

TOWN OF BILLERICA

PRELIMINARY WARRANT



**ANNUAL SPRING
TOWN MEETING**

**Annual Spring Town Meeting
Tuesday, June 16, 2020 at 7:00 PM**

At

Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
1	To Set Compensation of Elected Officials			Finance Committee	Reserves Recommendation
2	To Hear Reports of Town Departments, Committees & Officers			Town Manager; authorized by BOS	Reserves Recommendation

Financial Articles

3	To Transfer Funds Between 2020 Budget Line Items	\$2,000,000	Transfer from Available Funds	Town Manager; authorized by BOS	Reserves Recommendation
4	To Fund Collective Bargaining Agreement – IUPE Clerical Unit			Town Manager; authorized by BOS	Reserves Recommendation
5	To Fund Collective Bargaining Agreement – IAFF Firefighters			Town Manager; authorized by BOS	Reserves Recommendation
6	To Fund Collective Bargaining Agreement – SEIU Local 888 Administrative Unit			Town Manager; authorized by BOS	Reserves Recommendation
7	To Fund Collective Bargaining Agreement – IAFF Civilian Fire Alarm Operators			Town Manager; authorized by BOS	Reserves Recommendation
8	To Fund Collective Bargaining Agreement – IAEP Police EMT's and Paramedics			Town Manager; authorized by BOS	Reserves Recommendation
9	To Fund Collective Bargaining Agreement – NEPBA Police Officers – Group (B) Superior Officers			Town Manager; authorized by BOS	Reserves Recommendation
10	To Fund Collective Bargaining Agreement – NEPBA Police Officers – Group (A) Patrolmen			Town Manager; authorized by BOS	Reserves Recommendation
11	To Fund Collective Bargaining Agreement – NEPBA Police Civilian Dispatchers			Town Manager; authorized by BOS	Reserves Recommendation
12	To Fund Collective Bargaining Agreement – School Cafeteria			School Committee	Reserves Recommendation
13	Fiscal Year 2021 Town and School Budget			BOS, Town Manager & Finance Committee	Reserves Recommendation
14	Fiscal Year 2021 Water Enterprise Budget			Town Manager; authorized by BOS	Reserves Recommendation
15	Fiscal Year 2021 Sewer Enterprise Budget			Town Manager; authorized by BOS	Reserves Recommendation
16	To Allow the Town Manager and Finance Committee to Transfer Funds			Finance Committee	Reserves Recommendation
17	To Authorize Departmental Revolving Funds			Town Manager, authorized by BOS & School Committee	Reserves Recommendation
18	To Fund Sidewalk Construction on Nashua Road			Town Manager; authorized by BOS	Reserves Recommendation
19	To Fund the Replacement of Water Mains	\$350,000		Town Manager; authorized by BOS	Reserves Recommendation
20	To Fund the Purchase of Equipment Replacement for the Wastewater Treatment Plant	\$65,000		Town Manager; authorized by BOS	Reserves Recommendation

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
21	To Fund the Replacement of Two Air Blowers for the Wastewater Treatment Plant	\$445,000		Town Manager; authorized by BOS	Reserves Recommendation
22	To Fund Addition to and Remodeling of Howe School	\$7,500,000		Town Manager; authorized by BOS	Reserves Recommendation
23	To Fund Construction of the Peggy Hannon-Rizza Multi-Generational Park and Recreation Complex	\$10,000,000		Town Manager; authorized by BOS	Reserves Recommendation
24	To Fund the Demolition of the Old Ditson and Vining Schools	\$4,000,000		Town Manager; authorized by BOS	Reserves Recommendation
25	To Fund Repairs to Dunham Road and Plank Street by Roadway Betterment	\$2,000,000		Town Manager; authorized by BOS	Reserves Recommendation
26	To Fund Wastewater Plant Improvements	\$3,174,000		Town Manager; authorized by BOS	Reserves Recommendation
27	Howe School Lease			Town Manager; authorized by BOS	Reserves Recommendation
28	Capital Planning Committee Study Funding	\$30,000		Town Manager; authorized by BOS	Reserves Recommendation
29	Purchase of Property on Boston Road	\$1,000,000		Town Manager; authorized by BOS	Reserves Recommendation

Community Preservation Articles

30	Community Preservation Committee Appropriation and Budget Recommendations	\$259,090		Community Preservation Committee	Reserves Recommendation
31	Community Preservation Committee Appropriation and Budget Recommendations (Thomas Talbot Masonic Lodge)	\$800,000		Community Preservation Committee	Reserves Recommendation

Land Donation Article

32	To Accept a Donation of Land on Glad Valley Drive			Town Manager; authorized by BOS	Reserves Recommendation
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Zoning By-Law Article

33	To Change Zoning By-Law			Town Manager; authorized by BOS	Reserves Recommendation
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Petitioner Articles

34	Petitioner Article				Reserves Recommendation
35	Petitioner Article				Reserves Recommendation
36	Petitioner Article				Reserves Recommendation

PRELIMINARY WARRANT
2020 ANNUAL SPRING TOWN MEETING

Middlesex, ss.
To Any Constable in the Town of Billerica

Greetings,

You are hereby authorized and requested to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA on Tuesday, June 16, 2020 at 7:00 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

ARTICLE 1 - TO SET COMPENSATION OF ELECTED OFFICIALS

To see if the Town will vote to fix the compensation of the following six elected officers of the Town and determine any salary increase that shall become effective July 1, 2020; or act in relation thereto.

