

**Town Warrant**  
**Commonwealth of Massachusetts**  
**May 7, 2007**

ESSEX, ss. To the Constables of the Town of Georgetown, in the County of Essex,  
Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the said Town, qualified to vote in the elections and in Town affairs, to meet at the Penn Brook School Gymnasium in said Town, on the 14<sup>th</sup> day of May, 2007 (Monday) to act on Article 1 of this warrant for which polls will be open from 8 o'clock A.M. until 8 o'clock P.M., and to meet at the Georgetown Middle/High School on the 7th day of May, 2007 (Monday) at 7 o'clock P.M. then and there to act on the remaining articles of this warrant:

**Article 1: Annual Town Election**

To vote by ballot for the following officers: one Selectman, one Moderator, one Town Clerk, one Highway Surveyor, one Assessor, two Library Trustees, one Light Commissioner, one School Committee member, and one Water Commissioner each for three years; one Planning Board Member and one member of the Georgetown Housing Authority each for five years; one Housing Authority for three years.

**Article 2: Town Officers and Committee Reports**

To hear and act on the reports of the Town Officers and Committees.

**Article 3: General Operating Budget/Reserve Fund**

To see if the Town will raise and appropriate, or appropriate by transfer from available funds, a sum of money to defray charges and expenses of the Town, including debt and interest and including support of the schools, to fix salaries of the several elected offices of the Town, as provided by section 108, Chapter 41, General Laws, as amended, and to provide for a reserve fund for the ensuing year, as set forth in the Finance and Advisory Board Proposed Budget and Town Meeting Warrant for the Fiscal Year beginning July 1, 2007, or take any other action in relation thereto.

**Article 4: School Department Budget**

To see if the Town will vote to transfer from available funds (free cash) the sum of \$200,000 to be added to the School Department Operating Budget as approved under Article 3 above, or take any other action in relation thereto.

**Article 5: Proposition 2 ½ override**  
**Additional Funds for Operating Budget**

To see if the Town will vote to raise and appropriate or transfer from available funds an additional amount of \$1,061,822 in real estate and personal property taxes for the purposes of funding the general operating budget for the Fiscal Year beginning July 1, 2007 as recommended by the Finance and Advisory Committee in its proposed operating budget for departmental operating purposes, debt service and other town expenses, provided that the amount authorized herein shall be contingent upon the vote at the Town election to assess additional real estate and personal property taxes in accordance with the provisions of Proposition 2 ½, so called or take any other action in relation thereto.

**Article 6: Stabilization Fund**

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be added to the Stabilization Fund, or take any other action in relation thereto.

**Article 7: Water Department Operating Budget**

To see if the Town will appropriate the receipts and available funds of the Water Department Enterprise Fund for the operation of the Water Department under the direction of the Water Commissioners for the Fiscal Year beginning July 1, 2007, or take any other action in relation thereto.

**Article 8: Municipal Light Department Continuation of Operation**

To see if the Town will appropriate receipts of the Municipal Light Department for the operation of said Department under the direction and control of the Municipal Light Board, as defined in Section 34, Chapter 164, General Laws, for the Fiscal Year beginning July 1, 2007, or take any other action in relation thereto.

**Article 9: Zoning Board of Appeals Revolving Fund**

To see if the Town will vote to continue the Zoning Board of Appeals Revolving Fund as authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. This fund shall be funded by applicants' fees to be expended without further appropriation for the purpose of application review including, but not limited to review services, clerical, legal expenses, equipment and office supplies. The Zoning Board of Appeals may expend from this account an amount not to exceed \$ 20,000 for the Fiscal Year beginning July 1, 2007; or take any other action in relation thereto.

**Article 10: Road Machinery Fund**

To see if the Town will vote to continue the Road Machinery Fund as authorized by Chapter 44, Section 53E ½ of the Massachusetts General Laws. This fund shall be funded by payments for rental of Highway machinery and shall be expended without further appropriation for the purpose of purchasing highway equipment. The Highway Surveyor, with approval of the Board of Selectmen, may expend from this account an amount not to exceed \$ 10,000, or the balance in the account, whichever is lesser, for the Fiscal Year beginning July 1, 2007 or take any other action in relation thereto.

**Article 11: Conservation Commission Revolving Fund for Camp Denison**

To see if the Town will vote to continue a Conservation Commission Revolving Fund for Camp Denison as authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. This fund shall be funded by program fees, facility use charges and outside vendor charges to be expended without further appropriation for the purpose of maintaining the support of the land and facilities including, but not limited to utilities, seasonal staff, legal expenses, equipment and office supplies. The Conservation Commission may expend from this account an amount not to exceed \$ 7,000 for the Fiscal Year beginning July 1, 2007; or take any other action in relation thereto.

***The Board of Selectmen recommends approval of this article.***

**Article 12: Local Access Programming**

To see if the Town will vote to establish and continue a Cable Television Revolving Fund as authorized by Chapter 44, Section 53E ½ of Massachusetts General Laws. This fund shall be funded by the Annual License Fee and the PEG Capital Funding (Section 7.4 of the contract) paid by Comcast and Verizon to the Town to be expended without further appropriation for the purpose of Local Access Programming, including but not limited to, utilities, salaries, equipment, maintenance and office supplies. The Cable Advisory Committee, with the approval of the Board of Selectmen, may expend from this account an amount not to exceed \$80,000 for the Fiscal Year beginning July 1, 2007; or take any other action in relation thereto.

