

ANNUAL TOWN REPORT



CHELMSFORD CENTER MONUMENT, DECORATION DAY, MAY 30, 1900.

CHELMSFORD

1998



TABLE OF CONTENTS

GENERAL INFORMATION.....	3
INFORMATION	3
PHONE DIRECTORY	4
ELECTED OFFICIALS.....	5
TOWN OFFICIALS	6
BALANCE SHEET	7
TOWN MEETING REPRESENTATIVES.....	8
TOWN OFFICES.....	11
BOARD OF SELECTMAN	11
TOWN MANAGER	12
ACCOUNTING DEPARTMENT.....	13
BOARD OF ASSESSORS	13
BOARD OF HEALTH	14
BOARD OF REGISTRARS.....	16
INSPECTIONS DEPARTMENT.....	16
MIS DEPARTMENT.....	17
OFFICE OF EMERGENCY MANAGEMENT.....	17
PERSONNEL BOARD.....	18
PUBLIC LIBRARY.....	18
RECREATION COMMISSION.....	20
RECYCLING COMMITTEE.....	21
SEWER COMMISSION.....	21
TOWN CLERK	23
TREASURER/TAX COLLECTOR.....	24
PUBLIC SAFETY	25
POLICE DEPARTMENT.....	25
AUXILIARY POLICE REPORT	29
FIRE DEPARTMENT.....	29
FIRE DEPARTMENT ROSTER	30
FIRE DEPARTMENT CALLS	31
OFFICE OF THE DOG OFFICER.....	32
DEPARTMENT OF PUBLIC WORKS.....	33
ENGINEERING DIVISION	33
HIGHWAY DIVISION:	34
PUBLIC BUILDINGS.....	35
PARKS DIVISION.....	35
SEWER DIVISION	36
EDUCATION.....	37
SCHOOL COMMITTEE	37
ASSISTANT SUPERINTENDENT FOR CURRICULUM AND INSTRUCTION.....	39
NASHOBA VALLEY TECHNICAL HIGH SCHOOL	40

TOWN COMMITTEES AND COMMISSIONS	42
ARTS & TECHNOLOGY EDUCATION FUND.....	42
BOARD OF APPEALS	42
CELEBRATIONS COMMITTEE.....	44
CEMETERY COMMISSION.....	44
COMMUNITY SERVICES COUNCIL.....	45
CONSERVATION COMMISSION	45
COUNCIL ON AGING	46
CULTURAL COUNCIL	47
FINANCE COMMITTEE.....	48
HISTORIC DISTRICT COMMISSION.....	48
HOLIDAY DECORATING COMMITTEE.....	49
HOUSING AUTHORITY	50
PLANNING BOARD.....	50
VETERANS' EMERGENCY FUND	53
VETERANS' EMERGENCY FUND COMMITTEE	53
VETERANS' SERVICES	54
TOWN MEETINGS AND ELECTIONS	55
WARRANT FOR THE ANNUAL TOWN ELECTION APRIL 7, 1998 AND TOWN MEETING APRIL 27, 1998	55
WARRANT FOR SPECIAL TOWN MEETING APRIL 27, 1998	56
TOWN ELECTION APRIL 7, 1998	56
ANNUAL TOWN MEETING APRIL 27, 1998	59
SPECIAL TOWN MEETING APRIL 27, 1998	60
ADJOURNED ANNUAL TOWN MEETING APRIL 30, 1998.....	67
WARRANT FOR STATE PRIMARIES SEPTEMBER 15, 1998.....	73
DEMOCRATIC STATE PRIMARY SEPTEMBER 15, 1998	74
REPUBLICAN STATE PRIMARY - SEPTEMBER 15, 1998	76
REFORM STATE PRIMARY - SEPTEMBER 15, 1998	77
WARRANT FOR ANNUAL TOWN MEETING OCTOBER 19, 1998	79
ANNUAL FALL TOWN MEETING OCTOBER 19, 1998	79
ADJOURNED ANNUAL FALL TOWN MEETING OCTOBER 22, 1998.....	86
WARRANT FOR STATE ELECTION NOVEMBER 3, 1998	143
STATE ELECTION NOVEMBER 3, 1998	144

General Information

Information		
Incorporated	May, 1655	
Type of Government	Sel / Town Mgr / Town Meeting	
Location	Eastern Massachusetts, bordered by Lowell and Tyngsboro on the North, Billerica on the East, Carlisle on the South, and Westford on the West. It is 24 miles from Boston, 40 miles from Worcester, and 225 miles from New York City.	
County	Middlesex	
Land Area	22.54 Square Miles	
Population 1995	32,107	
Tax Rate	(\$18.11 Residential and Commercial)	
U. S. Senators in Congress:		
5th Congressional District	Martin Meehan, Lowell, MA	
State Senator	Susan Fargo, Lincoln, MA	
Representative in General Court		
16th Middlesex District	Carol C. Cleven, Chelmsford, MA	
Accounting Department	Monday thru Friday	8:30 a.m. - 5:00 p.m.
Assessors Office	Monday	8:30 a.m. - 6:30 p.m.*
	Tuesday thru Friday	8:30 a.m. - 5:00 p.m.
Board of Health	Monday thru Friday	8:30 a.m. - 4:30 p.m.
Building Department	Monday thru Friday	8:30 a.m. - 4:30 p.m.
Highway Department		
Office	Monday thru Friday	7:30 a.m. - 3:30 p.m.
Garage	Monday thru Friday	7:30 a.m. - 3:30 p.m.
Public Libraries		
Adams Library	Monday thru Thursday	9:00 a.m. - 9:00 p.m.
	Friday & Saturday	9:00 a.m. - 5:30 p.m.
	Sunday (Oct to May)	1:00 p.m. - 5:00 p.m.
McKay Library	Monday & Wednesday	11:00 a.m. - 8:00 p.m.
	Tuesday, Thursday, Friday	11:00 a.m. - 5:00 p.m.
	Saturday	10:00 a.m. - 3:00 p.m.
School Superintendent	Monday thru Friday	8:00 a.m. - 4:30 p.m.
Selectmen's Office	Monday thru Friday	8:30 a.m. - 5:00 p.m.
Town Clerk	Monday	8:30 a.m. - 6:30 p.m.*
	Tuesday thru Friday	8:30 a.m. - 5:00 p.m.

Tax Collector & Treasurer	Monday	8:30 a.m. - 6:30 p.m.*
	Tuesday thru Friday	8:30 a.m. - 5:00 p.m.
Veterans' Agent Office	Monday, Wednesday, and Friday	8:30 a.m. - 4:00 p.m.

Meeting	When	Where
Annual Town Election	First Tuesday in April	9 Precincts
Annual Town Meeting	Last Monday in April	Senior Center
Annual Town Meeting	Third Monday in October	Senior Center
Selectmen	7:00 p.m. - Every other Monday	Town Offices
School Committee	7:30 p.m. - Every other Tuesday	Parker School
Planning Board	7:30 p.m. - 2nd & 4th Wednesday	Town Offices
Appeals Board	7:30 p.m. - 2nd & 4th Thursday	Town Offices
Conservation Commission	8:00 p.m. - 1st & 3rd Tuesday	Town Offices
Board of Health	5:00 p.m. - 1st Tuesday of Month	Town Offices
Housing Authority	7:30 p.m. - 1st Tuesday of Month	10 Wilson Street

Phone Directory

Accounting.....	250-5215
Assessor.....	250-5220
Board of Appeals.....	250-5247
Building Inspector.....	250-5225
Cemetery.....	250-5245
Conservation Commission.....	250-5247
Council on Aging.....	251-0533
Dog Officer.....	256-0754
Fire Department.....	256-2541
All Other Fire Business.....	250-5267
Gas Inspector.....	250-5225
Health Department.....	250-5241
Highway Department.....	250-5270
Garage.....	250-5271
Housing Authority.....	256-7425
Libraries:	
Adams.....	256-5521
McKay.....	251-3212
Personnel.....	250-5288
Planning Board.....	250-5231
Plumbing Inspector.....	250-5225
Police Department.....	256-2521
Post Office (Center).....	256-2361
Recreation Commission.....	250-5262
School Administration.....	251-5100
Selectmen.....	250-5201
Sewer Commission.....	250-5233
Supt. of Public Bldgs.....	250-5249
Town Clerk.....	250-5205
Town Engineer.....	250-5228
Town Manager.....	250-5201

