

**WARRANT FOR THE ANNUAL TOWN MEETING
MAY 14, 2012
SALISBURY ELEMENTARY SCHOOL**

A quorum (125) being present, Moderator Ronald Ray called the Annual Town Meeting to order at 7:50 p.m. with the checklist showing 200 registered voters. There were 22 non-voters present: Donald Levesque, Terry Kyrios, Lisa Pearson, Neil Harrington, Andrew Gould, Angeljean Chiaramida, Elizabeth Pettis, Thomas McEnaney, John W. Morris, David Lovering, Cheryl Gorniewicz, Ray Mace Jr., Robert Roy, Pat Bissonette, Christopher Farmer, Bill DeRosa, Geraldine Borland, David Borland, Andrew Noone, Janice Kay, Loren Szczygiel, Eric Szczygiel.

Anne Jones, Josephine Kohan and Susan Tatro were checkers at the door with Assistant Town Clerk Melinda Morrison assisting. Reggie Santos and Brud Janvrin served as counters throughout the meeting.

ARTICLE ONE

Election of Officers

TWO SELECTMEN FOR A THREE-YEAR TERM

TRITON REGIONAL SCHOOL COMMITTEE MEMBERS – THREE MEMBERS FOR A THREE YEAR TERM – ONE MEMBER FROM EACH TOWN

ARTICLE TWO

To hear reports of the Boards, Committees and Commissions as may be presented.

Reports were given by:

Ronalee Ray-Parrott/Park & Recreation Commission

ARTICLE THREE

To hear the report of the Warrant Advisory Committee and to raise and appropriate \$19,546,950.00 to fund the FY2013 annual operating budget of the Town, which includes \$9,197,221.00 to pay the Town's anticipated share of the Triton Regional School District's operating budget for FY2013, calculated in accordance with Mass. General Law Chapter 70, Section 6, and in accordance with the attached departmental breakdown of the budget; to appropriate \$2,198,346.00 to fund the FY2013 Sewer Enterprise Fund budget; to appropriate \$2,304,334.00 to fund the FY2013 Water Enterprise Fund budget; to transfer the sums of \$309,104.00 from the FY2013 Sewer Enterprise Fund budget and \$124,419.00 from the FY2013 Water Enterprise Fund budget to the General Fund; and to transfer the sum of \$28,765.00 from the Waterways Permit Fees Fund to the General Fund; or to take any other action relative thereto.

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Edwin Hunt

I move that Article Three be approved as herein stated

Seconded & carried

ARTICLE FOUR

To see if the Town will vote to re-authorize a revolving fund for the Planning Board as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2013. This revolving fund would be to accept receipts from fees charged to applicants specifically to pay outside consultants. The receipts would be expended, not to exceed \$100,000 in FY2013, by the Planning Board for: engineers, lawyers, designers, or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, ordinances, bylaws and regulations; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Henry Richenburg I move that Article Four be approved as herein stated
Seconded & carried

Motion: Donald Beaulieu I move that we waive the complete reading of Articles Five through Twelve

Seconded & carried

ARTICLE FIVE

To see if the Town will vote to re-authorize a revolving fund for the Conservation Commission as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2013. This revolving fund would be to accept receipts from filing fees paid pursuant to the Wetlands Protection Act. The receipts would be expended, not to exceed \$100,000 in FY2013, by the Conservation Commission for the payment of consultant fees, expenses of, and a portion of the salary and benefits of the Town's Conservation Agent for administration and enforcement of, the Wetlands Protection Act; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Donald Beaulieu I move that Article Five be approved as herein stated
Seconded & carried

ARTICLE SIX

To see if the Town will vote to re-authorize a revolving fund for the Harbor Commission, as described in Chapter 44, Section 53E ½ of the Mass. General Laws, for FY2013. This revolving fund would be to accept receipts from: mooring fees, waterways permit fees, dinghy fees, and sewerage pump-out fees. The receipts would be expended, not to exceed \$75,000 in FY2013, by the Harbor Commission for: maintenance and development of riverfront recreational activities, equipment maintenance or replacement, Harbormaster's operating expense, water safety, education and expenses of complying with the Clean Waters Act; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Fred Knowles I move that Article Six be approved as herein stated
Seconded & carried