Selectmen, Chairman - \$2,000
Selectmen, Members - \$1,800
Town Clerk - \$117,910.67; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee has not made final recommendation.

Article 1 Explanation: In accordance with M.G.L. Chapter 41, Section 108, the salary and compensation of all elected officials shall be fixed annually by a vote of Town Meeting.

ARTICLE 2 - TO HEAR REPORTS OF TOWN DEPARTMENTS, COMMITTEES & OFFICERS

To see if the Town will vote to hear and act upon the reports of Town Departments, Committees and Officers; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 2 Explanation: In accordance with M.G.L. Chapter 40, Section 49, this article allows Town Meeting to hear and act upon reports submitted in the FY 2019 Annual Town Report.

ARTICLE 3 - TO TRANSFER FUNDS BETWEEN 2020 BUDGET LINE ITEMS

To see if the Town will vote \$2,000,000 to amend various Fiscal Year 2020 budget line items; or act in relation thereto. to transfer from available funds the sum of

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 3 Explanation: This article is an annual article submitted to transfer money between line items to ensure that all line items are fully funded for the current fiscal year. Due to a high number of acute injuries in the Police and Fire Departments there is a greater need 111F funding.

ARTICLE 4 - TO FUND COLLECTIVE BARGAINING AGREEMENT – IUPE CLERICAL UNIT

To see if the Town will vote to approve the successor Collective Bargaining Agreement between the Town and IUPE Clerical Unit (Independent Union of Public Employees) which has a term of July 1, 2020 through June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 4 Explanation: This is a three year contract with a term of July 1, 2020 through June 30, 2023. It includes a cost of living adjustment of 2.3% in FY 2021, 2.1% in FY 2022 and 2.1% in FY 2023. It also includes five reclassifications of positions based on a Classification Study commissioned by the Town. The first year of the contract has a value of \$41,000. The second and third year will have a value of \$38,000 and \$38,500 respectively.

ARTICLE 5 - TO FUND COLLECTIVE BARGAINING AGREEMENT - IAFF FIREFIGHTERS

To see if the Town will vote to approve the successor Collective Bargaining Agreement between the Town and IAFF Firefighters (International Association of Firefighters) which has a term of July 1, 2020 through June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 5 Explanation: This is a three year contract with a term of July 1, 2020 through June 30, 2023. It includes a cost of living adjustment of 2.3% in FY 2021, 2.1% in FY 2022 and 2.1 % in FY 2023. It also

includes an increase to the Fire Detail pay rate. Educational incentives were also adjusted and language was added to suspend educational incentives for those Firefighters that discontinue their educational pursuits. Language was also added to allow the Fire Chief to create specialty positions. The first year of the contract has a value of \$157,000. The second and third year will have a value of \$147,000 and \$150,000 respectively.

ARTICLE 6 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SEIU LOCAL 888 ADMINISTRATIVE UNIT

To see if the Town will vote to raise and appropriate the sum of \$60,000 to fund the first year of the successor Collective Bargaining Agreement between the Town and SEIU Local 888 Administrative Unit (Service Employees International Union) which has a term of July 1, 2020 through June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 6 Explanation: This is a three year contract with a term of July 1, 2020 through June 30, 2023. It includes a cost of living adjustment of 2.3% in FY 2021, 2.1% in FY 2022 and 2.1 % in FY 2023. Junior Civil Engineers were added to this Collective Bargaining Unit. The probationary period was extended. This contract also included seven position reclassifications based on a Town commissioned Classification Study. The second and third year will have a value of \$56,000 and \$57,000 respectively.

ARTICLE 7 - TO FUND COLLECTIVE BARGAINING AGREEMENT – IAFF CIVILIAN FIRE ALARM OPERATORS

To see if the Town will vote to raise and appropriate the sum of \$6,500 to fund the first year of the successor Collective Bargaining Agreement between the Town and the successor Collective Bargaining Agreement between the Town and IAFF Civilian Fire Alarm Operators which has a term of July 1, 2020 through June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 7 Explanation: This is a three year contract with a term of July 1, 2020 through June 30, 2023. It includes a cost of living adjustment of 2.3% in FY 2021, 2.1% in FY 2022 and 2.1 % in FY 2023. The second and third year will have a value of \$6,000 and \$6,000 respectively.

ARTICLE 8 - TO FUND COLLECTIVE BARGAINING AGREEMENT – IAEP POLICE EMT'S AND PARAMEDICS

To see if the Town will vote to raise and appropriate a certain sum to fund the first year of the successor Collective Bargaining Agreement between the Town and the IAEP Police EMT's and Paramedics which has a term of July 1, 2020 through June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 8 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 9 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (B) SUPERIOR OFFICERS

To see if the Town will vote to raise and appropriate a certain sum to fund the first year of the successor Collective Bargaining Agreement between the Town and the NEPBA Police Officers Group (B) Superior Officers which has a term of July 1, 2020 through June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 9 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 10 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE OFFICERS - GROUP (A) PATROLMEN

To see if the Town will vote to raise and appropriate a certain sum to fund the first year of the successor Collective Bargaining Agreement between the Town and the NEPBA Police Officers Group (A) Patrolmen which has a term of July 1, 2020 through June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 10 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 11 - TO FUND COLLECTIVE BARGAINING AGREEMENT - NEPBA POLICE CIVILIAN DISPATCHERS

To see if the Town will vote to raise and appropriate a certain sum to fund the first year of the successor Collective Bargaining Agreement between the Town and the NEPBA Police Civilian Dispatchers which has a term of July 1, 2020 through June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 11 Explanation: At the time of printing, there was no Collective Bargaining Agreement.