**Article 13: Chapter 90 Reimbursement, Transportation Bond**

To see if the Town will appropriate the sum of \$220,238, or any other sum to be reimbursed by the Commonwealth of Massachusetts under the Transportation Bond issue, to be spent by the Highway Surveyor, with approval of the Board of Selectmen, under the provisions of Chapter 90 of the General Laws, or take any other action in relation thereto.

**Article 14: Reconstruction of Bailey Lane Bridge**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$200,000 for the reconstruction of the Bailey Lane Bridge over the Parker River, said expenditure to include all costs related to the reconstruction including, but not limited to associated engineering, construction, and paving; or take any other action in relation thereto.  
*The Finance and Advisory Board recommends approval of this article.*

**Article 15: Petition Legislature to Establish DPW Department**

To see if the Town will vote to petition the General Court for special legislation establishing a department of public works (“DPW”) in the Town of Georgetown as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition. This article authorizes the Board of Selectmen to seek special legislation creating a DPW, which special legislation would transfer from certain identified boards and officers to the Board of Selectmen certain duties and responsibilities and authorize the Selectmen to hire a DPW superintendent who would be responsible for maintenance of the grounds of all public buildings and public parks, parking lots, sidewalks, and athletic fields, and further, shall be responsible for the maintenance of all school buildings, and the maintenance and cleaning of all non-school buildings. If approved by the voters at the 2007 Annual Town Meeting and enacted by the General Court, this article would take effect only if approved by the voters of the Town at a special or annual Town Election; or take any other action related thereto.

The petition for special legislation shall take the following form:

AN ACT AUTHORIZING THE TOWN OF GEORGETOWN TO ESTABLISH A DEPARTMENT OF PUBLIC WORKS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, there shall be in the town of Georgetown a department of public works, in this act called the department, which shall be under the supervision and control of the board

of selectmen, in this act called the board. The board shall have all the powers and duties now or from time to time vested by general law, special act, by-law or regulation in the following boards, departments and offices, or in boards, departments and offices having corresponding powers and duties in said town, to wit: -road commissioners, surveyors of highways, superintendent of streets, park commissioners, cemetery commissioners, tree warden, moth superintendent and forestry department, and to the extent that such boards, departments and offices exist, they shall thereupon be abolished and the terms of the elected and appointed officials holding such offices shall be terminated. No contracts or liabilities then in force shall be affected by such abolition, but the board shall in all respects be the lawful successor of the boards, departments and offices so abolished.

## SECTION 2. Personnel:

### A. Superintendent:

The board shall hire a superintendent of public works, subject to appropriation and the provisions of the town by-laws and personnel by-laws. The superintendent shall serve at the pleasure of the board of selectmen, and said board may establish an employment contract with the superintendent for the salary, fringe benefits and other conditions of employment, including but not limited to, severance pay, relocation expenses, reimbursement for expenses incurred in the performance of his duties or office, liability insurance, conditions of discipline, termination, dismissal, and reappointment, performance standards and leave. The superintendent shall exercise and perform, under the supervision and direction of the board, the powers, rights and duties that have been transferred to the board hereunder as the board may from time to time designate. The superintendent shall be responsible for the efficient exercise and performance of the powers, rights and duties of the office, as determined by the Board of Selectmen, and as may be further defined from time to time by By-law. The superintendent need not be a resident of the town during tenure of office.

### B. Employees, general.

All persons employed by or under the supervision of the highway department or other board or officer abolished under this act as of the effective date of this act shall be transferred to the department immediately upon the effective date of this Act. All such transfers of employees shall be made without loss of pay, and without change of rating, seniority, retirement or pension rights, or any other privileges under any provision of law or by-law.

## SECTION 3. Equipment:

All equipment owned by the town of Georgetown and under the control of the highway department or any other department abolished by this act shall be transferred to and be under the control and direction of the public works department.

## SECTION 4. Scope/Responsibilities

In addition to the highway responsibilities, the public works department shall be responsible for maintenance of the grounds of all public buildings and public parks, parking lots, sidewalks, and athletic fields, and further, shall be responsible for the maintenance of all school buildings, and the maintenance and cleaning of all Town-owned buildings, excluding school buildings.

SECTION 5. The board shall have additional powers related to the duties and responsibilities of public works as the town may from time to time by by-law provide; any other provisions of law to the contrary notwithstanding.

SECTION 6. This act shall be submitted to the voters of the town of Georgetown for acceptance at an annual or special town election in the form of the following question:

“Shall an act passed by the General Court in the year 2007 entitled ‘An Act authorizing the Town of Georgetown to establish a Department of Public Works’, be accepted?”

The Town shall include below the ballot question a fair and concise summary of the ballot question prepared by Town Counsel and approved by the Board of Selectmen. If a majority of votes cast in answer to this question is in the affirmative, this act shall take effect immediately.

If this act is approved by the voters in accordance with this section, the board may appoint a temporary superintendent to perform the duties of the superintendent until a permanent superintendent is appointed in accordance with section 2A of this act.

Or take any other action in relation thereto.

**Article 16: Fire Department Establish, “Strong Fire Chief”**

To see if the Town will vote to adopt G.L. c.48, §§42, 43, and 44, the so-called “Strong Fire Chief” statute, which establishes a fire department under the control of an officer to be known as the Chief of the Fire Department; provided, however, in the alternative, if necessary to create a “Strong Fire Chief” and still preserve unique aspects of fire protection services in the Town, the Board of Selectmen is hereby authorized to petition the General Court for special legislation for such purposes, and further that that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court and that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the petition; and further to see if the town will vote to raise and appropriate or transfer from available funds a sum of money to fund this position, or take any other action in relation thereto.

