thereto.

Submitted by Voter petition  
Recommendations:

**ARTICLE #14:**

To see if the Town will vote to delete Section 2.12.60 in its entirety from the Dracut Zoning Bylaw and to leave Section 2.12.60 as "reserved." The language to be deleted presently reads as follows:

"2.12.60 Dimensional Relief for Affordable Housing

The Planning Board may grant a special permit for the construction of an affordable dwelling unit on a residentially zoned lot having not less than fifty percent (50%) of the otherwise applicable lot area and lot frontage requirements for the specific zone that it is located in subject to the following conditions:

The unit shall be sold at a price affordable to persons in the Lowell Area under the applicable guidelines of the Commonwealth's Department of Housing and Community Development earning not more than 80% of the median income. If the unit is to be constructed and occupied by the original applicant for the special permit, such applicant shall meet the income guidelines applicable for the sale of such unit and the unit shall be deemed to have a value no greater than the limits established by the Department for resale purposes.

The unit shall be deed restricted in perpetuity as affordable for persons or families in the Lowell area under the applicable guidelines of the Commonwealth's Department of Housing and Community Development earning less than 80% of the median income.

Prior to the sale or any subsequent sale of the unit, deed restrictions complying with the terms set forth above shall be approved as to form by the Board's legal counsel. The lot shall be served by municipal water and sewer.

The structure shall meet the setbacks, side and rear yard requirements for the district; or to act in any other way relative thereto.

Submitted by Elizabeth Ware, Community Development Director  
Recommendations:

**ARTICLE #15:**

To see if the Town will vote to amend the Dracut Zoning Bylaw by:

- 1) Deleting from Section 2.11.30 Table of Permitted Uses, Principle Uses, Business Uses (#4), Restaurant - Fast Food, the following language:

Principal Uses	Residential			Business					Industrial	
	R-1	R-2	R-3	B-1	B-2	B-3	B-4	B-5	I-1	I-2
<u>Business Uses (#4)</u>										
Restaurant – Fast Food	0	0	0	0	0	SS-R	P	SS-R	SS-R	0

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**ARTICLE #15 (Cont'd):**

- 2) And to replace in Section 2.11.30 Table of Permitted Uses, Principle Uses, Business Uses (#4), Restaurant- Fast Food, the following language:

Principal Uses	Residential			Business					Industrial	
	R-1	R-2	R-3	B-1	B-2	B-3	B-4	B-5	I-1	I-2

**Business Uses (#4)**

Restaurant – Fast Food	0	0	0	0	0	SPB-R	P	SPB-R	SPB-R	0
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Or act in any other way relative thereto.

Submitted by James A. Duggan, Town Manager

Recommendations:

**ARTICLE # 16**

To see if the Town will vote to amend the Dracut Zoning Bylaws as follows:

- 1) To add Assisted Living Facility as defined in the current Bylaws as an allowed use by grant of a special permit by the Planning Board in Zone B-4 in Section 2.11.30 (Table of Permitted Uses) under the heading “Governmental, Institutional, and Public Service Uses, to read as follows:

**2.11.30 Table of Permitted Uses**

Principal Uses	Residential			Business					Industrial	
	R-1	R-2	R-3	B-1	B-2	B-3	B-4	B-5	I-1	I-2

**Governmental, Institutional, & Public Services Uses**

Assisted Living Facility	0	0	0	0	0	SPB	SPB	0	0	0
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- 2) To replace within Section 2.11.50 the sentence which presently reads “Accessory Uses Permitted in the Business 3 District” with the following language:

Accessory Uses Permitted in the Business 3 **and 4** District”; or act in any other way relative thereto.

Submitted by Voter Petition

Recommendations:

**ARTICLE #17:**

To see if the Town will vote to amend the Town of Dracut Zoning By-laws by:

- 1) Deleting paragraph four from Section 2.11.50, which presently reads as follows:

“A home occupation, other than retail sales, conducted entirely within the dwelling unit or an accessory building by a resident and employing no persons other than the residents.”

- 2) And replacing paragraph four within Section 2.11.50 with a new paragraph, which reads as follows:

“A home occupation, other than on-site retail sales, provided that:

1. It shall be operated by the person(s) occupying the dwelling as a primary residence and shall have no other employees;
2. The home occupation is clearly incidental and secondary to the residential use:

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**ARTICLE #17 (Cont'd):**

3. There is no exterior indication, including but not limited to visual or auditory, that the dwelling is used for anything other than residential purposes;
4. No more than one vehicle requiring registration as a commercial vehicle of any kind shall be regularly parked at the premises. The parking of commercial vehicles with a gross vehicle weight of over 12,000 lbs. is not permitted.
5. The home occupation does not produce any customer, client or pupil trips to the property. Delivery traffic may not exceed that expected for a normal residential use.
6. The home occupation is registered as a business with the Town Clerk.”