Treasurer/Tax Collector.....	250-5210
Veterans' Agent	250-5238
Water Department	
Chelmsford.....	256-2381
East Water	453-0121
North Water.....	251-3931
Wiring Inspector.....	250-5225

Elected Officials

CEMETERY COMMISSION

		(3 yr Term - elected)	
James F. Dolan	106 Middlesex Street	251-3105	1999
Jean R. McCaffery	201 Old Westford Rd.	256-5333	2000
Gerald L. Hardy	11 Meehan Drive	256-6717	2001

CONSTABLE

		(3 yr Term - elected)	
William E. Spence	91 Billerica Road	256-4581	2001

BOARD OF HEALTH

		(3 yr Term - elected)	
Peter Dulchinos	17 Spaulding Road	256-5256	1999
Douglas E. Hausler	51 Stonegate Road	256-8194	2000
Paul J. Canniff	8 Westford Street	256-3261	2001

HOUSING AUTHORITY

		(5 yr Term - elected)	
Mary E. (Lisa) Royce	Resigned Nov 13, 1998		2000
**Denise Marcaurette	7 Whippetree Rd	256-0942	1999
William P. Keohane	82 Prescott Drive	251-8002	2001
Lynn M. Marcella	74 Carlisle Street	458-6807	2002
Scott Johnson	25 Samuel Road	256-3205	2003
Pamela Turnbull	535 Wellman Ave (Govnr Appt)	251-4778	7/03

**Appt 12/16/99 by Selectmen & Housing Authority till 4/6/1999, then position will be unexp 1 yr term expiring in 2000

LIBRARY TRUSTEES

		(3 yr Term - elected)	
Kathryn M. Fisher, CHRM	2 Kelshill Road	251-4835	1999
Margaret E. Marshall, VCHR	2 Draycoach Drive	251-1296	1999
Elizabeth A. McCarthy	48 Bartlett Street	256-6871	1999
Jaclyn D. Matzkin	E24 Scotty Hollow Drive	251-8974	2000
Stephen J. Mallette	13 Wedgewood Drive	250-0260	2000
Sarah L. Warner	44 Boston Road	250-1398	2001
John W. Cutter, Jr. SEC	38 Abbott Lane	256-6602	2001

MODERATOR

		(3 yr Term - elected)	
Dennis E. McHugh	63 Dalton Road	256-6842	1999

PLANNING BOARD

		(3 yr Term - elected)	
Eugene E. Gill	23 Chestnut Hill Road	256-2146	1999
Robert C. Morse	45 Clarissa Road	256-5147	1999
Kim J. MacKenzie	101 High Street	256-4088	2000
Tracey Wallace Cody	6 Sharon Avenue	251-8847	2000
James P. Good	4 Burning Tree Lane	256-2686	2000
Charles Wojtas	24 Elm Street	256-9089	2001
Susan E. Carter	47 Kennedy Drive	251-4374	2001

SCHOOL COMMITTEE

		(3 yr Term - elected)	
Judith B. Mallette, CHR	13 Wedgewood Drive	250-0260	1999
Mary E. Frantz, VCHR	34 Miland Avenue	256-1612	1999
Anthony V. Volpe	144 Warren Avenue	250-8548	2000
Mary Jo Griffin	33 Washington Street	251-5212	2001
Evelyn S. Thoren, SEC	19 Pinewood Road	256-1482	2001

SELECTMEN

Stuart G. Weisfeldt, VCHR	8 Leirim Lane	256-7902	1999
William F. Dalton, CHR	12 Dartmouth Street	251-3259	2000
Philip M. Eliopoulos, CLK	26 Arbutus Ave.	256-2388	2000
Thomas E. Moran	19 Dennison Road	251-4173	2001
Michael F. McCall	151 Main Street	251-3157	2001

SEWER COMMISSION

**John F. Souza	5 Gilwood Ave	256-6478	1999
Richard J. Day	6 Merilda Avenue	251-3382	1999
George F. Abely	87 Swain Road	251-8472	2000
John P. Emerson, Jr.	8 Loiselle Lane	251-3654	2001
Barry B. Balan	54 Boston Road #10	256-8234	2001

**Appt May 11th by Selectmen and Sewer Commission to fill vacancy

Thomas Moran resigned 4/9/98 due to election 4/7/98 to the Board of Selectmen

Town Officials

TOWN OFFICES

50 BILLERICA ROAD

CHELMSFORD, MA 01824

TOWN MANAGER	Bernard F. Lynch	250-5201
TOWN CLERK	Mary E. St.Hilaire	250-5205
FINANCE DIRECTOR / TREASURER /		
TAX COLLECTOR	Charles F. Mansfield	250-5210
TOWN ACCOUNTANT	Jean D. Sullivan	250-5215
BOARD OF ASSESSORS	Diane M. Phillips	250-5220
	Bruce Symmes	
BUILDING INSPECTOR	Anthony F. Zagzoug	250-5225
DPW DIRECTOR	James E. Pearson	250-5228
POLICE CHIEF	Armand J. Caron	250-5258
FIRE CHIEF	John E. Parow	250-5267

FINANCE COMMITTEE	Cornelius J. O'Neill
	Marcia V. Dobroth
	Clare L. Jeannotte
	Dwight M. Hayward
	Susan M. Olsen
	Charles A. Piper
	William Curry

Balance Sheet

	Governmental Fund Types			Fiduciary Fund Types	Account Group	Totals (Memorandum Only)
Assets:	General	Special Revenue	Capital Projects	Trust & Agency	Long Term Obligations	June 30, 1998
Cash	\$ 239,373	\$ 3,318,739	\$ 1,221,240	\$ 1,547,273	\$ -	\$ 6,326,625
Investments	6,554,849	15,600	-	4,328,099	-	10,898,548
Investment in Deferred Compensation Plan	-	-	-	2,358,810	-	2,358,810
Property Tax Receivable:						
Current Year	433,831	-	-	-	-	433,831
Prior Year	833	-	-	-	-	833
Other Accounts Receivable:						
Motor Vehicle Excise	337,535	-	-	-	-	337,535
Tax Liens	672,600	-	-	-	-	672,600
Sewer	104,004	-	-	-	-	104,004
Special Assessments	-	7,120	-	-	-	7,120
Departmental	-	4,273	-	31,138	-	35,411
Intergovernmental	-	616,450	4,310,533	-	-	4,926,983
Dues from Other Funds	-	-	-	-	-	-
Other Assets	119,631	-	-	436,400	-	556,031
Amounts to be Provided for retirement of Long Term Obligations	-	-	-	-	31,124,794	31,124,794
Total Assets	\$ 8,462,656	\$ 3,962,182	\$ 5,531,773	\$ 8,701,720	\$ 31,124,794	\$ 57,783,125
	Governmental Fund Types			Fiduciary Fund Types	Account Group	Totals (Memorandum Only)
Liabilities:	General	Special Revenue	Capital Projects	Trust & Agency	Long Term Obligations	June 30, 1998
Accounts Payable	\$ 851,820	\$ 74,201	\$ 19,871	\$ 432,393	\$ -	\$ 1,378,285
Payroll Withholdings	531,604	-	-	-	-	531,604
Other Liabilities	17,931	-	-	679,472	-	697,403
Due to Other Funds	-	-	-	-	-	-
Deferred Compensation Payable	-	-	-	2,358,810	-	2,358,810
Deferred Revenue	117,584	53,417	-	-	-	171,001
Reserve for Abatements	1,361,700	-	-	-	-	1,361,700
Court Judgement Payable	-	-	-	-	150,932	150,932
Accrued Compensated Absences	-	-	-	-	4,217,583	4,217,583
Bonds and Notes Payable	-	-	9,228,434	-	26,756,279	35,984,713
Total Liabilities	2,880,639	127,618	9,248,305	3,470,675	31,124,794	46,852,031
Fund Equity:						
Fund Balances:						
Reserved:						
Encumbrances	587,073	-	-	-	-	587,073
Endowments	-	-	-	802,345	-	802,345
Unreserved:						
Designated	266,969	3,834,564	(3,716,532)	4,428,700	-	4,813,701
Undesignated	4,728,025	-	-	-	-	4,728,025
Total Fund Equity	5,582,067	3,834,564	(3,716,532)	5,231,045	-	10,931,144
Total Liabilities and Fund Equity	\$ 8,462,706	\$ 3,962,182	\$ 5,531,773	\$ 8,701,720	\$ 31,124,794	\$ 57,783,175