ARTICLE SEVEN

To see if the Town will vote to re-authorize a revolving fund for the Building Inspector's Department as described in Chapter 44, Section 53 E1/2 of the Mass. General Laws for FY2013. This revolving fund would be to accept receipts from fees charged by the Department for electrical, plumbing and gas inspections. The receipts would be expended, not to exceed \$50,000 in FY2013, by the Building Inspector's Department to pay for the services of the Town's electrical, plumbing and gas inspectors; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Jerry Klima I move that Article Seven be approved as herein stated
Seconded & carried

ARTICLE EIGHT

To see if the Town will vote to re-authorize a revolving fund for the Earth Filling Bylaw as described in Chapter 44, Section 53 E1/2 of the Mass. General Laws for FY2013. This revolving fund would be to accept payments made by applicants under the Town's Earth Filling Bylaw for borings and test pits, inspections, monitoring, certifications, reports and tests that are required by the permit granting authority while considering an application for an earth filling permit and/or as a condition of issuing a permit and/or to monitor performance under a permit and/or to establish compliance with the

conditions of a permit and the bylaw. The receipts would be expended, not to exceed \$50,000 in FY2013, by the Board of Selectmen and/or the Town Manager for such services as either of them as a permit granting authority deems to be needed to evaluate an application and/or to monitor performance under a permit and/or to establish compliance with the conditions of a permit and the bylaw; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Edwin Hunt I move that Article Eight be approved as herein stated

Seconded & carried

ARTICLE NINE

To see if the Town will vote to re-authorize a revolving fund for the Council on Aging as described in Chapter 44, Section 53 E1/2 of the Mass. General Laws, for FY2013. This revolving fund would be to accept donations to the Council on Aging from individuals, businesses, corporations or non-profit agencies. The receipts would be expended, not to exceed \$50,000 in FY2013, by the Director of the Council on Aging, with the approval of the Board of Directors of the Council on Aging, to pay for general improvements to the Hilton Center and other expenses consistent with the mission of the Council on Aging; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Henry Richenburg I move that Article Nine be approved as herein stated

Seconded & carried

ARTICLE TEN

To see if the Town will vote to re-authorize a revolving fund for the Planning Board as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2013. The revolving fund would be to accept receipts from developers, landowners and other applicants seeking subdivision or site plan approval from the Planning Board, except for those receipts specifically to pay outside consultants. The receipts would be expended, not to exceed \$40,000.00 in FY2013, by the Planning Board, in conjunction with the Town's Department of Public Works for: design, engineering and construction costs of sidewalks required pursuant to the Town's subdivision control bylaw; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Donald Beaulieu I move that Article Ten be approved as herein stated

Seconded & carried

ARTICLE ELEVEN

To see if the Town will vote to re-authorize a revolving fund for the Parks and Recreation Commission as described in Chapter 44, section 53E1/2 of the Massachusetts General Laws, for FY2013. The revolving fund would be to accept receipts from fund raising, grants, donations, and charges for activities. The receipts would be expended, not to exceed \$5,000.00 in FY2013 by the Parks and Recreation Commission for activities sponsored by the Parks and Recreation Commission; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Fred Knowles I move that Article Eleven be approved as herein stated

Seconded & carried

ARTICLE TWELVE

To see if the Town will vote to re-authorize a revolving fund for the Health Department as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2013. This revolving fund would be to accept receipts from fees charged to property owners and/or other applicants for

inspections by the Town's Department of Health. The receipts would be expended, not to exceed \$100,000 in FY2013, by the Director of Public Health, with the approval of the Town Manager, to pay for the services of qualified individuals to conduct health inspections, including but not limited to inspections of restaurant and food establishments, housing, septic systems and Title 5, as required by law, bylaw or Board of Health regulation, and the enforcement thereof, at the direction of the Director of Public Health; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Jerry Klima