ARTICLE 12 - TO FUND COLLECTIVE BARGAINING AGREEMENT – SCHOOL CAFETERIA

To see if the Town will vote to raise and appropriate or transfer from available funds a sum to fund the Collective Bargaining Agreement between the Billerica School Committee and the American Federation of State, County and Municipal Employees, AFL-CIO, Council 93, Local 2747, Cafeteria Employees; or act in relation thereto.

Submitted by Billerica School Committee

Finance Committee has not made final recommendation.

Article 12 Explanation:

ARTICLE 13 - FISCAL YEAR 2021 TOWN AND SCHOOL BUDGET

To see if the Town will vote to adopt, pursuant to Article 5 of the Billerica Home Rule Charter, the following proposed line item budget for fiscal year beginning July 1, 2020 and ending June 30, 2021. It is anticipated that \$200,000 will be transferred from the Hallenborg Rink Fund to fund a portion of the Debt Service Budget.

This budget was produced under the direction of the Board of Selectmen and represents a complete financial plan of all Town funds and activities that are subject to appropriation, including the budget as requested by the School Committee (Department Account #300-5100 - #300-5800) and provisions for a Reserve Fund (Account #13170-7063) administered by the Finance Committee.

The line item budget is arranged to show the actual expenditures for the current year and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office.

The following budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee; or act in relation thereto.

Submitted by the Board of Selectmen, Town Manager and Finance Committee

Finance Committee has not yet made final recommendation.

Article 13 Explanation: The detailed budget presentation will be available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE 14 - FISCAL YEAR 2021 WATER ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate a sum of money to operate the Water Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2020 and ending June 30, 2021; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not yet made final recommendation.

Article 14 Explanation: This is a Water Enterprise Budget as voted pursuant to Article 29 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line item budget is arranged to show the actual expenditures for the prior fiscal years and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE 15 - FISCAL YEAR 2021 SEWER ENTERPRISE BUDGET

To see if the Town will vote to raise and appropriate a sum of money to operate the Sewer Enterprise Fund pursuant to M.G.L. Chapter 44 Section 53 F ½ for the fiscal year beginning July 1, 2020 and ending June 30, 2023; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee recommends approval.

Article 15 Explanation: This is a Waste Water Enterprise Budget as voted pursuant to Article 30 of the October 2015 Annual Fall Town Meeting. This budget will be funded by general tax revenue and water user fees. The line item budget is arranged to show the actual expenditures for the prior years and the proposed budget for the ensuing fiscal year. It is summarized by Town agency, function and/or program including any proposed capital expenditures. The preceding budget, when considered by the Town Meeting shall first be subject to amendment, if any, as may be proposed by the Finance Committee. The Town Manager's detailed budget and all explanatory information are available to the Town Meeting Representatives and the general public for inspection in the Town Manager's Office, the Public Library and the Town Clerk's Office. This information is also available in the Town Meeting Book and on the Town Manager's Page: <http://www.town.billerica.ma.us/365/Budget-Information>.

ARTICLE 16 - TO ALLOW THE TOWN MANAGER AND FINANCE COMMITTEE TO TRANSFER FUNDS

To see if the Town will vote to allow the Town Manager, upon request of a Department Head, Board or Commission, to make a transfer of funds between budget line items not-to-exceed a difference of \$5,000 from the amount voted at Town Meeting per line item for Fiscal Year 2021, with the exclusion of travel accounts, within the same department. Transfers within department line items in excess of \$5,000 for Fiscal Year 2021 must be approved by the Finance Committee. A written report from the Town Manager on all transfers of \$5,000 and under must be provided to the Finance Committee on the first Tuesday of each month; or act in relation thereto.

Submitted by the Finance Committee

Finance Committee recommends approval.

Article 16 Explanation: This article gives the Town Manager the authority to transfer funds between budget line items within a particular department, not-to-exceed \$5,000 per fiscal year. If the amount exceeds \$5,000, the article gives the authority to make such a transfer with the Finance Committee's approval.

ARTICLE 17 - TO AUTHORIZE DEPARTMENTAL REVOLVING FUNDS

To see if the Town will vote pursuant to the provisions of M.G.L. Chapter 44, Subsection 53E1/2, as most recently amended, to set Fiscal Year 2021 spending limits for revolving funds as follows:

<u>REVOLVING FUND</u>	<u>FY 2021 SPENDING LIMIT</u>
Animal Control	\$5,000
Inspectional Service Emergency Overtime	\$5,000
Wetlands By-Law	\$30,000
C.O.A. Programs	\$100,000
BEAM Program	\$2,000,000
Respite Care	\$120,000
Flu Shot Program	\$15,000

Or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen and Billerica School Committee

Finance Committee recommends approval.

Article 17 Explanation: Revolving Funds are allowed under M.G.L. Chapter 44, Section 53E ½ and must be established by By-Law. Under the statute, as most recently amended, Town Meeting must authorize the funding limit of Revolving Funds each year.

ARTICLE 18 - TO FUND SIDEWALK CONSTRUCTION ON NASHUA ROAD

To see if the Town will vote to transfer and appropriate the sum of \$128,610 from sidewalk mitigation proceeds to be used for sidewalk improvements on Nashua Road; or act in relation thereto.