Town Meeting Representatives

<i>Precinct 1</i>	<i>Precinct 2</i>	<i>Precinct 3</i>
TERM NAME	TERM NAME	TERM NAME
2001 William E. Spence	2001 Mary Jo Welch	2001 John P. Emerson, Jr.
2001 Sarah L. Warner	2001 Jeffrey W. Stallard	2001 Carol W. Merriam
2001 Kathryn Brough	2001 Bonnie I. Foster	2001 Thomas E. Moran
2001 Samuel P. Chase	2001 Barry T. Bell	2001 Henry R. McEnany
2001 Sandra B. Martinez	2001 Douglas R. Aker	2001 Nancy J. Knight
2001 Richard G. Allison	2001 Stanley W. Norkunas	2001 H. Steve Flynn
2000 James P. Good	2000 William F. Dalton	2000 Michael F. McCall
2000 Jean B. Rook	2000 Linda H. Dalton	2000 William J. Gilet, Jr
2000 Anthony V. Volpe	2000 M. Janice Spence	2000 Cathy A. Hutchinson
2000 Frances T. McDougall	2000 William P. Griffin	2000 Kathryn M. Fisher
2000 Nina S. Lewin	2000 Patricia A. Jamros	2000 Harold I. Matzkin
2000 Peggy Dunn	2000 Jesse C. Foster	2000 Christopher T. Garrahan
1999 Elizabeth A. McCarthy	1999 Francis G. Miskell	1999 D. Lorraine Lambert
1999 Cynthia J. Kaplan	1999 Bruce J. Harper, Sr.	1999 Susan M. Olsen
1999 Sandra A. Kilburn	1999 Phyllis H. Clark	1999 Michael F. Curran
1999 Marian D. Currier	1999 George L. Merrill	1999 Adrienne M. Jerome
1999 Barry B. Balan	John B. Bates III, removed 1/20/99	1999 George F. Abely
Robert P. Joyce, removed 1/20/99	1999 To be filled @ATE 4/99	1999 Jaclyn D. Matzkin
1999 To be filled @ATE 4/99	James R. Doukaszewicz removed 1/20/1999	
	1999 To be filled @ATE 4/99	

Precinct 4

TERM NAME

2001 John B. Sousa Jr
2001 Joan D. Morrison
2001 Daniel J. Sullivan, III
2001 Cathleen H. Latina
2001 Helen A. Manahan
2001 John R. Hibbard

2000 George A. Ripsom, Sr.
Dolores A. Blomgren
removed 1/20/99
2000 Jacob P. Sartz III **
** moved up 1/20/99
from reserved list
2000 Sheila E. Pichette
2000 Billy L. Martin
2000 Gerald W. Pacht
2000 Cheryl L. O'Sullivan

1999 Roger C. Sumner
Matthew P. St.Hilaire
removed 1/20/99
1999 Mark A. House **
** moved up 1/20/99
from reserved list
1999 Kathleen M. Redican
1999 Henrick R. Johnson, Jr.
1999 Brian P. Latina
1999 John G. Coppinger

Precinct 5

TERM NAME

2001 W. Allen Thomas, Jr.
2001 Jonathan A. Stevens
2001 Dean Carmeris
2001 Leonard R. Richards, Jr
2001 Frederick S. Marcks
2001 Thomas M. Chevalier

2000 Evelyn S. Thoren
2000 Robert D. Hall
2000 Judith B. Mallette
2000 David P. McLaughlin
2000 Glenn R. Thoren
2000 Cheryl M. Perkins

1999 Kathleen Curran
1999 Wendy C. Marcks
1999 Barbara Ward
1999 Stephen J. Mallette
1999 Bonnie G. Wilder
1999 John W. Wilder

Precinct 6

TERM NAME

2001 Susan Kupor McHugh
2001 Janet G. Dubner
2001 Martin A. Gruber
2001 George t. Chianis
2001 Evangelos T. Lekas
2001 Angelo J. Taranto, Jr

2000 Judith A. Olsson
2000 Stuart G. Weisfeldt
2000 David J. McLachlan
2000 Marianne J. Paresky
2000 M. Elizabeth Marshall
2000 Charles F. Smith

1999 Peter V. Lawlor
1999 Mary E. Frantz
1999 Ralph M. Nebalski
1999 Howard J. Hall
1999 Daniel E. Lekas
1999 Reps voted 10/19/98
To be filled @ATE 4/99

Precinct 7

<u>TERM NAME</u>
2001 Karen D. Ready
2001 Paul F. Gleason
2001 Linda G. Morabito
2001 Pamela L. Armstrong
2001 Peter Dulchinos
2001 Clare L. Jeannotte
2000 Donna L. Ready
2000 Leonard W. Doolan, III
2000 Dwight M. Hayward
2000 Susan J. Gates
2000 Barbara J. Scavezze
2000 Carol A. Stark
1999 Dennis J. Ready
1999 Katherine C. Harbison
1999 Judith Hass
1999 Kathleen S. Fitzpatrick
1999 Bernard A. Ready
1999 Francis J. Mieth

Precinct 8

<u>TERM NAME</u>
2001 Angelo J. Taranto
2001 William C. Curry
2001 Joyce E. Johnson
2001 Jacqueline A. Sheehy
2001 Kathleen E. Howe
2001 John E. Abbott
2000 Alexander W. Gervais
2000 John S. Fudge, Jr.
2000 Deborah Villano
2000 Samuel Poulten
2000 Linda M. Lee
2000 Richard M. Johnson
1999 Margaret A. Fudge
1999 Walter A. Clevon
1999 Richard J. Day
1999 Gail E. Poulten
1999 Ralph J. Hulslander, Jr.
John F. Sheehy
removed 1/20/99
To be filled @ATE 4/99

Precinct 9

<u>TERM NAME</u>
2001 Francis J. Barre
2001 Will L. Perry
2001 Phyllis M. Elias
2001 Gary A. Mathews
2001 Lesley M. Mathews
2001 Eleanor D. Abbott
2000 Susan B. Graves
2000 Robert C. Morse
2000 James L. Hickey
2000 Steven Arthur Consalvi
2000 C. Thomas Christiano
Donald L. Elias
removed 1/20/99
2000 Robert P. Mackey **
** moved up 1/20/99
from reserved list

1999 John G. Harrington
1999 Barry K. Hamill
1999 James E. Rich
1999 Charles A. Piper
1999 Anne Lise Sexton

Board of Selectman

Members:

William F. Dalton	Chairman
Dr. Stuart G. Weisfeldt	Vice Chairman
Phillip M. Eliopolis	Clerk
Michael F. McCall	
Thomas E. Moran	

Chelmsford's Board of Selectmen completed a year of cooperative progress in dealing with many ongoing initiatives affecting the taxpayers, our quality of life, open space, town wide infrastructure, schools, businesses, and the community.

Tom Moran and Mike McCall were added to the Board as its newest members in the April election. The Board also would like to thank Selectman Susan Gates for her three years of dedicated service to the Board and the citizens of Chelmsford.

The Board reorganized after the election voting Bill Dalton as Chairman, Dr. Stuart Weisfeldt as Vice Chairman and Phillip Eliopolis as Clerk. To the amazement of all, Board of Selectmen meetings seemed to get shorter, often ending before nine o'clock. The board hopes this phenomenon will continue.

The town's bond voting was upgraded to AA and is currently one of the best in the state saving the taxpayers many thousands of dollars through lower interest rates on borrowing for town projects. (Only nine other communities have a better bond rating.)

The control of the Tully Forum, now called the Chelmsford Forum, was officially transferred to the town. This provides revenue for the town, recreational skating, and an opportunity for sports teams to practice in our own skating facility.

Tax control and tax relief were a priority for the Board of Selectmen. This year, for the fifth year in a row, tax rates in Chelmsford were reduced. The town returned one million dollars to the taxpayers through a new lower tax rate of \$18.11 per thousand. Tax control was accomplished through good fiscal management and the focussed efforts of all town departments in keeping budgets under control. A strong economy was also a key contributing factor.

The Board of Selectmen eliminated the differential of tax rate on businesses following the recommendations of the Tax Classification Committee made in 1955. This positive move to support the business in town raises the overall tax revenues by improving the value of our business properties. As a result, business occupancy rates exceeded 90% for the entire year. A new hotel was started in Drum Hill. Linear Technologies and Lowell General Hospital began construction on their new buildings. More development under the guidance of the Planning Board's Master Plan is expected.