I move that Article Twelve be approved as herein stated

Seconded & carried

ARTICLE THIRTEEN

To see if the Town will vote to authorize a revolving fund for the Town Manager as described in Chapter 44, Section 53E ½ of the Massachusetts General Laws, for FY2013. The revolving fund would be to accept receipts from fees paid to park at Town-owned parking lots at Salisbury Beach. The receipts would be expended, not to exceed \$10,000 in FY2013, by the Town Manager for the purpose of funding public improvements at Salisbury Beach, including, but not limited to, public infrastructure, upkeep of the Town's comfort station and/or public amenities; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Edwin Hunt

I move that Article Thirteen be approved as herein stated

Seconded

Motion: David Colburn

I move that the amount be amended to \$25,000

Seconded & defeated

Main motion carried by majority vote

Motion: Fred Knowles

I move to waive the reading of Article Fourteen

Seconded & carried

ARTICLE FOURTEEN

To see if the Town will vote to amend the Zoning By-law of the Town of Salisbury in order to maintain compliance with the requirements of the National Flood Insurance Program by:

(1) deleting the text of Article VIII Floodplain District § 300-37. Floodplain District boundaries, in its entirety and substituting the following text:

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas designated on the Salisbury Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the NFIP, effective July 3, 2012, as Zones A, AE, AH, AO and VE, which indicate the one-hundred-year regulatory floodplain. The map panels of the Essex County FIRM that are wholly or partially within the Town of Salisbury are panel numbers 25009C0018F, 25009C0019F, 25009C0050F, 25009C0106F, 25009C0107F, 25009C0109F, 25009C0126F, 25009C0127F, 25009C0128F, 25009C0129F, and 25009C0133F dated July 3, 2012. The exact boundaries of the District may be defined by the one-hundred-year base flood elevations shown on the FIRM and further defined by the Flood Insurance Study (FIS) report, effective July 3, 2012. The FIRM and FIS report are incorporated herein by reference, are on file with the Town Assessor, the Town Clerk, and the Building Department, and are available for public inspection.

(2) deleting the following text in Article VIII Floodplain District § 300-37.2. Use regulations. Section A
(1) a: "120.G, "Flood Resistant Construction and Construction in Coastal Dunes";
or to take any other action relative thereto.

A copy of the proposed amended Article VIII Floodplain District of the Zoning By-law is available for review in the office of the Town Clerk.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee voted 4 – 1 to recommend approval

Planning Board unanimously recommends

**Motion: Henry Richenburg I move that Article Fourteen be approved as herein stated
Seconded**

Motion: Mitchell Makarewicz I want to amend this Article by adding, "All water bills to be based on meter readings."

Seconded and ruled out of order as not within the scope of the Article by the Moderator

Main motion carried by a unanimous hand count vote of 148 YES, -0- NO

ARTICLE FIFTEEN

To see if the Town will vote to amend the Zoning Bylaws of the Town of Salisbury by amending Article XVIII (Site Plan Review) as follows:

1) Add the following subsections to §300-111, Section B(2) Minor Projects:

(d) Any activity disturbing an acre or more;

(e) Reconstruction/reclamation/replacement (not overlay) of an existing paved area of an acre or more.

2) Delete §300-111, Section B(3) in its entirety and insert in place thereof the following:

B(3). Repaving. Repaving (overlay) of an existing paved area of any size is exempt from site plan review.

or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Planning Board unanimously recommends

Motion: Donald Beaulieu I move that Article Fifteen be approved as herein stated

Seconded & carried by a hand count vote of 145 YES, -1- NO

Motion: Jerry Klima I move that we waive the reading of Articles Sixteen & Seventeen

Seconded & carried

ARTICLE SIXTEEN

To see if the Town will vote to amend the General Bylaws Chapter 209 (Sewers), §209-6 (Prohibited discharges; sewers in new developments) as follows:

a. Delete the title of §209-6 and insert in place thereof the following: Prohibited discharges.

