

ARTICLE AB

AMEND ZONING BYLAW – HOUSEKEEPING

(2/3 vote required)

To see if the Town will vote to amend the zoning map and the zoning bylaw as follows *[Notes in italic print are not part of the article but are intended for explanation only]*:

- A. Amend the zoning map, Map No. 1, by rezoning the following split-zoned parcels of land as indicated in the table below *[Parcel Identification numbers are as shown on the 2004 edition of the Acton Town Atlas. Present zoning designations and street addresses are shown for informational purposes only. The proposed and present zoning columns show the zoning designation for the parcels' majority land area before the "&" symbol]*:

Parcel Identification	Proposed Zoning	Present Zoning	Street Address
D-4/4*	R-10/8 & LB	R-10/8 & LB	352 Great Rd.
D-4/17	LB	LB & R-10/8	346 Great Rd.
D-5/25	PCRC	PCRC & R-2	675 Main St.
D-6/3-2	R-10/8	R-10/8 & R-8	21 Triangle Farm Ln.
D-6/3-3	R-10/8	R-10/8 & R-8	10 Triangle Farm Ln.
D-6/3-4	R-10/8	R-10/8 & R-8	20 Triangle Farm Ln.
E-4/2-1	R-10/8	R-10/8 & R-8	163 Nagog Hill Rd.
E-6/2	R-8	R-8 & R-10/8	376 Pope Rd.
E-6/3	R-8	R-10/8 & R-8	380 Pope Rd.
E-6/4	R-8	R-8 & R-10/8	366 Pope Rd.
H-2/127	R-8/4	R-8/4 & R-2	4 Apple Valley Dr.

* Rezone from LB to R-10/8 only the small portion of D-4/4 that abuts parcel D-4/10. *[Parcel D-4/4 is currently split three-ways, two portions in LB (Limited Business) and one portion in R-10/8; this article will change one of the LB-portions to R-10/8, removing one of the splits]*

- B. Amend the zoning map, Map No. 4 (Affordable Housing Overlay District Map), by removing from the Affordable Housing Overlay Sub-Districts A and B the following parcels listed in the table below *[Parcel Identification numbers are as shown on the 2004 edition of the Acton Town Atlas. Present overlay zoning sub-districts and street addresses are shown for informational purposes only.]*:

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
B-5/19	B (partial)	100 Nagog Pk.
B-5/23	A	115 Quarry Rd.
B-5/24	A	111 Quarry Rd.
B-5/28	A	119 Quarry Rd.
B-5/29	A	107 Quarry Rd.
B-6/20	A	31 Carlisle Rd. (rear)
B-6/20-1	A	39 Carlisle Rd.
B-6/20-2	A	41 Carlisle Rd.
B-6/20-3	A	43 Carlisle Rd.

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
B-6/20-4	A	43 Carlisle Rd. (rear)
B-6/20-5	A	2 Marshall Path
C-4/21	A	500 Acorn Park Dr.
C-4/21-5	A	468 Great Rd.
C-4/21-6	A	499 Acorn Park Dr.
C-4/21-7	A	501 Acorn Park Dr.
C-4/21-8	A	519 Acorn Park Dr.
C-4/21-9	A	531 Acorn Park Dr.
C-4/21-10	A	555 Acorn Park Dr.
C-4/21-11	A	200 Acorn Park Dr.
C-4/21-12	A	11 Beechnut St.
C-4/21-13	A	13 Hazelnut St.
C-4/21-14	A	509 Acorn Park Dr.
C-4/21-15	A	1 Chestnut St.
C-4/21-16	A	3 Chestnut St.
C-4/21-17	A	5 Chestnut St.
C-4/21-18	A	7 Chestnut St.
C-4/21-19	A	16 Chestnut St.
C-4/21-20	A	14 Chestnut St.
C-4/21-21	A	12 Chestnut St.
C-4/21-22	A	10 Chestnut St.
C-4/21-23	A	8 Chestnut St.
C-4/21-24	A	3 Beechnut St.
C-4/21-25	A	5 Beechnut St.
C-4/21-26	A	7 Beechnut St.
C-4/21-27	A	9 Beechnut St.
C-4/21-28	A	6 Beechnut St.
C-4/21-29	A	4 Beechnut St.
C-4/21-30	A	2 Beechnut St.
C-4/21-31	A	1 Hazelnut St.
C-4/21-32	A	3 Hazelnut St.
C-4/21-33	A	5 Hazelnut St.
C-4/21-34	A	7 Hazelnut St.
C-4/21-35	A	9 Hazelnut St.
C-4/21-36	A	11 Hazelnut St.
C-4/21-37	A	8 Hazelnut St.
C-4/21-38	A	10 Hazelnut St.
C-4/21-39	A	517 Acorn Park Dr.
C-4/21-40	A	515 Acorn Park Dr.
C-4/21-41	A	2 Hazelnut St.
C-4/21-42	A	4 Hazelnut St.
C-4/21-43	A	6 Hazelnut St.
C-4/21-44	A	15 Hazelnut St.
C-4/21-45	A	17 Hazelnut St.
C-4/21-46	A	521 Acorn Park Dr.
C-4/21-47	A	523 Acorn Park Dr.
C-4/21-48	A	525 Acorn Park Dr.

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
C-4/21-49	A	529 Acorn Park Dr.
C-4/21-50	A	531 Acorn Park Dr.
C-4/21-51	A	535 Acorn Park Dr.
C-4/21-52	A	537 Acorn Park Dr.
C-4/21-53	A	539 Acorn Park Dr.
C-4/21-54	A	527 Acorn Park Dr.
C-4/21-55	A	520 Acorn Park Dr.
C-4/21-56	A	518 Acorn Park Dr.
C-4/21-57	A	516 Acorn Park Dr.
C-4/21-58	A	544 Acorn Park Dr.
C-4/21-59	A	546 Acorn Park Dr.
C-4/21-60	A	548 Acorn Park Dr.
C-4/21-61	A	550 Acorn Park Dr.
C-4/21-62	A	543 Acorn Park Dr.
C-4/21-63	A	545 Acorn Park Dr.
C-4/21-64	A	547 Acorn Park Dr.
C-4/21-65	A	549 Acorn Park Dr.
C-4/21-66	A	553 Acorn Park Dr.
C-4/21-67	A	557 Acorn Park Dr.
C-4/21-68	A	556 Acorn Park Dr.
C-4/21-69	A	554 Acorn Park Dr.
C-4/21-70	A	4 Chestnut St.
C-4/21-71	A	6 Chestnut St.
C-4/21-72	A	510 Acorn Park Dr.
C-4/21-73	A	506 Acorn Park Dr.
C-4/21-74	A	504 Acorn Park Dr.
C-4/21-75	A	489 Acorn Park Dr.
C-4/21-76	A	400 Acorn Park Dr.
C-4/21-77	A	1 Walnut St.
C-4/21-78	A	491 Acorn Park Dr.
C-4/21-79	A	3 Walnut St.
C-4/21-80	A	5 Walnut St.
C-4/21-81	A	9 Walnut St.
C-4/21-82	A	11 Walnut St.
C-4/21-83	A	18 Walnut St.
C-4/21-84	A	16 Walnut St.
C-4/21-85	A	14 Walnut St.
C-4/21-86	A	12 Walnut St.
C-4/21-87	A	10 Walnut St.
C-4/21-88	A	8 Walnut St.
C-4/21-89	A	4 Walnut St.
C-4/21-90	A	6 Walnut St.
C-4/21-91	A	495 Acorn Park Dr.
C-4/21-92	A	497 Acorn Park Dr.
C-4/27-1	A	2 Palmer Ln.
C-4/27-4	A	1 Palmer Ln.
C-4/27-5	A	4 Palmer Ln.

