

**ABSTRACT OF THE ANNUAL TOWN MEETING HELD  
MONDAY, APRIL 7, 2008, 7:00 P.M.  
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL AUDITORIUM  
WITH ADJOURNED SESSIONS HELD APRIL 8, APRIL 9 AND APRIL 14, 2008**

Number of Registered voters attending Town Meeting  
April 7, 2008 – 390    April 8, 2008 – 285    April 9, 2008 – 216    April 14 -- 223

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One or more of the following symbols may follow an Article number:

<u>Symbol</u>	<u>Description</u>
*	This article is on the Consent Calendar
#	This article submitted by Citizen Petition

**April 7, 2008**

The Moderator, Mr. Mackenzie, called the meeting to order on Monday, April 7, 2008, at 7:03 PM. He introduced Reverend Long-Middleton of the West Acton Baptist Church. Reverend Long-Middleton then gave the invocation.

Mr. Mackenzie introduced the Chairman of the Board of Selectmen, F. Dore Hunter, who then introduced the Town Clerk, Town Counsel, and members of the Board of Selectmen.

Mr. Hunter then introduced the new Town Manager, Steve Ledoux.

The Moderator introduced Pat Clifford, Chair of the Finance Committee, who then introduced the members. (Robert Evans, Herman Kabakoff, Patricia Easterly, Stephen Noone, Allen Nitschelm and Kent Sharp, Mary Ann Ashton, and William Mullin.)

Mr. MacKenzie gave an overview of the process of Town Meeting. He informed Town Meeting that they would be voting on the motions that are read, not the articles as written in the warrant. He then explained some basic rules and parliamentary procedure of the Town Meeting as found on page 82 of the warrant.

Mr. MacKenzie explained how the CONSENT CALENDAR is voted and proceeded to read the articles on the CONSENT CALENDAR:

**Consent Calendar Articles and Motions**

**Article 3 \* Council on Aging Van Enterprise Budget**

Move that the Town appropriate \$97,973 for the purpose of operating the Town of Acton Senior and Disabled Citizens Van service, and to raise such amount, \$41,366 be raised from department receipts and \$56,607 be raised from taxation.

**Article 4 \* Nursing Enterprise Budget**

Move that the Town appropriate \$781,598 for the purpose of operating the Town of Acton Public Health Nursing Service, and to raise such amount, \$554,000 be raised from department receipts and \$227,598 be transferred from retained earnings.

**Article 5 \* Septage Disposal Enterprise Budget**

Move that the Town appropriate \$173,694 for the purpose of septage disposal, and to raise such amount, \$148,694 be raised from department receipts and \$25,000 be transferred from retained earnings.

**Article 6 \* Sewer Enterprise Budget**

Move that the Town appropriate \$1,608,944 for the purpose of operating the sewer system, and to raise such amount, \$1,608,944 be raised from department receipts.

**Article 7 \* Recycling and Transfer Station Enterprise Budget  
(Previously known as the NESWC Enterprise Budget)**

Move that the Town appropriate \$977,534 for the purpose of solid waste disposal and recycling, and to raise such amount, \$592,534 be raised from department receipts and \$385,000 be transferred from retained earnings.

**Article 8 \* Self-Funding Programs (Revolving Funds)**

Move that the revolving funds for the Local School System, Historic District Commission, Building Department, Sealer of Weights and Measures, Health Department, and Fire Department be continued in the amounts and for the purposes set forth in the expense column of this Article.

**Article 9 \* Highway Reimbursement Program (Chapter 90)**

Move that the Town Manager is authorized to accept Highway funds from all sources and that such funds are hereby appropriated for highway purposes.

**Article 10 \* Insurance Proceeds**

Move that the Town Manager is authorized to accept insurance proceeds of any name and nature whatsoever from all sources and such funds are hereby appropriated.

**Article 11 \* Gifts or Grants**

Move that the proceeds of any gifts or grants from any source accepted pursuant to Massachusetts General Law, Chapter 44, Section 53A, and any interest thereon, are hereby appropriated for the stated purposes of the gifts or grants, and may be expended with the approval of the Board of Selectmen or otherwise as stated in Section 53A.

**Article 12 \* Federal and State Reimbursement Aid**

Move that the Town Manager is authorized to accept federal and state reimbursement funds from all sources and that such funds are hereby appropriated for the purposes outlined by such reimbursement.

**Article 13 \* Performance Bonds**

Move that the Town appropriate the proceeds of any performance bonds, for the purposes stated in said bonds, available as a result of any default, non-performance or other covered conditions.

**Article 14 \* Sale of Foreclosed Properties**

Move in the words of the Article.

**Article 15 \* Elderly Tax Relief – Reauthorize Chapter 73 of the Acts of 1986**

Move that the Town continue to accept the provisions of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, providing for a 100% increase in certain property tax exemptions.

**Article 16 \* Town Board Support – Acton-Boxborough Cultural Council**

Move that the Town raise and appropriate \$2,000 for the ongoing expenses of the Acton-Boxborough Cultural Council.

**Article 33 \* Inter-Municipal Agreement – Bruce Freeman Rail Trail**

Move in the words of the Article.

**Article 35 \* Designate Issuer of Trench Excavation Permits**

Move in the words of the Article.

**Article 36 \* Amend Town Bylaws – Zoning Enforcement Officer**

Move that the Town adopts the general bylaw amendments as set forth in the Article.

**Article 41 \* Amend Zoning Bylaw – Corrections, Clarifications and Minor Amendments**

Move that the Town adopts the zoning bylaw amendments as set forth in the Article.

**Article 42 \* Accept Street Relocation & Layout – Parker & High Streets**

Move that the Town authorize the Board of Selectmen to take by eminent domain Parcel F-2B shown on the Plan of the Relocation of a Portion of Parker & High Street as set forth in the Article.

**Article 43 \* Accept Trail Easement – Hazelnut Street**

Move that the Town authorize the acquisition of the easements as set forth in the Article.

**Article 44 \* Accept Sidewalk Easement – Post Office Square**

Move that the Town authorize the acquisition of the easements as set forth in the Article.

**Article 45 \* Accept Sidewalk Easement – 217 Parker Street & 1 Robert Road**

Move that the Town authorize the acquisition of the easements as set forth in the Article.

**Article 46 \* Accept Sidewalk Easement – 1 to 9 Central Street**

Move that the Town authorize the acquisition of the easements as set forth in the Article.

**Article 47 \* Accept Sidewalk Easement – 74 Charter Road**

Move that the Town authorize the acquisition of the easements as set forth in the Article.

**Article 48 \* Accept Sidewalk Easement – 55 Great Road**

Move that the Town authorize the acquisition of the easements as set forth in the Article.

**Article 49 \* Accept Land Gift – Knowlton Drive**

Move that the Town accept the gift of land as set forth in the Article.

**Article 50 \* Accept Property by Deed in Lieu of Foreclosure – Lothrop Road**

Move that the Town authorize the Tax Collector to accept a deed in lieu of foreclosure, on such terms and conditions as he shall determine appropriate, to Parcels 62, 76 and 87 on Assessor's Map G2, also being shown as Lots 32, 33, and 34 on the subdivision plan referenced in the Article.

**MOTION:** Mr. Hunter moves that the Town take up the twenty-seven articles in the **CONSENT CALENDAR** on pages 11 through 13 of the Warrant, with the exception that the fiscal year 2009 Hazardous Materials Inspection Revolving Fund estimated revenue and authorized expenditure amounts in Article 8 be reduced to \$52,575.

Articles: 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 33, 35, 36, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50.

Articles 7, 33, 36, and 44, held from consent.

**MOTION CARRIES UNANIMOUSLY**

**ARTICLE 1 CHOOSE TOWN OFFICERS**

(Majority vote)

To choose all necessary Town Officers and Committees and to fix the salaries and compensation of all the elective officers of the Town as follows:

Moderator	\$ 20.00 per Town Meeting session
Board of Selectmen, Chairman	\$750.00 per year
Board of Selectmen, Member	\$650.00 per year

, or take any other action relative thereto.

**MOTION:** Mr. Hunter moves that the Town fix the compensation for elected officers as shown in the Article.

**MOTION CARRIES UNANIMOUSLY**

Cornelia O. Huber, Trustee of the Elizabeth White Fund, nominates Andrea S. Miller, 30 Taylor Road, to the position of Trustee of the Elizabeth White Fund, term to expire 2011.

**MOTION CARRIES UNANIMOUSLY**

Peter J. Guilmette, Trustee of the West Acton Citizens' Library, nominates Gerald F. Browne, 85 Hammond Street, to the position of Trustee of the West Acton Citizens' Library, term to expire 2011.

**MOTION CARRIES UNANIMOUSLY**

Pursuant to Article 27 of the 2006 Annual Town Meeting and the resulting Judgment and Order of the Middlesex Probate Court dated January 3, 2008, and following a joint meeting with the West Acton and Acton Firemen's Relief Funds, three Trustees were nominated to the new Fireman's Relief Fund as follows:

- William A. Klauer, 70 Piper Road, one-year term to expire 2009;
- Robert A. Vanderhoof, 374 Central Street, two-year term to expire 2010;
- Bruce Stone, 2 First Street, Maynard, three-year term to expire 2011.

**MOTION CARRIES UNANIMOUSLY**

Sally Moore, Trustee of the Charlotte Goodnow Fund, nominates Becky A. Rockwell, 20 Cowdrey Lane, for the position of Trustee of the Charlotte Goodnow Fund, term to expire 2011.

**MOTION CARRIES UNANIMOUSLY**

Sally Moore, Trustee of the Charlotte Goodnow Fund, nominates Alice P. Miller, 22 Silver Hill Road, for the position of Trustee of the Charlotte Goodnow Fund, term to expire 2011.

**MOTION CARRIES UNANIMOUSLY**

**ARTICLE 2 HEAR AND ACCEPT REPORTS**

(Majority vote)

To see if the Town will accept reports and hear and act upon the report of any committee chosen at any previous Town Meeting that has not already reported, or take any other action relative thereto.

**MOTION:** Mr. Hunter moves that the Town accepts the reports of the various Town Officers and Boards as set forth in the 2007 Town Report and that the Moderator calls for any other reports.

**MOTION CARRIES UNANIMOUSLY**

Selectmen Paulina Knibbe presented a report on the expansion of the Senior Center.

Moderator spoke about Mr. Bill Cady who was the Head Teller for 10 years. Mr. Cady passed away June 23, 2007.

Mr. Mackenzie then presented the new Head Teller, Charles Kadlec, and other tellers for Town Meeting.

Thank you to Lauren Rosenzweig for initiating the presentation. All the tellers were then sworn in by the Town Clerk.

Ms. Lauren Rosenzweig spoke about Mr. F. Dore' Hunter, Chair of the Board of Selectmen, who will end his term at close of this Town Meeting. Ms. Rosenzweig thanked Mr. Hunter for his endless service to the Town. Mr. Hunter has been on the Board of Selectmen for the past 24 years. His service to the Town also includes School Committee Member, Route 2 Corridor Advisory Board, MBTA, Fitchburg Rail Working Group, Sewer Project, Public Safety Facility, Twin School presentation.

The Moderator called Representative James Eldridge to come forward to present a citation from the House of Representatives and the State Senate signed by them and Representative Corey Atkins. This citation recognized the following for their contribution in making Acton a better community:

F. Dore Hunter of the Board of Selectmen, John Ryder of the School Committee, Mildred Jarvis of the Public Library.

Mr. Mackenzie introduced Town Manager, Mr. Steve Ledoux, who gave a presentation for the third annual recipient of the newly established award, officially entitled "The Joseph A. Lalli Merit Award". Daryl Powell, Property Lister for the Assessors Department, and Susan Paju, Reference Librarian for the Acton Memorial Library, have been selected as the Municipal Employees of the Year for 2007. Mr. Powell and Ms. Paju were presented with a certificate along with a check in the amount of \$1000.00.