**Article 17: Fire Department, Municipal Fire Alarm System Connection Fee Bylaw**

To see if the Town will vote to amend the General Bylaws by inserting a new bylaw, Section 6-11, Municipal Fire Alarm System Connections, as follows:

1. Definitions
  - A. Fire Alarm System: Any heat activated, smoke activated, flame energy activated or other such automatic device capable of transmitting a fire alarm signal directly to the Georgetown Fire Department.
  - B. Fire Alarm System Owner: An individual or entity who owns the title to and/or has on his business or residential premises a fire alarm system equipped to send a fire alarm signal directly to the Georgetown Fire Department.
  - C. Fire Department: The Georgetown Fire Department.
2. Connection of Fire Alarm System to the Fire Department
  - A. Before any fire alarm system is connected to the Fire Department, the owner shall provide the Fire Department with the following information:

1. The name, address, home and work telephone numbers of the owner;
  2. The street address where the master box is located;
  3. The names, addresses and telephone numbers of the persons or businesses protected by the fire alarm system
  4. The names, addresses, home and work telephone numbers of at least two persons other than the owner who can be contacted twenty-four hours a day who are authorized by the fire alarm system owner to respond to an alarm signal and who have access to the premises; and
  5. Such other relevant information as the Fire Chief may require.
  6. The owner of a fire alarm system connected to the Fire Department as of the effective date of this bylaw shall comply with the requirements of Section 2(A)(1) through (5) of this bylaw within sixty (60) days after the effective date of this bylaw.
3. Fee for Connection of Fire Alarm System to Fire Department
- A. The owner of each fire alarm system connected directly to the Fire Department shall pay an annual fee of \$250.00 upon commencement of each fiscal year; a fire alarm system owner whose fire alarm system is connected directly to the Fire Department after the start of the fiscal year shall pay such annual fee upon connection.

*The Board of Selectmen recommends approval of this article.*

**Article 18: Fire Department, Fire Alarm Revolving Fund**

To see if the Town will vote to establish a Georgetown Fire Department Revolving Fund as authorized by Chapter 44, Section 53E ½ of the Massachusetts General Laws. This fund shall be funded by the annual fees charged for connection to the Municipal Fire Alarm system to be expended without further appropriation for the purpose of maintaining the Municipal Fire Alarm System. The Fire Department may expend from the account an amount not to exceed \$10,000 for the Fiscal Year beginning July 1, 2007; or take any other action in relation thereto.

*The Finance and Advisory Board recommends approval of this article.*

*The Board of Selectmen recommends approval of this article.*

**Article 19: Fire Department, Lease of Fire Truck**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$77,000 for the Fiscal Year 2008 lease payment for the Fire Department ladder truck, or take any other action in relation thereto.

**Article 20: Town Hall Chimney**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$25,000 for the repair of one of the chimneys at Town Hall, or take any other action in relation thereto.

**Article 21: Town Hall Security System**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$15,000 for the installation and upgrade of security systems at Town Hall, or take any other action related thereto.

**Article 22: Historical Commission, Union Cemetery**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain, or otherwise and to accept the Deed to the property known as the Union Cemetery located on East Main Street, owned by the Union Cemetery Corporation and being shown on Assessors' Map 10, Parcel 46 and to accept the assets of the Union Cemetery Corporation to be used for the maintenance and care of the Union Cemetery, and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments, and take all related actions as may be necessary to effect said acquisition pursuant to G.L. c. 114, G.L.c.180, Section 8A and G.L. c.204, Section 12, as applicable, or take any other action in relation thereto.

*The Finance and Advisory Board recommends approval of this article.*

**Article 23: Board of Selectmen, increase the number of Selectmen**

To see if the Town will vote to petition the General Court for special legislation increasing the size of the Board of Selectmen from three members to five members as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition. This article authorizes the Board of Selectmen to seek special legislation increasing the size of the Board of Selectmen from three to five members. If approved by the voters at the 2007 Annual Town Meeting and enacted by the General Court, this article would take effect only if approved by the voters of the Town at a special or annual Town Election; or take any action in relation thereto.

The petition for special legislation shall take the following form:

AN ACT PROVIDING FOR AN INCREASE IN THE GEORGETOWN BOARD OF SELECTMEN FROM THREE TO FIVE MEMBERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

**SECTION 1.** The number of members of the board of selectmen of the town of Georgetown shall be increased to five. Each selectman shall serve for a 3-year term, with no more than two selectmen's terms to run concurrently. Notwithstanding the preceding sentence, at the annual town election following at least 64 days after acceptance of this act by the voters, one additional member shall be elected to a two-year term and one additional member shall be elected to a 3-year term. The terms of those members currently serving as selectmen at the time of the adoption of this act shall be unchanged.

**SECTION 2.** This act shall be submitted to the voters of the town of Georgetown at a special or annual town election in the form of the following question which shall be placed on the official ballot to be used for the election:

"Shall an act passed by the general court in the year 2007 entitled, "An Act Providing for an Increase in the Georgetown Board of Selectmen from Three to Five Members," be accepted?"