The town received a grant of \$680,000 for the beautification of Central Square. The Board of Selectmen supported the initiatives of the business to improve the function and the appearance of Central Square by placing utilities underground, improving the sidewalks and buildings, providing more parking, adding lampposts to improve lighting and significantly improving the pedestrian safety. Plans for similar improvements to Vinal Square and Drum Hill were also initiated.

Two significant projects of great benefit to the town were also begun. The renovated Adams Library with a new addition and a renovated Center School building were visible and much anticipated projects in 1998. Both facilities will support the town's priority of education and life long learning for all our residents.

Southwell Field in North Chelmsford received a matching State grant of \$25,000 for upgrades to the sports facilities, the playground, and nature walking paths that surround the field. All residents are encouraged to explore and use these improved park grounds.

The Chelmsford Country Club continues to generate surplus revenue for the town. The course adds to the open space and recreational facilities available to all residents, and golf lessons are available to golfers of all ages. The town has assisted the Management Company to complete the upgrades earlier than expected.

A new location for the police station was selected next to McCarthy Middle School in an area filled in with gravel from the town-wide sewer project. This new location will permit a basement and more floor space at the same cost because it does not require blasting of ledge beneath the site.

The town-wide sewer project continues on schedule and will provide sewers across the town at a lower cost because of the fiscal planning of the Sewer Commission resulting in another interest free grant for construction.

For the first time the Board of Selectmen sent our elected State officials, Carol Cleven and Susan Fargo, a list of the priorities Chelmsford considers most important. They included funding for Route 3 expansion, education reform funding, support for a new foundation formula for school funds, traffic lights for North Road, zero interest funding for our sewer project, and funding to support paving of roads and the repair of our bridges.

These are still only a few of the initiatives and accomplishments in Chelmsford supported by the town and the Board of Selectmen working as a team for the benefit of the taxpayers, the quality of life in our town, our schools, our businesses and the community.



Board of Selectman

Front Row: Stuart Weisfeldt, Vice Chairman; William Dalton, Chairman; Phillip Eliopoulos, Clerk

Back Row: Michael McCall, Thomas Moran

Town Manager

I am pleased to present the Annual Report of the Town Manager for calendar year 1998. This year has once again been a positive one for the Town building upon past accomplishments to become financially stronger with improving governmental services and quality of life. Over the past ten years we have been able to weather the financial downturn of the late 1980's and build a municipal organization that is financially secure with adequate reserves. We have grown our municipal services to improve our quality of life and management capacity. And, we have addressed long term facility and infrastructure needs in a manner that is affordable and planned. We have also during this period returned over \$3 million to taxpayers in property tax relief. These trends should continue into the foreseeable future if we adhere to our goals of conservative financial management, strategic community investment, and careful fiscal planning.

The highlights of the year ending on December 31, 1998 are as follows:

- Our bond rating from Moody’s Investor Service was upgraded from A1 to AA reflecting outside confidence in our municipal management practices and overall financial condition. This upgrade will result in tremendous savings to taxpayers through reduced interest on our debt.
- Through the efforts of Representative Cleven and Senator Fargo, as well as the regional legislative delegation, our initiative to take control of the Tully Forum became a reality. The Town has a 20-year lease with the commonwealth for the rink facility now known as the Chelmsford Forum. The lease provides control to the Town in return for our continuing to operate it as a recreational facility that is used by the University of Massachusetts-Lowell and the youth skating programs of the region. We will be making a minimum of \$50,000 per year in the operation of the rink.
- In October the Town Meeting approved utilizing \$1 million of Free Cash to reduce the tax rate.
- The Town received approval of a \$680,000 grant for public improvements in Central Square to coincide with \$1.3 million of traffic improvements. The proposed improvements include period lighting, landscaping and tree planting, and new sidewalks and pedestrian ways. These projects along with the Freeman Bike Path, various parking enhancements and the depression of utilities are geared towards a comprehensive revitalization of the central business district.
- The Center School renovation and Library expansion projects broke ground in the spring of 1998. Both projects are scheduled to be completed by the early fall of 1999.

There continues to be strong economic development in the Town with several new office buildings underway in and around the Route 129 corridor, and large projects at Drum Hill including a new hotel and a Lowell General Medical Center. These projects managed carefully will contribute important financial resources for the Town as we continue to improve municipal services with minimal cost to the residents of the Town.

I expect that 1999 will be a similarly good year for the Town with private investment and continued activity by the Town Government to deliver first rate services at minimal cost.

As always, I want to thank the members of the Board of Selectmen for their direction and support during 1998 including Bill Dalton, Philip Eliopoulos, Susan Gates, Michael McCall, Thomas Moran and Stuart Weisfeldt. I also want to recognize and thank the Department managers and town employees for their dedication and efforts. In particular, I want to thank the staff of the Executive Office, which has included Judy Carter, John Coderre, Marian Currier and Jeanne Parziale.

In closing, let me thank all of the citizens of Chelmsford for the opportunity to work on your behalf as your Town Manager. I look forward to continuing the direction in which we are heading in making Chelmsford an even better community.

Accounting Department

Members:

Jean Sullivan	Town Accountant
Pamela Amalfi	Assistant to Town Accountant
Patricia Tucker	Principal Clerk
Martha Audet	Payroll Co-Ordinator

During fiscal year 1998, the Accounting Department continued to closely work with all departments in the processing of vendor / employee payments in a timely manner and within approved budget constraints.

The measure of success within the department is from the continual excellent reviews received from the certified public accounting firm.

Board of Assessors

Each year under Massachusetts state law the Department of Revenue requires the Board of Assessors to determine full and fair cash value for Real and Personal property. A complete revaluation must be conducted every three years. The state recommends that an interim valuations be conducted when the real estate market shows either a high increase or decrease. As a result the Board conducted a sales ratio study based on all viable sales in calendar year 1997. (assessed values for fy 1999 are as of January 1, 1998.

The Board concluded that all properties including commercial were undervalued. Values were adjusted upward. Although most values were increased, not all individual property assessments were increased at the same percent.

In November the Board of Selectmen at the annual classification meeting voted to have a single tax rate of \$18.11.

The Board wishes to thank our staff, Eric Josephson, Assistant Assessor, Nancy Maher, Administrative Ass't., Elaine McBride and Elaine Myers, Principle Clerks for their dedication towards making the year go smoothly.

Respectfully submitted,

Diane Phillips, MAA, Chairman

Bruce A. Symmes CMA, RMA, MAA

Board of Health

BOARD OF HEALTH MEMBERS

Peter Dulchinos, Chairman
Douglas Hausler, Vice Chairman
Dr. Paul Canniff, Clerk

BOARD OF HEALTH EMPLOYEES

Richard J. Day, Director
John P. Emerson, Asst. Director
Diana L. Wright, Dept. Asst.
Judith Dunigan, Town Nurse
Eric P. Kaplan, M. D., Town Physician

Septage and Wastewater Abatement Program

In 1998 the Septage and Wastewater Abatement Program continued its efforts to clean up our waterways. The Board of Health, with the advent of a central sewer system in Chelmsford is now embarking on enforcement activities to insure compliance with local by-laws which will insure a safe water supply. Dye testing, water sampling and issuance of septic system permits will continue in all the non-sewered areas.

Administration and Management

Income for various services and permits was \$23,455. During 1998 the department made inspections of day care centers, rental housing units, public schools, non-profit camps, bathing beaches, International Certificates and all restaurants and retail food stores.

Hazardous Waste and Industrial Wastewater Program

Richard J. Day, Director of Public Health, was reappointed Hazardous Waste Coordinator and Municipal Coordinator to enforce the "Right-to-Know" law for Chelmsford. The Board of Health held two Household Hazardous Waste Collection Days this year which were held on May 2, 1998 and November 7, 1998. This program has consistently collected significant volumes of hazardous waste.

Rabies Control

1998 was another productive year in controlling the spread of rabies in the Town of Chelmsford. The Board of Health, working with two local veterinarians established a program to offer affordable vaccine for the unprotected cat and dog population in town.

Title V

The Board of Health is continuing to work on developing programs to control the effects of the new Title V regulation on the residents still on septic systems.