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
C-4/27-6	A	6 Palmer Ln.
C-4/27-7	A	3 Palmer Ln.
C-4/27-8	A	5 Palmer Ln.
C-4/27-9	A	8 Palmer Ln.
C-5/10	A	18 Captain Handley Rd.
C-5/10-2	A	12 Captain Handley Rd.
C-5/10-3	A	14 Captain Handley Rd.
C-5/10-4	A	16 Captain Handley Rd.
C-5/10-5	A	17 Captain Handley Rd.
C-5/10-6	A	15 Captain Handley Rd.
C-5/10-7	A	10 Captain Handley Rd.
C-5/10-8	A	13 Captain Handley Rd.
C-5/10-9	A	8 Captain Handley Rd.
C-5/10-10	A	11 Captain Handley Rd.
C-5/10-11	A	6 Captain Handley Rd.
C-5/10-12	A	9 Captain Handley Rd.
C-5/10-13	A	4 Captain Handley Rd.
C-5/10-14	A	7 Captain Handley Rd.
C-5/10-15	A	5 Captain Handley Rd.
C-5/10-16	A	2 Captain Handley Rd.
C-5/10-17	A	3 Captain Handley Rd.
C-5/10-18	A	1 Captain Handley Rd.
C-5/26	B	64 Quarry Rd.
C-5/26-1	B	60 Quarry Rd.
C-5/26-2	B	54 Quarry Rd.
C-5/26-3	B	50 Quarry Rd.
C-5/26-4	B	46 Quarry Rd.
C-5/26-5	B	42 Quarry Rd.
C-5/104	A	Wheeler Ln.-end
C-6/8	A	27 Marshall Path (rear)
C-6/9	A	27 Marshall Path (rear)
C-6/15	A	25 Carlisle Rd.
C-6/16	A	26 Marshall Path (rear)
C-6/17	A	23 Marshall Path(rear)
C-6/18	A	6 Blueberry Path
C-6/19	A	27 Marshall Path
C-6/20	A	11 Marshall Path
C-6/21	A	10 Marshall Path
C-6/22	A	1 Blueberry Path
C-6/23	A	3 Blueberry Path
C-6/24	A	5 Blueberry Path
C-6/25	A	26 Marshall Path
C-6/26	A	2 Blueberry Path
C-6/27	A	21 Marshall Path
C-6/28	A	23 Marshall Path
C-6/29	A	25 Marshall Path
C-6/30	A	28 Marshall Path

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
C-6/31	A	24 Marshall Path
C-6/32	A	22 Marshall Path
C-6/33	A	20 Marshall Path
C-6/34	A	18 Marshall Path
C-6/35	A	16 Marshall Path
C-6/36	A	14 Marshall Path
C-6/37	A	12 Marshall Path
D-3/5	A	226 Newtown Rd.
D-3/5-7	A	208 Newtown Rd.
D-3/5-8	A	214 Newtown Rd.
D-3/5-9	A	220 Newtown Rd.
D-4/12	A	363 Great Rd.
D-4/19	A	361 Great Rd.
D-4/23	A	592 Main St. (rear)
D-4/24	A	592 Main St. (rear)
D-5/1	A	Meyer Hill Dr.
D-5/19	A	687 Main St.
D-5/19-1	A	689 Main St.
D-5/19-2	A	693 Main St.
D-5/19-3	A	697 Main St.
D-5/19-4	A	701 Main St.
D-5/19-5	A	705 Main St.
D-5/25	A (partial)	675 Main St.
D-5/31	A	362 Pope Rd. (rear)
E-2/237	A	110 Arlington St.
E-2/237-1	A	1 Kennedy Ln.
E-2/237-2	A	3 Kennedy Ln.
E-2/237-3	A	5 Kennedy Ln.
E-2/237-4	A	7 Kennedy Ln.
E-2/237-5	A	9 Kennedy Ln.
E-2/237-6	A	8 Kennedy Ln.
E-2/237-7	A	6 Kennedy Ln.
E-2/237-8	A	4 Kennedy Ln.
E-2/237-9	A	118 Arlington St.
E-2/238	A	80 Charter Rd.
E-2/238-1	A	78 Charter Rd.
E-2/257-1	A	76 Charter Rd.
E-2/257-2	A	78 Charter Rd. (rear)
E-2/261-2	A	131 Hayward Rd.
E-2/261-3	A	121 Hayward Rd.
E-2/262	A	121 Hayward Rd.
E-2/272	A	121 Hayward Rd.
E-2/273	A	121 Hayward Rd.
E-3/63	A	Washington Dr.
E-3/63-1	A	1 McKinley Dr.
E-3/63-2	A	3 McKinley Dr.
E-3/63-3	A	5 McKinley Dr.

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
E-3/63-4	A	6 McKinley Dr.
E-3/63-5	A	4 McKinley Dr.
E-3/63-6	A	2 McKinley Dr.
E-3/63-7	A	10 Washington Dr.
E-3/63-8	A	8 Washington Dr.
E-3/63-9	A	9 Washington Dr.
E-3/87	A	7 Monroe Dr.
E-3/87-65	A	26 Jackson Dr.
E-3/87-66	A	9 Monroe Dr.
E-3/87-67	A	10 Monroe Dr.
E-3/87-68	A	8 Monroe Dr.
E-3/101	A (partial)	75 Hayward Rd.
E-3/109	A	65 Charter Rd. (side)
E-4/45	A	520 Main St.
E-4/75	A	514 Main St. (rear)
E-4/85	A	521 Main St.
E-4/85-1	A	523 Main St.
E-5/15-3	A	49 Bellows Farm Rd.
E-5/15-4	A	8 Briar Hill Rd.
E-5/15-5	A	5 Briar Hill Rd.
E-5/15-6	A	35 Bellows Farm Rd.
E-5/15-7	A	5 Whispering Way
E-5/15-8	A	3 Whispering Way
E-5/15-9	A	1 Whispering Way
E-5/15-10	A	4 Whispering Way
E-5/15-11	A	2 Whispering Way
E-5/15-12	A	2 Fischer Path
E-5/15-13	A	4 Fischer Path
E-5/15-14	A	1 Fischer Path
E-5/15-15	A	3 Fischer Path
E-5/15-16	A	5 Fischer Path
E-5/15-17	A	1 Mossy Ln.
E-5/15-18	A	3 Mossy Ln.
E-5/15-19	A	2 Mossy Ln.
E-5/15-20	A	11 Briar Hill Rd.
E-5/15-21	A	2 Bramble Way
E-5/15-22	A	4 Bramble Way
E-5/15-23	A	1 Bramble Way
E-5/15-24	A	3 Bramble Way
E-5/15-25	A	3 Bittersweet Ln.
E-5/15-26	A	1 Bittersweet Ln.
E-5/15-27	A	6 Bittersweet Ln.
E-5/15-28	A	4 Bittersweet Ln.
E-5/15-29	A	2 Bittersweet Ln.
E-5/15-30	A	15 Green Needle Way
E-5/15-31	A	11 Green Needle Way
E-5/15-32	A	9 Green Needle Way