3) Deleting the following language from Section 3.10.24:

<b>Use</b>	<b>Number of Spaces</b>
Home Occupations	In addition to the spaces required for the Dwelling. One space per non-resident employee, plus a number of spaces sufficient to satisfy the requirements of Section 3.10.10”

Or act in any other way relative thereto.

Submitted by Daniel McLaughlin, Building Inspector

Recommendations:

**ARTICLE #18:**

To see if the Town will vote to lease to a private and/or non-profit entity select and specific parcels of land, presently owned by the Town of Dracut and used for agricultural and/or open space purposes. The lease of farmlands owned by the Town of Dracut shall be subject to a request for proposals (RFP) and applicable local Charter and Bylaws, as well as the Massachusetts General Laws. Properties that may be considered for any Town-owned farm leases/licenses include, but are not limited to, the following properties:

650 Marsh Hill Road (Yapp Farm) - Assessor Map 20, Lot 14, (Middlesex North District Registry of Deeds, Book 29698, Page 292)

761 Mammoth Road (Beaver Brook Farm) Assessor Map 44, Lot 106, (Middlesex North District Registry of Deeds, Book 29306, Page 48)

40 Diana Lane (open space of Dadak Drive Subdivision) Assessor Map 7, Lot 19, (Middlesex North District Registry of Deeds, Book 28185, Page 255); or take any other action relative thereto.

Submitted by Elizabeth Ware, Community Development Director

Recommendations:

**ARTICLE #19:**

To see if the Town will vote to approve a sum of money from Dracut Community Preservation Act funds, to be paired with a sum of money from the Commonwealth of Massachusetts Agricultural Preservation Funds, to acquire the development rights to the property located at 52A Avis Avenue (further described as Dracut Assessor’s Map 29, Block 14, Lot 2 and Northern Middlesex Registry of Deeds, Book 28412, Page 81). The property, presently owned by Elm Terrace Family Trust, contains 27.7 acres (1,206,612 square feet) and has been farmed for decades by Alden and Esther Fox.

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**ARTICLE #19 (Cont'd):**

The property ownership is to be retained by Elm Terrace Family Trust however the Town's Community Preservation Act funds and the Commonwealth of Massachusetts Agricultural Preservation Restriction Funds are being used to acquire the development rights of the parcel. The parcel is to be deed restricted, in accordance with MGL, Chapter 184, Sections 31-33 and MGL, Chapter 20, Sections 23-26, so that no residential construction can take place on the lot. The parcel is to be retained in agricultural uses in perpetuity; or act in any other way relative thereto.

Submitted by Community Preservation Committee  
Recommendations:

**ARTICLE #20:**

To see if the Town will vote to enter into a long-term lease agreement with one or more private and/or non-profit organization(s) who will lease specific portions of Beaver Brook Farm, located at 761 Mammoth Road (Assessor Map 44, Lot 106/ Registry of Deeds, Book 29306, Page 48). The Beaver Brook Farm Committee is considering leasing a portion of the property for a stealth "water tank" wireless telecommunications facility (a replica of the former Beaver Brook Farm water tank), entering into a long term lease with a "curator" who will restore the 1730s Abraham Varnum/Justus Richardson House and/or considering any other appropriate qualifying use on the property. The lease of the house and the land area owned by the Town of Dracut shall be subject to a request for proposals (RFP), applicable local Charter and Bylaws, as well as the Massachusetts General Laws; or act in any other way relative thereto.

Submitted by Beaver Brook Farm Committee  
Recommendations:

**ARTICLE #21:**

To see if the Town will vote to authorize the Board of Selectmen to submit the following Home Rule Petition to the State Legislature to grant an additional liquor license not to be drunk on the premises to Rayora, Inc.:

**SECTION 1.** Notwithstanding Section 17 of Chapter 138 of the General Laws, the licensing authority of Town of Dracut may grant an additional license for sale of all alcoholic beverages not to be drunk on the premises pursuant to Section 15 of said Chapter 138 to Rayora Inc., located at 1388 Bridge Street in the Town of Dracut. The license shall be subject to all of said Chapter 138, except said Section 17.