Submitted by the Planning Board and the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 18 Explanation: Town Meeting voted in the Fall of 2019 to fund roadway improvements on Nashua Road. This article will partially fund some needed improvements for sidewalks on Nashua Road.

ARTICLE 19 - TO FUND THE REPLACEMENT OF WATER MAINS

To see if the Town will vote to transfer from the Water Enterprise Fund the sum of \$350,000 for the Replacement of Water Mains; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 19 Explanation: The work will focus on water mains that have frequent breaks and areas with poor fire flow. The Town had completed a Water Distribution System Master Plan that recommends \$2.5 million per year be spent on water distribution improvements and water main replacement.

ARTICLE 20 - TO FUND THE PURCHASE OF EQUIPMENT REPLACEMENT FOR THE WASTEWATER TREATMENT PLANT

To see if the Town will vote to appropriate the sum of \$65,000 for two pickup trucks; or act in relation thereto.

Replace 2008 F250 Pickup \$65,000 Sewer Plant Expansion Funds

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 20 Explanation: To replace a 2008 F250 pickup truck for the Wastewater Treatment Plant.

ARTICLE 21 - TO FUND THE REPLACEMENT OF TWO AIR BLOWERS FOR THE WASTEWATER TREATMENT PLANT

To see if the Town will vote to appropriate a sum of \$445,000 from Plant Expansion Funds for the replacement of a Turbo blower at the Wastewater Treatment Plant; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 21 Explanation: This article removes two old 1989 blowers and installs one new Turbo blower. In 2010 we removed two blowers and replaced them with two High Speed Turbo blowers. Due to the age and availability of parts, we need to replace them to prevent failures at the plant.

ARTICLE 22 - TO FUND ADDITION TO AND REMODELING OF HOWE SCHOOL

To see if the Town will appropriate a sum of money to pay costs of designing, constructing an addition, remodeling and equipping the historic Howe School, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; or act in relation thereto.

MOTION:

That the Town appropriates \$7,500,000 to pay costs of designing, constructing an addition, remodeling and equipping the historic Howe School, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), M.G.L. c. 44B (the Community Preservation Act), or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 22 Explanation:

ARTICLE 23 - TO FUND CONSTRUCTION OF THE PEGGY HANNON-RIZZA MULTI-GENERATIONAL PARK AND RECREATION COMPLEX

To see if the Town will appropriate a sum of money to pay costs of designing, constructing, remodeling and equipping the Peggy Hannon-Rizza Multi-Generational Park and Recreational Complex, which project shall include, among other elements, turf fields, softball fields, pavilion, parking, community space, restrooms and concessions, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; or act in relation thereto.

MOTION:

That the Town appropriates \$10,000,000 to pay costs of designing, constructing, remodeling and equipping the Peggy Hannon-Rizza Multi-Generational Park and Recreational Complex, which project shall include, among other elements, turf fields, softball fields, pavilion, parking, community space, restrooms and concessions, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), M.G.L. c. 44B (the Community Preservation Act), or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 23 Explanation:

ARTICLE 24 - TO FUND THE DEMOLITION OF THE OLD DITSON AND VINING SCHOOLS

To see if the Town will appropriate a sum of money to pay costs of demolishing the Old Ditson and Vining Schools, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; or act in relation thereto.

MOTION:

That the Town appropriates \$4,000,000 to pay costs of demolishing the Old Ditson and Vining Schools, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 24 Explanation:

ARTICLE 25 - TO FUND REPAIRS TO DUNHAM ROAD AND PLANK STREET BY ROADWAY BETTERMENT

To see if the Town will appropriate a sum of money to pay costs of making repairs to Dunham Road and Plank Street, each of which is a private way located within the Middlesex Corporate Park, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; or act in relation thereto.

MOTION:

That the Town appropriates \$2,000,000 to pay costs of making repairs to Dunham Road and Plank Street, each of which is a private way located within the Middlesex Corporate Park, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor. To repay any borrowing authorized by this vote, betterments shall be assessed by the Town upon dependent lot owners within the Middlesex Corporate Park subdivision pursuant to Article IV, Section 7 of the General By-Laws of the Town. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 25 Explanation:

ARTICLE 26 - TO FUND WASTEWATER PLANT IMPROVEMENTS

To see if the Town will vote to appropriate a sum of money from the Massachusetts Clean Water Trust for construction and improvements at the Wastewater Treatment Plant; or act in relation thereto.

Vote

Voted: That \$ 3,174,000 is appropriated for the purpose of financing the construction of the Wastewater Treatment Plant. The construction upgrade includes the following:

- Sodium hypochlorite and sodium bisulfite tank replacements
- Plant-wide emergency generator (includes upgrades to service entrance and main switchboard)
- New Operations Building
- Permanent Town water connection to the plant water pumps
- Administration Building renovations (lab counters, cabinets, hood upgrades, upgrades to floors, bathrooms, etc.)
- Adding overhead doors and man doors to secure the Compost Building
- HVAC improvements to Tertiary MCC room to alleviate VFD failures
- Drain system for the post-aeration tank
- Salem Road PS Upgrades (structural, electrical, instrumentation, mechanical, generator upgrades)
- Waterview PS Upgrades (replace parts for the existing ejector stations)
- Darby PS (structural and mechanical upgrades)

The work including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that to meet this appropriation the Treasurer with the approval of the Selectmen is authorized to borrow \$3,174,000 and issue bonds or notes therefore under (Chapter 44 of the General Laws or insert reference to other applicable general or special law governing the issuance of local bonds) and/or Chapter 29C of the General Laws, as most recently amended by St. 1998, c.78; that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Selectmen determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c.78; that the Treasurer with the approval of the Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C, as most recently amended by St. 1998, c.78; and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the (Board of Selectmen, Board of Public Works or other appropriate local body or official) is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 26 Explanation: This project was funded at Spring Town Meeting 2019 under Article 27 for \$9,005,000. The project went out to bid and the result and total project cost was above the amount that was appropriated by Town Meeting.

