

2016  
Commonwealth of Massachusetts  
Town of Essex  
Warrant for Special Town Meeting

Essex, ss:

To either of the Constables of the Town of Essex;

GREETINGS:

In name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Essex, qualified to vote as the laws direct, to meet in said Essex at the Essex Elementary School on Monday, November 14, 2016 at 7:30 p.m. and there and then to act on the following Articles, viz:

ARTICLE 1

To see if the Town will vote to amend the Town of Essex Bylaws, Section 2-20 Conomo Point Planning Committee by reducing the number of members from twelve (12) to seven (7); provided that the members serving on the Committee at the time of passage of this amendment shall continue to serve until the conclusion of the May 1, 2017 Annual Town Meeting, or their sooner resignation or removal, at which time their appointments shall expire and a new slate of members may be appointed at said meeting; or take any other action relating thereto.

ARTICLE 2

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money for the management of property at Conomo Point including but not limited to renovation, demolition, and contents management of structures and maintenance and outfitting of all outdoor areas; or take any other action relating thereto.

ARTICLE 3

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow including, without limitation, funds under the Community Preservation Act, or any combination thereof, a sum of money to be added to an existing appropriation made via Article 14 of the May 4, 2015 Annual Town Meeting to make further renovations to the Town Hall and Library building at 30 Martin Street including but not limited to full exterior renovation, addition of an elevator, addition of a fire suppression system, and any improvements required by the Americans with Disabilities Act; and also including costs of design, project management and construction oversight/administration, temporary relocation, furnished temporary office space, temporary office utilities, insurance, and all other costs incidental or related to the project; and further to authorize the Board of Selectmen to enter into all agreements and execute on behalf of the Town any and all documents as may be necessary or convenient to effectuate the purposes of this Article; or to take any other action relating thereto.

#### ARTICLE 4

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be added to an existing appropriation made via Article 25 of the May 2, 2016 Annual Town Meeting to purchase furnishings and fixtures for the Town Hall/Library at 30 Martin Street; or take any other action relating thereto.

#### ARTICLE 5

To see if the Town will vote to authorize the Board of Selectmen to convey an easement to National Grid, or its nominee or assignee, upon certain property, hereinafter described, for the purpose of anchoring electric transmission poles, including, but not limited to, push braces and leads, said easement shown on the easement sketch entitled "Centennial Grove Rd Essex, MA" dated August 24, 2016, on file with the Town Clerk, said property being those premises located on Centennial Grove Road, being Assessors Map 143, Lot 36 and Assessors Map 146, Lot 20, and described in a deed recorded with the Essex South District Registry of Deeds in Book 6132, Page 100, on such terms and conditions and for such consideration, including nominal consideration, as the Board of Selectmen shall deem appropriate, or take any other action relating thereto.

#### ARTICLE 6

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money including, without limitation, funds under the Community Preservation Act, or any combination thereof, to retain the services of a designer to develop final design plans for the preservation and/or repair and/or the demolition and replacement of the Folsom Pavilion at the Centennial Grove and to assist with the preparation bid documents, the oversight of actual construction, and any work incidental or related thereto; and further, to fund the construction of said preservation and/or repair and/or demolition and replacement, and any work incidental thereto; or take any other action relating thereto.

#### ARTICLE 7

To see if the Town will vote to amend the Essex Zoning Bylaw by deleting the existing definition of "sign" in Section 6-2.2, Definitions, and inserting in its place the following new definition:

**SIGN** Any two or three dimensional fabrication, or assembly, including its supporting structure, consisting of any letter, figure, character, symbol, emblem, mark, design, pictorial representation, stripe, line, trademark, reading matter or illuminating device, constructed, attached, erected, fastened, or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, business, public performance, article, machine or merchandise whatsoever, and displayed in any manner for recognized identification or advertising purposes.

; or to take any other action relating thereto

## ARTICLE 8

To see if the Town will vote to amend the Essex Zoning Bylaw by deleting the existing requirements for RESIDENTIAL STRUCTURES located in Section 6-6.1.1, Table of Parking Requirements, and inserting in its place the following new requirement:

Two parking spaces for each dwelling unit

; or to take any other action relating thereto.

## ARTICLE 9

To see if the Town will vote to amend the Essex Zoning Bylaw by deleting the existing Section 6-6.3, Driveways, paragraph c., and inserting in its place the following new Section 6-6.3, Driveways, paragraph c.:

c. Minimum driveway standards for driveways.

1. Driveway access to the dwelling or other building site shall be indicated on the plans submitted to the building inspector at the time of building permit application.
2. Such a driveway shall provide access for vehicles including moving vans, ambulance, fire and police vehicles and shall have:
  - A. Width of at least 12 feet, but shall be cleared to a width of at least 14 feet, applicable to the portion used by more than one lot.
  - B. Maximum grade of 10 percent.
  - C. Adequate clearing at the intersection of the public way to provide a minimum of 30 foot sight lines.
  - D. Shall be cleared to maintain 14 feet vertical clearance.

; or to take any other action relating thereto.

## ARTICLE 10

To see if the Town will vote to amend the Essex Zoning Bylaw by deleting Section 6-10.3.3.a.13., Water Resource Protection Overlay District, Use Regulations, and inserting in its place the following new Section 6-10.3.3.a.13., Water Resource Protection Overlay District, Use Regulations:

13. Land use which renders impervious more than 15 percent or 2,500 sq. ft. of a building lot, except as allowed by Section 6-10.3.3.b.7.