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
E-5/15-33	<i>A (partial)</i>	<i>7 Green Needle Way</i>
E-5/16	<i>A</i>	<i>108 Strawberry Hill Rd.</i>
E-5/16-1	<i>A</i>	<i>105 Strawberry Hill Rd.</i>
E-5/16-2	<i>A</i>	<i>10 Jay Ln.</i>
E-5/16-3	<i>A</i>	<i>6 Jay Ln.</i>
E-5/16-4	<i>A</i>	<i>8 Jay Ln.</i>
E-5/16-5	<i>A</i>	<i>4 Jay Ln.</i>
E-5/16-6	<i>A</i>	<i>7 Jay Ln.</i>
E-5/16-7	<i>A</i>	<i>5 Jay Ln.</i>
E-5/16-8	<i>A</i>	<i>3 Jay Ln.</i>
E-5/16-9	<i>A</i>	<i>1 Jay Ln.</i>
E-5/16-10	<i>A</i>	<i>2 Jay Ln.</i>
E-5/16-11	<i>A</i>	<i>85 Strawberry Hill Rd.</i>
E-5/16-12	<i>A</i>	<i>89 Strawberry Hill Rd.</i>
E-5/16-13	<i>A</i>	<i>97 Strawberry Hill Rd.</i>
E-5/16-14	<i>A</i>	<i>101 Strawberry Hill Rd.</i>
E-5/16-15	<i>A</i>	<i>115 Strawberry Hill Rd.</i>
E-5/16-16	<i>A</i>	<i>186 Pope Rd.</i>
E-5/16-17	<i>A</i>	<i>112 Strawberry Hill Rd.</i>
E-5/16-18	<i>A</i>	<i>118 Strawberry Hill Rd.</i>
E-5/35	<i>A</i>	<i>49 Strawberry Hill Rd.</i>
E-5/35-3	<i>A</i>	<i>88 Esterbrook Rd.</i>
E-5/51-54	<i>A</i>	<i>12 Greybitch Ln.</i>
E-5/51-55	<i>A (partial)</i>	<i>10 Greybitch Ln.</i>
E-6/2	<i>A (partial)</i>	<i>376 Pope Rd.</i>
E-6/3	<i>A (partial)</i>	<i>380 Pope Rd.</i>
E-6/4	<i>A (partial)</i>	<i>366 Pope Rd.</i>
E-6/7	<i>A</i>	<i>362 Pope Rd.</i>
F-1/6	<i>A</i>	<i>647 Massachusetts Ave.</i>
F-1/74-2	<i>A</i>	<i>14 Paul Revere Rd. (rear)</i>
F-1/74-3	<i>A</i>	<i>130 Summer St.</i>
F-1/74-4	<i>A</i>	<i>4 Woodfield Rd.</i>
F-1/74-5	<i>A</i>	<i>1 Shady Ln.</i>
F-1/74-6	<i>A</i>	<i>3 Shady Ln.</i>
F-1/74-7	<i>A</i>	<i>2 Shady Ln.</i>
F-1/74-8	<i>A</i>	<i>5 Shady Ln.</i>
F-1/74-9	<i>A</i>	<i>7 Shady Ln.</i>
F-1/74-10	<i>A</i>	<i>9 Shady Ln.</i>
F-1/74-11	<i>A</i>	<i>6 Shady Ln.</i>
F-1/74-12	<i>A</i>	<i>4 Shady Ln.</i>
F-1/74-13	<i>A</i>	<i>5 Woodfield Rd.</i>
F-1/74-14	<i>A</i>	<i>8 Woodfield Rd.</i>
F-1/74-15	<i>A</i>	<i>7 Woodfield Rd.</i>
F-1/74-16	<i>A</i>	<i>10 Woodfield Rd.</i>
F-1/74-17	<i>A</i>	<i>9 Woodfield Rd.</i>
F-1/74-18	<i>A</i>	<i>12 Woodfield Rd.</i>
F-1/74-19	<i>A</i>	<i>1 Woodfield Rd.</i>

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
F-1/132	A	11 Woodfield Rd.
F-2/106	A	471 Massachusetts Ave.
F-2/106-1	A	477 Massachusetts Ave.
F-2/106-2	A	469 Massachusetts Ave.
F-2/106-3	A	467 Massachusetts Ave.
F-2/106-4	A	465 Massachusetts Ave.
F-2/106-5	A	463 Massachusetts Ave.
F-2A/11-1	B	3 Gregory Ln.
F-2A/11-2	B	2 Gregory Ln.
F-2A/11-3	B	1 Gregory Ln.
F-3/70	A	353 Main St.
F-3/70-17	A	351 Main St.
F-3/70-18	A	10 Stacy's Way
F-3/70-19	A	12 Stacy's Way
F-3/70-20	A	7 Stacy's Way
F-3/70-21	A	8 Stacy's Way
F-3/70-22	A	5 Stacy's Way
F-3/70-23	A	4 Stacy's Way
F-3/70-24	A	6 Stacy's Way
F-3/70-25	A	3 Stacy's Way
F-3/70-26	A	1 Stacy's Way
F-3/90	A	349 Main St. (rear)
F-3/122	A	15 Barker Rd.
F-3/122-1	A	2 Stacy's Way
F-3A/56-1	A	13 Wood Ln.
F-3A/56-2	A	19 Wood Ln.
F-4/13-1	A	22 Esterbrook Rd.
F-4/34	A	116 Concord Rd.
F-4/37	B	145 Great Rd.
F-4/40	A	1 Concord Pl.
F-4/40-1	A	3 Concord Pl.
F-4/40-2	A	5 Concord Pl.
F-4/40-3	A	7 Concord Pl.
F-4/40-4	A	7 Concord Pl. (side)
F-4/43	A	73 Concord Rd.
F-4/69-1	B	125 Great Rd.
F-5/11-4	A	7 Proctor St.
F-5/51	A	138 Pope Rd.
F-5/52	A	151 Pope Rd.
F-5/53	A	142 Pope Rd.
F-5/54	A	146 Pope Rd.
F-5/55	A	150 Pope Rd.
F-5/56	A	160 Pope Rd.
F-5/57	A	170 Pope Rd.
F-5/58	A	180 Pope Rd.
F-5/59	A	93 Strawberry Hill Rd.
G-1/94	A	126 Summer St.

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
G-1/95	A	8 Squirrel Hill Rd.
G-1/96	A	6 Squirrel Hill Rd.
G-1/107	A	10 Squirrel Hill Rd.
G-1/120	A	25 Squirrel Hill Rd.
G-1/121	A	23 Squirrel Hill Rd.
G-1/123	A	12 Squirrel Hill Rd.
G-1/133	A	14 Squirrel Hill Rd.
G-1/152	A	22 Squirrel Hill Rd.
G-1/153	A	16 Squirrel Hill Rd.
G-1/172	A	18 Squirrel Hill Rd.
G-1/173	A	16 Squirrel Hill Rd. (side)
G-1/152-1	A	20 Squirrel Hill Rd.
G-1/94-1	A	3 Squirrel Hill Rd.
G-1/94-2	A	1 Squirrel Hill Rd.
G-1/94-3	A	5 Squirrel Hill Rd.
G-1/94-4	A	7 Squirrel Hill Rd.
G-1/94-5	A	9 Squirrel Hill Rd.
G-1/94-6	A	11 Squirrel Hill Rd.
G-1/94-7	A	13 Squirrel Hill Rd.
G-1/94-8	A	15 Squirrel Hill Rd.
G-1/94-9	A	17 Squirrel Hill Rd.
G-1/94-10	A	19 Squirrel Hill Rd.
G-1/94-11	A	21 Squirrel Hill Rd.
G-2/192	A	69 Robbins St.
G-2/192-1	A	21 Overlook Dr.
G-2/192-2	A	23 Overlook Dr.
G-2/192-3	A	25 Overlook Dr.
G-2/192-4	A	26 Overlook Dr.
G-2/193	A	15 Prescott Rd.
G-2/193-1	A	14 Prescott Rd.
G-2/193-2	A	16 Prescott Rd.
G-2/193-3	A	18 Prescott Rd.
G-2/193-4	A (partial)	19 Overlook Dr.
G-2/193-5	A (partial)	17 Overlook Dr.
G-2/193-6	A (partial)	15 Overlook Dr.
G-2/193-7	A (partial)	13 Overlook Dr.
G-2/193-8	A (partial)	11 Overlook Dr.
G-2/193-9	A (partial)	9 Overlook Dr.
G-2/193-10	A	7 Overlook Dr. (side)
G-2/193-11	A	8 Overlook Dr. (side)
G-2/193-12	A	10 Overlook Dr. (side)
G-2/193-13	A	17 Overlook Dr. (side)
G-2/193-14	A (partial)	19 Overlook Dr. (side)
G-2/194-1	A (partial)	13 Overlook Dr. (rear)
G-2/194-2	A (partial)	11 Overlook Dr. (rear)
G-2/194-4	A (partial)	7 Overlook Dr. (rear)
G-2A/11-1	A	6 Tupelo Way