Ms. Lauren Rosenzweig and F. Dore' Hunter presented an award to State Senator, Pamela Resor, in recognition for the many areas of service to the Town. She will be retiring as State Senator after serving for the past 18 years in legislature.

**ARTICLE 3 \* COUNCIL ON AGING VAN ENTERPRISE BUDGET**  
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money to operate the Senior Van Service, in accordance with Massachusetts General Law, Chapter 44, Section 53 F½, Enterprise Fund Law, or take any other action relative thereto.

**MOTION:** Mrs. Knibbe moves that the Town appropriate \$97,973 for the purpose of operating the Town of Acton Senior and Disabled Citizens Van service, and to raise such amount,  
\$41,366 be raised from department receipts and  
\$56,607 be raised from taxation.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 4 \* NURSING ENTERPRISE BUDGET**  
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money to provide Public Health and Visiting Nurse Services, in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

**MOTION:** Mr. Berry moves that the Town appropriate \$781,598 for the purpose of operating the Town of Acton Public Health Nursing Service, and to raise such amount,  
\$554,000 be raised from department receipts and  
\$227,598 be transferred from retained earnings.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 5 \* SEPTAGE DISPOSAL ENTERPRISE BUDGET**  
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money for the purpose of septage disposal, in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

**MOTION:** **Mr. Magee** moves that the Town appropriate \$173,694 for the purpose of septage disposal, and to raise such amount,  
\$148,694 be raised from department receipts and  
\$ 25,000 be transferred from retained earnings.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 6 \* SEWER ENTERPRISE BUDGET**  
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money for the purpose of operating and maintaining a sewer collection and treatment facility, in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

**MOTION:** **Mrs. Rosenzweig** moves that the Town appropriate \$1,608,944 for the purpose of operating the sewer system, and to raise such amount,  
\$1,608,944 be raised from department receipts..

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 7 \* RECYCLING AND TRANSFER STATION ENTERPRISE BUDGET**  
(Majority vote) **(Previously known as the NESWC Enterprise Budget)**

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money for the purpose of solid waste disposal and recycling in accordance with Massachusetts General Law, Chapter 44, Section 53F½, Enterprise Fund Law, or take any other action relative thereto.

**MOTION:** **Mr. Hunter** moves that the Town appropriate \$977,534 for the purpose of solid waste disposal and recycling, and to raise such amount,  
\$592,534 be raised from department receipts and  
\$385,000 be transferred from retained earnings.

Held from consent

**MOTION CARRIES**

**ARTICLE 8 \* SELF-FUNDING PROGRAMS (REVOLVING FUNDS)**  
(Majority vote)

To see if the Town will vote, pursuant to Massachusetts General Law, Chapter 44, Section 53E½ to continue revolving funds for the Local School System, to be expended by the Superintendent of Schools; and for the Historic District Commission, Building Department, Sealer of Weights and Measures, Health Inspectional Services, Ambulance Fees and Fire Department Fire Alarm Network, to be expended by the Town Manager, as noted below:

Fund	FY09 Estimated Revenue	FY09 Authorized Expenditure
<b>School Department</b>		
Douglas at Dawn/Dusk	<b>\$ 206,500</b>	<b>\$ 206,500</b>
Gates Amazing Programs	<b>\$ 36,500</b>	<b>\$ 36,500</b>
Merriam Mornings/Afternoons/Summer	<b>\$ 236,500</b>	<b>\$ 236,500</b>
<b>Historic District Commission</b>	<b>\$ 600</b>	<b>\$ 600</b>
<b>Building Department ♦</b>	<b>\$ 209,701</b>	<b>\$ 209,701</b>
Includes fees for Microfilming, Electrical Permits, Plumbing Permits, Gas Permits, Sign Licenses and Periodic Inspection Fees		
<b>Sealer of Weights and Measures</b>	<b>\$ 11,168</b>	<b>\$ 11,168</b>
<b>Health Department</b>		
Food Service Inspections	<b>\$ 28,993</b>	<b>\$ 28,993</b>
Hazardous Materials Inspections	<b>\$ 82,575</b>	<b>\$ 82,575</b>
<b>Fire Department</b>		
Fire Alarm Network	<b>\$ 52,294</b>	<b>\$ 52,294</b>
Ambulance Fees (the fund from such fees to be used for acquiring equipment used in providing Emergency Medical Services (EMS), including but not limited to defraying the maturing debt and interest or lease costs thereof, and/or for paying a portion of the wages or salaries of Town employees who perform services as Emergency Medical Technicians, EMS First Responders, and other personnel engaged in providing Emergency Medical Services on behalf of the Town including the costs of fringe benefits associated with the wages or salaries so paid)	<b>\$ 250,000</b>	<b>\$ 250,000</b>

, or take any other action relative thereto.

**MOTION:** Mrs. Knibbe moves that the revolving funds for the Local School System, Historic District Commission, Building Department, Sealer of Weights and Measures, Health Department, and Fire Department be continued for fiscal year 2009 in the amounts and for the purposes set forth in the Article, except that the Hazardous Materials Inspection Revolving Fund estimated revenue and authorized expenditure amounts be reduced to \$52,575.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 9 \*           HIGHWAY REIMBURSEMENT PROGRAM (CHAPTER 90)**  
(Majority vote)

To see if the Town will vote to raise and appropriate, or appropriate from available funds, a sum of money for highway improvements under the authority of Massachusetts General Law, Chapter 90, and any other applicable laws, or take any other action relative thereto.

**MOTION:** **Mr. Berry** moves that the Town Manager be authorized to accept Highway funds from all sources and such funds are hereby appropriated for highway purposes.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 10 \*           INSURANCE PROCEEDS**  
(Majority vote)

To see if the Town will vote to appropriate the proceeds of any insurance policy reimbursements of costs incurred as a result of any covered loss, including without limitation any liability insurance, property insurance, casualty insurance, workers' compensation insurance, health insurance, disability insurance, automobile insurance, police and fire injury and medical costs, and any other insurance of any name and nature whatsoever, or take any other action relative thereto.

**MOTION:** **Mr. Magee** moves that the Town Manager be authorized to accept insurance proceeds of any name and nature whatsoever from all sources and such funds are hereby appropriated.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 11 \*           GIFTS OR GRANTS**  
(Majority vote)

To see if the Town will vote to appropriate the proceeds of any gifts or grants accepted pursuant to Massachusetts General Law, Chapter 44, Section 53A, and any interest thereon, and that, consistent with the requirements of Massachusetts General Law, Chapter 40, Section 4A, the Board of Selectmen or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, for the stated purposes of the gifts or grants, or take any other action relative thereto.

**MOTION:** **Mrs. Rosenzweig** moves that the proceeds of any gifts or grants from any source accepted pursuant to Massachusetts General Law, Chapter 44, Section 53A, and any interest thereon, are hereby appropriated for the stated purposes of the gifts or grants, and may be expended with the approval of the

Board of Selectmen or otherwise as stated in Section 53A and consistent with Massachusetts General Law, Chapter 40, Section 4A, the Board of Selectmen are authorized to enter into an agreement or agreements on behalf of the Town, including but not limited to agreements between governmental entities, on such terms and conditions as the Board of Selectmen may determine.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 12 \* FEDERAL AND STATE REIMBURSEMENT AID**

(Majority vote)

To see if the Town will vote to appropriate any Federal Government and State Government reimbursement for costs incurred as a result of any declared emergencies or other occurrence, and that, consistent with the requirements of Massachusetts General Law, Chapter 40, Section 4A, the Board of Selectmen or Town Manager are authorized to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, or take any other action relative thereto.

**MOTION:** Mrs. Rosenzweig moves that the Town Manager be authorized to accept Federal and State reimbursement funds from all sources and that such funds are hereby appropriated for the purposes outlined by such reimbursement and consistent with Massachusetts General Law, Chapter 40, Section 4A, the Board of Selectmen are authorized to enter into an agreement or agreements on behalf of the Town, including but not limited to agreements between governmental entities, on such terms and conditions as the Board of Selectmen may determine.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 13 \* PERFORMANCE BONDS**

(Majority vote)

To see if the Town will vote to appropriate the proceeds of any performance bonds for the purposes stated in said bonds available as a result of any default, non-performance or other covered conditions, or take any other action relative thereto.

**MOTION:** Mrs. Knibbe moves that the Town appropriate the proceeds of any performance bonds, for the purposes stated in said bonds, available as a result of any default, non-performance or other covered conditions.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 14 \* SALE OF FORECLOSED PROPERTIES**

(Majority vote)

To see if the Town will vote to authorize the Board of Selectmen to dispose of foreclosed properties acquired by the Town for nonpayment of taxes in accordance with the provisions of Massachusetts General Laws, or take any other action relative thereto.

**MOTION:** Mr. Berry moves in the words of the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 15 \* ELDERLY TAX RELIEF**  
(Majority vote) **REAUTHORIZE CHAPTER 73 OF THE ACTS OF 1986**

To see if the Town will vote to continue to accept the provisions of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, providing for a 100% increase in certain property tax exemptions, or take any other action relative thereto.

**MOTION:** Mr. Berry moves that the Town continue to accept the provisions of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, providing for a 100% increase in certain property tax exemptions.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 16 \* TOWN BOARD SUPPORT**  
(Majority vote) **ACTON-BOXBOROUGH CULTURAL COUNCIL**

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$2,000, or any other sum, to be expended by the Town Manager for the ongoing expenses of the Acton-Boxborough Cultural Council for programs in Acton, or take any other action relative thereto.

**MOTION:** Mr. Magee moves that the Town raise and appropriate \$2,000 for the ongoing expenses of the Acton-Boxborough Cultural Council.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 17 BUDGET TRANSFER**  
(Majority vote)

To see if the Town will vote to appropriate from available funds a sum of money to defray necessary expenses of the Council on Aging Van Enterprise Fund above the amount appropriated at the 2007 Annual Town Meeting, or take any other action relative thereto.

**MOTION:** Mrs. Knibbe moves that the Town appropriate and transfer \$7,500 from the Recycling and Transfer Station Enterprise Fund Balance for the purpose of supplementing the fiscal year 2008 Council on Aging Van Enterprise Fund appropriation.

**MOTION CARRIES UNANIMOUSLY**

**ARTICLE 18 TOWN OPERATING BUDGET**

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to defray the necessary expenses of the departments, offices and boards of the Town, exclusive of the School budgets, or take any other action relative thereto.

**MOTION:** **Mr. Hunter** moves that the Town appropriate \$25,292,460, to be expended by the Town Manager, for the purpose of funding the Fiscal Year 2009 Municipal Budget, and to raise such amount,  
\$ 25,234,460 be raised from taxation,  
\$ 58,000 be transferred from Cemetery Trust funds for Cemetery use,

and that the Town Manager be authorized to sell, trade or dispose of vehicles and equipment being replaced and to expend any proceeds so received.

**Mr. Johnston** moves this Town Meeting be adjourned at this time and a Special Town Meeting be held in the future to consider budgets with a full budget presentation including past comparisons and future projections by Finance Committee.

The Moderator ruled this motion or amendment not in the scope of the article.