Communicable Disease Program

Fifty-five reports of the following diseases were completed during 1998 for the Massachusetts Department of Public Health:

Campylobacter Enteritis.....	5	Hepatitis C.....	4
E.Coli.....	2	Lyme Disease.....	4
Encephalitis.....	1	Pertussis.....	12
Giardiasis.....	2	Salmonella.....	7
Haemophilus Influenza.....	2	Shigella.....	1
Hepatitis A.....	1	Viral Meningitis.....	2
Hepatitis B.....	10	Yersinia.....	1

The testing of persons exposed to tuberculosis and those persons whose employment require certification of freedom from that disease is another responsibility of the Town Nurse. Two-hundred ten Mantoux (TB) tests were given to persons as required for pre-employment, college and also to household contacts of active cases in compliance with the Massachusetts Department of Public Health regulations. Home visits and telephone calls are made to families of active and some inactive tuberculosis cases on a periodic basis to insure understanding of the illness and that adequate medical follow-up is achieved. Numerous medical records are kept and updated on residents who have a positive mantoux (TB) test and are receiving medication prophylactically and being followed radiologically at the Lowell Chest Clinic. When necessary, TB testing is done at places of business if employees are exposed to an active case of TB.

Immunization Program

The Board of Health sponsored two flu clinics this year. One- hundred fifty-eight persons were immunized with pneumonia vaccine and one-thousand three-hundred were immunized with flu vaccine at clinics. An additional one-thousand two-hundred thirty doses were given to nursing homes, Rotenberg School, Lighthouse School, Life Links, town employees, physicians offices, three visits were made to handicapped or house-bound residents. A combined total of two-thousand five-hundred eighty doses of flu vaccine were administered in town.

One-hundred two immunizations were administered to adults and students in compliance with the Massachusetts Immunizations Laws and prophylactically to residents traveling to underdeveloped countries.

Hepatitis B vaccine, school based program, was continued this year and all sixth graders were offered the immunizations free at school. Because the Massachusetts Department of Public Health supplied this vaccine to Boards of Health it was given at no cost. Seventh thru twelfth graders were offered the Hepatitis B vaccine for a nominal charge of \$15.00 for the three doses. These programs will continue for the next year. Seven-hundred eighty-four students in grades 6-12 were immunized through the schools, including the Charter School.

Hypertension Screening Program

Blood pressure screenings for residents are held the first Thursday of every month from 9:00 to 12:00 at the Board of Health, Town Offices. Five-hundred forty residents attended the screenings.

Lead Paint Screening Program

The Board of Health offers lead paint testing for children between the ages of nine months and six years. Residents may call the Board of Health at 250-5243 and make an appointment with nurse. Twenty children were screened for lead paint. Other screenings offered by the Board of Health include cholesterol. Dates of these programs will be advertised in advance.

World AIDS Day Event

Each year around World AIDS Day, December 1st, an event is held in Chelmsford to promote education and generate discussion among family members with regards to HIV/AIDS. This year AIDS flags were displayed in Chelmsford Center the first week of December. It is the committee's hope to encourage compassion, understanding and support for those infected and affected by HIV/AIDS. The committee for World AIDS Day in Chelmsford is in need of volunteers. If interested, call Judy Dunigan, RN, Board of Health, 250-5243.

Health Fair/Health Screenings

Either a Health Fair or several Health Screenings will be held in conjunction with Westford every other year, finances permitting. Date and location will be announced in newspapers.

Board of Registrars

Members

Judith A. Olsson
Richard F. Burt, Chairman
Martha D. Doukaszewicz
Sandra A. Kilburn, Department Assistant
Mary E. St.Hilaire, Ex Officio
John F. Ketcham, (Past Board Member)

Voting Strength as of December 31, 1998 Enrolled Voters:

Precincts	1	2	3	4	5	6	7	8	9	Total
Democrats	578	552	597	588	563	634	521	567	486	5086
Republicans	387	250	294	306	365	361	352	344	359	3018
Unenrolled	1251	1073	1436	1191	1393	1348	1403	1182	1334	11611
Libertarian	1	4	2	4	6	3	2	1	1	24
Inter. 3rd Party	1	2	0	1	4	0	0	2	0	10
Reform	1	4	0	2	1	1	2	3	2	16
Rainbow Coalition	2	0	1	0	0	0	0	1	0	4
Conservative	0	0	0	0	0	0	0	0	1	1
Natural Law Party	0	0	0	0	0	0	0	0	0	1
Socialist	0	0	0	1	0	0	0	0	0	1
Greenparty USA	0	0	0	0	0	0	0	0	0	0
New Alliance	0	0	0	0	0	0	0	0	0	0
New World Cocil.	0	0	0	0	0	0	0	0	0	0
Prohibition	0	0	0	0	0	0	0	0	0	0
We the People	0	0	0	0	0	0	0	0	0	0
TOTAL	2221	1885	2330	2093	2332	2347	2280	2100	2183	19771

Inspections Department

Department Personnel

Anthony F. Zagzoug, Inspector of Bldgs
Joseph P. Shaw, Local Inspector
Kenneth W. Kleynen, Pl & Gas Inspector
Dennis P. Kane, Wire Inspector
Elaine M. Casey, Principal Clerk

There were 103 new single family dwellings, and 10 commercial building permits issued in 1998. The breakdown also includes commercial tenant fit-ups, additions, alterations, renovations, sheds, woodstoves, etc. A breakdown of the Inspections Department for FY98 is as follows:

Type of Permit	# Of Permits	Total Fees
Building	775	\$342,471.50
Electrical	783	\$44,002.00
Plumb. & Gas	1,692	\$39,438.00
Sub Total	3,250	\$425,911.50

Other fees for permits issued (not included above) for signs, weights and measures, yard sales, and Certificates of Inspection were \$7,860.00. The total fees collected for the department was \$433,771.50 for the year.

I would like to thank Elaine Casey, Principal Clerk, Joseph Shaw, Local Inspector, Kenneth Kleynen, Plumbing and Gas Inspector, and Dennis Kane, Electrical Inspector, for their cooperation, professionalism and expertise.

Anthony F. Zagzoug, Inspector of Buildings

MIS Department

The MIS department has been busy preparing for the notorious Y2K bug. The major areas of concern are tax collection, accounts payables, residential / CIP appraisal, and the network file servers. The tax collection and accounts payables have been upgraded and are ready for the new century. The appraisal software is scheduled for upgrade in spring of 1999. The new file servers have been purchased and are currently being installed. Most office PCs have been either upgraded or replaced already, with the few remaining PCs scheduled for replacement over the summer of 1999. Sorry, it looks like Year 2000 tax bills will be on time.

With all the computer upgrades, the MIS department is standardizing the town offices on the same word processor and spreadsheet. This will increase productivity and communication between offices. Training has begun on the new software.

Respectfully Submitted,

Larry Holt, MIS Coordinator

Office of Emergency Management

Members:

Walter R. Hedlund, Director
 John E. Abbott
 Walter J. Adley, Jr.
 J. Bradford Cole
 George R. Dixon

Chelmsford Emergency Management Agency (CEMA) volunteers were active during the Year 1998. Volunteers attended many Seminar's on Planning, Winter Weather Programs, Hazardous Material Spills and Response to Terrorism. Preparing many reports for FEMA and MEMA.

CEMA personal wish to thank all Department Heads and their personnel for their efforts and assistance, the Town Manager and Board of Selectmen.

Respectfully Submitted

Walter R. Hedlund

Emergency Coordinator

Personnel Board

Members:

Charles Tewell
Peter Volonino
Jean Sparks
John Antonucci
John B. Sousa, Jr.
Jeanne Parziale, Personnel Coordinator

The Personnel Board consists of five members (four are appointed by the Town Manager, one member is elected by non-union employees). John Antonucci was appointed as a member of the Personnel Board on July 1, 1998.

The Personnel Board reviewed all non-union employee salaries and proposed a new salary schedule to the Town Manager. Changes include a higher starting base, renumbered grade levels from 1-10 and 15 steps instead of 12. The new salary schedule will be implemented on July 1, 1999.