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
G-2A/11-2	A	3 Tupelo Way
G-2A/11-3	A	5 Tupelo Way
G-2A/18	A	13 Tupelo Way
G-2A/18-1	A	11 Tupelo Way
G-2A/18-2	A	9 Tupelo Way
G-2A/18-3	A	3 Tupelo Way
G-2A/18-4	A	10 Tupelo Way
G-2A/18-5	A	8 Tupelo Way
G-3/1	B (partial)	246 Main St.
G-3/12	A	332 Massachusetts Ave.
G-3/13	A	12 Barker Rd.
G-3/13-1	A	10 Barker Rd.
G-3/14	A	16 Barker Rd.
G-3/65	A	84 Piper Rd.
G-3/65-1	A	13 Farmstead Way
G-3/65-2	A	11 Farmstead Way
G-3/65-3	A	14 Farmstead Way
G-3/65-4	A	9 Farmstead Way
G-3/65-5	A	12 Farmstead Way
G-3/65-6	A	7 Farmstead Way
G-3/65-7	A	10 Farmstead Way
G-3/65-8	A	5 Farmstead Way
G-3/65-9	A	3 Anders Way
G-3/65-10	A	1 Anders Way
G-3/65-11	A	5 Anders Way
G-3/65-12	A	6 Farmstead Way
G-3/65-13	A	6 Anders Way
G-3/65-14	A	4 Anders Way
G-3/65-15	A	4 Farmstead Way
G-3/65-16	A	4 Farmstead Way (rear)
G-3/65-17	A	14 Farmstead Way (rear)
G-3/66	A	92 Piper Rd.
G-3/69	A	80 Piper Rd.
G-3/69-1	A	2 Farmstead Way
G-3/69-2	A	4 Farmstead Way (side)
G-3/73	A	2B Farmstead Way
G-3/74	A	2A Farmstead Way
G-3/75	A	74 Piper Rd.
H-2/7	A	7 Prescott Rd.
H-2/7-4	A	5 Overlook Dr.
H-2/7-5	A (partial)	3 Overlook Dr. (rear)
H-2/7-6	A	2 Prescott Rd.
H-2/7-8	A	5 Prescott Rd.
H-2/7-9	A	1 Prescott Rd.
H-2/7-10	A	1 Overlook Dr.
H-2/7-11	A	1 Overlook Dr. (rear)
H-2/7-12	A	1 Prescott Rd. (rear)

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
H-2/7-13	A	12 Prescott Rd.
H-2/7-14	A	4 Overlook Dr.
H-2/7-15	A	5 Overlook Dr.
H-2/7-17	A	11 Prescott Rd.
H-3/73	A	220 School St.
H-3/73-1	A	4 Maddy Ln.
H-3/73-2	A	6 Maddy Ln.
H-3B/72	B (partial)	61 Main St.
H-3B/81	B (partial)	59 Main St.
H-3B/83	B (partial)	2 Farley Ln.
H-3B-88	B	9R Conant St.
H-3B-88-4	B	83 High St.
H-3B-88-5	B	11 Conant St.
H-3B-88-6	B	13 Conant St.
H-3B-88-7	B	9 Conant St.
H-3B-88-8	B (partial)	4 Farley Ln.
H-3B-88-9	B (partial)	3 Farley Ln.
H-4/68	A	222 School St.
H-4/68-1	A	5 Maddy Ln.
H-4/68-2	A	7 Maddy Ln.
H-4/68-3	A	8 Maddy Ln.
H-4/68-4	A	3 Maddy Ln.
H-4/68-5	A	1 Maddy Ln.
H-4/73	A	246 School St.
H-4/73-1	A	230 School St.
H-4/73-2	A	234 School St.
H-4/73-3	A	8 Guswood Rd.
H-4/73-4	A	6 Guswood Rd.
H-4/73-5	A	7 Guswood Rd.
H-4/73-6	A	9 Guswood Rd.
H-4/73-7	A	11 Guswood Rd.
H-4/73-8	A	244 School St.
H-4/73-9	A	246 School St. (side)
H-4/116-3	A	5 Laws Brook Rd. (rear)
H-4/127	A	2 Lexington Dr.
H-4/128	A	14 Lexington Dr.
H-4/128-1	A	1 Lexington Dr.
H-4/128-2	A	7 Lexington Dr.
H-4/128-3	A	63 Lexington Dr.
H-4/128-4	A	5 Laws Brook Rd.
H-4/128-5	A	62 Lexington Dr.
H-4/128-6	A	60 Lexington Dr.
H-4/128-7	A	58 Lexington Dr.
H-4/128-8	A	56 Lexington Dr.
H-4/128-9	A	54 Lexington Dr.
H-4/128-10	A	50 Lexington Dr.
H-4/128-11	A	48 Lexington Dr.

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
H-4/128-12	A	46 Lexington Dr.
H-4/128-13	A	44 Lexington Dr.
H-4/128-14	A	42 Lexington Dr.
H-4/128-15	A	40 Lexington Dr.
H-4/128-16	A	38 Lexington Dr.
H-4/128-17	A	36 Lexington Dr.
H-4/128-18	A	30 Lexington Dr.
H-4/128-19	A	28 Lexington Dr.
H-4/128-20	A	26 Lexington Dr.
H-4/128-21	A	24 Lexington Dr.
H-4/128-22	A	22 Lexington Dr.
H-4/128-23	A	20 Lexington Dr.
H-4/128-24	A	18 Lexington Dr.
H-4/128-25	A	16 Lexington Dr.
H-4/128-26	A	12 Lexington Dr.
H-4/128-27	A	10 Lexington Dr.
H-4/128-28	A	8 Lexington Dr.
H-4/128-29	A	6 Lexington Dr.
H-4/128-30	A	4 Lexington Dr.
H-4/128-31	A	61 Lexington Dr.
H-4/128-32	A	59 Lexington Dr.
H-4/128-33	A	57 Lexington Dr.
H-4/128-34	A	55 Lexington Dr.
H-4/128-35	A	53 Lexington Dr.
H-4/128-36	A	51 Lexington Dr.
H-4/128-37	A	49 Lexington Dr.
H-4/128-38	A	47 Lexington Dr.
H-4/128-39	A	45 Lexington Dr.
H-4/128-40	A	43 Lexington Dr.
H-4/128-41	A	41 Lexington Dr.
H-4/128-42	A	39 Lexington Dr.
H-4/128-43	A	37 Lexington Dr.
H-4/128-44	A	35 Lexington Dr.
H-4/128-45	A	33 Lexington Dr.
H-4/128-46	A	31 Lexington Dr.
H-4/128-47	A	29 Lexington Dr.
H-4/128-48	A	27 Lexington Dr.
H-4/128-49	A	25 Lexington Dr.
H-4/128-50	A	23 Lexington Dr.
H-4/128-51	A	21 Lexington Dr.
H-4/128-52	A	19 Lexington Dr.
H-4/128-53	A	17 Lexington Dr.
H-4/128-54	A	15 Lexington Dr.
H-4/128-55	A	13 Lexington Dr.
I-2/8	B	47 Main St. (rear)
I-2/10	B (partial)	45 Main St.
I-2/62	A	44 Conant St.