b. Revise §209-6, Paragraph A, by adding the following underlined language:

A. It shall be unlawful to discharge to any municipal storm sewer or natural outlet within the Town of Salisbury, or in any area under the jurisdiction of said Town, and the Water Resources Commission, Commonwealth of

Massachusetts, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this bylaw; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Fred Knowles I move that Article Sixteen be approved as herein stated

Seconded & carried by majority vote

ARTICLE SEVENTEEN

To see if the Town will vote to amend Chapter 77 of the General Bylaws (Earth Filling) as follows:

- a. Delete §77-6, Paragraph B (Site Preparation) in its entirety and insert in place thereof the following:

B. Site preparation. The area to be filled shall be cleared of stockpiled or otherwise disposed of organic and inorganic materials, such as fallen trees and brush, tree stumps, rubbish, junk, building/construction/demolition materials, and any other accumulated debris. Topsoil shall also be removed from the area to be filled prior to filling. The area to be filled corresponds to the horizontal limits of the fill activity as represented on a plan view drawing; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Jerry Klima I move that Article Seventeen be approved as herein stated

Seconded & carried by majority vote

Motion: Edwin Hunt

I move that we waive the reading of Articles Eighteen & Nineteen

Seconded & carried

ARTICLE EIGHTEEN

To see if the Town will vote to authorize the Board of Selectmen to acquire, for public way purposes by gift, purchase, or eminent domain, the fee to all or portions of the parcels of land known as Shea Street, Commonwealth Avenue, Brookline Street, Beacon Street, Bay State Road (formerly State Line Street), Atlantic Avenue, and two "ways", as described below:

Shea Street

Southerly by the Northerly line of Driftway 30 feet

Westerly by lots 667, 666, 665, 664, 663, 662 and 661 measuring 285.31 feet

Northerly by lot 637 measuring 90 feet

Easterly by the Westerly line of Central Avenue measuring 30 feet

Southerly by lot 668 measuring 60 feet

Easterly by lots 668, 669, 670, 671, 672 and 673 measuring 256.69 feet

All of said land is shown on Land Court Plan 3200XVIII and 3200-46 Sheet 10.

Commonwealth Avenue

A portion of Commonwealth Avenue bounded

Northerly by the Southerly line of Bay State Road (formerly known as State Line Street) measuring 30 feet

Westerly by lot 25 measuring 90 feet

Northerly by lot 25 measuring 10 feet

Westerly by lots 26, 27, 28 and 29, a "Way", lots 30, 31, 32, 33, 34, 35 and 36 measuring 580 feet

Southerly by the Northerly line of Beacon Street measuring 40 feet

Easterly by lots 60A, 61, 62, 63, 64, 65 and 66, a "Way", lots 67, 68, 69, 70, 71 and 72 measuring 670 feet

All of said land is shown on Land Court Plan 3200-46 Sheet 1 and 3200-XXV Sheet 2

A second portion of Commonwealth Avenue bounded

Northerly by the Southerly line of Beacon Street measuring 40 feet

Westerly by lots 37, 38, 39, 40, 41, a "Passage Way", lots 42, 43, 44, 45 and 46 measuring 350 feet

Southerly by the Northerly line of Brookline Street measuring 40 feet

Easterly by lots 49, 50, 51, 52, 53, 54, a "Passage Way", lots 55, 56, 57, 58 and 59A measuring 544.31 feet

All of said land is shown on Land Court Plan 3200-46 Sheet 2 and 3200-XXV Sheet 1

A third portion of Commonwealth Avenue bounded

Northerly by the Southerly line of Brookline Street measuring 30 feet

Westerly by lots 9 and 8A measuring 100 feet

Southerly by lot 374A measuring 30 feet

Easterly by lots 2B and 1B measuring 100 feet

All of said land is shown on Land Court Plan 3200-39 and 3200-74.