Mr. Anderson informed Mr. Johnston that it was not in the scope of the article to adjourn Town Meeting. Also that establishing a Special Town Meeting cannot be done by a motion on the floor at Town Meeting, it must be done pursuant to the Statute by a petition of 200 voter signatures or a vote of the Board of Selectmen. Both components of the motion are out of order.

**Mr. Barrett** moves to lay Article 18 on the table until such time as the Board of Selectmen or person responsible can put together a budget with supporting documentation to examine.

2/3 vote to pass

Motion declared lost by Moderator count

Moderators count challenged

Tellers called to count

In Favor -133    Opposed -149    Motion lost

**Mr. Seward** moves to amend the motion to a sum of money from \$25,292,460 to \$24,600,000

Motion to amend lost.

**Mr. Johnston** moves the present article be postponed for twenty eight (28) days.

The Moderator ruled the amendment out of order.

### **ORIGINAL MOTION CARRIES**

**MOTION TO ADJOURN:** **Mr. Hunter** moves to adjourn the Annual Town Meeting at 11:15 PM until April 8, 2008 at the Acton-Boxborough Regional High School Auditorium at 7:00 PM.

### **MOTION CARRIES UNANIMOUSLY**

**April 8, 2008**

The Moderator, Mr. Mackenzie, called the meeting to order on Tuesday, April 8, 2008, at 7:05 PM.

**ARTICLE 19 NEW PERSONNEL**

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to be expended by the Town Manager to fund the positions as listed below, except that Part B, Deputy Police Chief, be contingent upon the removal of the position from Civil Service:

	<b>Position</b>	<b>Salary and Benefits</b>
<b>A.</b>	Police Officer	\$ 56,000
<b>B.</b>	Deputy Police Chief	\$ 91,000
<b>C.</b>	Assistant Planner – Zoning Enforcement Officer	\$ 71,400
<b>Total</b>		<b>\$ 218,400</b>

, or take any other action relative thereto.

**MOTION:** Ms. Rosenzweig moves that the Town raise and appropriate \$218,400 to be expended by the Town Manager for the purposes and subject to the conditions set forth in this article.

Mr. Swenson moves to amend by taking each position (A, B, C) separately and independently. Moderator declared. Motion to amend lost.

**ORIGINAL MOTION CARRIED**

Moderator count challenged.

Challenge lost. Motion carries as declared.

**ARTICLE 20 HOME RULE PETITION – REMOVE DEPUTY POLICE CHIEF POSITION FROM CIVIL SERVICE**  
(Majority vote)

To see if the Town will vote to authorize the Town Manager to take the appropriate steps to remove the Deputy Police Chief’s position from Civil Service status, and to authorize the Board of Selectmen to petition the General Court for an Act to permit such removal, or take any other action relative thereto.

**MOTION:** Mr. Berry moves that the Town authorize the Town Manager to take the appropriate steps to remove the Deputy Police Chief’s position under Warrant Article 19 from Civil Service status, and that the Town authorize the Board of Selectmen to petition the General Court for a Home Rule Act to permit such removal.

**MOTION CARRIES**

**ARTICLE 21 CAPITAL IMPROVEMENTS – STUDIES**

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to be expended by the Town Manager for the implementation of the programs as listed below:

<b>A.</b>	Comprehensive Community Plan	\$ 90,000
<b>B.</b>	Community Shuttle	\$ 20,000
<b>Total</b>		<b>\$ 110,000</b>

, or take any other action relative thereto.

**MOTION:** Ms. Rosenzweig moves that the Town raise and appropriate \$110,000 to be expended by the Town Manager for the purposes set forth in this article.

Mr. Nitchelm moves to amend by reducing Article 21 by \$90,000 so that the total would be \$20,000. Amendment is lost.

Mr. Michelman moves to separate A and B for separate vote.

**MOTION TO AMEND CARRIES**

Ms Miley moves to amend the article to reduce A to \$40,000. Amendment is lost.

**Vote on Section A – Tellers called to count - - Favor – 176 Opposed - 109**  
**MOTION CARRIES**

**Vote on Section B -- MOTION CARRIES**

Mr. Chinitz moves to take article 27, 28, 29, 30 and 31 up at this time.  
**MOTION CARRIES**

Mr. Chinitz recognized the retiring principals and named the new principals that would be coming onboard for ABRHS, Merriam, Gates, and McCarthy-Towne Schools.

**ARTICLE 27 ACTON PUBLIC SCHOOLS BUDGET**

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to defray the necessary expenses of the Acton Public School System, or take any other action relative thereto.

**MOTION:** Mr. Chinitz moves that the Town appropriate \$24,974,318 to be expended by the Superintendent of Schools to fund the fiscal year 2009 Acton Public School Budget, and to raise such amount,

\$24,274,318 be raised from taxation,  
\$ 450,000 be transferred from Free Cash, and  
\$ 250,000 be transferred from the Recycling and Transfer Station Enterprise Fund.

**Mr. Seward** moves to amend the bottom line budget from \$24,974,318 to \$24,400,000.  
Amendment is lost.

**Mr. Nitchelm** moves to amend by reducing by \$160,000 to \$24,814,318.  
Amendment is lost

### **ORIGINAL MOTION CARRIES**

#### **ARTICLE 28 CAPITAL IMPROVEMENTS – SCHOOL FACILITIES (BONDING)** (Two-thirds vote)

To see if the Town will vote to appropriate a sum of money, to be expended at the direction of the School Committee, for the purpose of making extraordinary repairs to the Administration Building, Douglas and Gates Schools, including the purchase of equipment, architects' and engineers' fees and other costs incidental thereto; to determine whether such appropriation shall be raised by taxation, by transfer from available funds, by borrowing or otherwise, or take any other action relative thereto.

**MOTION:** **Mr. Chinitz** moves that the Town appropriate \$946,450 to be expended by the Superintendent of Schools for the purpose of making extraordinary repairs to the Administration Building, Douglas and Gates Schools, including the purchase of equipment, architects' and engineers' fees, and other costs incidental thereto; and to raise such amount, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$946,450 under Massachusetts General Law, Chapter 44, as amended.

#### **MOTION CARRIES DECLARED 2/3 BY MODERATOR\***

\*TOWN OF ACTON HAS EXCEPTED MGL CH 39 SEC 15 AT ITS ANNUAL TOWN MEETING APRIL 2001,  
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.  
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

#### **ARTICLE 29 CAPITAL IMPROVEMENTS – CONANT SCHOOL (BONDING)** (Two-thirds vote)

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Committee for the purpose of paying costs of making boiler upgrades at the Conant School, and for the payment of all other costs incidental and related thereto, for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program. The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that Town may receive from the MSBA for the Project shall not exceed the lesser of (1) 43.85 percent (%) of eligible, approved

project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. Or to take any other action relative thereto.

**MOTION:** **Mr. Chinitz** moves that Town hereby appropriates the sum of Five Hundred Twenty-Four Thousand One Hundred (\$524,100) Dollars for the purpose of paying costs of making boiler upgrades at the Conant School, and for the payment of all other costs incidental and related thereto, which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, said sum to be expended under the direction of the School Committee, and to meet said appropriation, the Town Treasurer, with the approval of the Selectmen, is hereby authorized to borrow said sum under and pursuant to M.G.L. Chapter 44, or any other enabling authority, provided that the Town acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurred in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town, provided further that any grant that Town may receive from the MSBA for the project shall not exceed the lesser of (1) 43.85 percent (43.85 %) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA, and further provided that the amount of borrowing authorized pursuant to this motion shall be reduced by any amounts received or expected to be received from the MSBA.

**Mr. Scanlon** moves to amend by adding "and univent " after boiler.

**AMENDMENT CARRIES UNANIMOUSLY**

**AMENDED MOTION CARRIES UNANIMOUSLY**

**ARTICLE 30            ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT ASSESSMENT**  
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to defray the necessary expenses of the Acton-Boxborough Regional School District, or take any other action relative thereto.

**MOTION:** **Ms. McManus** moves that the Town raise and appropriate \$22,695,259 to fund the fiscal year 2009 assessment of the Acton-Boxborough Regional School District.

**MOTION CARRIES**

**ARTICLE 31            MINUTEMAN REGIONAL SCHOOL DISTRICT ASSESSMENT**  
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, a sum of money to defray the necessary expenses of the Minuteman Regional Vocational Technical School District, or take any other action relative thereto.

**MOTION:** Mr. Olmstead moves that the Town raise and appropriate \$770,709 to fund the fiscal year 2009 assessment of the Minuteman Regional Vocational Technical School District.

**MOTION CARRIES**

**MOTION TO ADJOURN:** Mr. Hunter moves to adjourn the Annual Town Meeting at 11:00 PM until April 9, 2008 at the Acton-Boxborough Regional High School Auditorium at 7:00 PM.

**MOTION CARRIES UNANIMOUSLY**

**April 9, 2008**

The Moderator, Mr. Mackenzie, called the meeting to order on Wednesday, April 9, 2008, at 7:05 PM.

**ARTICLE 22 CAPITAL IMPROVEMENTS – INFRASTRUCTURE**

(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds a sum of money, to be expended by the Town Manager for the purchase, replacement or improvement of infrastructure as listed below, including related incidental costs, or take any other action relative thereto.

<b>A.</b>	Main Street/Hayward Road Intersection Improvements	\$ 150,000
<b>B.</b>	Main Street/Brook Street Intersection Improvements	\$ 60,000
<b>Total</b>		<b>\$ 210,000</b>

**MOTION:** Mr. Magee moves that the Town raise and appropriate \$210,000 to be expended by the Town Manager for the purposes set forth in this article.

Mr. Bendig moves to separately vote on the 2 components of the article.

Moderator called for teller count.

Teller count ---- Favor – 66 Opposed – 60

**MOTION TO AMEND CARRIES**

**Vote on section A - CARRIES UNANIMOUSLY**

**Vote on section B – MOTION CARRIES**

Mr. Sawyer moves to adjourn at 10 until Monday.

Motion is lost.

Mr. Hunter recognized Dave Brown, Highway Superintendent, who will be retiring after 41 years of service to the Town.

**ARTICLE 23 CAPITAL IMPROVEMENTS – EQUIPMENT & VEHICLES (BONDING)**

(Two-thirds vote)

To see if the Town will raise and appropriate, appropriate from available funds or borrow a sum of money, to be expended by the Town Manager for the purchase, replacement or improvement of vehicles and equipment as listed below, including related incidental costs, or take any other action relative thereto.

<b>A.</b>	Fire Department Aerial Ladder Apparatus	\$ 800,000
<b>B.</b>	Highway Department Front End Loader	\$ 200,000
<b>C.</b>	Highway Department High-Capacity Snow Blower	\$ 116,625
<b>Total</b>		<b>\$ 1,116,625</b>

**MOTION:** **Mr. Hunter** moves that the Town appropriate \$1,116,625 to be expended by the Town Manager for the purposes set forth in this Article including costs incidental and related thereto, and to raise such amount, \$229,978, be transferred from the Ambulance Fees Revolving Fund and that the Treasurer, with the approval of the Selectmen, is authorized to borrow \$886,647 under Massachusetts General Law, Chapter 44, Section 7, Paragraph 9, as amended, and that the Town appropriate \$95,273 for the payment of interest costs on such borrowing in Fiscal Year 2009 and to raise such amount, \$60,000 be transferred from the Ambulance Fees Revolving Fund Balance and \$35,273 be raised from taxation, and that the Town Manager be authorized to sell, trade, or dispose of vehicles and equipment being replaced and to expend any proceeds so received.