Parcel Identification	Present Overlay Zoning Sub-District	Street Address
I-2/62-1	A	46 Conant St.
I-2/62-2	A	48 Conant St.
I-3/32	A	1 Parmley Dr.
I-3/32-1	A	3 Parmley Dr.
I-3/32-2	A	5 Parmley Dr.
I-3/32-3	A	7 Parmley Dr.
I-3/101	A	176 High St.
I-3/101-1	A	180 High St.
I-3/101-2	A	186 High St.
I-3/101-3	A	190 High St.
I-3/101-4	A	194 High St.
I-3/101-5	A	198 High St.
I-3/101-6	A	202 High St.
I-3/101-7	A	204 High St.
I-3/101-8	A	206 High St.
I-3/101-9	A	181 Parker St.
I-3/101-10	A	177 Parker St.
I-3/124	A	185 Parker St.
I-3/124-1	A	183 Parker St.
J-3/60	B	29 Sudbury Rd.
J-3/60-1	B	16 Westside Dr.
J-3/60-2	B	15 Westside Dr.
J-3/60-3	B	13 Westside Dr.
J-3/60-4	B	11 Westside Dr.
J-3/60-5	B	5 Westside Dr.
J-3/60-6	B	14 Westside Dr.
J-3/60-7	B	9 Westside Dr.
J-3/60-8	B	7 Westside Dr.
J-3/60-9	B	3 Westside Dr.
J-3/60-10	B	12 Westside Dr.
J-3/60-11	B	1 Westside Dr.
J-3/60-12	B	10 Westside Dr.
J-3/60-13	B	8 Westside Dr.
J-3/60-14	B	6 Westside Dr.
J-3/60-15	B	4 Westside Dr.
J-3/60-16	B	2 Westside Dr.

C. Amend the zoning map, Map No. 4 (Affordable Housing Overlay District Map), by reassigning the Affordable Housing Overlay Sub-District designation of the following parcels of land as indicated in the table below [Parcel Identification numbers are as shown on the 2004 edition of the Acton Town Atlas. Present overlay zoning sub-districts and street addresses are shown for informational purposes only. The majority land areas of the parcels noted with "partial" are presently in Sub-District A or B];

Parcel Identification	Proposed Overlay Zoning Sub-District	Present Overlay Zoning Sub-District	Street Address
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C-5/90-5	B	B (partial)	76 Harris St.
D-6/3-2	A	A (partial)	21 Triangle Farm Ln.
D-6/3-3	A	A (partial)	10 Triangle Farm Ln.
D-6/3-4	A	A (partial)	20 Triangle Farm Ln.
E-4/2-1	A	A (partial)	163 Nagog Hill Rd.
F-2/138	B	B (partial)	10 Hennessey Dr.
F-2A/11-4	A	B	4 Gregory Ln.
H-2/66	A	A (partial)	116 Stow St.
H-2/127	A	A (partial)	4 Apple Valley Dr.
J-3/15-1	A	A (partial)	12 Dunham Ln.
J-3/15-4	A	A (partial)	13 Dunham Ln.
J-3/15-6	A	A (partial)	11 Dunham Ln.
J-3/15-7	A	A (partial)	9 Dunham Ln.
J-3/15-8	A	A (partial)	7 Dunham Ln.
J-3/15-10	A	A (partial)	5 Dunham Ln.

D. Amend the zoning bylaw by deleting section 4.4.8.1 (local preference criteria for affordable housing) and replacing it with a new section 4.4.8.1 as follows:

4.4.8.1 Local Preference – To the maximum extent practical and subject to applicable Federal or State financing or subsidy programs, the AFFORDABLE DWELLING UNITS shall be initially offered to qualified LOW- and MODERATE-INCOME households that meet local preference criteria established from time to time by the Town of Acton or the Acton Community Housing Corporation. Procedures for the selection of purchasers and/or tenants shall be subject to approval by the Town of Acton or its designee. The local preference restriction shall be in force for 120 days from the date of the first offering of sale or rental of a particular AFFORDABLE DWELLING UNIT. The applicant shall make a diligent effort to locate eligible purchasers or renters for the AFFORDABLE DWELLING UNIT who meet the local preference criteria and the applicable income requirements.

[Note – Section 4.4.8.1 currently reads:

4.4.8.1 Preference for Town residents and persons employed within the Town – Unless otherwise prohibited by a federal or state agency under a financing or other subsidy program, at least fifty percent (50%) of the AFFORDABLE DWELLING UNITS donated, rented, leased or sold shall be initially offered to Acton residents, to persons employed within the Town of Acton, and to former residents of the Town as follows:

- a) Thirty percent (30%) shall be initially offered to current residents of the Town of Acton.*
- b) Ten percent (10%) shall be offered to persons employed within the Town of Acton;*
- c) Ten percent (10%) shall be offered to persons who, although not currently residents of the Town, resided in the Town of Acton for a minimum of five (5) years within the past fifteen (15) years.]*

E. Amend the zoning bylaw, section 5.3.3 (frontage exceptions) as follows:

- a. In sub-section 5.3.3.1, change “Residential Districts” in the first line to “R-2, R-4, R-8/4, R-8, and R-10/8 Districts”.

[Note – sub-section 5.3.3.1 currently reads:

5.3.3.1 FRONTAGE Exception LOTS – In the Residential Districts, the minimum LOT FRONTAGE may be reduced by 50 feet per LOT provided that the minimum LOT area required for each such LOT is doubled.]

- b. In sub-section 5.3.3.2, change “other Residential Districts” at the end of the sub-section to “R-2, R-4, R-8/4, R-8, and R-10/8 Districts”.

[Note – sub-section 5.3.3.2 currently reads:

5.3.3.2 Curved STREET Exception LOTS – Excluding a cul-de-sac, any LOT whose entire FRONTAGE is on the outside sideline of a curved STREET having the radius of 300 feet or less shall be permitted to reduce its minimum FRONTAGE to 125 feet for a LOT located in the R-2 District and 150 feet for a LOT located in the other Residential Districts.]

- c. In sub-section 5.3.3.4, change “Residential Districts” in the first line to “R-2, R-4, R-8/4, R-8, and R-10/8 Districts,”.

[Note – sub-section 5.3.3.4 currently reads:

5.3.3.4 Hammerhead LOTS – In the Residential Districts Hammerhead LOTS may be created subject to the following requirements:]

- F. Amend the zoning bylaw, section 5.5.A1 (maximum floor area of businesses and industries in village districts), by changing the entry in column EAV, line 3.5.14 – Building Trade Shop, from 5000 [5000 square feet] to NR [No Regulation].