Miscellaneous Allowance	\$50,000.00
Construction Administration	\$1,052,000.00
Average lowest 3 bidders	\$10,550,000.00
5% Contingency	\$527,500.00
Total Project cost	\$12,179,500.00
Article 27 STM 2019	\$9,005,000.00
Project Shortfall	\$3,174,500.00

ARTICLE 27 – HOWE SCHOOL LEASE

To see if the Town will vote authorize the Board of Selectmen to enter into a lease for the reuse of all or a portion of the property and building constituting the former Howe School, located at 390 Boston Road, for a period in excess of three years, said lease to be undertaken in accordance with the provisions of G.L. c. 30B, sec. 16; and further to authorize the Board of Selectmen to execute such documents and enter into such agreements as it deems in the best interest of the Town in the furtherance of the objectives of this article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 27 Explanation:

This is necessary to allow the Town to do an RFP for the Leasing of the Howe School for Town related services.

ARTICLE 28 – TO FUND THE CAPITAL PLANNING COMMITTEE STUDY

To see if the Town will vote to raise an appropriate the sum of \$30,000 to fund the capital planning committee study; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 28 Explanation:**ARTICLE 29 – TO PURCHASE THE PROPERTY ON BOSTON ROAD**

To see if the Town will vote to authorize the Board of Selectmen to purchase a section of 367 Boston Road as identified in the Billerica Engineering Document titled “367 Boston Road Parking” dated April ... for an amount not to exceed \$90,000 and to transfer from available funds, raise and appropriate or borrow funds necessary to purchase said property; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 29 Explanation:

ARTICLE 30 - COMMUNITY PRESERVATION COMMITTEE APPROPRIATION AND BUDGET RECOMMENDATIONS (LIBRARY/KATIE DURAND MEMORIAL PARK, SHERIDAN STREET, ETC.)

To determine whether the Town will vote to raise and appropriate, or transfer from available funds, the sum of **\$925,000**, or any other sum, from the Billerica Community Preservation Fund, of which **\$585,000** shall remain in the undesignated fund balance as of **June 30, 2020**; up to **\$90,000** shall be appropriated to Community Housing; up to **\$90,000** shall be appropriated to the Open Space/Recreation Projects; up to **\$6,090** shall be appropriated for Historic Preservation Projects; up to \$83,910 shall be reserved for Historic Preservation Projects; up to \$25,000 shall be appropriated from Open Space/Recreation Special Reserve Fund Balance; and up to \$45,000 shall be appropriated from projected FY21 Fund Revenues, in accordance with Massachusetts General Laws c. 44B, to be expended under the direction of the Town Manager as follows; or act in relation thereto.

This article seeks to authorize the Board of Selectmen to acquire any interests in land that may be necessary to effectuate the purposes of this vote, or to grant any interests in land as may be necessary to comply with G.L. c.44B; and further, to authorize the Board of Selectmen to execute any documents or instruments necessary to effectuate the purpose of this Article; all in accordance with Massachusetts General Laws c. 44B or other applicable law; with sums appropriated hereunder to be expended under the direction of the Town Manager; or act in relation thereto.

Item	Project/Description	Category					Total Amount Recommended
		Housing	Open Space and Recreation	Historic Preservation	FY21 Appropriation	CPA Fund Balance	
A	Billerica Public Library – Purchase of Archival Furniture and Supplies			\$6,090			\$6,090
<p><i>The Billerica Public Library’s local history collection is quite extensive containing many rare and historical items including documents, maps, pamphlets, works of art and other artifacts, and books. The collection has overflowed the Local History Room at the Library and many items are stored in locations that are not archivally optimal. Based on the Preservation Needs Assessment done by Northeast Document Conservation Center and funded by the CPC, the Library is asking for funds to purchase archival and preservation supplies and furniture. The supplies and furniture will aid in the preservation of the library collection by appropriately housing or rehousing the collection in protective enclosures and then storing them in proper archival furniture making these items safely available to the public.</i></p>							
B1	Katie Durand Memorial Park/Carter Ave.		\$75,000				\$75,000
<p><i>The Town of Billerica voted at Spring 2018 Town Meeting to purchase 8 Carter Avenue and an adjoining parcel located on the Concord River in the care and custody of the Conservation Commission. Those parcels were for preservation, restoration and passive recreation purposes. The Commission would like to request funding to implement the goals of Town Meeting by designing and constructing a multi-use project that could include picnic tables, canoe/kayak access, small parking lot for visitors, and a memorial pollinator (butterfly) garden honoring Katie Durand, former Conservation Assistant. This project will use CPA funding to maximize the land already owned by the Town and aligns well with the goals outlined in the CPC Plan and Town’s Open Space and Recreation Plan.</i></p>							