**MOTION CARRIES UNANIMOUSLY**

**ARTICLE 24 ENERGY SAVINGS INITIATIVE – STREETLIGHT REPLACEMENT**  
(Majority vote)

To see if the Town will raise and appropriate, or appropriate from available funds, the sum of \$125,000, or any other sum, to be expended by the Town Manager to develop and implement a program to conserve energy use and/or reduce the cost of energy in operating the Town’s street lighting system including without limitation energy audits, energy conservation measures, energy conservation projects, energy management programs, conversion of equipment to a more energy-efficient system, or a combination thereof; to authorize the Town Manager to apply for and accept any applicable grants, subsidies and rebates for such measures, projects, programs and equipment; and to authorize the Town Manager to enter into one or more long-term guaranteed energy savings contracts pertinent thereto pursuant to General Laws Chapter 25A, Section 11I, for a term not to exceed twenty years, and on such terms and conditions as the Town Manager may determine, provided that the cost of any capital improvements, in excess of the sum appropriated and any grants, subsidies and rebates received, shall be paid for by the energy savings attributable to the contract; or take any other action relative thereto.

**MOTION:** **Ms. Rosenzweig** moves that the Town appropriate \$125,000 for the purpose of replacing streetlights and costs related thereto and to raise such amount,  
    \$ 107,500 be transferred from the Recycling and Transfer Station Enterprise Fund Balance and  
    \$ 17,500 be raised by taxation.

**MOTION CARRIES UNANIMOUSLY**

**Mr. Magee** moves to take up Article 44 out of order and bring it after Article 26.

**MOTION CARRIES**

**ARTICLE 25 ACCEPT STREET RELOCATION & LAYOUT – MAIN STREET**

(Two-thirds vote)

To see if the Town will authorize the Board of Selectmen to relocate a portion of Main Street, by acquiring and/or taking, on such terms and conditions as the Selectmen may determine, by purchase, gift, eminent domain or otherwise and accept a deed of a fee simple or easement interest, for all purposes for which streets, sidewalks and ways are now or hereafter may be used in the Town, in parcels 2C, 2D, and 4A, and by discontinuing, abandoning and/or conveying, as necessary, parcel 1A, on a plan all as further described below:

To acquire and/or take Parcel 2C as shown on a plan entitled “Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, as Laid Out by Order of the Board of Selectmen, 2008”, containing approximately 3,191 square feet, more or less, of land owned by Brewster Conant.

To acquire and/or take Parcel 2D as shown on a plan entitled “Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, as Laid Out by Order of the Board of Selectmen, 2008”, containing approximately 2,855 square feet, more or less, of land owned by Brewster Conant.

To acquire and/or take Parcel 4A as shown on a plan entitled “Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, as Laid Out by Order of the Board of Selectmen, 2008”, containing approximately 7,093 square feet, more or less, of land owned by Brewster Conant.

And to discontinue, abandon, and/or convey whatever right, title and interest the Town may have in a portion of the 1927 County Layout of Main Street (Route 27) on the northerly side of Main Street opposite Brook Street shown as Parcel 1A on a plan entitled “Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, as Laid Out by Order of the Board of Selectmen, 2008”, containing approximately 5,810 square feet, more or less, of land.

The plan that is referenced in the paragraphs above is on file with the Acton Town Clerk (the “Plan”). The acquisition and discontinuance of the above-mentioned parcels will reconfigure this portion of the town way known as Main Street at the intersection of Brook Street, as laid out and relocated by the Board of Selectmen according to said Plan and as described in more detail in the Order of Layout and Relocation therefor, and further to see if the Town will raise, appropriate, transfer from available funds, or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** **Mr. Magee** moves that the Town accept a portion of Main Street, as relocated by the Board of Selectmen, authorize the Board of Selectmen to acquire and/or take by eminent domain Parcels 2C, 2D and 4A, and authorize the Board of Selectmen to discontinue and dispose of Parcel 1A, all as shown on the Plan of the Relocation of a Portion of Main Street as referenced in and as set forth in the Article, and further move that the Town transfer from the Main Street Sidewalk Gift Fund and appropriate \$5,000 for such acquisition or taking.

**2/3 vote required Favor -- 101 Opposed -- 89**  
**MOTION IS LOST**

**ARTICLE 26 ACCEPT SIDEWALK EASEMENT – MAIN STREET**  
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept a deed of easement interests for all purposes for which streets, sidewalks and ways are now or hereafter may be used in the Town, on such terms and conditions as the Selectmen may determine, on the Acton Water District Land (Town Atlas Map E-4 Parcel 4) as shown on a plan entitled “Easement Plan of Land, Main Street (Route 27) in Acton, Massachusetts as Laid Out by Order of the Board of Selectmen, 2008”, Scale 1”=40’ ”, to be recorded with the Middlesex South District Registry of Deeds, and to further see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** Mr. Magee moves that the Town authorize the acquisition of the easements as set forth in the Article.

**MOTION LOST**  
**DECLARED 2/3 BY MODERATOR\***

\*TOWN OF ACTON HAS EXCEPTED MGL CH 39 SEC 15 AT ITS ANNUAL TOWN MEETING APRIL 2001,  
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.  
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

**ARTICLE 44 \* ACCEPT SIDEWALK EASEMENT – POST OFFICE SQUARE**  
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept a deed of an easement interest for all purposes which streets, sidewalks and ways are now or may be used in the Town, on such terms and conditions as the Selectmen may determine, on Post Office Square along Main Street (Route 27) as shown on a plan entitled “Proposed Easement Plan, Post Office Square at Main Street (Route 27)” dated January 23, 2008 and prepared by the Town of Acton Engineering Department, to be recorded with the Middlesex South District Registry of Deeds, and further to see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** Mr. Magee moves that the Town authorize the acquisition of the easements as set forth in the Article.

Held from consent.

**MOTION CARRIES**  
**DECLARED 2/3 BY MODERATOR\***

\*TOWN OF ACTON HAS EXCEPTED MGL CH 39 SEC 15 AT ITS ANNUAL TOWN MEETING APRIL 2001,  
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.  
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

**MOTION TO ADJOURN:** Ms Joan Gardner moves to adjourn the Annual Town Meeting at 10:54 PM until April 14, 2008 at the Acton-Boxborough Regional High School Auditorium at 7:00 PM.

**MOTION CARRIES UNANIMOUSLY**

**April 14, 2008**

The Moderator, Mr. Mackenzie, called the meeting to order on Monday, April 14, 2008, at 7:02 PM.

**ARTICLE 32                    COMMUNITY PRESERVATION PROGRAM**  
(Majority vote)                **DIRECT APPROPRIATIONS FROM FUND BALANCE**

To see if the Town will vote to appropriate or set aside for later appropriation, and to authorize the Board of Selectmen and the Town Manager to expend or set aside, from the FY 2007 Community Preservation Fund balance as set forth herein, the following amounts for community preservation purposes, with such expenditures to be subject to conditions listed in the Article’s Summary and to be further specified in award letters from the Community Preservation Committee, with each item considered a separate appropriation:

<b>FY 2007 COMMUNITY PRESERVATION FUND BALANCE</b>	
<b>FY 2007 Community Preservation Fund Revenues</b>	
Community Preservation Fund Surcharge Collected in FY 2007	\$ 682,395.00
State Community Preservation Trust Fund Receipt, October 2007	\$ 690,028.00
<b>Other FY 2007 Community Preservation Fund Components</b>	
Interest Earned in FY 2007	\$ 137,304.00
Recapture of unspent previous years’ project appropriations	\$ 0.00
Unencumbered FY 2006 Fund Balance	\$ 193,565.14
<b>Total - FY 2007 Community Preservation Fund Balance</b>	<b>\$ 1,703,292.14</b>
<b>APPROPRIATIONS</b>	
<b>Purpose</b>	<b>Recommended Amounts</b>
<b>Set Aside Appropriations for</b>	
A. Acquisition, creation, and preservation of open space, and its rehabilitation and restoration	\$ 500,000.00
<b>Spending Appropriations</b>	
B. Pre-development Funds (Sachem Way), Acton Housing Authority	\$ 136,000.00
C. Administrative Fund, Acton Community Housing Corporation	\$ 15,000.00
D. Community Housing Program Fund	\$ 170,000.00
E. Exchange Hall Renovations	\$ 231,948.00
F. Conant Nature Trails (Conant Elementary School)	\$ 15,000.00
G. Theater III Window Restoration	\$ 46,000.00
H. Trail Through Time	\$ 35,000.00
I. NARA Picnic Pavilion	\$ 250,000.00

J. Elm Street Playground	\$ 75,000.00
K1.West Acton Citizen's Library Renovations	\$ 60,036.00
<b>Administrative Spending Appropriation</b>	
L. CPC direct expenses	\$ 3,500.00
M. A fund reimbursing the Town of Acton for administrative services and operating expenses provided in support of the Community Preservation Committee	\$ 65,121.00
<b>Total Recommended Appropriations from FY 2007 Community Preservation Fund Balance</b>	<b>\$ 1,602,605.00</b>
Remaining FY 2007 Fund Balance	\$ 100,687.14

And, whereas Massachusetts General Law, Chapter 44B requires that the Town appropriate for spending, or set-aside for future spending, from the 2007 Community Preservation Fund revenues at least 10% for open space, 10% for historic preservation, and 10% for community housing.

And, whereas the recommended appropriations for open space, historic preservation, and community housing each meet or exceed 10% of the 2007 Community Preservation Fund revenues.

And, whereas Town Meeting may vote to delete or reduce any of the recommended amounts.

Therefore, in the event that recommended amounts are deleted or reduced, vote to appropriate as a set-aside for future spending from the FY 2007 Community Preservation Fund Balance the minimum necessary amounts to allocate not less than 10% of the FY 2007 Community Preservation Fund revenues for open space (\$137,242.30), not less than 10% of the FY 2007 Community Preservation Fund revenues for historic preservation (\$137,242.30), and not less than 10% of the FY 2007 Community Preservation Fund revenues (\$137,242.30) for community housing.

And, to authorize the Board of Selectmen and the Town Manager to expend from the FY 2007 Set-Aside Fund Balance for the acquisition, preservation, rehabilitation and restoration of historic resources as set forth herein, the following amount for historic preservation purposes, with such expenditures to be subject to conditions listed in the Article's Summary and to be further specified in award letters from the Community Preservation Committee:

<b>FY 2007 SET-ASIDE FUND BALANCE FOR THE ACQUISITION, PRESERVATION, REHABILITATION AND RESTORATION OF HISTORIC RESOURCES</b>	<b>\$ 59,464.00</b>
<b>APPROPRIATIONS</b>	
<b>Purpose</b>	<b>Recommended Amounts</b>
<b>Spending Appropriations</b>	
K2.West Acton Citizen's Library Renovations	\$ 59,464.00

<b>Total Recommended Appropriations from FY 2007 Set-Aside Fund Balance for the Acquisition, Preservation, Rehabilitation and Restoration of Historic Resources</b>	<b>\$ 59,464.00</b>
Remaining FY 2007 Historic Set Aside Fund Balance	\$ 0.00

, or take any other action relative thereto.

**MOTION:** Mr. Sghia-Hughes moves that the Town appropriate or set aside for later appropriation, \$1,662,069 and to raise such amount,

\$ 1,602,605 be transferred from the Community Preservation Fund and

\$ 59,464 be transferred from the Set-Aside Fund Balance for the Acquisition, Preservation Rehabilitation and Restoration of Historic Resources,

And that the Town Manager be authorized to expend or set aside amounts as set forth in the Article and in compliance with conditions to be noted in the Community Preservation Committee's Award Letters.