- G. Amend the zoning bylaw, section 5.5.B1 (design provisions for the East Acton Village (EAV) District), by deleting the last sentence of sub-section 5.5.B1.2.f)i. and replacing it with the following new sentences:

“No driveways or parking lots shall be located between a pedestrian plaza and a STREET, except when a pedestrian plaza is located in the rear of a BUILDING when viewed from a STREET. No driveway or parking lot shall intersect or be mixed with a pedestrian plaza.”

[Note – sub-section 5.5B.1.2.f)i. currently reads:

i. No driveway or parking lot shall be placed in the portion of a LOT that is directly in front of a BUILDING as seen from a STREET, whether or not the BUILDING is located on the same LOT as the driveway or parking lot, except that a driveway and parking lot may be placed in the front of a BUILDING that is located in the rear of another BUILDING when viewed from a STREET. No driveways or parking lots shall be located between a pedestrian plaza and a STREET, nor shall any driveway or parking lot intersect or be mixed with a pedestrian plaza.]

- H. Renumber and relocate section 6.7.9 to become section 6.10 instead, and change its title from “Bonds, Securities –” to “Parking Lot Bonds and Securities –”.

[Note – section 6.7.9 currently reads:

6.7.9 Bonds, Securities – The Special Permit Granting Authority (if the parking area is related to a permitted USE for which a site plan or other special permit is required) or the Building Commissioner (for other parking areas) or their designee may require a bond or other form of security to ensure the satisfactory planting of required landscaping and to ensure the survival of such landscaping for up to two (2) years following such planting. All required landscaping and plantings must be maintained in a neat, attractive appearance as a condition of the continued PRINCIPAL USE of the LOT.]

- I. Amend the zoning bylaw by inserting under section 6.9.2 (special provisions for parking in the North Acton Village (NAV) District), the following new section 6.9.2.4:

6.9.2.4 Except as stated in 6.9.2.1 through 6.9.2.3, the parking lot design requirements of Section 6.7 shall apply in the NAV District.

- J. Amend the zoning bylaw by inserting under section 6.9.3 (special provisions for parking in the East Acton Village 2 (EAV-2) District), the following new sub-section c):

c) Otherwise, the parking lot design requirements of Section 6.7 shall apply in the EAV-2 District.

- K. Amend the zoning bylaw, section 6.9.4 (special provisions for parking in the West Acton Village (WAV) and South Acton Village (SAV) Districts), by inserting in the first paragraph of sub-section 6.9.4.6 after its title and before “Off-STREET parking ...” the following new sentence:

“The parking lot design requirements of Section 6.7 shall not apply in the WAV and SAV Districts.”

[Note – sub-section 6.9.4.6 currently reads:

6.9.4.6 Design Requirements – Off-STREET parking spaces, except parking spaces serving a single to four-FAMILY residential USE or an Assisted Living Residence with 10 or less residents, shall be either contained within a BUILDING or STRUCTURE or subject to the following requirements.]

- L. Amend the zoning bylaw, section 6.9 (special provisions for parking in the Village, Kelley’s Corner, and Powder Mill Districts), as follows:
- a. In sub-section 6.9.4.4, change the reference to section 6.9.2.5 to refer to section 6.9.4.5 instead.
 - b. In sub-section 6.9.4.5, change the reference to section 6.9.2.4 to refer to section 6.9.4.4 instead.
 - c. In sub-section 6.9.4.6.a), change the reference to section 6.9.2.7 to refer to section 6.9.4.7 instead.
 - d. In sub-section 6.9.4.6.c), change the reference to section 6.9.2.5 to refer to section 6.9.4.5 instead.
 - e. In sub-section 6.9.5.3, change the reference to section 6.9.3.4 to refer to section 6.9.5.4 instead.
 - f. In sub-section 6.9.5.4, change the reference to section 6.9.3.3 to refer to section 6.9.5.3 instead.
 - g. In sub-section 6.9.6.3, change the reference to section 6.9.4.4 to refer to section 6.9.6.4 instead.
 - h. In sub-section 6.9.6.4, change the reference to section 6.9.4.3 to refer to section 6.9.6.3 instead.
- M. Amend the zoning bylaw, section 8.3 (nonconforming uses) by deleting the word “minimum” from the first line in subsection 8.3.3.

[Note – section 8.3.3 currently reads:

8.3.3 A BUILDING, which is nonconforming with regard to any minimum yard requirement may be extended horizontally within the dimension of its existing nonconformity by special permit from the Board of Appeals, provided that the extension otherwise conforms to all the dimensional requirements of this Bylaw, and provided further that the Board of Appeals finds that such an extension is not substantially more detrimental to the neighborhood than the existing nonconforming condition of the BUILDING.]

or take any other action relative thereto.

SUMMARY

This article makes corrections, clarifications, updates, and minor changes to the zoning map and zoning bylaw.

Part A consolidates base zoning to a single zoning district on parcels that presently have two zoning districts on them (split-zoned parcels). Split zoning on parcels occurs in two possible ways. First, Town Meeting has in the past established zoning district boundaries along lines that follow brooks or streams, or that follow a line that parallels a street sideline with a defined offset distance, for example 200 feet. This article does not change those zoning boundary lines. Second, Town Meeting has in the past established zoning district boundaries along then-existing parcel lines. Subsequently, the owner(s) have changed or removed parcel boundary lines. Part A of this article includes such parcels, and moves the zoning boundaries on the listed parcels to coincide with their new boundaries. Minimizing the number of split-zoned parcels eases the maintenance and upkeep of the Acton zoning map. For the selected parcels the zoning consolidation does not appear to change the original intent of the zoning map, result in new non-conformities, or measurably change the build-out potential of the parcels.

Part B removes the Affordable Housing Overlay District designation from parcels that were subdivided and developed without using the optional Affordable Housing provisions of the zoning bylaw. The Affordable Housing Overlay District, with its Sub-Districts A and B, was adopted in 1990 in an effort to encourage the production of affordable housing through local zoning incentives. This effort has only been minimally successful. Many land areas included in the Affordable Housing Overlay District were developed without using the affordable housing incentive. Where land is now fully developed without reliance on the Affordable Housing Overlay District, the overlay district designation no longer makes sense. It is confusing to homeowners, potential home buyers, and real estate agents, and it creates a false sense of affordable housing development potential. Parcels with remaining development potential and parcels that were developed with the use of the affordable housing overlay district incentives are not included in this article and stay within the Affordable Housing Overlay District.

Part C consolidates zoning on split-zoned parcels in the Affordable Housing Overlay District (Sub-District A or Sub-District B) to include them entirely within that District. Since the adoption of the Affordable Housing Overlay District, split zoning occurred as a result of the relocation or elimination of parcel boundaries. The zoning consolidation on the selected parcels does not appear to change the original intent of the zoning map, result in new non-conformities, or measurably change the build-out potential of the parcels. One parcel (F-2A/11-4) is changed from Sub-District B to Sub-District A reflecting its incorporation into an abutting development that used the parcel's additional acreage to create affordable housing under Sub-District A standards.

Part D updates the local preference criteria for purchasers and renters of affordable housing units produced in the Affordable Housing Overlay District to be consistent with recent policy changes of the Acton Community Housing Corporation (ACHC). The ACHC administers the sale and rental of new affordable housing in Acton to eligible households. The proposed new text is identical to the wording that the 2004 Annual Town Meeting adopted for affordable housing in the East Acton Village Zoning District.