Item	Project/Description	Housing	Open Space and Recreation	Historic Preservation	FY21 Appropriation	CPA Fund Balance	Total Amount Recommended
B2	Sheridan St. / River Access		\$40,000				\$40,000
<p><i>The Town through its Conservation Commission owns multiple parcels located at the end of Sheridan Street, and these parcels can offer access to the Shawsheen River. Access in this location requires the design and construction of a boardwalk, small parking area and educational signage for the public and residents using either canoes or kayak can put-in their at the correct location to maintain and preserve Conservation land supporting wetland resource areas including forested riparian/Riverfront Area, floodplain and Buffer Zone. Providing additional river access to the Shawsheen River encourages educational opportunities and a higher quality of life for residents. This project will use CPA funding to maximize the land already owned by the Town and aligns well with the goals outlined in the CPC Plan.</i></p>							
C1	Community Housing	\$90,000					
<p><i>Reserved funds for community housing allocated to the Billerica Affordable Housing Trust.</i></p>							
E1	Staff and Technical Support				\$45,000		\$45,000
					\$45,000		\$256,090

This article authorizes the appropriation of funds from the Community Preservation Fund for the completion of specific projects as listed in the above chart and allowed under the Community Preservation Act. These projects will expend a total of **\$115,000** for Open Space/Recreation, **\$6,090** for Historic Preservation, and will reserve **\$90,000** for Community Housing, and will expend **\$45,000** for Administration. Town Meeting may reduce or reject but may not increase the appropriation from the Community Preservation Fund for any item proposed by the Committee.

Submitted by the Community Preservation Committee

Finance Committee has not made final recommendation.

Article 30 Explanation: The Community Preservation Committee received applications for projects to use funds within the Community Preservation Fund, and the five projects described above will be recommended to Town Meeting for approval.

ARTICLE 31 - COMMUNITY PRESERVATION COMMITTEE APPROPRIATION AND BUDGET RECOMMENDATIONS (THOMAS TALBOT MASONIC LODGE)

To determine whether the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$800,000, or any other sum, from the Billerica Community Preservation Fund.

This article seeks to authorize the Board of Selectmen to acquire any interests in land that may be necessary to effectuate the purposes of this vote, or to grant any interests in land as may be necessary to comply with G.L. c.44B; and further, to authorize the Board of Selectmen to execute any documents or instruments necessary to effectuate the purpose of this Article; all in accordance with Massachusetts General Laws c. 44B or other applicable law; with sums appropriated hereunder to be expended under the direction of the Town Manager; or act in relation thereto.

Item	Project/Description	Category					Total Amount Recommended
		Housing	Open Space and Recreation	Historic Preservation	FY21 Appropriation	CPA Fund Balance	
A	Purchase of the Thomas Talbot Lodge/Masonic Hall					\$800,000	\$800,000
<p><i>The Billerica Historic Commission seeks for the Town to purchase the Masonic Hall, located in the center of Town at 11 Concord Rd. with the use of CPA funds. Any remaining funds would be allocated to renovate and restore eligible items of immediate concern.</i></p>							

This article authorizes the appropriation of funds from the Community Preservation Fund for the completion of specific project as listed in the above chart and allowed under the Community Preservation Act. This project will expend a total of \$800,000 for Historic Preservation. Town Meeting may reduce or reject but may not increase the appropriation from the Community Preservation Fund for any item proposed by the Committee.

Submitted by the Community Preservation Committee

Finance Committee has not made final recommendation.

Article 31 Explanation: The Community Preservation Committee receives applications for projects to use funds within the Community Preservation Fund, and the project above will be recommended to Town Meeting for approval.

ARTICLE 32 - TO ACCEPT A DONATION OF LAND ON GLAD VALLEY DRIVE

To see if the Town will vote to accept a donation of land on Glad Valley Drive (Map 70, Parcel 66-7) as recorded in Deed Book 33228, page 253 and identified as Lot 7 in Plan Book 242, page 132; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 32 Explanation: To accept a donation of land on Glad Valley Drive.

DRAFT

ARTICLE 33 - TO CHANGE ZONING BY-LAW

To see if the Town will vote to close a loophole that allows for the subdivision of land based on subdivision control law and not the minimum requirements stipulated in 7.L – Dimensional Table.

EXISTING: Section 5.C.4**4. MULTI-FAMILY RESIDENCE DISTRICT****a. AGRICULTURAL USES**

- (1) By right:
 - (a) Agriculture on a parcel that is more than five acres
 - (b) Facility for the sale of agricultural, floricultural, horticultural, or viticulture produce, so long as the facility is located on a parcel of land that is more than five acres and the majority of the produce sold has been produced by the owner or lessor of the land on which the facility is located.
 - (c) Floriculture on a parcel that is more than five acres
 - (d) Forestry on a parcel that is more than five acres
 - (e) Horticulture on a parcel that is more than five acres
 - (f) Viticulture on a parcel that is more than five acres

PROPOSED CHANGE: Section 5.C.4**4. MULTI-FAMILY RESIDENCE DISTRICT**

ADD: Unless stipulated otherwise Table 7.L –Dimensional Table, Village Residence District, shall govern all dimensional requirements.

a. AGRICULTURAL USES

- (1) By right:
 - (a) Agriculture on a parcel that is more than five acres
 - (b) Facility for the sale of agricultural, floricultural, horticultural, or viticulture produce, so long as the facility is located on a parcel of land that is more than five acres and the majority of the produce sold has been produced by the owner or lessor of the land on which the facility is located.
 - (c) Floriculture on a parcel that is more than five acres
 - (d) Forestry on a parcel that is more than five acres
 - (e) Horticulture on a parcel that is more than five acres
 - (f) Viticulture on a parcel that is more than five acres

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee has not made final recommendation.