The licensing authority shall not approve the transfer of the license to any other location but it may grant the license to a new applicant at the same location if the applicant files with the licensing authority a letter from the Department of Revenue and a letter from the Department of Unemployment Assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.

If the license granted under this act is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority, which may then grant the license to a new applicant at the same location and under the same conditions as specified in this act.

**SECTION 2.** This act shall take effect upon its passage;

Or act in any other way relative thereto.

Submitted by Voter Petition  
Recommendations:

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**ARTICLE #22:**

To see if the Town will vote to rezone the entire property located at 112 Sladen Street, Dracut MA from B-2 (Business 2) to R-3 (Residential 3), as shown on Assessor's Map parcel # 62-0-52 and as described:

Said parcel containing 17,833 square feet and lying along the Westerly line of Sladen Street in said Dracut, bounded and described as follows:

Beginning at the Northeast corner of the premises at a stake and stone bound at land of John Lennon on said Sladen Street; thence running

Along said Lennon land in a Westerly direction for a distance of 136.05 feet to a stone bound at land of one Oliver O. Wilder; thence turning and running

Southwesterly at an angle of 76°58' along said Wilder land and land of Lawrence J. Sullivan, Thomas J. Enright and Matt W. Peabody, Horatio Fox and other land formerly of said Matt W. Peabody; thence turning and running

Easterly at an angle of 108°19' along said other land of said Peabody for a distance of 102.26 feet to a stone bound on the Westerly side of said Sladen Street; thence turning and running

Along a Northerly direction along said Sladen Street by a curve line having a radius of 489.12 feet, a distance of 79.10 feet to a stone bound; thence continuing

On a straight line for a distance of 79.22 feet to the point of beginning; or act in any other way relative thereto.

Submitted by Voter Petition

Recommendations:

**ARTICLE #23:**

To see if the Town will vote to amend the Town of Dracut Zoning Bylaws Section 4.12.30 by adding a third paragraph to Section 4.12.10, which reads as follows:

- 1) "Notwithstanding the above, to further meet the objective of providing greater variety of units and to meet the demands of Dracut's aging population, the Planning Board, by Special Permit, may allow age restricted housing units to those persons of age 55 or older. Age restricted units shall be deed restricted in that a person 55 or older is required to live within or own the unit. Units may be constructed in a combination of one, two or multi-family units, on one or more lots. The total number of units shall be determined in accordance with Section 4.12.30(#7).
- 2) To see if the Town will amend the Dracut Zoning Bylaw by adding the following words after the words "on the same lot" the words and punctuation ", except as permitted in Section 4.12.10, paragraph 3." so that the definition of Multi-Family Dwelling would read as follows:

"Multi-Family Dwelling - Dwelling attached or detached designed for the residence of 3 or more families on the same lot, except as permitted in Section 4.12.10, paragraph 3." And



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**ARTICLE #23 (Cont'd):**

- 3) To see if the Town will vote to amend the Town of Dracut Zoning Bylaws Section 4.12.30 by adding a new paragraph after paragraph 5, which reads as follows:

“Section 5 (a). The requirements of Section 5, above , may be reduced on Special Permit by the Special Permit Granting Authority as designated and, notwithstanding anything to the contrary contained in Section 2.11.30 (Table Permitted Uses) and Section 2.11.42 (Residential Uses) of this Bylaw, to allow for detached single family units or attached two family units, with attachments located side-by-side, or any combination thereof, and associated parking, in multi-family developments designed to be burdened with a deed rider, restrictive covenant or other instrument that shall be recorded at the Registry of Deeds or the Land Court, requiring that the provided housing be individually owned or occupied by at least one (1) person who is fifty-five (55) years of age, or older; and their spouses of any age, and as the Special Permit Granting Authority may further define and specify in its special permit.”; or act in any other way relative thereto.

Submitted by Voter Petition

Recommendations:

**ARTICLE #24:**

To see if the Town will vote to adopt Chapter 24, Yard Sales, within the Town of Dracut Bylaws as follows:

CHAPTER 24:

24.01: Yard Sales

24.02

Definition. A “yard sale” is defined as the offering for sale, trade or exchange new or used goods, articles, or wares at any residential location. For the purposes of this Bylaw, tag sales, garage sales and similar terminology shall be included in this definition for “yard sale”.