Brookline Street

Westerly by the Easterly line of North End Blvd. measuring 50.27 feet
Southerly by lot 9 measuring 118.85 feet
Southerly by the Northerly line of Commonwealth Avenue measuring 30 feet
Easterly by lot 1B measuring 12.50 feet
Southerly by lot 1B measuring 130 feet
Easterly by land of the Commonwealth of Massachusetts measuring 37.50 feet
Northerly by lot 49 measuring 120 feet
Northerly by the Southerly line of Commonwealth Avenue Measuring 40 feet
Northerly by lots 46 and 3 measuring 124.10 feet

All of said land is shown on Land Court Plan 3200-39, 3200-74, 3200-XXV Sheet 1 and 3200-46 Sheet 2.

Beacon Street

Westerly by the Easterly line of North End Blvd. measuring 50 feet
Southerly by lots 11 and 37 measuring 160.06 feet
Southerly by the Northerly line of Commonwealth Avenue measuring 40 feet
Southerly by lot 59A measuring 120 feet
Easterly by land of the Commonwealth of Massachusetts measuring 50 feet
Northerly by lot 60A measuring 120 feet
Northerly by the Southerly line of Commonwealth Avenue Measuring 40 feet
Northerly by lots 36 and 12 measuring 160.06 feet

All of said land is shown on Land Court Plan 3200-44, 3200-XXV Sheets 1 and 2 and 3200-46 Sheets 1 and 2.

Bay State Road (Formerly State Line Street)

Westerly by the Easterly line of North End Blvd. measuring 30 feet
Southerly by lots 24A, 24B and 25 measuring 170.06 feet
Southerly by the Northerly line of Commonwealth Avenue measuring 30 feet

Southerly by lot 72 measuring 120 feet

Easterly by land of the Commonwealth of Massachusetts measuring 30 feet

Northerly by the New Hampshire State line measuring 320.06 feet

All of said land is shown on Land Court Plan 3920A, 3920B and 3200-46 Sheet 1.

Atlantic Avenue

The Northerly portion of Atlantic Avenue bounded

Northerly by the Southerly line of an unregistered parcel now or formerly of Elizabeth Kelly

Westerly by lots 477A, 476A, 475A, 474A, 473A, 472A, 471A and 470A measuring 408.25 feet

Southerly by the Northerly line of Vermont Street measuring 20 feet

Easterly by lots 470B, 471B, 472B, 473B, 474B, 475B, 476B and 477B measuring 404.02 feet

All of said land is shown on Land Court Plan 3200X and 3200-46 Sheet 12.

A portion of Atlantic Avenue extending from Vermont Street in a southerly direction through Fowler Street to Murray Street and bounded

Northerly by the Southerly line of Vermont Street measuring 20 feet

Westerly by the lots in Block 10 and by Fowler Street measuring 1,556.63 feet

Southerly by the Northerly line of Murray Street measuring 50 feet

Easterly by the lots in Block 9 and by Fowler Street measuring 1,554.17 feet

All of said land is shown on Land Court Plan 3200K, 3200Q and 3200-46 Sheets 12 and 13.

A "Way"

Westerly by the Easterly line of Commonwealth Avenue measuring 20 feet

Southerly by lot 66 measuring 120 feet

Easterly by land of the Commonwealth of Massachusetts measuring 20 feet

Northerly by lot 67 measuring 120 feet

All of said land is shown on Land Court Plan 3200-XXV Sheet 2 as the easterly portion of a "Passageway" and 3200-46 Sheet 1 as the easterly portion of a "Way"

A "Way"

The Westerly portion of a "Way" bounded

- Westerly by the Easterly line of North End Blvd measuring 20 feet
- Southerly by lots 707 and 42 measuring 150.71 feet
- Easterly by the Westerly line of Commonwealth Avenue measuring 20 feet
- Northerly by lots 41 and 8 measuring 152.48 feet

All of said land is shown on Land Court Plan 3200-XXV Sheet 1 and 3200-142 as the Westerly portion of a "Passageway" and 3200-46 Sheet 2 as the Westerly portion of a "Way"