Article 33 Explanation:

ARTICLE 34 - PETITIONER ARTICLE

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court of the Commonwealth of Massachusetts to enact a special act amending the Town Charter to change the name of the Board of Selectmen to Select Board to exhibit gender neutrality; or act in relation thereto.

Submitted by Al Ramos and Messrs. Johnson, Harrington, Deslaurier, Burns, Allain, Giroux, Conway and Madames Conway, Favreau, Ramos and Ramos.

Finance Committee has not made final recommendation.

DRAFT

ARTICLE 35 - PETITIONER ARTICLE

To see if the Town will vote to amend the Table of Contents of the Zoning By-Laws to add new Section 5.E.11: ELDERLY COMMUNITY OVERLAY DISTRICT (ECOD).

The Table of Use Regulations of the Zoning By-Laws, (Section 5.F) shall be amended by adding to the District Abbreviations under the Overlay category: "ECOD-Elderly Community Overlay District;" and by adding ECOD to the Overlay table grid under "RESIDENTIAL USES"- "Elderly Housing" as a use permitted by Special Permit from the Planning Board (SA).

To see if the Town will vote to amend the Zoning Bylaws by creating new Section 5.E.11 as follows:

5.E.11 ELDERLY COMMUNITY OVERLAY DISTRICT

- a. All uses permitted by right or by special permit in the underlying districts are permitted by right or by special permit in the Elderly Community Overlay District.
- b. In addition, the following RESIDENTIAL uses are permitted:
 - (1) By right:
 - (a) Accessory residential uses
 - (2) By special permit from the Planning Board:
 - (a) Elderly housing for purposes of providing people over sixty-five (65) years of age the opportunity to live in a development designed specifically for their needs and equipped with the appropriate amenities.

Requirements for Use:

OVERLAY APPLICATION

- The Elderly Community Overlay District may be applied to the Village Residence, Neighborhood Residence, Rural Residence, Neighborhood Business, and General Business Districts.

AREA AND FRONTAGE

- The site shall have not less than four (4) contiguous acres of land and not less than 150 feet of frontage.

YARDS

- On each site, there shall be provided a minimum setback of 35 feet from the front lot line, a minimum setback of 30 feet from each of the side lot lines, and a minimum setback of 30 feet from the rear lot lines.
- If an Elderly Community Overlay District development abuts a single-family development, the side and rear setbacks shall be increased to 85 feet, of which 25 feet shall be retained in its natural wooded state or landscaped along the perimeter of the site abutting the single

family development. In all cases, a landscaped buffer strip shall be provided so as to protect adjoining properties from the effects of noise, lights, air or visual impact.

- There shall be no structures, retaining walls, covered or uncovered porches, steps or paving within the lot line setbacks.

GREEN STRIPS

- A 25 foot wide green strip shall be provided around the perimeter of the tract, except in the location of curb cuts.
- Green strips shall consist of planted or natural vegetation, including trees, shrubs, grasses, ground cover and flowers.
- The green strip shall not be built on, paved or parked on.
- A 15 foot green strip shall be provided around the perimeter of residential buildings. Sidewalks and entry accesses may be included within this green strip.

HEIGHT

- Buildings and structures shall not exceed four (4) stories including a ground level garage and/or common area and three stories of residential units, or be more than forty (40) feet in height, provided that no living quarters shall be located below the mean finished grade of the ground adjoining the building.

DENSITY

- A maximum of 16 units per acre shall be permitted
- The area used in the calculation shall not include any bordering vegetative wetlands defined by M.G.L., Ch, 131, § 40 and by 310 CMR 10.00 or any flood plain as described in this Zoning By-Law.

- **DENSITY INCENTIVE**

In addition to the density allowed under this subsection, densities may be increased by 20% if at least half of the additional units created are affordable as defined by Section 2 of this by-law under the entry "Affordable Housing Unit." (As an example: If you can build 10 dwelling units by right or special permit, then you could build twelve (12) if one (1) of the additional two (2) units is affordable. In cases where 10% affordable is required, you would end up providing 2 affordable units and 10 market units.

SEWER AND WATER

- All sites must be served by the Town water systems.
- All sites must be served by an existing Town sewer, or by an extension of an existing Town sewer line approved by the Department of Public Works, or by a private septic system approved by the Board of Health.
- Installation of any new sewer line extension shall be the financial responsibility of the developer and will be installed in accordance with the specifications provided by the Department of Public Works. Said extension shall be so laid out to serve any residence it passes.

PARKING

- There shall be a minimum of 1 1/2 parking spaces per dwelling unit.

- A minimum of 50% of the dwelling units shall have garages, or parking within a building.
- Parking spaces within garages or within buildings shall count towards the 1 1/2 parking spaces per dwelling unit requirement.