Public Library

Main Library

25 Boston Road, Chelmsford Center

Anna C. MacKay Memorial Library

43 Newfield Street, North Chelmsford

Library Trustees

Kathryn M. Fisher, Chair
Margaret E. Marshall, Vice-Chair
Elizabeth A. McCarthy, Treasurer
John W. Cutter, Secretary
Stephen J. Mallette
Jaclyn D. Matzkin
Sarah L. Warner

Adams Library Renovation and Expansion

On March 9, 1998, Trustees, State and Town Officials, library staff, and many residents celebrated the groundbreaking for the library addition. By September site work was completed and the foundations poured. Workers erected the structural steel in December which clearly outlined footprint and the shape of the addition. Completion is expected in the Fall 1999.

Library Relocation

Staff continues to offer full library service in the temporary location in lower level gymnasium in the Town Offices on Billerica Road. Both staff and patrons are looking forward with great anticipation the "new" library.

Circulation

Patrons checked out 351,577 items including books, videos, magazines, compact discs and museum passes. The library began circulating all material including children's at the main desk. In addition our patrons requested and received 6,001 items through interlibrary loan. With the help of volunteers, the Circulation Department continued its delivery program to area Retirement and Nursing facilities.

Reference Department

The reference staff answered 11,772 questions during the year. Two new computers provided graphical Internet access for our patrons. Through the Merrimack Valley Library Consortium and the Northeast MA Library System, the staff and public gained access to many new web databases. The reference department held a Technology Teach-in to inform residents that staff is available for training patrons to use our expanding electronic resources, particularly the Internet.

Children's Department

The Children's Department offered 132 storytimes and two vacation programs. The Summer Reading program, "Unlock The Mystery - Read!" was very successful with over 1,200 children recording over 20,000 books in their reading logs.

The Children's Department and MacKay Library joined libraries and schools nationwide in celebrating Doctor Seuss birthday on March 2nd. Over a 190 children came to the libraries for cake and stories.

The Community Partnership for Children, in Lowell, awarded the library a grant to establish a separate parent/teacher resource collection, supplement pre-school materials, and provide a computer for the Children's Department. This program is funded through the MA Department of Education.

Community Service

The Community Service Department links residents and organizations with the library's collections and services through programs, participation in community events, volunteers and library publicity. The Head of Community Services serves on many town committees.

Thanks to the Recreation Department and Council on Aging, library programs found temporary locations in the Community Center and the Senior Center during library construction. Seventy-two programs were attended by 1,985 people. These included the popular Music on the Lawn series funded by the MA Cultural Council, Poetry Slams, Job Fairs, book discussions, Employment Workshops, and French and Italian Conversation Circles, and Young Writers Club.

The Head of Community Services, Katherine Cryan-Hicks was voted the annual "Angel of the Arts" by the Chelmsford Cultural Council.

Anna C. MacKay Memorial Library

MacKay staff offered 79 programs which were attended by 1,378 children and adults. Programs included story/craft times for children, book discussions for all ages, a knitting workshop children, and a birthday party for Doctor Seuss. The year ended with a special magic program.

The summer reading program attracted 220 children and 78 adults.

Volunteers

In 1998, the library had 41 volunteers logging over 1,650 hours. Volunteers helped to run the French and Italian Conversation Circles, deliver books to nursing home and retirement communities, maintain magazine and book shelves, assist with the library's home page, and performed many other duties "as assigned." Library staff greatly appreciate the ongoing support and help we receive from our volunteers at the Main and MacKay library.

The Friends of the Library

The Friends continued to sponsor many library programs and provide residents with museum passes to local and Boston museums. The Friends participated in the Fourth of July parade and raised funds to support the library at their July 4th booth on the Town Common. In the Fall, the Friends held a Spelling Bee/Winetasting to raise money for the Library's Endowment Fund. There are 1,275 members and membership continues to grow. The Friends support enhances services in all departments and is appreciated by patrons and staff.

Library Endowment Committee

The Library Endowment Committee has embarked on a campaign to raise \$500,00 to furnish and equip the expanded library. By the end of the year, the committee had raised over \$250,000.

Statistical Report

Circulation: 351,577

Added Materials: 7,619

Moneys deposited with Town Treasurer from fines lost materials: \$12,576

Library Personnel

Director: Mary E. Mahoney

Technical Services: Christopher Kupec

Assistant Director: Nanette Eichell

MacKay Librarian: Maureen Foley

Circulation: Linda Robinson

Reference: Deborah Perlow

Children's Librarian: Cheryl Zani



Library Trustees

Front Row: Elizabeth McCarthy, Kathryn Fisher, Jaclyn Matzkin

Back Row: John Cutter, Stephen Mallette

Missing: Sarah Warner, Margaret Marshall

Recreation Commission

Members:

Harry Ayotte
Robert Charpentier
Paul Murphy
Holly Rice
Janice Ruell
Holly Rice, Recreation Director
Sandra Hall, Senior Clerk

Meetings: First Monday of each month.

The Recreation Commission is composed of seven members appointed by the Town Manager. The primary reason of the commission is to support and make recommendations to continuously improve and expand the recreational opportunities offered to the Chelmsford community.

The Recreation Department offered over 400 self-supporting programs throughout the year. Some of the successful programs organized in 1998 include day trips, ski programs, craft classes, dance lessons, art lessons, science programs and much more. The Recreation Department will continue to develop programming in response to the growing and changing needs of all populations within the Town of Chelmsford. Recreation programs will be advertised in the Chelmsford Community Newsletter which is mailed during the months of January, May and September.

Our continued goal for 1999 is to open a Youth Center. The Youth Center will provide kids the opportunity to socialize with friends, receive tutoring, play pool, ping pong, etc. A student board will also be organized to provide kids the chance to become involved in a leadership program. We also hope to open a skateboard park by the fall of 1999.

The members of the commission regretfully accepted the resignation of Robert Hayes and wish to thank him for his years of dedicated service to the Recreation Department. The commission would also like to welcome Sandra Hall who has been hired as the full-time Senior Clerk for the Recreation Department.

We are most thankful to all residents whose support, dedication and involvement contributed to the success of 1998.

Recycling Committee

Members

Peter Nelson, Chairperson
Michael Bell
Mark Gallagher
Barbara Scavezze, Recycling/Waste Coordinator

The Town of Chelmsford contracted for the following services for residents, funded by taxes: weekly collection of solid waste, the biweekly collection of recyclables, and three curbside leaf collections which were held May 9, November 7 and December 5. The Town disposed of 14,620 tons of solid waste, recycled 3,370 tons, and composted approximately 1,020 tons of yard waste, for a 23.1% recycling/composting rate. The Town fulfilled the requirements for the Massachusetts Municipal Recycling Incentive Program, which provides an incentive payment based on the amount of recyclables collected in our curbside program.

The Chelmsford Recycling Committee held brush drop-offs at Community Tree on April 4 and October 17. The CRC also held drop-offs on May 31 and September 27 for metal (which was recycled), furniture and household goods (which were donated to the Massachusetts Coalition for the Homeless), and clothing (which was donated to Goodwill Industries). The CRC held the annual Town-Wide Litter Clean-Up on May 2. Volunteers picked up litter from conservation land, school yards, road shoulders, and illegal dump sites, and gathered afterwards for a picnic at the Elks Lodge.

Barbara Scavezze, the Recycling/Waste Coordinator, produced an edition of the Chelmsford Community TV show, "Chelmsford Recycles", featuring a panel discussion about illegal dumping. Amy Covenor, a volunteer at Chelmsford Community TV, produced a second edition, along with Barbara Scavezze, about the Annual Town-Wide Litter Clean-Up, Household Hazardous Waste Drop-Off, recycling and composting. Each edition was broadcast several times. The annual recycling and trash flyer was produced and mailed to all residents. This flyer included the recycling schedule, and detailed the proper methods, timing and places for disposal of various types of recyclable material and solid waste. This type of information was also prepared for inclusion in the Community Newsletter and the "Chelmsford Recycles" web page.

Prepared by Barbara Scavezze,

Sewer Commission

The Chelmsford Sewer Project reached an important milestone in 1998 with the commencement of construction in East Chelmsford. The East Chelmsford Area was the last area originally envisioned for sewers in the 1984 Wastewater Facilities Plan. That plan envisioned sewers for approximately 68% of Chelmsford. Design began in 1998 on the final phase to sewer the remaining 32% of Chelmsford.

Construction activities in 1998 were concentrated intensely in three areas, Northgate Road and Abbott Lane, and Hart Pond. The Northgate Road Area was approved for use in late 1998. Construction in the Abbott Lane and Hart Pond Areas will continue along with East Chelmsford in 1999.