; or to take any other action relating thereto.

## ARTICLE 11

To see if the Town will vote to amend the Essex Zoning Bylaw Section 6-10.3.2, first paragraph, Water Resource Protection Overlay District, as shown below with additions shown in **bold** and deletions shown in ~~strikethrough~~:

For the purpose of this Bylaw there is hereby established a Water Protection District, ~~which comprises~~ **to include** all areas within Essex which are within ~~the drainage basins of either Chebacco Lake or Cedar Swamp, as illustrated on the map "Water Resource Protection District" dated December 15, 1990,~~ **the designated Massachusetts Department of Environmental Protection approved Wellhead Protection Areas (Zone II), as stated in 310 CMR 22.02, as may be amended from time-to-time. A map is** on file in the Offices of the Town Clerk **and Department of Public Works,** and **is** hereby made a part of this Bylaw.

; or to take any other action relating thereto.

## ARTICLE 12

To see if the Town will vote to amend the Essex Zoning Bylaw to correct the following scrivener errors:

1. Amend the title of the Essex Zoning Bylaw by deleting the title and inserting in its place "Chapter VI, ZONING, The power of the Town to adopt acts concerning zoning as contained in M.G.L. 40A et seq.";
2. Amend the definition of "Use, Change of" by deleting the word "entitled" and inserting in its place "titled";
3. Amend the definition of "Structure" by deleting "(780 CMR Section 110.3 Exemptions)";
4. Amend Section 6-10.2.1.a. by deleting "(currently 780 CMR)"; and
5. Amending Section 6-5.11.b. by deleting the number "3" and inserting in its place the letter "c"

; or to take any other action relating thereto.

## ARTICLE 13

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase and equip a police cruiser and to authorize the Board of Selectmen to dispose of the cruiser being replaced by the purchase by sale or trade; or take any other action relating thereto.

## ARTICLE 14

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to fund the Town's Other Post-Employment Benefits (OPEB) Trust Fund; or take any other action relating thereto.

## ARTICLE 15

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to purchase automatic electronic defibrillator devices for Town buildings; or take any other action relating thereto.

## ARTICLE 16

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be used to update the Town's Hazard Mitigation Plan, which amount shall be a match to a grant received or to be received for such purposes; or take any other action relating thereto.

## ARTICLE 17

To see if the Town will vote to accept the provisions of Section 53F  $\frac{3}{4}$  of Chapter 44 of the General Laws, which establishes a special revenue fund known as the PEG Access and Cable Related Fund, to reserve cable franchise fees and other cable-related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2018, which begins on July 1, 2017; or take any other action relating thereto.

## ARTICLE 18

To see if the Town will vote to transfer the balance of an appropriation made pursuant to Article 34 of the May 6 and 7, 2013 Annual Town Meeting to design, construct, equip and furnish a safe vestibule within the Essex Police and Fire Headquarters, to a new special appropriation – the updating of any aspect of physical building security at the Police and Fire Headquarters at 24 Martin Street; or take any other action relating thereto.

## ARTICLE 19

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to retain the services of an engineer to study potential changes to the location and/or footprint size of the existing Police and Fire Headquarters and/or to the layout of Shepard Memorial Drive and/or to the layout of Memorial Park; or take any other action relating thereto.

## ARTICLE 20

To see if the Town will vote to amend the Town of Essex Bylaws, Section 3-3 Personnel Board, by deleting the text of Section 3-3.1 in its entirety and replacing it with the following:

*3-3.1 BOARD OF SELECTMEN TO SERVE AS.* The duly elected Selectmen of the Town, by virtue of their election as Selectmen, shall constitute the members of the Personnel Board, and their terms of membership on said Personnel Board shall be conterminous with their respective terms on the Board of Selectmen.

; or take any other action relating thereto.

ARTICLE 21

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to be added to the Water Enterprise Fund Chemicals and Electricity line items for fiscal year 2017; or take any other action relating thereto.

ARTICLE 22

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum or sums of money to be added to the Town's building capital improvements fund, and/or recreational capital improvements fund, and/or purchase of vehicles and major equipment that qualify as capital purchases fund; or take any other action related thereto.

ARTICLE 23

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to replenish the Finance Committee's Reserve Fund for fiscal year 2017; or take any other action relating thereto.

ARTICLE 24

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

ARTICLE 25

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of money to pay unpaid bills from past fiscal years; or take any other action relating thereto.

And you are hereby directed to serve this Warrant by posting attested copies; one at the Post Office, one at the Town Hall, and one at the Essex Elementary School, in said Essex, fourteen days at least before the time for holding said meeting.

Given under our hand this 18<sup>th</sup> day of October, two thousand sixteen.

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Lisa J. O'Donnell, Chairman

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Susan Gould-Coviello

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David Doane

BOARD OF SELECTMEN  
TOWN OF ESSEX

Return of the Warrant:

Date: \_\_\_\_\_

I have served this warrant by posting attested copies thereof – one at the Post Office; one at the Town Hall; and, one at the Essex Elementary School in said Essex; at least fourteen days before the time for holding said meeting.

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Constable