The Easterly portion of a "Way" bounded

- Westerly by the Easterly line of Commonwealth Avenue measuring 20 feet
- Southerly by lot 54 measuring 120 feet
- Easterly by land of the Commonwealth of Massachusetts measuring 20 feet
- Northerly by lot 55 measuring 120 feet

All of said land is shown on Land Court Plan 3200-XXV Sheet 1 as the Easterly portion of a "Passageway" and 3200-46 Sheet 2 as the Easterly portion of a "Way"; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Edwin Hunt I move that Article Eighteen be approved as herein stated

Seconded & carried

ARTICLE NINETEEN

To see if the Town will vote to authorize the Board of Selectmen to acquire, for public way purposes by gift, purchase, or eminent domain, the fee to all or portions of the parcels of land known as Adams Street, Garfield Street, Taft Street, Washington Street, and Hayes Street, as described below:

Adams Street

Extending from Beach Road (State Highway) in a Southerly direction to Garfield Street

- Northerly by the Southerly line of Beach Road (State Highway) measuring 40 feet
- Easterly by lots 3, 16 and 15 measuring 200 feet
- Southerly by the Northerly line of Garfield Street measuring 40 feet
- Westerly by lots 18, 17 and 2 measuring 200 feet

All of said land is shown on Land Court Plan 6250A Sheet 2

Garfield Street

Extending from Lot 287 in an Easterly direction to Taft Street

Westerly by lot 287 measuring 41.5 feet

Northerly by lots 19 and 18 measuring 158.53 feet

Northerly by the Southerly line of Adams Street measuring 40 feet

Northerly by lots 15, 14, 13, 11, 10 and an unregistered lot now or formerly of Frank P. Currier measuring 372.08 feet

Easterly by the Westerly line of Taft Street measuring 40 feet

Southerly by lots 288, 287, 286, 285, 27, 26, 25, 24, 23, 22, 21 and 20 measuring 60 feet

All of said land is shown on Land Court Plan 6250A Sheet 2 and 6250F

Taft Street

Extending from Beach Road (State Highway) in a Southerly direction

Northerly by the Southerly line of Washington Street measuring 40 feet

Westerly by lots 9 and 10 measuring 200 feet

Westerly by the Easterly line of Garfield Street measuring 40 feet

Westerly by Lot 288 measuring 100 feet

Southerly by lot 288 measuring 3 feet

Easterly by land now or formerly of John Pow measuring 106.85 feet

Northerly by lot 284A measuring 11.21 feet

Easterly by lots 284A and 50 measuring 240 feet

All of said land is shown on Land Court Plan 6250A Sheet 2, 6250D and 6250F

Washington Street

Extending from Beach Road (State Highway) in an Easterly direction to Hayes Street

Westerly by the Southerly line of Beach Road (State Highway) at Spaulding Square measuring 233.39 feet more or less

Northerly by lots 33, 49, 48, 47, 46, 45 and 44 measuring 542.44 feet more or less

Easterly by the Westerly line of Hayes Street measuring 40 feet

Southerly by lots 62, 61, 59, 58, 57, 56, 55, 54, 53, 52, 51 and 50 measuring 655.63 feet

Southerly by the Northerly line of Taft Street measuring 40 feet

Southerly by lots 9 and 8 measuring 100 feet

All of said land is shown on Land Court Plan 6250A Sheet 2

Hayes Street

Extending from Beach Road (State Highway) in a Southerly direction

Northerly by the Southerly line of Beach Road (State Highway) measuring 40 feet

Westerly by lots 41, 42, 43 and 44 measuring 240 feet

Westerly by the Easterly line of Washington Street measuring 40 feet

Westerly by lots 62, 63, 64, 65, 291, 68, 69, 70 and 71 measuring 508.19 feet

Southerly by land now or formerly of Adolphus J. Brissette and a "Way" measuring 40 feet

Easterly by lots 72, 73, 74, 75, 76, 77 and 78 measuring 471.92 feet

Easterly by the Westerly line of Washington Street measuring 40 feet

Easterly by lots 99, 100, 101 and 102 measuring 243.08 feet

All of said land is shown on Land Court Plan 6250A Sheets 2 and 3 and 6250G; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Henry Richenburg I move that Article Nineteen be approved as herein stated
Seconded & carried

ARTICLE TWENTY

To see if the Town will vote to amend the Zoning By-law of the Town of Salisbury by correcting the section headings and references in Article IX (Water Resource District) of the Zoning By-laws; or to take any other action relative thereto.