The Commission's cooperative effort with the Center Water District continued in 1998. This effort involved water main installations and improvements primarily in the Hart Pond Area, conducted by the Commission's sewer contractor, reimbursed by the District. This cooperative effort will shorten the overall duration of construction inconvenience, while simultaneously providing sewer and water service to residents that previously had neither.

In late 1998, the Commission learned that the State Revolving Loan Fund (SRF) program for was not funding any new projects in fiscal year 1999. To date, Chelmsford has received over 30 million dollars in interest free loans for all its Phase 3 sewer projects, through and including East Chelmsford. The Commission suspects that the Commonwealth has temporarily overextended its bonding capabilities for public works projects as it directs its funding priorities on the Big Dig. In 1999, the Commission intends to concentrate its efforts on lobbying the legislature to resume funding for the SRF program.

Fortunately, in 1996 when the Commission developed its local cost strategy to fund Phase 4, the scenarios presented to the voters of a tax rate maximum impact of \$2.10 per thousand and a maximum betterment of \$7,500 per home (for Phase 4 homes) was based upon the conservative assumption that no state or federal funding would be available for Phase 4. In fact, SRF funding levels between 1996 and 1999 for Phase 3 have been higher than expected, allowing us now to project a maximum betterment of \$6,000 to \$6,500 for Phase 4 (assuming a worst case scenario of no further SRF funding).

The Commission has faced cycles of funding decreases before, and we have successfully lobbied to change the thinking on Beacon Hill. The challenge again is at hand. Wastewater projects face additional competing interests in Massachusetts beyond the Big Dig, such as other transportation projects, landfill closure projects, and water supply projects. Also, other wastewater projects are competing against us for an ever shrinking allocation of funds.

For example, in 1997, over 350 new projects were submitted for funding when we received our SRF funding for East Chelmsford. That represented a significant increase over previous years. In 1998, we were initially informed that East Chelmsford would not be funded because it did not meet the newly promulgated eligibility requirements. Only after intense meetings with the state were we able to convince them otherwise and secure the funding. This scenario is likely to repeat itself as we extend sewers in Phase 4 Areas further and further from the town's water resources and drinking water supplies.

Hopefully, the SRF funding situation will improve with the influx of additional monies as a result of public outcry. The Commission will certainly play its part, as we have in the past, to insure that every possible effort is made to maximize available funding for our project.

The Commission would like to acknowledge our administrative staff, Evelyn Newman, Jacqueline Sheehy, and Irene Oczkowski for their hard work, professionalism and patience. The Sewer Division of the Department of Public Works shares their multifaceted duties, and they are the individuals who interface with the public on a daily basis.

Respectfully submitted,

CHELMSFORD SEWER COMMISSION

John P. Emerson, Jr., Chairman
Barry B. Balan, Vice Chairman
George F. Abely, Clerk
Richard J. Day
John F. Souza



Sewer Commission

Barry Balan, Vice Chairman; John Emerson, Chairman; George Abley, Clerk; Evelyn Newman, Departmental Assistant; Richard Day, John Sousa

Town Clerk

Members:

- | | |
|------------------------------|------------------|
| Mary E. St.Hilaire, CMC,CMMC | Town Clerk |
| Elizabeth L. Delaney | Asst. Town Clerk |
| Raymonde R. Legrand | Senior Clerk |
| Bernadette Gilet | P.T. Clerk |

Sporting Licenses.....	736
Dog Licenses.....	3009
Kennel Licenses.....	9
Birth (Inc).....	431
Deaths.....	290
Marriage.....	203
Intentions.....	210

Three elections were held in 1998. The April Town Election, the September Primary and the November State election. There were two sessions of the Spring Town Meeting that included one Special Town Meeting held within the Spring session, and two sessions of the Fall Town Meeting.

The task of compiling a computer database filing system of the 1700 Planning Board records in the Town Clerk's Office was completed. This will enable the Staff to be more efficient in searching for a record by location, owner of land, date approved, or developer. Other computer files are also being converted over into new programs.

The Town Clerk's Office Staff and the Board of Registrars had a change of personnel during the year. Martha D. Doukaszewicz was appointed on March 18, 1998 as a member to the Board of Registrars, for a two-year term. Martha replaced John Ketcham who had been a member of the Board since 1989. In May, Raye Legrand joined the Town Clerk's Staff. Janet Hart who was the Senior Clerk in the Town Clerk's Office had left, taking advantage of a opportunity to move to the Marshall Islands in July. In December Kathy Kalicki Lennox left Massachusetts bound for Arkansas, and Bernie Gilet became our newest member. Betty Delaney completed her 26th year and Sandy Kilburn finished her 25th year. We welcome aboard Raye and Bernie and best of luck to Janet and Kathy.

Treasurer/Tax Collector

Department Members:

Charles F. Mansfield	Finance Director / Treasurer / Collector
Carol R. Lambert	Assistant Treasurer
Bettie A. Osborne	Departmental Assistant
Judith A. Olsson	Legal/Receivable Clerk
Pat Britton	Data Processing / Receivable Clerk
Anna M. Griffin	Accounts Payable / Receivable Clerk

The town was in a strong financial position at the end of fiscal 1998. This due to conservative budgeting practices and maintenance of ample reserves. Fiscal year 1998 ended with a General Fund surplus of 1.4 million, not including transfers to the town's stabilization Fund. General Fund balance at June 30, 1998 was \$5.58 million(9.2% of revenues), and the town expects to achieve another operating surplus at the close of fiscal 1999. Town officials continued to add to the Stabilization Fund to defray peak debt service in fiscal year 2001. Property Taxes provide the majority of revenues representing 68.8% of revenues in fiscal 1998. Property tax collection have improved steadily since they fell to 91.1% in 1990 during the last recession, and have averaged 98.6% since 1995. Collections in fiscal 1998 were strong at 99.8%. In addition to the town's strong financial reserves, the town had \$993,000 in unused levy capacity under Proposition 2 1/2.

The Town has improved its long-term financial position through the preparation and adherence to five year fiscal forecasts and strategic plan. This plan addresses operating costs, debt, facility needs, and financial reserves.

Sincerely,

Charles F. Mansfield
Finance Director/Treasurer/Tax Collector

Public Safety

Police Department

I herein respectfully submit for your information and review the Annual Report of the Police Department for the year 1998. At the present time, the Department is made up of 58 permanent Officers.

CHIEF OF POLICE

Armand J. Caron

LIEUTENANTS

Steven A. Burns	James F. Murphy
Raymond G. McCusker	Francis X. Roark

SERGEANTS

Daniel J. Ahern - K-9	John A. Roark
Paul E. Cooper	E. Michael Rooney
Philip R. Dube	Colin C. Spence
J. Ronald Gamache	Scott R. Ubele
	John O. Walsh

BUREAU OF INVESTIGATIVE SERVICES / INSPECTORS

Detective Sergeant Timothy F. O'Connor	
James T. Finnegan	Brian F. Mullen
Jared S. Finnegan	George A. Tyros

DOMESTIC VIOLENCE OFFICER/INSPECTOR

Roland E. Linstad

JUVENILE OFFICER/INSPECTOR

Kenneth R. Duane

CRIME PREVENTION OFFICER/INSPECTOR

Edward F. Smith

DEPARTMENT CRIMINAL / PROSECUTOR LOWELL DISTRICT COURT

Sergeant Robert M. Burns

TRAFFIC DIVISION

Sgt. Francis P. Kelly	David M. Leo
Paul E. Richardson	Robert J. Murphy, Jr.

COMMUNITY RESPONSE UNIT

Richard A. Adams	Ernest R. Woessner
David F. MacKenzie, Jr.	