24.03

It shall be unlawful for any person to conduct a yard sale, within the Town of Dracut without first obtaining a license from the Town Clerk. The Town Clerk shall enforce the provisions of this Section and shall forward to the Police Department the names of approved licenses.

24.04

Not less than three (3) days prior to the date of proposed sale, in all zoning districts, an applicant for a license shall apply at the Town Clerk’s office for such license, setting forth the name and address of the applicant, the location, and date of the proposed yard sale. Upon validation by the Town Clerk, the application becomes a license. The license shall be issued to the applicant and shall be posted on the premises during the sale. Licenses shall be issued only at the Clerk’s office during usual business hours.

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**ARTICLE #24 (Cont'd):**

24.05

At the time of filing of the application each applicant shall pay a license fee of \$25.00 to the Town of Dracut. The time of the yard sale shall be limited: Monday through Saturday from 8:00 A.M. to 5:00 P.M. and Sunday from 10:00 A.M. to 5:00 P.M. A yard sale shall be conducted at the same residential location no more than two (2) days in any calendar year and may not be held on consecutive weekends.

24.06

Yard sale signs shall not be put up more than 48 hours prior to the start of the sale. Signs, including staples, nails, etc. shall be removed by 7:00 p.m. on the date of the sale. Signs shall not be affixed to any public property nor placed in such a manner as to obstruct the view of pedestrian or vehicular traffic.

24.07

Violation of Chapter 2, Section 07 of the General By-Laws is subject to a fine of \$25.00 per offense. Each day or portion of a day that any violation is allowed to continue shall constitute a separate offense. The Town Clerk, working with the Police Department, shall enforce the provisions of this Bylaw.”; or act in any other way relative thereto.

Submitted by James A. Duggan, Town Manager  
Recommendations:

**ARTICLE #25:**

To see if the Town will vote to amend the Town of Dracut Zoning Bylaws by adding the following language in between the “Educational” and “Religious” principle uses in 2.11.30 Table of Permitted Uses, under Governmental, Institutional and Public Services uses, as follows:

Principal Uses	Residential			Business				Industrial		
	R-1	R-2	R-3	B-1	B-2	B-3	B-4	B-5	I-1	I-2

**Governmental, Institutional & Public Services Uses**

<b>“Museums”</b>	<b>O</b>	<b>O</b>	<b>O</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>
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2.) To see if the Town will vote to amend the Town of Dracut Zoning Bylaws by adding the following definition of “Museum” in between the Educational and Religious definitions, noted in 2.11.43, as follows:

“Museum – A building or structure, whether public or private for profit, commercial or non-commercial, devoted to the acquisition, conservation, study, exhibition and educational interpretation of objects historical, artistic, scientific, technological, natural or other value of similar nature.”; and

3.) To see if the Town will vote to amend the Town of Dracut Zoning Bylaws by adding the following category and requirements in the Section 3.10.24 Table of Off-Street Parking Requirements, after the Use “Theatre, Funeral Home and Places of Assembly”:

Use	Number of Spaces
Museums	One space per 1,000 square feet of gross floor area”;

Or act in any other way relative thereto.

Submitted by Daniel McLaughlin, Building Inspector  
Recommendations:

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**ARTICLE #26:**

To see if the Town will vote to rezone the following parcel of real estate from Residential 1 (R-1) to Residential 3 (R-3) as follows:

**PARCEL ONE:**

The property located at 60 Loon Hill Road (Assessor's Map 51, Block 0, Lot 75), containing one (1) acre of land, more or less. The property being rezoned is approximately described as follows:

Beginning at a point on the North side of Loon Hill Road at the South Easterly corner of said premises being 359.04' Westerly of the intersection of Broadway Road.

Thence N 3° - 30' W by the land of Bouchard a distance of 503.19' to a point,

Thence S 85° W by land of Richardson a distance of 60.04' to a point,

Thence S 2° W by land of Richardson a distance of 488' to a point on the North side of Loon Hill Road,

Thence Easterly along Loon Hill Road a distance of 115.6' to the point of beginning.

Meaning and intending to describe the same premises conveyed to George L. Blackwell and Elmina J. Hilsenrath, by deed of George L. Blackwell and Elmina J. Hilsenrath, Co-Executors, dated February 27, 2011, and recorded with Middlesex North District Registry of Deeds in Book 24807, Page 15; Or take any other action relative thereto.