Part E modifies the applicability of frontage exception rules. The "Residential District" reference in the current bylaw language includes the R-2, R-4, R-8/4, R-8, and R-10/8 Districts, as well as the Village Residential (VR) District in West Acton. Standard minimum frontage requirements are 150 to 250 feet in the R-2 to R-10/8 Districts, and 50 feet in the VR District. The frontage exception rules allow a reduction of the standard minimum frontages ranging from by 25 to 150 feet subject to a variety of conditions and circumstances. Such reductions are not practical in the VR District. With this change the rules for frontage exception lots will no longer apply in the VR District.

Part F corrects the regulations for maximum business floor areas of EAV District. The change reflects the fact that building trade shops are not allowed in the EAV District.

Part G resolves a design conflict for the placement of driveways and required pedestrian amenities for new developments in the EAV District.

Part H amends the zoning bylaw to clarify that the existing section on parking lot construction performance bonds applies to parking lots in all zoning districts. This section authorizes Special Permit

Granting Authorities and the Building Commissioner to require bonds or other securities to ensure the completion of parking lots, including the landscaping, in accordance with an approved plan.

Parts I, J, and K specify more clearly, which parking lot design standards apply in the various Village Districts. This clarification is consistent with the original intent of the zoning bylaw and the various village plans, which developed village parking standards that are different from parking requirements in other commercial district. A recent review of the zoning bylaw made it apparent that this clarification would be helpful in order to eliminate inadvertent ambiguities.

Part L corrects section numbering references that were overlooked in zoning changes made at the 2004 Annual Town Meeting.

Part M modifies how the zoning bylaw addresses the expansion of buildings with nonconforming setbacks to lot lines. Section 8.3.3 allows the expansion of buildings, which are nonconforming to the minimum setback or "yard" requirement, within their present nonconforming setbacks dimension by special permit from the Board of Appeals. When this section was written, the zoning bylaw required only minimum setbacks. Since then, several zoning amendments for village districts introduced maximum front yard setbacks. The proposed change will allow the Board of Appeals during its special permit review to consider proposed expansions relative to minimum and maximum non-conforming setbacks.

Direct inquiries to: Roland Bartl, Town Planner
planning@acton-ma.gov

Selectman assigned: : bos@acton-ma.gov

Recommendations: Board of Selectmen Finance Committee Planning Board

ARTICLE AC AMEND ZONING BYLAW – AMATEUR RADIO TOWERS

**ARTICLE AD ESKER WAY SIDEWALK EASEMENT
(Majority vote)**

To see if the Town will vote to accept as a gift from Bentley Building Corp., a permanent sidewalk easement at 28B Minot Avenue and being shown as "Proposed 7' Wide Sidewalk Easement, 675 S.F." on a plan entitled "Sidewalk Easement Plan, Esker Way, Acton, MA, Prepared for Bentley Building Corp. by Landtech Consultants, Inc.", dated January 11, 2005, and as described more fully in a Grant of Easement to the Town of Acton, both to be recorded at the Middlesex South District Registry of Deeds, Cambridge MA, or take any other action relative thereto.

SUMMARY

The donation of this easement is for a sidewalk at this location required as a condition of approval of the Esker Way Subdivision by the Acton Planning Board in Decision 03-03 of February 11, 2003.

Direct inquiries to: Roland Bartl, Town Planner
planning@acton-ma.gov

Selectman assigned: : bos@acton-ma.gov

Recommendations: Board of Selectmen Finance Committee Planning Board

**ARTICLE AI ESTABLISH HOUSING TRUST FUND – ACTON COMMUNITY
(Majority vote) HOUSING CORPORATION**

To see if the Town will vote to accept Chapter 44 of the MGL by inserting section 55B, or take any other action relative thereto.

Municipal Affordable Housing Trust Fund Bill
House No. 4709 As Amended and Enacted by House and Senate
December 30, 2004
<http://www.chapa.org/H4709.pdf>

SECTION 1. Chapter 44 of the General Laws is hereby amended by inserting after section 55B, as appearing in the 2002 Official Edition, the following section:-

Section 55C. (a) Notwithstanding section 53 or any other general or special law to the contrary, a city or town that accepts this section may establish a trust to be known as the Municipal Affordable Housing Trust Fund, in this section called the trust. The purpose of the trust is to provide for the creation and preservation of affordable housing in municipalities for the benefit of low and moderate income households. For the purposes of this section, acceptance shall be in a town by vote of an annual town meeting, and in any other municipality in accordance with section 4 of chapter 4.

(b) There shall be a board of trustees, in this section called the board, which shall include no less than 5 trustees, including the chief executive officer, as defined by section 7 of chapter 4, of the city or town. Trustees shall be appointed in a city by the mayor or by the city manager in a Plan D or Plan E municipality, subject in either case, to confirmation by the city council, and in a town by the board of selectmen, shall serve for a term not to exceed 2 years, and are designated as public agents for purposes of the constitution of the commonwealth.

(c) The powers of the board, all of which shall be carried on in furtherance of the purposes set forth in this act, may include, but not be limited to, the following:-

(1) to accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation grants of funds or other property tendered to the trust in connection with provisions of the city or town zoning code or any other town ordinance;

(2) to purchase and retain real or personal property, including without restriction investments that yield a high rate of income or no income;

(3) to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;

(4) to execute, acknowledge an deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments

sealed or unsealed, necessary, proper or incident to any transaction in which the board engages for the accomplishment of the purposes of the trust;

(5) to employ advisors and agents, such as accountants, appraisers and lawyers as the board deems necessary;

(6) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;

(7) to apportion receipts and charges between incomes and principal as the board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

(8) to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest; and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;

(9) to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the board may deem proper and to pay, out of trust property, such portion of expenses as compensation of such committee as the board may deem necessary and appropriate;

(10) to carry property for accounting purposes other than acquisition date values;

(11) to borrow money on such terms and conditions and from such sources as the board deems advisable, to mortgage and pledge trust assets as collateral;

(12) to make distributions or divisions of principal in kind;

(13) to comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of this act, to continue to hold the same for such period of time as the board may deem appropriate;

(14) to manage or improve real property; and to abandon any property which the board determined not to be worth retaining;

(15) to hold all or part of the trust property uninvested for such purposes and for such time as the board may deem appropriate; and

(16) to extend the time for payment of any obligation to the trust.

(d) Notwithstanding any general or special law to the contrary, all moneys paid to the trust in accordance with zoning ordinances of the town, exaction fees, ordinances, or private contributions shall be paid directly into the trust and need not be appropriated or accepted and approved into the trust. General revenues appropriated into the trust become trust property and to be expended these funds need not be further appropriated. All moneys remaining in the trust at the end of any fiscal year, whether or not expended by the board within 1 year of the date they were appropriated into the trust, remain trust property.

(e) The trust is a public employer and the members of the board are public employees for purposes of chapter 268A.

(f) The trust shall be deemed a municipal agency and the trustees special municipal employees, for purposes of chapter 268A.

(g) The trust is exempt from chapters 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the commonwealth or any political subdivision thereof.

(h) The books and records of the trust shall be audited annually by an independent auditor in accordance with accepted accounting practices.

(i) The trust is a governmental body for purposes of sections 23A, 23B and 23C of chapter 39.

(j) The trust is a board of the city or town for purposes of chapter 30B and section 15A of chapter 40; but agreements and conveyances between the trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the city or town shall be exempt from said chapter 30B.

SECTION 2. Section 5 of chapter 44B of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

A city or town may appropriate money in any year from the Community Preservation Fund to an affordable housing trust fund.