No summary shall appear on the ballot below this question. If a majority of the votes cast in answer to this question is in the affirmative, section one of this act shall take effect, but not otherwise.

SECTION 3. Section two of this act shall take effect upon its passage.

*The Finance and Advisory Board recommends approval of this article.*

**Article 24: Replacement of Fence at Little's Hill**

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$6,500 for the replacement of a stockade fence bordering the soccer field at Little's Hill, or take any action in relation thereto.

**Article 25: Elderly Tax Exemption**

To see if the Town will vote pursuant to the provisions of G.L. c. 59, section 5, clause 41C to increase the tax exemption for the elderly from \$500 to \$750, to increase the gross receipts limitations to \$20,000 for a single person and \$30,000 for married persons, and to increase the whole estate limitations to \$40,000 for a single person and \$55,000 for married persons, to be effective in the Fiscal Year commencing July 1, 2007; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of the Town at an election held prior to July 1, 2007, of one or more Proposition 2 ½ overrides totaling more than \$250,000, or take any action in relation thereto.

*The Finance and Advisory Board recommends approval of this article.*

**Article 26: Recreational Path Committee, National Grid Lease**

To see if the Town will vote to authorize the Georgetown Board of Selectmen to negotiate and enter into a lease or other contract for a period in excess of three years with National Grid Company, other owners, and/or easement holders, upon such terms and conditions as the Board of Selectmen deem appropriate, for the rights to construct, operate, and maintain a so-called Rail-Trail on the abandoned railroad corridor in Georgetown, as proposed by the Recreational Path Committee for this purpose and shown on a sketch plan on file with the Town Clerk; provided, however, that any such lease or other agreement shall be sufficient to satisfy the criteria necessary to qualify for State and Federal Transportation Enhancement Funding and/or other funding sources necessary for realization of the project, and further, to authorize the Board of Selectmen and other Town employees, officers, boards and committees to take such action as may be necessary to effectuate the purposes of this vote, or take any action in relation thereto.

**Article 27: Citizen Petition Heather Road**

To see if the Town will vote to amend the Official Town Map of the Town of Georgetown, Massachusetts, originally adopted May 7, 1984, as it may have been heretofore revised, to add to and show on said Official Map, as a private way, Heather road, from Monroe Street to Rock Pond, said road to be depicted substantially in the location as show on the Map entitled "Town of Georgetown Property parcel mat Appendix 4".  
or what action it will take thereon.

**Article 28: Community Preservation General Budget**

To hear a report from the Community Preservation Committee on the Fiscal Year 2008 Community Preservation Budget, and to appropriate or reserve for later appropriation monies for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of Community Preservation projects and all other necessary and proper expenses for the year, and to determine whether such sums shall be raised from Community

Preservation Fund, transferred from available funds, borrowed, appropriated from the stabilization fund, or any combination of these methods; or take any other action relative thereto.

Motion

Move that the Town hear a report from the Community Preservation Committee and that the following amounts be appropriated or reserved from Fiscal Year 2008 Community Preservation Fund Revenues, or transferred from prior year's revenues for Community Preservation purposes as specified:

	<b>Project</b>	<b>Total Appropriation</b>	<b>Source of Appropriation</b>
	<b>Appropriations:</b>		
A	To fund, for community housing purposes, the replacement of roofs of the buildings located at 4, 17, 19, 21 and 31 Trestle Way <b>and to authorize the Board of Selectmen, in consultation with the Community Preservation Committee, to enter into a grant agreement with the owners of Trestle Way setting the terms for such grant, including a requirement that the owners of Trestle Way grant to the Town an affordable housing restriction in said buildings, and further, to authorize the Board of Selectmen to accept such restriction;</b> provided, however, that any funds from this appropriation remaining unspent after a period of three years from the date of approval hereof shall be returned to the Community Housing Reserve Fund only after a vote by the Community Preservation Committee determining that it is unlikely the such expenditures the remaining appropriated funds will need to be spent to this effect;	\$40,000	\$40,000 from Community Preservation Fund Undesignated Account
B	To fund, for historic preservation purposes, the second phase of installation of a period-appropriate fence at the Union Cemetery (which project was previously funded, in part, by the voters at the 2004 Annual Town Meeting), such funds to be expended under the direction of the Georgetown Historical Commission; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation Historic Reserve fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;	\$27,000	\$27,000 from Community Preservation Fund Undesignated Account
C	To fund, for historic preservation purposes, the compilation and restoration of the last six years of the town's Annual Town Report, and the professional restoration and recording of the Town Code to contain all of the administrative and regulatory laws of the town of a general and permanent nature, in accordance with state law, deliverable in hard copy and electronic format, such funds to be expended under the direction of the Georgetown Historical Commission; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;	\$9,500	\$9,500 from Community Preservation Undesignated Account
D	To fund, for historic preservation purposes, the creation of an	\$15,000	\$15,000 from Community