**Hold Sections – B, E, and M for discussion.**

**Mrs. Chang** moves to amend to vote Article 32 as a whole with the exception of sections B, E, and M.

**AMENDMENT CARRIES UNANIMOUSLY**

**Vote on Section B - MOTION IS LOST**

Mr. Mullin has recused himself from line item “E” - Exchange Hall.

Town Meeting members voted to allow Mr. Berger, a non-resident to speak on the renovation on the Exchange Hall project.

**Vote on Section E – MOTION CARRIES**

**Vote on Section M – MOTION CARRIES**

**ORIGINAL MOTION AS AMENDED CARRIES**

**ARTICLE 33 \* INTER-MUNICIPAL AGREEMENT – BRUCE FREEMAN RAIL TRAIL**  
(Majority Vote)

To see if the Town will vote to authorize the Board of Selectmen or the Town Manager to enter into an agreement or agreements on behalf of the Town, on such terms and conditions as the Board of Selectmen or the Town Manager may determine, consistent with the requirements of Section 4A of Chapter 40 of the General Laws, with one or both of the Towns of Carlisle and Westford, for the purpose of obtaining grants or other funding from the Massachusetts Highway Department or other federal, state, county or municipal government or agency thereof, and/or from a charitable foundation, a private corporation, or an individual, to effectuate the acquisition, design and construction of the Bruce Freeman Rail Trail, and any such grants and funds are hereby appropriated for their stated purposes and may be expended with the approval of the Board of Selectmen or the Town Manager, or take any other action relative thereto.

**MOTION:** Mr. Magee moves in the words of the Article.

Held from consent

**MOTION CARRIES**

**ARTICLE 34 COMMUNITY SOCIAL SERVICES COORDINATOR**  
(Majority vote)

[Note: This article was inserted by the Board of Selectmen at the request of a citizens group.]

To see if the Town, pursuant to Section 5-1 of the Town Charter, will create and will raise and appropriate, or appropriate from available funds, a sum of money to operate a social services department, consisting at a minimum of one social worker, appointed by or contracted through the Town Manager, whose duties and responsibilities may consist of the following:

1. Assist the Acton community with new residents, immigrant families, single parents, homeless and underserved individuals;
2. Provide counseling and referral resources for those families and individuals who are in need of mental health services;
3. Provide liaison services between the Acton/Boxborough Regional School and Acton Public Schools for students and their families needing assistance;
4. Work in conjunction with the Acton Council on Aging and the Acton Senior Center to service the Acton senior population needing assistance with housing, medical and social services;
5. Work on collaboration with other Town departments as needed to ensure the health and well being of the Acton community;
6. Work in collaboration with other community organizations that service the Acton community;
7. Identify and, subject to the approval of the Town Manager, apply for and obtain federal and state grant funds to advance the foregoing responsibilities; and
8. Perform such other services as the Town Manager may specify;

, or take any other action relative thereto.

**MOTION:** Reverend Long-Middleton moves that the Town create the department and position and appropriate \$35,750 to be expended by the Town Manager therefor as set forth in the article, and to raise such amount, \$35,750 be transferred from Free Cash.

**MOTION CARRIES**

**ARTICLE 35 \* DESIGNATE ISSUER OF TRENCH EXCAVATION PERMITS**  
(Majority vote)

To see if the Town will, pursuant to Massachusetts General Laws, Chapter 82A, Section 2, vote to designate the Town Manager as the means by which the Town shall designate the Board or Officer to issue permits for the purposes of excavating or otherwise creating a trench, as regulated by Chapter 82A of the Massachusetts General Laws and 520 CMR 14.00, or take any other action relative thereto.

**MOTION:** Ms. Knibbe moves in the words of the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 36 \* AMEND TOWN BYLAWS – ZONING ENFORCEMENT OFFICER**  
(Majority vote)

To see if the Town will vote to amend Chapter E, Section E45 (Non-Criminal Disposition) of the General Bylaws of the Town as follows:

- A. Insert in the first paragraph “Zoning Enforcement Officer,” after “Building Commissioner, “.
  - B. In the 21<sup>st</sup> paragraph (referencing Chapter M – Zoning Bylaw) replace “Building Commissioner” with “Zoning Enforcement Officer”.
- , or take any other action relative thereto.

**MOTION:** Mr. Hunter moves that the Town adopt the bylaw amendments as set forth in the Article.

Held from consent

**MOTION CARRIES UNANIMOUSLY**

**ARTICLE 37 AMEND ZONING BYLAW - OUTDOOR RESTAURANT SEATING**  
(Two-thirds vote)

To see if the Town will vote to amend the zoning bylaw, Section 3, Use Definitions, by deleting section 3.5.5, Restaurant, and replacing it with a new section 3.5.5, Restaurant, as follows:

- 3.5.5 Restaurant – Establishment where food and beverages are sold within a BUILDING to customers for consumption 1) at a table or counter, or 2) in an adjacent outdoor space that does not obstruct a public way, sidewalk, walkway, vehicular parking, or a driveway, or 3) off the premises as carry-out orders, except that drive-up service shall not be allowed, or 4) any combination of the above. In the OP-2 and the TD District, the minimum square footage for an individual restaurant shall be 5,000 square feet measured in NET FLOOR AREA.

*[Note – Section 3.5.5 currently reads as follows:*

*3.5.5 Restaurant – Establishment where food and beverages are sold within a BUILDING to customers for consumption 1) at a table or counter, or 2) on a patio closed on all sides with entrance to the patio normally available only from the BUILDING, or 3) off the premises as carry-out orders, except that drive-up service shall not be allowed, or 4) any combination of the above. In the OP-2 and the TD District, the minimum square footage for an individual restaurant shall be 5,000 square feet measured in NET FLOOR AREA. In the EAV District, service through walk-up windows may be allowed, and patios may be open and accessible from the outside.]*

, or take any other action relative thereto.

**MOTION:** Mr. Reichlen moves that the Town adopt the Zoning Bylaw Amendments as set forth in the Article.

**MOTION CARRIES UNANIMOUSLY**

**ARTICLE 38 AMEND ZONING BYLAW**  
(Two-thirds vote) **LI-1 DISTRICT – INCREASE FLOOR AREA RATIO TO 0.20**

To see if the Town will vote to amend the zoning bylaw, Section 5, Table of Standard Dimensional Regulations, by changing the entry in column “MAXIMUM FLOOR AREA RATIO” and line “LI-1” from 0.10 to 0.20.

, or take any other action relative thereto.

**MOTION:** Mr. Starzec moves that the Town adopt the Zoning Bylaw Amendments as set forth in the Article.

**MOTION CARRIES**  
**DECLARED 2/3 BY MODERATOR\***

\*TOWN OF ACTON HAS EXCEPTED MGL CH 39 SEC 15 AT ITS ANNUAL TOWN MEETING APRIL 2001,  
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.  
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)

**ARTICLE 39 AMEND ZONING BYLAW**  
(Two-thirds vote) **SENIOR RESIDENCES – AFFORDABLE HOUSING ALTERNATIVES**

To see if the Town will vote to amend the zoning bylaw by inserting a new subsection 9B.12.9 under section 9B – Senior Residence as follows:

3B.12.9 Affordable Housing Alternatives - The Planning Board in its special permit may authorize or require the substitution of required AFFORDABLE SENIOR RESIDENCES with:

3B.12.9.1 Off-site AFFORDABLE DWELLING UNITS, which shall be in suitable condition for family or individual persons’ housing as the Planning Board may determine, and eligible for inclusion in Acton’s subsidized housing inventory under M.G.L. Chapter 40B; or

3B.12.9.2 Monetary contributions for affordable housing programs made to the Acton Community Housing Program Fund in an amount sufficient for the Town or its designee to create off-site affordable family or individual persons’ housing, as the Planning Board may determine, and eligible for inclusion in Acton’s subsidized housing inventory under M.G.L. Chapter 40B.

, or take any other action relative thereto.

**MOTION:** Mr. Bettez moves that the Town adopt the Zoning Bylaw Amendments as set forth in the Article, except that all references to “3B.12.9” should read “9B.12.9.”

**MOTION CARRIES UNANIMOUSLY**

## **ARTICLE 40            AMEND ZONING BYLAW – WIRELESS SERVICE FACILITIES**

(Two-thirds vote)

To see if the Town will vote to amend the zoning bylaw by deleting sections 3.10 (Special Requirements for Wireless Communication Facilities), and 3.11 (Temporary Moratorium on Wireless Communication Facilities ...), and replacing them with a new section 3.10 as follows:

### **3.10            Special Requirements for Personal Wireless Facilities**

#### **3.10.1        Purposes**

- 3.10.1.1    To allow Personal Wireless Facilities in accordance with and as required by the Federal Telecommunications Act of 1996 and in acknowledgment of M.G.L. Chapter 40A, Section 3.
- 3.10.1.2    To minimize their adverse impacts on adjacent properties, local historic districts, residential neighborhoods, and scenic vistas.
- 3.10.1.3    To establish requirements for their approval, and standards for their design, placement, safety, monitoring, modification, and removal.
- 3.10.1.4    To limit the overall number and height of Personal Wireless Towers to what is essential to serve the public convenience and necessity.
- 3.10.1.5    To promote shared USE of Facilities to reduce the need for new Facilities.

#### **3.10.2        Applicability**

- 3.10.2.1    This Section 3.10 shall apply to all reception and transmission Facilities that aid, facilitate, and assist with the provision of Personal Wireless Services.
- 3.10.2.2    No such Facility shall be erected or installed except in compliance with the provisions of this Section 3.10.
- 3.10.2.3    Nothing in this Bylaw shall be construed to regulate or prohibit customary installations for the reception of radio communication signals at home or business locations.
- 3.10.2.4    Nothing in this Bylaw shall be construed to regulate or prohibit a tower or antenna installed solely for use by a federally licensed amateur radio operator. For regulations on amateur radio towers see Section 3.8.3.6 of this Bylaw.

#### **3.10.3        Definitions**

- 3.10.3.1    Antenna – A transducer device designed to transmit and/or receive radio frequency signals.
- 3.10.3.2    Co-locator – One of two or more Carriers who occupy space on a common Facility to locate Antennas and other equipment for the provision of Personal Wireless Services.
- 3.10.3.3    Concealed-Antenna Monopole (CAM) – A Monopole with internally mounted Antennas that are not visible from the outside of the Monopole.
- 3.10.3.4    Coverage Gap or Service Gap – a “Coverage Gap” or “Service Gap” is considered to exist within a specific geographic area if a remote user of a Compatible User Service Device,

while located within such geographic area, is highly likely to be unable to reliably connect to and communicate with the compatible Carrier's Personal Wireless Services network, which gap is defined as less than -90 dBm received signal power, unless the Carrier in question demonstrates a different received signal power level or an alternative QoS metric reasonably applies.