ADDITIONAL REQUIREMENTS

- Each dwelling unit shall have no more than two bedrooms and all exterior and interior doorways shall be appropriately wide for wheelchair access, following the applicable codes and guidelines.
- Buildings shall not cover more than 30% of the site.
- At least 40% of the site shall be maintained as green space as required by the Zoning By-Law.
- There shall be a minimum distance of 40 feet between two residential buildings or groups of residential buildings on the same site. The distance between two buildings may be reduced to 25 feet if the design incorporates the preservation of an historic building.
- Swimming pools or any other structure, other than a dwelling, garages, community building, and all accessory structures that are part of an elderly community development shall comply with the green strip, setback, and parking requirements of the Zoning By-Law.
- A community building for meetings and social activities of the residents shall be permitted, but shall not exceed 2,000 square feet of gross floor area.

DEED RESTRICTIONS

- Deed restrictions shall be placed on the entire site and shall be referenced in all unit deeds and leases, requiring that all residents, with the exception of spouses and/or caregivers, shall have reached the age of 65. These restrictions shall be reviewed by Town Counsel for acceptance. The cost of such review shall be the responsibility of the applicant.

FIRE LANES

- The fire lane space shall be vacant between a building and a line parallel to and 15 feet equidistant from a building. Fire lanes and emergency vehicle access shall be approved by the Chief of the Billerica Fire Department.

ACCESS ROADS

- All access roads shall be built in accordance with design specifications of the Town's Department of Public Works.

AFFORDABLE HOUSING COMPONENT

- Fifteen (15) percent of the units created under these provisions shall be affordable as defined by Section 2 of this by-law under the entry "Affordable Housing Unit." The Billerica Housing Authority is exempt from this requirement because the units under their control are categorically affordable.

As an alternative to the above requirement, and as allowed by law, the Planning Board may require an applicant to contribute a fee per unit to the Town of Billerica to be used for the

development of affordable housing in lieu of or in conjunction with constructing and offering affordable units within the locus of the proposed development. The fee per unit shall be based upon the calculation of the fair market price of the unit minus the construction cost of the unit or the construction cost of the unit or the construction cost, which is greater. Payment of this fee may be made in one-third installments over the projected build-out of the development with the final payment to be made before the last unit is sold.

REQUIRED FINDINGS:

- The use complies with the site plan approval requirements of the Zoning By-Law.
- The requested use is desirable to the public convenience or welfare.
- The requested use provides for the convenience and safety of vehicular and pedestrian movement within the site, especially affecting the elderly, and in relation to adjacent streets, property, and improvements.
- The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
- The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the public health, convenience, or welfare.
- The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood in which it is proposed to be constructed.
- The design and architectural treatment of the use is not incongruous or inappropriate to the character of the neighborhood in which it is proposed to be constructed.
- There is an adequate landscape buffer strip provided to protect adjoining properties from the effects of noise, lights, air, or visual impact.
- No building or access facilities shall be placed on any portion of the land determined by the Board of Health to be unsuitable for such construction.

The Table of Contents of the Zoning Bylaws shall be amended to add new Section 5.E.11:
ELDERLY COMMUNITY OVERLAY DISTRICT (ECOD)

The Table of Use Regulations of the Zoning Bylaws, (Section 5.F) shall be amended by adding to the District Abbreviations under the Overlay category: “ECOD-Elderly Community Overlay District;” and by adding ECOD to the Overlay table grid under “RESIDENTIAL USES”-“Elderly Housing” as a use permitted by Special Permit from the Planning Board (SA).

Submitted by Stephen J. Lentine and Messrs. Lentine, Hughes, Witala, Zuccaro, Mangie, Lentine, McConnon and Madames Lentine, Hughes, Knickle, O’Brien and Lentine-McConnon.

Finance Committee has not made final recommendation.

ARTICLE 36 - PETITIONER ARTICLE

To see if the Town will vote to amend the Zoning By-Laws and Zoning Map by overlaying the Elderly Community Overlay District on the Rural Residence zoned land owned The Estate of Jessie G. Merritt, identified as Billerica Assessor's Map 38, Parcel 2-0, having a present street addresses of 120 Rangeway Road, Billerica and shown on the attached perimeter plan entitled, "Rezoning Plan, 120 Rangeway Road, Billerica, MA, dated March 11, 2020," bonded and described as follows:

See Exhibit A attached hereto and incorporated herein for legal description.

EXHIBIT A**OVERLAY ZONING ARTICLE
120 RANGEWAY ROAD
BILLERICA, MA**

Beginning at the southeasterly corner; thence S 55°37'50" W a distance of 336.95'; thence N 39°57'13" W a distance of 22.56'; thence N 48°56'17" W a distance of 9.95'; thence N 39°19'46" W a distance of 50.77'; thence N 40°32'46" W a distance of 197.08'; thence N 40°53'03" W a distance of 202.47'; thence N 41°01'41" W a distance of 27.17'; thence N 65°47'41" E a distance of 500.69'; thence S 19°42'14" E a distance of 54.44'; thence S 25°43'53" E a distance of 42.28'; thence S 26°39'17" E a distance of 118.43'; thence S 13°03'48" E a distance of 45.60'; thence S 18°05'16" E a distance of 60.93';

thence S 18°37'10" E a distance of 109.71'; which is the point of beginning, having an area of 194,774+- square feet, 4.47+- acres.

Submitted by Stephen J. Lentine and Messrs. Lentine, Witala, Zuccaro, Mangie, Lentine, McConnon and Madames Lentine, Knickle, O'Brien and Lentine-McConnon.

Finance Committee has not made final recommendation.

DRAFT