	Historic Landscape Preservation Plan for Harry Murch Park, such funds to be expended under the direction of the Georgetown Historical Commission; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;		Preservation Fund Undesignated Account
E	To fund, for historic preservation purposes, the restoration of certain historic markers, the creation and installation of inexpensive markers at historic sites, and the design/fabrication and installation of pictorial/text markers at other historic sites, as well as the development of information regarding such historic sites, such funds to be expended under the direction of the Georgetown Historical Commission; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;	\$10,058	\$4,276 to be transferred from the amounts appropriated under Article 15 of the 2003 Annual Town Meeting; \$5,782 to be transferred from the amounts appropriated under Article 15 of the 2003 Annual Town Meeting
F	To fund, for historic preservation purposes, restoration and rehabilitation of the Peabody Library; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;	\$54,000	\$54,000 from Community Preservation Fund Undesignated Account
G	To fund, for historic preservation purposes, the hiring of a qualified consultant to generate a comprehensive Preservation Management Plan for the Union Cemetery, such funds to be expended under the direction of the Georgetown Historical Commission; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;	\$15,000	\$15,000 from Community Preservation Fund Undesignated Account
H	To fund, for open space purposes, an endowment to the Essex County Greenbelt Association, for the management of conservation restrictions for the parcels shown on the Assessors Map as Map 6A Lot 2A, Map 6A Lot 2 and Map 6A Lot 3, (the recently purchased Bailey Woods parcels), which restrictions shall be conveyed to said association in accordance with the vote under Article 17 of the 2005 Town Meeting and the requirements of M.G.L. c.44B, §12(a); and to authorize the Board of Selectmen, on such terms and conditions as it may deem suitable, to enter into all agreements and execute any and all instruments that may be required for such purposes; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community	\$15,000	\$15,000 from Community Preservation Fund Undesignated Account

	Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;		
I	To fund, for open space purposes, the acquisition, appraisal, survey and legal costs associated with the purchase of a parcel of land of approximately 7.89 acres, identified as Assessors Map 9A, Lot 8F, and as described in Essex South District Registry of Deeds in Plan Book 383 Plan 49 (Sheets 1-4), and to authorize the Board of Selectmen to acquire said parcel, with said parcel to be managed by the Georgetown Conservation Commission; and that the Board of Selectmen be authorized to convey a perpetual conservation restriction in said parcel meeting the requirements of M.G.L. Chapter 184, §31, as required by M.G.L. c.44B, §12 (a), as amended, and that said conservation restriction may be granted to any organization qualified and willing to hold such a restriction in accordance with M.G.L. c.44B; and further, that the Board of Selectmen be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Georgetown to affect said purchase; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;	\$44,000	\$44,000 from Community Preservation Fund Undesignated Account
J	To fund, for purposes of upgrading the bathrooms and the concession stand serving area and access at American Legion Park to meet standards consistent with the Americans with Disabilities Act; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;	\$25,000	\$25,000 from Community Preservation Fund Undesignated Account
K	To fund, for open space/land for recreational purposes, the development of a recreational path and any related expenditures required to qualify the Town of Georgetown for federal funds for design and construction of the proposed four and one-half mile multi-use recreational path; provided, however, that any funds from this appropriation remaining unspent after a period of 3 years from the date of the approval of this article will be returned to the Community Preservation fund only after a vote by the Community Preservation Committee determining that it is unlikely the remaining appropriated funds will need to be spent to this effect;	\$124,000	\$124,000 from Community Preservation Fund Undesignated Account
	<b>Project Appropriation Subtotal</b>	<b>\$378,558</b>	
L	Administrative Expenses of CPC	\$25,000	\$25,000 from CPA FY08 Estimated Revenue
	<b>Administrative Expenses Appropriation Subtotal</b>	<b>\$25,000</b>	
M	Open Space Reserve	\$189,855	\$189,855 from CPA FY08 Estimated Revenue
N	Historic Resources Reserve	\$119,965.47	\$119,965.47 from CPA FY08 Estimated Revenue

O	Community Housing Reserve	\$63,000	\$63,000 from CPA FY08 Estimated Revenue
	<b>Reserves Subtotal</b>	<b>\$372,820.47</b>	
	<b>Total</b>	<b>\$776,378.47</b>	

**Explanation:**

This article proposes projects recommended by the Community Preservation Committee under the Community Preservation Act (CPA). The descriptions of the proposed projects/actions are contained below:

- A. **Roofs at Trestle Way** – The Georgetown Housing Authority is requesting consideration in providing funding to replace several roofs at Trestle Way. Many of the roofs within the Trestle Way complex were installed in the 1970’s. Some roofs currently leak.
  
- B. **Union Cemetery Fence** – The existing chain link fence (approx. 60 years old) at the 1732 Union Cemetery located on East Main Street is currently in an advanced state of disrepair. In 2003 the town voters approved CPC Funding to replace the current fence with a more period - appropriate, 4ft. high, wrought iron fence. Due to unforeseen delays in implementing the project, the price of building materials and labor costs escalated. The project was then divided into Two Phases. The First Phase incorporates approximately two thirds of the overall length of the fence and has already been installed.

The Second Phase of this project will replace the remaining chain link fence and incorporate the final 225-ft. section of wrought iron fence, which will match the historically appropriate new section at 4-ft. height. This Second Phase of the work will require an appropriation of \$27,000 to complete this historic project.

- C. **Historic Preservation of Annual Report and Town Code** - The Georgetown Historical Commission has been asked to help bring about the reinstatement and printing of the Town's Annual Report to the inhabitants of Georgetown This report is required by the Commonwealth of all cities and towns and must be filed yearly under Chapter 40, Section 49 of the General Laws of Massachusetts .Due to fiscal constraints in the Town's annual budget 6 years ago, the Annual Reports have been discontinued. As a result, we have basically lost 6 years of the Town's Critical and Historic records.

In order to help "restart" this required annual historical document, we are requesting a one-time CPC grant for that purpose. That is, a grant for the “seed money” to create and make available to our residents the next annual report and Town Code and provide an electronic version that would also be available on the Town's website.