Submitted by Voter Petition

Recommendations:

**ARTICLE #27:**

To see if the Town will vote to rezone the following parcel of real estate from Residential 1 (R-1) to Residential 3 (R-3) as follows:

**PARCEL ONE:**

The property located at 68 Loon Hill Road (Assessor's Map 51, Block 0, Lot 76), containing four and 66/100<sup>th</sup> (4.66) acre of land, more or less. The property being rezoned is approximately described as follows:

Beginning at a point on the North side of Loon Hill Road at the South Easterly corner of said premises being 359.04' Westerly of the intersection of Broadway Road;

Thence, N 00° - 11'-21" E a distance of 777.02' to a drill hole in a wall along the Southerly side of Florry Drive;

Thence, along said wall and the Southerly side of Florry Dr. N 88° - 59'-43" E a distance of 93.43' to a stone bound;

Thence, continuing along Florry Dr. and a stone wall N 89° - 06'-58" E a distance of 314.39' to an iron pipe at the land of the Town of Dracut;

Thence, along the land of the Town of Dracut and a stonewall S 02° 06'-32"E a distance of 291.41' to a drill hole;

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**ARTICLE #27 (Cont'd):**

Thence S 88° 54'36" W by land of Dracut and Civic Village Corp., a distance of 254.46' to a stone bound;

Thence S 00° 02'-37" W by land of Dracut and Civic Village Corp., a distance of 356.49' to an iron pipe at the land of Doyle;

Thence S 00° 19'-54" W by land of Doyle 150.00' to the North side of Loon Hill Road;

Thence along the North side of Loon Hill Rd., a distance of 167.00' to the point of beginning.

Meaning and intending to describe the same premises conveyed to Steven Abdinoor, by deed of Charles Abdinoor and Bernice M. Abdinoor, dated August 26, 2003, and recorded with Middlesex North District Registry of Deeds in Book 16132, Page 121.; or act in any other way relative thereto.

Submitted by Voter Petition

Recommendations:

**ARTICLE #28:**

To see if the Town will vote to accept Parcel "A" on Smith Farm Way described as follows:

EXHIBIT B – PARCEL "A"

Smith Farm Way – Dracut, MA

A certain parcel of land situated in Dracut, Massachusetts shown as Parcel "A" on a plan entitled "Definitive Subdivision, Proposed Subdivision Plan, Smith Farm Estates, Dracut, Massachusetts." Prepared by Dana F. Perkins, Inc. dated: July 20, 2009, revised to: 11/27/08, recorded at the Middlesex North Registry of Deeds in Plan Book 230, Plan 119, bounded and described as follows:

Beginning at a point on the southerly end of Smith Farm Way, at land now or formerly of Mark and Anna Corey;

Thence by land of said Corey in four courses as follows:

By a curved line to the left, having a radius of 150.00 feet and a length of 23.72 feet to a point;

S 27° 06'57" E a distance of 160.00 feet to a point;

S 54° 07'32" W a distance of 205.05 feet to a point;

N 52° 02'04" W a distance of 120.56 feet to a point at land now or formerly of Costas Papanicolaou;

Thence by land of said Papanicolaou N 37° 57' 56" E a distance of 84.76 feet to a point;

Thence by land of said Papanicolaou and land now or formerly of Steven and Paulette Geoffroy N 04° 22' 50" W a distance of 133.34 feet to a point at Lot #3, as shown on the above referenced plan;

Thence by said Lot #3 N 85° 37' 10" E a distance of 137.62 feet to a point and the point of beginning;

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NOVEMBER 7, 2016**

**ARTICLE #28 (Cont'd):**

Said Parcel "A" containing 44,737 Square Feet more or less, or 1.03 Acres more or less according to said plan;

Or act in any other way relative thereto.

Submitted by Voter Petition  
Recommendations:

**ARTICLE # 29:**

To see if the Town will vote to accept Smith Farm Way described as follows:

EXHIBIT A – STREET ACCEPTANCE  
Smith Farm Way – Dracut, MA

A certain parcel of land situated in Dracut, Massachusetts shown as Smith Farm Way on a plan entitled "Street Acceptance Plan, Plan of Land, Smith Farm Way, Dracut Massachusetts prepared by Dana F. Perkins, Inc., dated September 15, 2016, to be recorded herewith bounded and described as follows:

Beginning at a point on the Easterly sideline of Jones Avenue at land now or formerly of Goodwin Living Trust; thence

By a curved line to the left, having a radius of 30.00 feet and a length of 61.40 feet to a point;

Thence N 64° 03' 07" E a distance of 54.92 feet to a point;