- 3.10.3.5 Equipment Compound – A BUILDING, room, or fenced compound at the base of a Tower or elsewhere that encloses necessary equipment and installations to support Personal Wireless Services.
- 3.10.3.6 FCC – The Federal Communications Commission.
- 3.10.3.7 Flush Mounted Antennas – Antennas whose mounting brackets are attached directly on the outside surface of a Monopole that extend typically no more than 18 inches from the Monopole surface.
- 3.10.3.8 Monopole – A single self-supporting Tower, tubular in design, enclosing cables invisibly within the tubular structure and designed so it does not require braces or guy wires for support and stability.
- 3.10.3.9 Personal Wireless Services – Commercial Mobile Radio Services (CMRS), common Carrier wireless exchange access services, and unlicensed wireless services as identified and defined in the Federal Telecommunications Act of 1996 and pertinent FCC regulations.
- 3.10.3.10 Personal Wireless Service Device – A portable, fixed, or mobile Personal Wireless Service communications device, such as, without limitation, a car phone, cell phone, personal digital assistant, or smart phone used by a subscriber or remote user to connect to a Carrier's Personal Wireless Service network.
- 3.10.3.11 Personal Wireless Service Provider or Personal Wireless Service Carrier (Provider or Carrier) – An entity, licensed by the FCC to provide Personal Wireless Services or an entity offering unlicensed Personal Wireless Services as a common carrier.
- 3.10.3.12 Personal Wireless Facility (Facility) – An installation that contains the equipment and support STRUCTURES necessary to provide Personal Wireless Services, including but not limited to an Equipment Compound, Tower and Antennas. In context, Facility may refer individually to one Provider's installation supporting one Personal Wireless Service at a Site, or collectively to the aggregate of all installations of all Personal Wireless Service Providers providing all Personal Wireless Services at a common Site.
- 3.10.3.13 Personal Wireless Facility Site (Site) – A LOT as defined in this Bylaw; or one or more contiguous LOTS in single ownership; or one or more contiguous LOTS whose individual owners have entered into a partnership, corporation, trust, or other legal entity with the purpose of jointly hosting a Facility.
- 3.10.3.14 Personal Wireless Tower (Tower) – A STRUCTURE greater than 12 feet in height mounted on the ground or on another STRUCTURE erected with the primary purpose of supporting one or more Personal Wireless Service Antennas.
- 3.10.3.15 Service Coverage – Service Coverage refers to a geographic area where a remote user of a properly installed and operated Personal Wireless Service Device compatible with a Carrier's Personal Wireless Services network (a "Compatible User Service Device") has a high probability of being able to connect to and communicate with such network with a reasonable quality of service ("QoS"). There are various measures of QoS, including

without limitation, received signal strength, various signal to noise and signal to interference ratio metrics, call reliability (as indicated by dropped call ratios, blocked calls and the like), and bit error rates.

For purposes of this Section 3.10, there shall be the presumption that Service Coverage shall be deemed to exist within a specific geographic area if the predicted or measured received signal power on a standards-compliant Personal Wireless Services Device placed outdoors within such geographic area is highly likely to be -90 dBm or greater, unless the Carrier in question demonstrates, by clear and convincing evidence prepared by qualified radio frequency engineer or other qualified professional, that higher signal strengths or alternative QoS metrics are required to enable such Carrier to provide Service Coverage within the specific geographic area in question.

3.10.3.16 Significant Gap – A Coverage Gap in a Carrier’s Personal Wireless Service network within a specific geographic area shall be considered to be a “Significant Gap” if such specific identified geographic area is so large in physical size and/or affects or is predicted to affect such a large number of remote users of Compatible User Service Devices as to fairly and reasonably be considered “significant” as opposed to merely being a small “dead spot”. In determining whether or not a particular Carrier’s Coverage Gap is significant, a relatively small or modest geographic area may be considered a “Significant Gap” if such geographic area is densely populated or is frequently used by a large number of persons for active recreational or similar purposes who are, or are predicted to be, remote users of Compatible User Service Devices, and/or such geographic area straddles one or more public highways or commuter rail lines regularly traveled, or predicted to be traveled, by remote users of Compatible User Service Devices, while a larger geographic area may be considered not to be a “Significant Gap” if such geographic area does not straddle any public highways or rail lines and/or is sparsely populated. Whether or not a Significant Gap exists is to be determined separately for each Carrier’s Personal Wireless Services network, regardless of whether or not any other Carrier(s) have Service Coverage in such geographic area.

#### 3.10.4 General Prohibitions and Requirements

- 3.10.4.1 Lattice style Towers and similar facilities requiring more than one leg or guy wires for support are prohibited. However, additional equipment may be mounted on an existing lattice Tower.
- 3.10.4.2 A Personal Wireless Tower shall not be erected in a Local Historic District or within 500 feet of the boundary of a Local Historic District measured from the center point of a Tower at its base.
- 3.10.4.3 All STRUCTURES, equipment, utilities and other improvements associated with Personal Wireless Facilities shall be removed within one year after cessation of USE.
- 3.10.4.4 Night lighting of Personal Wireless Facilities is prohibited except for low intensity lights installed at or near ground level in or on the Equipment Compound and in compliance with the Outdoor Lighting Regulations of this Bylaw, Section 10.6.
- 3.10.4.5 At least one sign shall be installed in a visible location at the Equipment Compound that provides the telephone number where the operator in charge can be reached at all times.
- 3.10.4.6 Section 6 (Parking Standards) of the Acton Zoning Bylaw shall not apply to Wireless Communication Facilities.

3.10.4.7 Nothing in this Bylaw shall be construed to regulate or prohibit a Personal Wireless Facility on the basis of the environmental effects of radio frequency emissions, provided the Facility complies with regulations of the Federal Communications Commission concerning such emissions.

### 3.10.5 Personal Wireless Facilities Allowed by Right

3.10.5.1 In all zoning districts, a Personal Wireless Facility shall be allowed and no special permit shall be required,

- a) if the Antenna(s) and Antenna mounting apparatus or STRUCTURE does not exceed 3 feet in diameter and 12 feet in height and is otherwise in compliance with applicable dimensional requirements of this Bylaw as they relate to the Personal Wireless Facility Site, or
- b) if the Facility is located entirely within, or mounted on, a BUILDING or STRUCTURE that is occupied or used primarily for other purposes, provided that the BUILDING or STRUCTURE, including the Facility, meets all dimensional requirements of this Bylaw for the zoning district in which the Site is located. A cupola or other appurtenance, that is consistent with the general characteristics of the zoning district within which the Facility is located, that is otherwise allowed by right, and that fully conceals all Antennas, cables, and other related hardware may be added to a BUILDING when the supporting equipment belonging to the Facility is installed within the BUILDING.

3.10.5.2 In the Office Districts (OP-1, OP-2), the Industrial Districts (LI, GI, LI-1, IP, SM), the Powder Mill District (PM), and the Limited Business District (LB), a Monopole Tower shall be allowed and no special permit shall be required, if its height does not exceed applicable height limitations for STRUCTURES and BUILDINGS in the zoning district in which it is located, and if its setback, measured from its center point at its base to all Site boundary lines, is at least the distance equal to its height, but not less than the otherwise applicable minimum yard requirement for BUILDINGS and STRUCTURES in the zoning district.

3.10.5.3 Any new Antennas or other equipment owned by a Personal Wireless Service Provider may be mounted on a previously approved Tower without a special permit, if there is no increase in height above the maximum height specified in the special permit for the Tower and if the installation does not deviate from the approved appearance of the Tower. For example, an approved CAM may not be converted to a Flush Mount Monopole by any subsequent Antenna installations.

### 3.10.6 Special Permit for Facilities

3.10.6.1 Any Personal Wireless Facility, and any increase in height or size, or reconstruction or replacement of an existing Facility that does not meet the criteria under Section 3.10.5 above, may only be allowed by special permit from the Planning Board in accordance with M.G.L. ch. 40A, s. 9, subject to the following statements, regulations, requirements, conditions and limitations.

3.10.6.2 For the purpose of this Section 3.10, public hearing notices shall be sent to parties in interest and to all LOT owners within one thousand feet of the property line of the Site where the Facility is proposed.

- 3.10.6.3 A Personal Wireless Tower shall not exceed a height of 175 feet from ground level, or a height that is allowed without illumination at night under Federal Aviation Administration or Massachusetts Aeronautics Commission regulations, whichever is less. For purposes of determining the height of a Tower, the height shall be the higher of the two vertical distances measured as follows:
- a) The elevation of the top of the Tower STRUCTURE including any Antennas or other appurtenances above the pre-construction mean ground elevation directly at the base of the pole; or
  - b) The elevation of the Tower STRUCTURE including any Antennas or other appurtenances above the mean ground elevation within 500 feet of the base of the pole.
- 3.10.6.4 Personal Wireless Towers shall be CAMs. On a case by case basis, generally when aesthetic considerations are less important, the Planning Board may allow Monopoles with external Flush Mounted Antennas, or external standard Antenna mounting frames that extend laterally from the Monopole.
- 3.10.6.5 Personal Wireless Towers shall be located, designed, and constructed as Monopoles that are extended to or structurally extendable to the maximum height allowed under Section 3.10.6.3 above, capable of accommodating the maximum number of technically feasible Co-locator Antennas on the portion of the Monopole above the trees as well as an Equipment Compound physically able to, or capable of being enlarged to, fully accommodate the maximum number of Personal Wireless Service Carriers and other equipment necessary for the maximum number of technically feasible Co-locators at the Site.
- 3.10.6.6 In all Residential Districts, the setback of a Tower, measured from the center point of the Tower at its base to the boundary lines of the Site, shall be at least the distance equal to the maximum permissible height of the Tower.
- 3.10.6.7 The center point of any Personal Wireless Tower at its base shall be separated from any existing dwelling by a horizontal distance that is at least twice the maximum permissible height of the Tower, unless the residential BUILDING and the Facility are located on the same LOT.
- 3.10.6.8 An Equipment Compound, if employed, shall be located in the immediate vicinity of the base of a Tower.
- 3.10.6.9 Any Tower shall be designed to accommodate the maximum feasible number of Carriers.
- a) The Planning Board may require the employment of all available technologies and Antenna arrangements to minimize vertical space consumption, and require sufficient room and structural capacity for all necessary cables and Antennas.
  - b) The Planning Board may require the owner of such Tower to permit other Providers to Co-locate at such Facility upon payment of a reasonable charge, which shall be determined by the Planning Board if the parties cannot agree.
  - c) The Planning Board may require that the equipment of all users of a Tower shall be subject to rearrangement on the Tower or in the Equipment Compound if so directed by the Planning Board at a later time in its effort to maximize Co-location of Carriers. This may result in different vertical Antenna locations, reduced vertical separation of Antennas, and changes of Antenna arrangements, to the extent feasible without

causing technically unacceptable radio frequency signal interference between the Antennas of the Co-locators and without creating new Significant Gap in the existing coverage of incumbent Providers on the Tower.