As part of this grant we are also requesting an amount to pay for the labor involved to simply collect copies of any annual reports from various departments, commissions, and committees that may have been submitted and merely filed in the Town's records during the missing annual report years. These copies would be placed in folders identified by the year in which they were submitted and filed as a defacto annual report for that year. In addition, the GHC will request the Selectmen take the necessary actions to see that a line item covering the cost of creating and making the Annual Town Report available to the public for all future years, is placed back into the Town's annual budget.

The Georgetown Historical Commission hopes you will look favorably on this proposal to reestablish an annual account of Georgetown's history and recapture, where possible, reports from various departments during this 6 year period of missing significant Historical records. Our goal is to see that there is proper historical preservation of the written record of the town of Georgetown for future generations.

- D. **Historic Landscape Preservation Master Plan for the Restoration of Harry Murch Park** -
- E. **Informative Historic Marker Project** – The Georgetown Historical Commission is requesting funding for a comprehensive historic marker project, as outlined below:
- Designing and publishing a one (or possibly two) page map / informative brochure which will serve as a self guiding tour guide for visitors and towns-people interested in visiting Georgetown’s many Historic “Cultural” Sites;
  - Creation and deployment of temporary inexpensive number/name only type markers at all Georgetown’s many Historic “Cultural” Sites;
  - Restoring the currently deteriorated historical site marker at the Goodrich Massacre Site on North Street;
  - Redesigning and replacing the Union Cemetery Historical and Grave Site Locating marker;
  - Design, fabrication and deployment of informative MHC approved pictorial/text markers, at two presently unmarked sites at the front and rear of the Town Parking Lot;
  - Design, fabrication and deployment of informative MHC approved pictorial/text marker at Union Square/ Harry Murch Park;
  - Design, fabrication and deployment of informative MHC approved pictorial/text marker depicting and describing Old South Church;
- F. **Peabody Library Historic Restoration** – According to the Massachusetts Historical Commission, the 1904 Peabody Library has played an important role and is a significant structure in Georgetown's history. The Building requires renovation and restoration that has never been performed in its 102-year history. The optimum time to have this work performed is now, with the building addition being done at the same time. The significant restoration and rehabilitation work includes:
- \* Repointing existing Face Brick
  - \* Restoring existing Millwork
  - \* Restoring existing Windows
  - \* Patching existing Plaster Ceiling
  - \* Refinishing existing Wood Floors
  - \* Restoring existing Cornice/Fascia
  - \* Restoring, reconfiguring and bracing existing antique shelving
- G. **Preservation Management Plan for Union Cemetery** – The goal of this Cemetery Preservation Plan is to establish guidelines and treatments for the professional management of the historic Union Cemetery by outlining immediate and long-term goals for its rehabilitation through controlling vehicular and pedestrian access; stabilizing invasive vegetation; and researching, documenting, and resetting and repairing grave markers. All treatments are to be carried out in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, as well as the *Preservation Guidelines for Municipally Owned Historic Burial Grounds and Cemeteries*.
- H. **Conservation Restriction Endowment** – Under state law, M.G.L. c.44B, §12(a) communities purchasing Open Space lands (as the town did with its recent purchase of the Bailey Lane Woods parcels) must convey a perpetual Conservation Restriction (as defined in M.G.L. Ch. 184) held by a third party to protect the lands from any future change of use. The endowment proposed would be held by Essex County Greenbelt Association, a non-profit land trust that currently holds several other Open Space parcels in Georgetown. Management and control of the Bailey Lane Woods parcels will still remain, as it is now, with the Town’s Conservation Commission. The use and enjoyment of the parcels for passive recreational purposes will perpetually remain open to all.
- I. **Conservation Land Purchase** – The Camp Denison Committee is requesting that the Town purchase 7.89 acres of undevelopable woodland located east of the existing Town-

owned, Conservation Commission managed facility, known as Camp Denison. The 7.89 acres border the National Grid electric transmission line, which was formerly part of the passenger rail line running from Newburyport to Danvers. The parcel of land remains after the owner subdivided a larger parcel along Nelson Street and is accessible only to the owners of residential lots 1 and 2 which front on Nelson Street.

**J. ADA Upgrades to American Legion Park –**

- K. Recreational Path Development (Phase II)** - Additional funds are requested to advance the 4-½ mile rail-trail to a point where the project qualifies for Federal Transportation Enhancement funds. If successful, the funding will be 90% federal and 10 % local for final design and construction. Also the Georgetown segment is an active participant in a regional initiative to create a 26-mile rail-trail that will include Salisbury, Newburyport, Newbury, Georgetown, Boxford, Topsfield, Wenham, and Danvers currently referred to as the “Border to Boston” trail. This Border to Boston concept is a Federal high priority, earmarked project (SAFETEA-LU), which has \$680, 000 also available. We are actively seeking a share. Our projected share will lessen the amount requested of the CPC.

The Recreational Path Committee has engaged the Hauber Law Office, Salem, MA; and title report is due December 8th. We have also received RFP returns for the conceptual design and feasibility study and will notify the preferred firm before December 8th to commence the work.

The funds will be used for: additional title services for properties with issues; legal fees for licensing/lease, and easement development; engineering services to create a 25% design, and contingency.