Direct inquiries to: Nancy Tavernier, Acton Community Housing Corporation

Selectman assigned: : bos@acton-ma.gov

Recommendations: Board of Selectmen Finance Committee

**ARTICLE AJ AMEND TOWN BYLAWS – D10. SEWER ASSESSMENT BYLAW
(Majority vote)**

To see if the Town will vote to amend section D10. Sewer Assessment Bylaw by adding the following text, or take any other action relative thereto.

D10. Sewer Assessment Bylaw

D 10 Sewer System

1. Allocation of Cost of Sewer System. The entire cost of laying out, constructing and operating a system for the collection, treatment and disposal of sewage for all or any part of the Town shall be borne by the land benefited by such system, in accordance with the following provisions, except that costs incurred in connection with the planning and construction of the sewer collection and treatment facility for Middle Fort Pond Brook Sewer District, for archeological studies, paving of roads, engineering peer reviews, police details, traffic studies, and land acquisition, amounting in total to \$1,336,600, shall be allocated to taxpayers at large; and except for such costs as the Town Meeting, by a two-thirds vote, at a town meeting subsequent to this November 15, 1999 Special Town Meeting, shall allocate to taxpayers at large.

2. Assessment by Uniform Unit Method.

- a. *The Town, acting through its Sewer Commissioners, shall assess the owners of all land abutting any way in which there is a public sewer line constructed by the Town, by the uniform unit method, as authorized by G.L. c. 83 §15.*
- b. *The Sewer Commissioners shall establish sewer assessment units, as follows:*
 - (i) *The owner of land used for a single-family residence shall be assessed on the basis of one sewer unit. The owner of undeveloped land zoned for single family residential use shall be assessed on the basis of the maximum number of single family Residences, which may be constructed on such land as of right under the zoning requirements, then in effect, without approval of the further subdivision of such land under the Subdivision Control Law.*
 - (ii) *The owner of land used for multi-family residential use, shall be assessed on the basis of .67 times the number of dwelling units presently existing on such land, provided each unit has fewer than three bedrooms as defined by Title V. Vacant land zoned for multi-family use shall be assessed on the basis of .67 times the maximum number of units which can be constructed as of right under the zoning then in effect, without approval of further subdivision of such land under the Subdivision Control Law. Multi-family units with three or more bedrooms shall be assessed on the basis of one sewer unit per dwelling unit. Each owner of a condominium or cooperative dwelling unit in a multi-family residential building shall be assessed only for his or her dwelling unit.*
 - (iii) *The owner of land used or zoned for business use, including land in the Village, Office, Business districts, except land in such districts actually used for residential or other purposes, shall be assessed on the basis of a number of sewer units calculated by multiplying the maximum floor area ratio (FAR) permitted as of right under the zoning requirements then in effect times the lot area and dividing the result by 4000, in accordance with the following formula.*

$$\text{Number of Sewer Units} = \frac{\text{Maximum FAR} \times \text{Lot Area}}{4000}$$

- (iv) *The owner of land used or zoned for industrial use shall be assessed on the basis of a number of sewer units to be determined by the Sewer Commissioners, taking into account the expected daily sewage flow from such land based on Title V design flows.*
- (v) *The owner of land used or zoned for other purposes not specified in the foregoing sections, including, but not limited to, institutional and non-profit uses, shall be assessed on the basis of a number of sewer units to be determined by the Sewer Commissioners, taking into account the expected daily sewage flow from such land based on Title V design flows.*

3. User Fees for Land Not Subject to Assessment. *The Sewer Commissioners shall establish just and reasonable fees for the use of the public sewer system by the owner of any land, including public land, not liable to assessment, which fee shall be based on the avoided cost of construction of sewage disposal facilities to serve such land.*

4. Assessment Rates. *The Sewer Commissioners shall establish the assessment rate for land within the Middle Fort Pond Brook sewer area, based on total construction costs for the sewerage system serving such area, including all costs of land acquisition, engineering and design, financing and construction, divided by the total number of existing and potential sewer units within such area. In establishing such rate, the Sewer Commissioners shall apportion the total construction costs between costs required to serve the Middle Fort Pond Brook area and costs required to serve future areas within the Town and shall assess owners within the Middle Fort Pond Brook area only such costs as are reasonably necessary to serve such area, after deducting any construction costs to be recovered pursuant to Section 3 from users of the system not subject to assessment.*

5. Sewer Privilege Fees.

- a. *The Sewer Commissioners may establish reasonable fees pursuant to G.L. c. 83, § 17 to cover costs of construction of common sewers and other facilities required to serve land not previously served by the sewer system and not previously assessed to the owner of such land. Any such fee shall be reduced to the extent the landowner pays such expenses, in accordance with G.L. c. 83, § 22.*
- b. *The Sewer Commissioners may establish reasonable fees pursuant to G.L. c. 83, § 17 to cover costs of construction of common sewers and other facilities required to serve land previously assessed a sewer betterment based on its existing use and/or its existing zoning potential where such land is later developed and/or subdivided for more intensive use (such as through a comprehensive permit under G.L. c. 40B, a zoning change, a subdivision, an approval-not-required plan, or other means). This fee shall take into consideration the number of Sewer Betterment Units attributable to the more intensive use versus the number of Sewer Betterment Units originally allocated to the land, and such other factors as the Sewer Commissioners consider reasonable. This fee shall be paid before any occupancy permit is issued for the more intensive use or, if an occupancy permit is not required for the more intensive use, before that use is commenced.*
- c. *The fees charged under this Section may be applied by the Sewer Commissioners in their discretion to such matters as the costs of construction of the common sewers and other facilities, the debt service with respect thereto, and other costs and expenses of the sewer system as appropriate.*

6. Annual User Fees. *The Sewer Commissioners may from time to time establish just and equitable annual user charges to cover the cost of maintenance, repairs and operation of the sewer system.*

7. Rules and Regulations Concerning Sewer Assessments. *The Sewer Commissioners may adopt such reasonable rules and regulations with respect to the calculation of sewer assessments or fees as may be necessary or appropriate to implement the provisions of this bylaw.*

8. Applicability of General Laws. *Except as provided herein or in any special legislation applicable to the Town, the provisions of the General Laws relative to the assessment, apportionment, division, re-assessment, abatement and collection of sewer assessments and to liens therefore and interest thereon shall apply to assessments made hereunder.*

9. Rules and Regulations Concerning Use of Sewer System. *The Sewer Commissioners may establish rules and regulations concerning the use of the public sewer system, including but not limited to, rules and regulations prohibiting the deposit of any harmful or deleterious substance into the system, for regulating connections to the system and establishing civil penalties for violation of such rules.*

Direct inquiries to: John Murray, Assistant. Town Manager
manager@acton-ma.gov
Selectman assigned: : bos@acton-ma.gov

Recommendations: Board of Selectmen Finance Committee

ARTICLE AK	INTER-MUNICIPAL AGREEMENT, LEARY FIELD
ARTICLE AL	INTER-MUNICIPAL AGREEMENT, WESTFORD
ARTICLE AM	RULES AND REGULATIONS FOR BRINGING YOUR OWN LIQUOR (BROWN BAGGING)
ARTICLE AN	POSSIBLE CHARTER CHANGES

And you are directed to serve this Warrant by posting attested copies thereof fourteen days at least before the time of said meeting, in not less than six public places in Town, to be designated by the Board of Selectmen.

Hereof fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at or before the time of said meeting.

Given under our hands at Acton this day of February, 2005.

F. Doré Hunter, Chairman
Peter Ashton, Vice-Chairman
Robert A. Johnson, Clerk
William H. Shupert, III
Walter M. Foster

Board of Selectmen

A true copy, Attest:

Constable of Acton