Thence by a curved line to the right, having a radius of 762.69 feet and a length of 67.50 feet to a point;

Thence S 20° 52' 38" E a distance of 50.00 feet to a point;

Thence by a curved line to the right, having a radius of 65.00 feet and a length of 52.40 feet to a point;

Thence S 08° 54' 08" E a distance of 116.26 feet to a point;

Thence by a curved line to the right, having a radius of 150.00 feet and a length of 42.65 feet to a point;

Thence S 07° 23' 27" W a distance of 157.79 feet to a point;

Thence by a curved line to the left, having a radius of 50.00 feet and a length of 46.36 feet to a point;

Thence by a curved line to the right, having a radius of 75.00 feet and a total length of 374.71 feet to a point;

Thence by a curved line to the left, having a radius of 50.00 feet and a length of 46.36 feet to a point;

Thence N 07° 23' 27" E a distance of 157.79 feet to a point;

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**ARTICLE # 29 (Cont'd):**

Thence by a curved line to the left, having a radius of 100.00 feet and a length of 44.39 feet to a point;

Thence N 18° 02' 34" W a distance of 112.76 feet to a point;

Thence by a curved line to the left, having a radius of 20.00 feet and a length of 34.18 feet to a point;

Thence S 64° 03' 07" W a distance of 98.26 feet to a point;

Thence by a curved line to the left having a radius of 30.00 feet and a length of 32.71 feet to a point on the easterly sideline of Jones Avenue;

Thence by said easterly sideline of Jones Avenue N 01° 44' 19" E a distance of 124.08 feet to a point and the point of beginning.

Said Smith Farm Way containing 48,243 Square Feet more or less, or 1.11 Acres more or less according to said plan; or act in any other way relative thereto.

Submitted by Voter Petition  
Recommendations:

**ARTICLE #30:**

To see if the Town will vote to abandon a portion of Fuller Avenue accepted by the Town on 3/18/1961 page 436 article 42.

The accepted finished portion of Fuller Avenue begins on Merrimack Avenue and by reference, "A Plan of Intervale" registered 10/10/1899 Book 15 page 16, borders lots 17-31 on the North West side of Fuller Avenue and lots 2-16 on the North East side of Fuller Avenue.

We propose abandonment of the remainder of paper road Fuller Avenue beginning at the center line of the intermittent stream, Campbell estates lot layout plan sheet 2 of 8, (between lot 21 "A Plan of Intervale" registered 10/10/1899 Book 15 page 16), through lot 17 of the North West side (rock wall, reference Campbell estates lot layout plan sheet 2 of 8 boundary with lot 3) and the North East side beginning at lot 10 intermittent stream and extending through lot 16 rock wall; or act in any other way relative thereto.

Submitted by Voter Petition  
Recommendations:

**ARTICLE #31:**

To see if the Town will vote to abandon the easement (East Richardson Rd. that goes from Regency Dr. to Jones Ave) this is between Lot 67 and Lot 68. We are asking that the easement be divided 50/50 between Catherine W. Muriithi (owner of Lot 67) and Charles and Vita Salvaggio (owner of Lot 68).

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**ARTICLE 31 (Cont'd):**

If granted, at no time will the Town be denied access to the drainage easement. The owners of Lot 67 and Lot 68 will be responsible for the maintenance and esthetics of the easement. At no time will there be any permanent structure i.e., shed, wall, fence but not limited to, placed on this easement; or act in any other way relative thereto.

Submitted by: Voter Petition

Recommendations:

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

Given under our hands this 11<sup>th</sup> day of October, 2016:

**DRACUT BOARD OF SELECTMEN**

\_\_\_\_\_  
Alison Hughes, Chairman

\_\_\_\_\_  
Joseph DiRocco, Jr, Vice - Chairman

\_\_\_\_\_  
Tami M. Dristiliaris, Clerk

\_\_\_\_\_  
Tony Archinski

\_\_\_\_\_  
Jesse R. Forcier

October 12, 2016, 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 Middle School, 1570 Lakeview Ave.
- Precincts 3 & 8 - Moses Greeley Parker Library, 28 Arlington St.
- Precincts 4 & 8 - Campbell School, 1021 Methuen St.
- Precincts 5 & 9 - Richardson Middle School, 1570 Lakeview Ave.

Also, at Town Hall, inside and outside.

**A TRUE COPY ATTEST:** \_\_\_\_\_  
Michael J. Kenyon, Sr., Constable