- L. Administrative Expenses** – The CPA authorizes the appropriation of up to 5% of the FY08 estimated annual revenues to be appropriated for the expenses of the Community Preservation Committee.
- M. Open Space Reserve** – The CPA requires that a minimum of 10% of FY08 estimated annual revenues be spent or set aside for Open Space purposes.
- N. Historic Resources Reserve** – The CPA requires that a minimum of 10% of FY08 estimated annual revenues be spent or set aside for Historic Resources purposes.
- O. Community Housing Reserve** – The CPA requires that a minimum of 10% of FY08 estimated annual revenues be spent or set aside for Community Housing purposes.

**Article 29: Planning Board, Zoning Bylaw Amendment**

To see if the Town will vote to amend Chapter 165, Article XIII, Special Permits and Site Plan Review, by adding Section 165-80.2 Major Development Special Permit, as follows:

- A. Purpose.** The purpose of this bylaw is to identify and attempt to mitigate potential negative impacts to the Town of Georgetown, such as to Town services, traffic patterns, the environment, abutting properties, or the public health and safety, caused directly or indirectly by major development.
- B. Application.** The uses requiring a Major Development Special Permit are the following:
- (1) All new uses as defined by the Georgetown Zoning Bylaw that generate one thousand (1000) vehicle trips per day or more in the General Commercial District, and/or five hundred (500) vehicle trips per day in any other district.
  - (2) All uses that create fifty (50) or more dwelling units.
  - (3) All subdivisions of land into fifty (50) or more building lots.
  - (4) All new nonresidential uses of one hundred thousand (100,000) square feet of gross floor area or more in the Industrial Districts, fifteen thousand (15,000)

square feet of gross floor area in the Commercial Districts, and forty thousand (40,000) square feet or more of gross floor area in all other districts.

- (5) Any expansion of an existing use in which the expansion combined with the existing use meets or exceeds the above thresholds, and the expansion exceeds twenty percent (20%) of the existing:
    - (a) Vehicle trips per day, or
    - (b) Dwelling units, or
    - (c) Building lots, or
    - (d) Gross floor area
- C. Reviewing Authority. The Special Permit Granting Authority for Major Development Special Permits shall be as follows:
- (1) For Uses that are otherwise allowed by right, the Planning Board.
  - (2) For Uses that otherwise require a special permit in the existing zone, the Zoning Board of Appeals.
- D. Submittal requirements. Uses subject to this section shall require site plan approval in accordance with §165-83 of this bylaw.
- (1) In addition to the submittal requirements for site plans in § 165-83 of this bylaw, the following additional information shall also be submitted:
    - (a) Facade elevations of all sides of any new building or structure or alterations to any existing building or structure.
    - (b) Photographs showing the proposed building site and abutting properties.
    - (c) Plans for phased construction.
    - (d) Contingency plans or bond demonstrating financial ability to complete the project.
    - (e) An impact statement prepared in accordance with the Major Development Review Rules and Regulations for Impact Statements.
  - (2) The SPGA may require an independent consultant, contracted by the Town and paid for by the applicant, to perform a peer review to review all or portions of the project's Impact Statement.
- E. Criteria for approval of a major development. The Special Permit Granting Authority may issue a Major Development Special Permit only after finding that the proposed project will not adversely impact adjacent properties, the neighborhood, the Town, or the environment. The following criteria shall be considered:
- (1) The special permit criteria in § 165-79 of this bylaw.
  - (2) The site plan approval guidelines in § 165-83 of this bylaw.
  - (3) The standards for evaluating the impacts of a project set forth in the Major Development Review Rules and Regulations for Impact Statements.
- F. Project Decision  
Upon review of the project, the SPGA shall:
1. Deny the special permit, stating specific conditions which cannot be sufficiently mitigated, or
  2. Grant the special permit with conditions, safeguards and/or limitations, stated in writing, or

3. Grant the special permit as presented.

Or take any other action relative thereto.

**Article 30: Planning Board, Zoning Bylaw Amendment**

To see if the Town will vote to amend Chapter 165-106 of the Zoning Bylaws, Number of dwelling units per continuous buildable area, by deleting the current text:

“Maximum number of dwelling units per continuous buildable area (CBA): no more than two times the number of units allowable under the underlying zoning process.”

And inserting in place thereof the following:

“Maximum number of dwelling units per continuous buildable area (CBA): no more than **two times** the number that would be permitted under a conventional ("grid") subdivision that complies with the Town Zoning Bylaw and the Subdivision Rules and Regulations of the Planning Board and any other applicable laws and regulations of the Town or the state.”

Or take any other action relative thereto.

Explanation

At a prior Town Meeting, the town voted to limit Independent Senior Housing projects to no more than twice the density allowed under conventional zoning. This revised wording clarifies our intention to allow no more than twice the number of homes that would be allowed to be built if the development were not independent senior housing.

**Article 31: Planning Board, Zoning Bylaw Amendment**

To see if the Town will vote to amend Chapter 165-7, Definitions and word usage to add the following definition:

“Lot Width: The horizontal distance between side lot lines, measured parallel to the lot frontage.”

And to amend Chapter 165-11, Intensity of Use Schedule to add under “Minimum Lot Requirements” below “Frontage” a new entry:

	RA	RB	CA	CB	CC	IA	IB	RC
“Lot Width	65’	80’	25’	80’	100’	65’	100’	100’”

Or take any other action relative thereto.

Explanation

Our current definitions of lot width do not clearly prohibit “dumbbell” shaped lots, in which a front portion is connected to a rear portion by a long narrow strip of land. This new definition and requirement for lot width will prevent contortionist lots.