A copy of the proposed amended Article IX (Water Resource District) of the Zoning By-law is available for review in the office of the Town Clerk.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Planning Board unanimously recommends

Motion: Donald Beaulieu I move that Article Twenty be approved as herein stated

Seconded & carried by a unanimous hand count vote of 129 YES, -0- NO

ARTICLE TWENTY-ONE

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

Item 1.

By deleting from the "Table of Use Regulations," found in Article III, Section 300-12, the following residential use:

Residential Uses	R1	R2	R3	BC	C	C2	C3	C4	I	VC1
Accessory apartment dwelling	S	S	S	S	S	S	–	S	–	S

and by substituting the following, modified residential uses therefore:

Residential Uses	R1	R2	R3	BC	C	C2	C3	C4	I	VC1
Accessory apartment dwelling, attached	S	S	S	S	S	S	–	S	–	S
Accessory apartment dwelling, detached	–	–	–	–	–	–	–	S	–	–

Item 2.

By deleting from Article XI, entitled "Accessory Apartment," Section 300-58, which presently reads:

An owner or owner or a single-family dwelling may, after consultation with the Planning Board, apply to the Zoning Board of Appeals for a special permit for the construction and occupancy of an accessory dwelling unit as part of the principal residential structure, the accessory dwelling unit thus created being hereinafter referred to in this article as an apartment. The following procedural requirements shall be in addition to the general requirements for a special permit specified in §300-35.

and by substituting the following therefor:

An owner or owner or a single-family dwelling may, after consultation with the Planning Board, apply to the Zoning Board of Appeals for a special permit for the construction and occupancy of an accessory dwelling unit attached to or detached from the principal residential structure, as per the Table of Use Regulations found at §300-12, the accessory dwelling unit thus created being hereinafter referred to in this article as an apartment. The following procedural requirements shall be in addition to the general requirements for a special permit specified in §300-35.

or take any other action relative thereto.

ON PETITION OF GILBERT MEDEIROS ET AL.

Warrant Advisory Committee unanimously voted to defer to the Planning Board

Planning Board took no action on this Article

**Motion: Fred Knowles I move that Article Twenty-One be approved as herein stated
Seconded**

**Motion: Robert Straubel I move that this Article be indefinitely postponed
Seconded & carried to indefinitely postpone**

**Motion: Jerry Klima To waive the reading of the rest of Article Twenty-Two
Seconded & carried**

ARTICLE TWENTY-TWO

To see if the Town will vote to authorize the Board of Selectmen to negotiate and acquire by purchase, eminent domain or otherwise, a fee simple interest or lesser interest in the parcel of land described below, which parcel is a portion of Assessor's Map #12, Lot #47, now or formerly owned by Robert E. Bartlett, Jane E. Kiggins and Donna Bartlett, Trustees of Elmknoll Trust, located on Main Street, for the purpose of combining said parcel with other land of the Town for conveyance, said parcel being further described as follows:

A parcel of land on the northwesterly side of Main Street, in the Town of Salisbury, Massachusetts, bounded and described as follows:

Southwesterly by land of The Town of Salisbury one hundred thirty three (133.00) feet;

Northwesterly by land of Elmknoll Trust one hundred forty one and 13/100 (141.13) feet;

Northeasterly by land of Johnson Family Nominee Trust II one hundred thirty nine and 07/100 (139.07) feet;

Southeasterly by Parcel C one hundred forty five (145.00) feet.