- d) The Planning Board may require that the equipment of all Carriers on a Tower shall be subject to relocation to another nearby Facility if such relocation, when considered individually or in concert with existing or potential new Facilities, does not create a Significant Gap in the Carrier's-coverage when so directed by the Planning Board at a later time in its effort to maximize Co-location of Carriers. It may then order the removal of a Tower after the relocation is completed.
  - e) The Planning Board may require long-term easements, leases, licenses, or other enforceable legal instruments that fully support a Facility at its maximum potential technical capacity, including sufficient space on the Tower and for Facility base equipment to accommodate the maximum number of technically feasible Co-locators at the Site, adequate ACCESS and utility easements to the Facility from a public STREET, and the right for the maximum number of technically feasible Co-locators to Co-locate on the Tower and to upgrade the utilities and equipment as needed for maintaining and improving service and capacity.
- 3.10.6.10 Unauthorized entry into an Equipment Compound shall be prevented by the installation of security measures such as fencing (for outdoor Equipment Compounds) or locked rooms or buildings. Towers shall be secured against unauthorized climbing. The Planning Board shall require suitable fencing and landscape screening or other mitigation means to shield the installation from the view of nearby residences or ways.
- 3.10.6.11 The Planning Board may require that all ground equipment must be placed inside a BUILDING where the Planning Board finds that a fenced-in compound does not adequately address reasonable and legitimate aesthetic concerns. In such cases, the Planning Board shall have the power under the special permit to regulate the size, shape, and exterior appearance of the BUILDING.
- 3.10.6.12 A Tower approved hereunder shall be used only for the transmission of signals for Personal Wireless Services, except with the specific authorization of the Planning Board.
- a) The Planning Board may approve or require the installation of transmission devices owned, operated, or used by the Town of Acton or any of its agencies, and may allow such devices to extend above the otherwise applicable maximum Tower height. The Planning Board may waive or modify the approved appearance provision of Subsection 3.10.5.3 for such devices.
  - b) The Planning Board may also approve the installation of communication devices by entities other than Personal Wireless Service Carriers as secondary occupants of a Facility that are subject to Planning Board termination upon six months notice of the Planning Board, provided that they do not interfere with the Personal Wireless Services and that the intent of this Bylaw to maximize Co-location of Personal Wireless Service Providers is not compromised.
- 3.10.6.13 The Planning Board shall in its special permit make adequate provisions for the removal of the Tower and Equipment Compound after its USE for Personal Wireless Services has ended. It shall require that the Facility location shall be restored to pre-existing conditions as much as is reasonably possible so that no traces of the Facility, including foundation,

gravel pads, and driveways, remain visible above ground, and that the location be otherwise stabilized and naturalized as appropriate for the particular Site.

- 3.10.6.14 The Planning Board may, as a condition of any special permit, require all Carriers at a Facility, upon the written request of the Planning Board from time to time, to file with the Planning Board and Town Clerk a report, prepared and stamped by a Massachusetts Registered Professional Engineer, that certifies that such Carrier's Facility is, and such Co-locator's Facilities are, in compliance with the terms and conditions of the special permit and the Acton Zoning Bylaw. The Planning Board may also require the Carriers to file with the Planning Board certifications from other independent, qualified engineers or other appropriate professionals that the Facility is in compliance with applicable state and federal laws, such as those regarding radio frequency emissions, noise, or aeronautical navigation safety. The Planning Board may make such requests not more frequently than once every two years, unless the Planning Board has reasonable grounds to believe that the Facility is not in compliance in any substantial or material respect with the terms and conditions of the special permit or any applicable FCC or other State or Federal laws.
- 3.10.6.15 The Planning Board may limit the number of Towers on a Site to one, or to any other number it deems necessary and appropriate for the Site. Multiple Towers on a single Site shall be separated by such reasonable distance that prevents excessive interference (mechanical or electromagnetic) between Carriers' services and that creates the most harmonious appearance to the general public, but by not less than 40 feet measured between the center points at the Towers' respective bases.
- 3.10.6.16 The Special Permit application for a Personal Wireless Facility shall be accompanied by a plan showing the Facility location in relation to the boundary lines of the Facility Site and all BUILDINGS within 500 feet, and plans for the installation or construction of the Facility adequate to show compliance with the provisions of this Bylaw, and such supplemental information as may be required by the Planning Board in the Rules and Regulations for a Special Permit for Personal Wireless Facilities. The application shall also include maps showing areas where the proposed Facility will be visible when there is foliage and when there is not.
- 3.10.6.17 Mandatory Findings – The Planning Board shall not issue a special permit for a Wireless Communication Facility unless it finds that the Facility:
- a) is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in M.G.L. c. 40A, s. 11;
  - b) is designed to provide, in the most community-compatible method practicable, Service Coverage to a Significant Gap within the Town. The applicant shall bear the burden of demonstrating, by clear and convincing evidence, the existence of such Significant Gap;
  - c) is designed in the most community-compatible method practicable and is necessary to satisfy a Significant Gap in service. The applicant shall bear the burden of demonstrating that other methods preferred by the Town are not feasible for providing Service Coverage to satisfy such Significant Gap;
  - d) cannot for technical or physical reasons be located on an existing Wireless Communication Facility or Tower that would be expected to provide comparable Service Coverage. Such alternative existing location or locations need not provide full service to the entire Significant Gap if, in the determination of the Planning Board, the

remaining Gap to have been served by the proposed Facility is not Significant and/or if remaining portions of the Significant Gap can be served by new Facilities preferred by the Planning Board;

- e) cannot be located at any other practicably available site that is less objectionable to the general public due to technical requirements, topography, or other unique circumstances. The applicant shall have the burden of showing what alternative sites and technologies it considered and why such sites and technologies are not practicably available;
- f) is sited in such a manner that it is suitably screened;
- g) is colored so that it will as much as possible blend with or be compatible with its surroundings;
- h) is designed to accommodate the maximum number of users technologically feasible;
- i) is necessary because there is no other existing Facility or Facilities with available space or capacity available to satisfy the Significant Gap;
- j) is in compliance with applicable Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission, and the Massachusetts Department of Public Health regulations; and
- k) complies with all applicable requirements of this Bylaw, including Section 10.3.

3.10.6.18 The Planning Board under its special permit authority may waive one or more requirements of this Section 3.10.6 and its subsections, including dimensional requirements, and it may grant a waiver from the use restrictions contained in Section 3.4.10 of the Table of Principal Uses, where the Board finds that the relief is necessary to avoid an effective prohibition of Personal Wireless Services in the Town or avoid unreasonable discrimination among Providers of functionally equivalent services-

- a) Any request for such waivers shall be supported by a study prepared by a qualified radio frequency engineer or other qualified professional consultant demonstrating to the Planning Board's satisfaction that there exists a Significant Gap in coverage within the specific geographic area proposed, and clear and convincing evidence that no alternative locations, technologies, and/or configurations are available that meet the otherwise applicable requirements.
- b) In granting such a waiver or waivers, the Planning Board must find that the extent of the granted relief is mitigated by showing that any alternative for serving the Significant Gap that is feasible is no less objectionable in its impact on the community, that all practicable mitigation of the proposed Facility's impact is incorporated in the design and conditions, and that the desired relief may be granted without substantial detriment to the neighborhood and without denigrating from the intent and purpose of this Bylaw.
- c) However, the Board shall not grant relief from the maximum height limitation in Subsection 3.10.6.3.
- d) The Board shall be empowered hereunder to grant relief from any setback requirements in Subsections 3.10.6.6 or 3.10.6.7 provided that the Facility as proposed with such non-conforming setbacks is demonstrated to be necessary to serve the Significant Gap or that such relief will produce a better result for the community than without such relief, consistent with Section 3.10.1 – Purposes, and its subsections.

- e) The applicant shall provide the Board with a written statement describing how the requested relief meets the objectives of the preceding paragraph (d) and is in the best interest of the Town with reference to Section 3.10.1 – Purposes, and its subsections.

, or take any other action relative thereto.

**MOTION:** Mr. Berry moves that the Town amend the Zoning Bylaw by:

- Deleting section 3.11 (Temporary Moratorium on Wireless Communication Facilities ...), in its entirety, and
- Replacing section 3.10 (Special Requirements for Wireless Communication Facilities), including all its subsections, with a new section 3.10 (Special Requirements for Personal Wireless Facilities) as set forth in the Article, inclusive of the following modifications to the text of said new section 3.10 as set forth in the Article:
  - A. In section 3.10.4.2, delete the words “. . . 500 feet . . .” and substitute with the words “. . . one thousand feet (1000’) . . .”.
  - B. In section 3.10.6.6, delete the words, “. . . the distance equal to the maximum permissible height of the Tower.” and substitute with the following: “. . . one hundred and seventy five feet (175’).”
  - C. In section 3.10.6.7, delete the word, “. . . dwelling . . .” and substitute with the words “. . . residential BUILDING . . .”;  
  
and, delete the words: “. . . twice the maximum permissible height of the Tower . . .” and substitute with the following: “. . . three hundred and fifty feet (350’) . . .”
  - D. In section 3.10.6.8, add the following sentence: “The Equipment Compound, including fencing, shall not extend more than 100 (100’) feet from the center point of the Tower in the direction of any residential BUILDING on a neighboring LOT.”
  - E. Insert a new section 3.10.6.19 as follows:  
“3.10.6.19 At the applicant’s expense a full transcription or recording of the oral hearings shall be made.”
  - F. Insert a new section 3.10.7 as follows:  
“3.10.7 “Nothing contained in Section 3.10 shall, or is intended to, waive, restrict, modify, or limit any other of the Bylaws of the Town of Acton, or any rule or regulation made there under.”

**MOTION CARRIES UNANIMOUSLY**

**ARTICLE 41 \***  
(Two-thirds vote)

**AMEND ZONING BYLAW  
CORRECTIONS, CLARIFICATIONS AND MINOR AMENDMENTS**

To see if the Town will vote to amend the zoning bylaw as follows:

A. Delete section 2.2 – Zoning Map, and replace it with a new section 2.2 as follows:

2.2 **Zoning Map** – The zoning maps listed below are part of this Bylaw, and are collectively referred to as “The Zoning Map”. The location and boundaries of the zoning districts are shown on the Zoning Maps. The Zoning Maps are amended from time to time by action of Town Meeting. The last amendment dates are noted on the Zoning Maps.

- “Zoning Map of the Town of Acton” as last amended, consisting of a single sheet designated Map Number 1, and showing the Residential, Village, Office, Business, Industrial, and Special Districts.
- “Flood Insurance Rate Map”, dated January 6, 1988 (Scale 1" = 400' consisting of 8 sheets designated Map Number 2, Sheet 1 of 8 through 7 of 8 plus the map index and street index) and the associated data in the “Flood Insurance Study, Town of Acton, January 6, 1988.”
- “Groundwater Protection District Map of the Town of Acton” as last amended; Map Number 3A, consisting of a single sheet at a scale of 1" = 1200', and Map Number 3B, consisting of sheets 3B-1 through 3B-18 at a scale of 1" = 200'. See Section 4.3.2 of this Bylaw for a more detailed description of the Groundwater Protection District and the use of these maps.
- “Affordable Housing Overlay District Map of the Town of Acton” as last amended, consisting of Map Number 4 and shown on the same sheet as Map Number 1.

*[Note: Section 2.2 currently reads:*

*2.2 Zoning Map – The zoning maps described below are part of this Bylaw. Location and boundaries of the zoning districts are shown on the zoning maps, which may be amended and are collectively referred to as “The Zoning Map.”*

- *“Zoning Map of the Town of Acton,” amended to April 2006, consisting of a single sheet designated Map Number 1, as amended.*
- *“Groundwater Protection District Map of the Town of Acton, January 1989”, last amended in 1996, designated Map Number 3A, consisting of a single sheet at a scale of 1" = 1200', and Map Number 3B, consisting of sheets 3B-1 through 3B-18 at a scale of 1" = 200'. See Section 4.3.2 of this Bylaw for a more detailed description of the Groundwater Protection District and the use of these maps.*
- *“Flood Insurance Rate Map,” dated January 6, 1988 (Scale 1" = 400' consisting of 8 sheets designated Map Number 2, Sheet 1 of 8 through 7 of 8 plus the map index and street index) and the associated data in the “Flood Insurance Study, Town of Acton, January 6, 1988.”*
- *“Affordable Housing Overlay District Map of the Town of Acton” last amended in April 2006, consisting of a single sheet designated Map Number 4, shown together with the same sheet Map Number 1.]*

B. In section 3, Table of Principal Uses, change the entry in column “NAV”, and line “3.3.3 - Two-Family Dwelling” from N to Y.