**Article 32: Planning Board, Zoning Bylaw Amendment**

To see if the Town will vote to amend Chapter 165-83 Site Plan Review, M. Exterior Lighting as follows, and renumber the Chapter accordingly,

1. by deleting the section 2 a) in its entirety:  
“2a) Color Rendering Index (CRI) A measurement of the amount of color shift that objects undergo when lighted by a light source as compared with the color of those same objects when seen under a reference light source of comparable color temperature. CRI values generally range from 0 to 100, where 100 represents incandescent light.”

2. by deleting the phrase in brackets from section 3) b) as follows:
  - 3) b) “The Planning Board [in performing review pursuant to Section 7.3, Environmental Impact and Design Review] may determine that special circumstances of the site, context or design make an alternative lighting design at least equally effective in meeting the purposes of this Section and in such cases, may modify the requirements of this Section.”
3. And by deleting the sentences in brackets from section 4) as follows:
  - 4) Exterior Lighting Plan. [Applications subject to the provisions of Section 7.3, Environmental Impact and Design Review shall submit a lighting plan which shall include the following information, except to the extent waived by the Planning Board. All other lighting not subject to the provisions of said Section 7.3 does not require a lighting plan but shall meet the standards as set forth in this Section, unless as may otherwise be provided herein.] The lighting plan shall include the following information:
4. And by deleting the phrase in brackets from section 4)c) as follows:
  - 4)c) type of lamp such as metal halide, compact fluorescent, high pressure sodium [and its associated Color Rendering Index (CRI)],
5. And by amending Chart IV. Light Trespass Limitations
 

By changing the limitations for fixture types in the Residential District, so that the chart will be amended as shown below:

**CHART IV. LIGHT TRESPASS LIMITATIONS**

	District	
	Residential	Nonresidential
	Maximum Light Trespass (horizontal foot-candles)* “District” is that into which the light trespass occurs	
Fixture Type A	0	Not allowed
Fixture Type B	0	0.5
Fixture Type C	0	1.0

\* Expect no limit within a street right-of-way

Or take any action relative thereto.

Explanation

This amendment cleans up the Exterior Lighting regulations for Site Plan Review that were passed last spring.

**Article 33: Planning Board, Zoning Bylaw Amendment**

To see if the Town will vote to amend Chapter 165, Article XI, Supplementary Regulations, by adding “Section 165-69.1: Public Tree Replacement. Any tree greater than 2 ¾” caliper located on public property that is damaged or removed due to construction shall be replaced on a wood to wood basis. Trees shall be installed within one year of their removal at a location determined by the Planning Board.”

Or take any other action relative thereto.

**Article 34: Planning Board, Zoning Bylaw Amendment**

To see if the Town will vote to amend Chapter 165, Section 11, Intensity of Use Schedule, to add the following line under “Minimum Yard Requirements”:

RA RB CA CB CC IA IB RC

“Septic and Reserve area setback 20’ 20’ 20’ 20’ 20’ 20’ 20’ 20’  
from any lot line on a public ROW”

Or take any other action relative thereto.

**Article 35: Planning Board, Zoning Bylaw Amendment**

To see if the Town will vote to amend Chapter 165-7, Definitions, CONTINUOUS BUILDING AREA, by adding the words in brackets below:

CONTINUOUS BUILDING AREA -- Shall not include any freshwater wetland as delineated per Chapter 161, Wetlands Protection, nor any pond or stream [, nor the 50’ buffer zone to any such areas, nor any slope greater than 20%, nor Rights of Way, nor easements.]

Or take any other action relative thereto.

**Article 36: Planning Board Affordable Housing**

To see if the town will vote to allow the expenditure of up to \$10,000 from the Affordable Housing Special Revenue Account to manage existing and proposed inclusionary housing, or take any other action relative thereto.

Explanation

The existing inclusionary housing units are requiring active management. This article authorizes the expenditure of up to \$10,000 from the affordable housing special revenue account that was established with the \$100,000 contribution from the Littles Hill subdivision. These funds would be used to assist town boards and committees with getting legal and consulting advice to assist in managing the existing affordable housing.

*The Finance and Advisory Board recommends approval of this article.*

**Article 37: Planning Board, Street Acceptance**

To see if the Town will vote to accept as town ways, **Pillsbury Lane, Bernay Way, and Ilene Circle**, as laid out by the Board of Selectmen and shown on the following layout plans on file with the Town Clerk:

Street Acceptance Plan Station 0+00.00 to 9+23.81 Pillsbury Lane Georgetown, Mass.

Plan 1 of 4 dated April 20, 2006

Street Acceptance Plan Station 9+23.81 to 18+55.35 Pillsbury Lane Georgetown, Mass.

Plan 2 of 4 dated April 20, 2006

Street Acceptance Plan Station 0+27.62 to 5+99.25 Ilene Circle Georgetown, Mass. Plan

3 of 4 dated April 20, 2006

Street Acceptance Plan Station 0+29.09 to 10+89.15 Bernay Way Georgetown, Mass.

Plan 4 of 4 dated April 20, 2006;

and to see if the Town will further vote to authorize the Board of Selectmen to acquire by gift an easement to use said roadways for all purposes for which public ways are used in the Town of Georgetown, and all associated easements; or to take any other action in relation thereto.

*The Finance and Advisory Board recommends approval of this article.*