The above described parcel of land contains an area of 19,455 square feet and is more particularly shown as Parcel E on a plan entitled "Plan of Land in Salisbury, MA, Prepared for The Town of Salisbury," Scale: 1" = 30', April 19, 2012, Donohoe And Parkhurst, Inc., 363 Boston St. Topsfield, MA", a copy of which is on file in the office of the Town Clerk;

and further, to authorize the Board of Selectmen to convey all its right, title and interest in said parcel or portions thereof on such terms and conditions, and for such consideration, as the Selectmen deem appropriate; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

**Motion: Jerry Klima I move that Article Twenty-Two be approved as herein stated
Seconded & carried by majority vote**

ARTICLE TWENTY-THREE

To see if the Town will vote to acquire by purchase, gift, and/or eminent domain a non-exclusive permanent easement for utility purposes in, on, under, over and upon a parcel of land containing 6,681 S.F., more or less, and shown as "Parcel D" on a plan entitled "Plan of Land in Salisbury, MA, Prepared For The Town of Salisbury, Scale: 1" = 30', April 11, 2012, Donohoe And Parkhurst, Inc. 363 Boston St. Topsfield, MA", a copy of which is on file in the office of the Town Clerk, and a non-

exclusive temporary easement in, on, under, over and upon the land shown as "PAVED WALK" on said plan; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Edwin Hunt I move that Article Twenty-Three be approved as herein stated

Seconded & carried by majority vote

ARTICLE TWENTY-FOUR

To see if the Town will vote to acquire by purchase, gift and/or eminent domain a non-exclusive permanent easement for utility purposes in, on, under, over and upon the parcels of land shown as "Parcel A," containing 3,367 S.F., more or less, and "Parcel B," containing 742 S.F., more or less, on a plan entitled "Plan of Land in Salisbury, MA Prepared For The Town of Salisbury, Scale: 1" = 30', April 19, 2012, Donohoe And Parkhurst, Inc., 363 Boston St. Topsfield, MA", a copy of which is in file in the office of the Town Clerk, and a non-exclusive temporary easement in, on, under, over and upon the land shown as "PAVED WALK" on said plan; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Henry Richenburg I move that Article Twenty-Four be approved as herein stated

Seconded & carried by majority vote

ARTICLE TWENTY-FIVE

To see if the Town will vote to amend the General Bylaws of the Town by adding the following underlined language to Chapter 17, §17-4:

§17-4. Disturbing the Peace. No person shall own or keep any animal which by biting, barking, howling, crowing, squealing, or in any other manner commits a nuisance or disturbs the peace and quiet of any neighborhood, or endangers the safety of any person, for more than fifteen (15) minutes constantly, or by virtue of being left unattended outside a home, residence, or place of business within the Town limits; or to take any other action relative thereto.

ON PETITION OF THE TOWN MANAGER

Warrant Advisory Committee unanimously voted to recommend approval

Motion: Donald Beaulieu I move that Article Twenty-Five be approved as herein stated

Seconded

Motion: Jerry Klima I move to amend Article Twenty-Five of the Warrant for the Annual Town Meeting of the Town of Salisbury by substituting the following language in Chapter 17, §17-4 of the General Bylaws of the Town:

§17-4. Disturbing the Peace. No person shall own or keep any animal which by biting or in any other manner endangers the safety of any person or which by barking, howling, crowing, squealing, or in any other manner commits a nuisance or disturbs the peace and quiet of any neighborhood for more than fifteen (15) minutes constantly, or which commits a nuisance or disturbs the peace and quiet of any neighborhood by virtue of being left unattended outside a home, residence, or place of business within the Town limits.

Seconded and Carried

Main motion as amended seconded and carried by majority vote

ARTICLE TWENTY-SIX

To take any other action that may be lawfully taken at this meeting.

Motion: Fred Knowles To adjourn the meeting

Seconded & carried

Moderator Ray declared the Annual Town Meeting adjourned at 9:26 p.m.

Respectfully submitted,

Wilma M. McDonald

Town Clerk

May 15, 2012