C. In section 11, Enforcement, delete the head paragraph of subsection 11.1 and replace it with a new paragraph as follows:

11.1 Enforcement – The Zoning Enforcement Officer of the Town of Acton, as appointed by the Town Manager, is hereby designated as the officer charged with the enforcement of this Bylaw. During any period of temporary absence or disability of the Zoning Enforcement Officer, the Town Manager may appoint an inspector of buildings, building commissioner, local inspector, planning director or assistant town planner as the officer charged with the enforcement of this Bylaw. All zoning enforcement actions initiated and decisions made by the officer charged with the enforcement of this Bylaw prior to the appointment of the Zoning Enforcement Officer or during any temporary absence or disability of the Zoning Enforcement Officer shall continue unabated in the name of the Zoning Enforcement Officer.

*[Note: The lead paragraph of section 11.1 currently reads:*

*11.1 The Building Commissioner of the Town of Acton is hereby designated as the officer charged with the enforcement of this Bylaw.]*

And:

Replace the title “Building Commissioner” and “Commissioner” with “Zoning Enforcement Officer” wherever they occur in the following sections of the Zoning Bylaw: 3.8.1.5.p) and q); 3.9.1; 4.1.7.2; 4.1.9.1; 4.2.2.4; 4.3.2.5; 4.3.8.4; 5.4.5; 5.4.5.1; 5.4.5.2; 6.7 (2<sup>nd</sup> paragraph); 6.7.3; 6.7.6; 6.7.8.1; 6.7.8.4; 6.7.8.8; 6.7.9; 6.7.9.3; 6.7.9.5; 6.9.5.4; 6.9.6.4; 6.10; 7.3.12; 7.4.2; 7.6; 7.6.1; 7.6.2; 8.6; 9.8; 9B.15; 10.1.1; 10.2.1.3); 10.4.4.2; 10.4.4.4; 10.4.6; 10.6.2.4.c)iii; 11.1.1.

D. In section 7, Signs and Advertising Devices, delete section 7.4.4 and renumber section 7.4.5 and its subsections 7.4.5.1 and 7.4.5.2 to become section 7.4.4 and subsections 7.4.4.1 and 7.4.4.2 respectively.

*[Note: Section 7.4.4 currently states:*

*7.4.4 Re-lettering – The re-lettering of a SIGN shall be equivalent to the ERECTING of a SIGN as defined in Section 7.2.5, except in the case of the following SIGNS and under the following conditions:*

*7.4.4.1 Any SIGN listed under Section 7.5.*

*7.4.4.2 Indicators of time and temperature.*

*7.4.4.3 The listing of current shows on SIGNS associated with a cinema or theater.*

*7.4.4.4 The names of individual businesses located on a FREESTANDING SIGN which identifies a BUSINESS CENTER, and which is ERECTED in conformance with Sections 7.8.5.2 or 7.8.6.3.]*

And:

Delete section 7.12.2, and replace it with a new section 7.12.2 as follows:

7.12.2 Nothing herein shall be deemed to prevent orderly, regular, and timely maintenance, repair, and repainting with the same original colors of a non-conforming SIGN, or the re-lettering, re-facing, or changing of message of a non-conforming sign.

*[Note: Section 7.12.2 currently reads:*

*Nothing herein shall be deemed to prevent orderly, regular and timely maintenance, repair and repainting with the same original colors of a non-conforming SIGN.]*

, or take any other action relative thereto.

**MOTION:** Mr. Schaffner moves that the Town adopt the Zoning Bylaw Amendments as set forth in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 42 \*      ACCEPT STREET RELOCATION & LAYOUT –**  
(Two-thirds vote)      **PARKER & HIGH STREETS**

To see if the Town will authorize the Board of Selectmen to acquire or take, on such terms and conditions as the Selectmen may determine, by purchase, gift, eminent domain or otherwise and to accept a deed of a fee simple or easement interest, for all purposes for which streets, sidewalks and ways are now or hereafter may be used in the Town, in Parcel F-2B consisting of approximately 108 square feet, more or less, of land in the Town of Acton shown on a plan entitled “Plan of the Relocation of a Portion of Parker & High Street in Acton, Massachusetts, as Laid Out by Order of the Board of Selectmen, 2008,” prepared by the Town of Acton Engineering Department, on file with the Acton Town Clerk (the “Plan”), said parcel to become a portion of the town ways known as Parker Street and High Street, as laid out and relocated by the Board of Selectmen according to said Plan and as described in more detail in the Order of Layout and Relocation therefore, and further to see if the Town will raise, appropriate, transfer from available funds, or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** Ms. Rosenzweig moves that the Town accept the relocation of a portion of Parker and High Streets and authorize the Board of Selectmen to take by eminent domain Parcel F-2B as shown on the “Plan of the Relocation of a Portion of Parker & High Street”t as set forth in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 43 \*      ACCEPT TRAIL EASEMENT – HAZELNUT STREET**  
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept a deed of an easement interest for purposes of establishing and maintaining a trail for public pedestrian use, on such terms and conditions as the Selectmen may determine and in a final location or locations as the Selectmen may determine, on land at 354 Great Road, shown on the 2007 Acton Town Atlas as parcel D-4/4, formerly shown as D-4/2. The easement provides a connection from Hazelnut Street, over land owned by Quail Ridge Country Club, LLC to the Town of Acton conservation land at Nagog Hill, and shall be located in, or in the general vicinity of, the “proposed 40-foot right of way” and “proposed 20-foot trail easement” on sheets 15 and 16 of 29 of a plan entitled “Golf Course Site Plan for Quail Ridge Country Club, 178 Great Road, Acton, Massachusetts”, scale 1”=50’, dated August 15, 2003 and revised May 11, 2004, prepared for Quail Ridge Country Club, LLC, by Stamski & McNary, Inc., and further to see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** Mr. Hunter moves that the Town authorize the acquisition of the easements as set forth in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 45 \*      ACCEPT SIDEWALK EASEMENT –**  
(Two-thirds vote)      **217 PARKER STREET & 1 ROBERT ROAD**

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept a deed of an easement interest for all purposes which streets, sidewalks and ways are now or hereafter may be used in the Town, on such terms and conditions as the Selectmen may determine, on the following land:

1. From George C. and Susan A. Triantafillou of 217 Parker Street, an easement along their frontage on Parker Street, shown as Sidewalk Easement A containing approximately 531 square feet, more or less, of land on a plan entitled “Easement Plan of Land in Acton, Massachusetts (Middlesex County), Owned by George C. and Susan A. Triantafillou and One Robert Road Realty Trust, Scale 1”=20’, February 1, 2008”, prepared by the Town of Acton Engineering Department, on file therewith and to be recorded with the Middlesex South District Registry of Deeds;
2. From One Robert Road Realty Trust of 1 Robert Road, an easement along their frontage on Parker Street, shown as Sidewalk Easement B containing approximately 771 square feet, more or less, of land on a plan entitled “Easement Plan of Land in Acton, Massachusetts (Middlesex County), Owned by George C. and Susan A. Triantafillou and One Robert Road Realty Trust, Scale 1”=20’, February 1, 2008”, prepared by the Town of Acton Engineering Department, on file therewith and to be recorded with the Middlesex South District Registry of Deeds;

and further to see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** Mr. Berry moves that the Town authorize the acquisition of the easements as set forth in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 46 \*      ACCEPT SIDEWALK EASEMENT – 1 TO 9 CENTRAL STREET**  
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept a deed of an easement interest along the entire frontage on Central Street of the land shown as 1-9 Central Street (Town Atlas Map H-2A Parcel 3) containing 1,175 square feet, more or less, of land, for all purposes which streets, sidewalks and ways are now or hereafter be used in the Town, on such terms and conditions as the Selectmen may determine, and further to see if the

Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** **Mr. Hunter** moves that the Town authorize the acquisition of the easements as set forth in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 47 \*      ACCEPT SIDEWALK EASEMENT – 74 CHARTER ROAD**  
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept a deed of an easement interest for all purposes which streets, sidewalks and ways are now or hereafter may be used in the Town, on such terms and conditions as the Selectmen may determine, in the easement area on the following land shown as 74 Charter Road on a plan entitled “Easement Plan in Acton, Massachusetts (Middlesex County), 74 Charter Road, Scale 1”=40’, February 1, 2008”, prepared by the Town of Acton Engineering Department, on file therewith and to be recorded with the Middlesex South District Registry of Deeds, and further to see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** **Ms. Knibbe** moves that the Town authorize the acquisition of the easements as set forth in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 48 \*      ACCEPT SIDEWALK EASEMENT – 55 GREAT ROAD**  
(Two-thirds vote)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept a deed of an easement interest for a 5 foot wide sidewalk easement along their entire frontage on Great Road for all purposes which streets, sidewalks and ways are now or hereafter be used in the Town, on such terms and conditions as the Selectmen may determine, on the land shown as 55 Great Road (Town Atlas Map G-5 Parcel 58), and further to see if the Town will raise, appropriate, transfer from available funds or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** **Mr. Berry** moves that the Town authorize the acquisition of the easements as set forth in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 49 \*      ACCEPT LAND GIFT – KNOWLTON DRIVE**  
(Two-thirds vote)

To see if the Town will authorize the Board of Selectmen to acquire on such terms and conditions as the Selectmen may determine, by purchase, gift, eminent domain or otherwise and to accept the deed of a fee

simple interest in a certain parcel of land on Knowlton Drive shown as Parcel Z-2 containing 8.2 acres, more or less, on a plan entitled "Plan of Land, Rear of 501 Massachusetts Avenue, Acton, Massachusetts, Prepared for Younameit Realty Company" dated June 8, 2007, prepared by Acton Survey & Engineering, and shown on Map F-2 of the Town Atlas as part of Parcel 75-14, for purposes of recreation and conservation, and further to see if the Town will raise, appropriate, transfer from available funds, or accept gifts for this purpose, or take any other action relative thereto.

**MOTION:** Ms. Rosenzweig moves that the Town accept the gift of land as set forth in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**ARTICLE 50 \*      ACCEPT PROPERTY BY DEED IN LIEU OF FORECLOSURE –**  
(Majority vote)      **LOTHROP ROAD**

To see if the Town will authorize the Tax Collector, pursuant to General Laws Chapter 60, Section 77C, to accept title by deed in lieu of foreclosure to the parcels identified as Parcels 62, 76 and 87 on Assessor's Map G2, being Lots 32, 33, and 34 as shown on a plan entitled "Sub-Division of Land in Acton, Mass.," prepared by MacCarthy Engineering Services, Inc., dated June 20, 1955, and recorded as Plan No. 1707 of 1955 in the Middlesex South District Registry of Deeds, upon such terms and conditions as he shall determine appropriate, or take any other action relative thereto.

**MOTION:** Mr. Hunter moves that the Town authorize the Tax Collector to accept a deed in lieu of foreclosure, on such terms and conditions as he shall determine appropriate, to Parcels 62, 76 and 87 on Assessor's Map G2, also being shown as Lots 32, 33, and 34 on the subdivision plan referenced in the Article.

**CONSENT MOTION CARRIES UNANIMOUSLY**

**Mr. Hunter** moves to dissolve the Annual Town Meeting at 10:22 PM.

**MOTION CARRIES**

Tellers for Town Meeting:

Jeff	Bergart		
Belle	Choate	Brewster	Conant
Al	Doskocil	Lois	Doskocil
Karen	Dudziak	Bob	Ferrara
Deena	Ferrara	Tom	Geagan
Connie	Huber	Bob	Ingram
Herman	Kabakoff	Anne	Kadlec
Charles	Kadlec	Gail	Sawyer
Ann	Chang	Jack	Whittier