MOTOR CYCLE PATROL UNIT

Timothy B. Bourke	David R. Tine
James M. Spinney, Jr.	Craig E. Walsh

D.A.R.E. OFFICER

Richard D. Hallion

PATROL OFFICERS

Todd D. Ahern	Peter C. McGeown
Jeffrey J. Bernier	Edward F. Quinn
Jeffrey A. Blodgett	John E. Redican
Bruce A. Darwin	Chandler J. Robinson
John J. Donovan	Anthony Spinazola
Patrick W. Daley	Sean F. Swift
Stephen M. Fredericks	Francis P. Techan

Francis J. Goode, Jr.	Robert J. Trudel
Gail F. Hunter	William R. Walsh
Russell H. Linstad	Gary R. White
Andrew N. Lopilato	Christopher D. Zaher
John J. McGeown	

FULL TIME CIVILIAN DISPATCHERS

William G. Amundson	Frederick F. Flynn, Jr.
Gloria E. Armstrong	Kevin R. Proulx
Robert A. Caron, Jr.	Eugene F. Scanlon, Jr.
David J. DeFreitas	William H. Vaughan
Richard Demers	

DEPARTMENTAL ASSISTANT

Mary Jane Grant

PRINCIPAL CLERKS

Donna Fox Lynne M. Tessier

SENIOR CLERK

Diane M. Morgan

Receipts Turned Over To The Town	\$
Permits, fines, and fees	\$ 65,453.81
Lowell District Court Restitution	16,460.00
Registry of Motor Vehicles Disbursements	113,450.00
Total	195,363.81

Breakdown Of Arrests/Crimes	#
Adult Arrests	353
Juvenile Arrests	43
Total Arrests	396
Whites Arrested	353
Blacks Arrested	9
Asians Arrested	21
Unknowns Arrested	13
Charges Logged Against Those Arrested	705

DISPOSITION OF CASES	#
Pending	663
Continued	1
Dismissed	5
Default	50
Guilty	7
Placed on file	2
Not Guilty	1
Placed in ASAP	2
Placed on Probation	3
Suspended Sentence	2
Committed to Jail	5
Continued without Finding	14
Committed to D.Y.S	0
Total Findings	755

MISCELLANEOUS STATISTICS	#
Calls Answered by Cruisers	21,204
Summons Served	287
Accidents Reported	1,274
Fatal Accidents	0
Personal Injury Accidents	202
Mileage of Cruisers	492,000
Station Lockups	424
Citations Issued	2,778
Parking Violations Issued	261
Restraining Orders Served	67
Protective Custody	28
Alarm Calls Responded to by Cruisers	2,121

ACHIEVEMENTS

The Chelmsford Police Department has realized impressive achievements in the past 12 months and are listed as follows:

1. Five Patrol Officers attended Basic Police Academy and were appointed permanent full time Officers.
2. Chelmsford Officers attended a total of sixty two specialized training classes.
3. The Chelmsford Police Department applied for and received the following Grants for 1998:
 - a. \$300,000.00 Universal Hiring Grant
 - b. \$105,000.00 Small Communities Grant Program (1 year extension)
 - c. \$ 50,000.00 Accreditation Grant
 - d. \$ 50,000.00 Mapping Consortium Grant
 - e. \$ 42,000.00 Community Policing Grant

- f. \$ 20,000.00 Communications Grant
- g. \$ 13,500.00 Federal Local Law Enforcement Block Grant
- h. \$ 13,000.00 D.A.R.E. Grant
- i. \$5,000.00 Selective Enforcement Grant

MISSION STATEMENT

We, the Chelmsford Police Department, in partnership with our community are committed to maintaining the peace, protecting life and property, and providing professional law enforcement and crime prevention services. We accept the challenge of reducing the fear of crime by the prevention of criminal activity. We shall provide these services with compassion, dignity, and a proficiency within the framework of the United States Constitution. To enhance the quality of life for all citizens, we will cooperate with other agencies and groups to resolve community concerns. To fulfill our mission, the Chelmsford Police Department will provide a supportive work environment that fosters the professional development of its members.

Service will be our commitment...

Honor and Integrity our mandate.

GOALS

1. Expand the Traffic and Safety Division to suit demands by adding more Officers, thereby making the roads in Chelmsford a safer place to drive.
2. Work cooperatively with the architects and the new Police Facility Committee to obtain bids and secure a contractor. Ground breaking expected by the fall of 1999 with construction completion expected 12-14 months later.
3. Establish Crime Mapping for our community.
4. Expand the cooperative effort between the Police Department and Chelmsford Community Television to have the Mobile Production/Command Center Vehicle on line by July 1, 1999.
5. Finalize the D.A.R.E. Parent Program for September of 1999 thus making the educational link between Police, our youth and their parents complete.
6. Pursue and secure additional Federal and/or State Grant funding.
7. Establish a Community Policing Seminar for the citizens in cooperation with the Community Center for the fall of 1999.
8. Expand our home page to include e-mail capabilities for department members and conduct monthly "crime stopper-tips" over the Internet.

I would like to thank the Town Manager, the Board of Selectmen, all employees of the Police Department and all Town Departments for their cooperation during the past year.

I would also like to express my appreciation to all the Auxiliary Police for their continued dedication and support and to all the Members of the Police Department for the professionalism and dedication exhibited during the past 12 months. Without this support, a lot of worthwhile programs and events could not have taken place.

Respectfully submitted,

Chief Armand J. Caron

Auxiliary Police Report

This year was a very busy year for the Auxiliary Police Department. The unit assisted the regular force at dozens of motor vehicle accidents and assisted with fourteen town sponsored events. The men and women of the Auxiliary Police Unit donated a total of 14,988 man hours performing their assigned duties. Operation property check was once again a tremendous success keeping vandalism to a minimum. The statistics were:

Checks	1997	1998
Vacant House Checks	1,195	780
School Property Checks	15,326	16,640
Town Property Checks	17,060	18,766
Total	33,581	36,186

This preventative patrol saves property owners and the town thousands of dollars annually by reducing malicious destruction.

The Auxiliary once again sponsored the Law Enforcement Explorers Scout Post #370. We are currently rebuilding the post after a loss of high school students to college. I thank our former scouts and wish them well in their chosen careers.

This year some Auxiliary Police Officers also volunteered their time to help coach in the D.A.R.E. Flag Football Program sponsored by the Police Department. The tremendous turnout of children for the program was unexpected and without the help of the Auxiliary Officers, the program would not have been so successful.

I would like to thank all the members of the Auxiliary and their families for donating so much of their time to our town. I would like to thank the Board of Selectmen and the Town Manager for their support, the Police Chief, the Superior Officers and the Patrol Officers of the Police Department for all their assistance and support over the past year.

Respectfully submitted,
Lieutenant Raymond G. McCusker

AUXILIARY ROSTER

- | | |
|----------------------|--------------------|
| Caron, Robert A. | Kulisich, Peter D. |
| Mark A. Cianci | Lopilato, Peter D. |
| Cobuzzi, Victoria J. | Peal, Thomas |
| Doole, Steven | Pearse, Michael C. |
| Dupras, Daniel | Proulx, Kevin |
| Elie, Richard C. | Ravanis, Peter J. |
| Gormley, Elizabeth | Roscoe, Ralph |
| Hanscom, Jason P. | Stoessel, John G. |
| Houston, Michael A. | Thomas, Matthew D. |
| Juhola, Mark A. | Tyler, David W. |

Fire Department

The Chelmsford Fire Department had a busy year in 1998. Emergency responses increased 3% or 109 calls. Actual fire calls were up over last year by 14 % or 27 calls. Medical aid calls have continued to rise with a 7% increase. Service calls and investigations decreased for the third year in a row. 1870 burning permits were also issued in 1998.

Four firefighters retired during this past year: Emil Magiera, Paul D. Hayes, Joseph Spinazola and Peter Johnson. These men brought a great amount of experience and expertise to the job each and every day which will be missed. We would like to wish them success in their retirement.

Three new firefighters were hired on July 1st to replace three of the retired firefighters noted above: Daniel Manley, John Kivlan and William Bacon. We wish them well in their new career.

The Department has instituted an Accountability and Incident Command System (ICS). The I.C.S. allows for the management of personnel, equipment and communications throughout emergency operations. The Accountability System enables the fire incident commander to account for all Fire/Rescue personnel at an emergency scene. Both these systems will enhance the safety of emergency personnel operating at an incident and also make operations more efficient.

We have also changed our radio frequency to a private channel. In the past we have been operating on a shared channel with 16 other communities. Radio traffic on the shared became too busy to monitor and to obtain air time during emergencies. The new channel has proven to be much more effective.

I would like to thank the Town Manager, the Board of Selectmen, and all other Town departments, along with the members of the Chelmsford Fire Department and my office staff, for their help and cooperation over the past year.

Respectfully Submitted,

John E. Parow, Chief of the Department

Fire Department Roster

Fire Chief

John E. Parow

Deputy Chief

James A. Sousa

Michael F. Curran

Captains

James M. Spinney

Charles A. Schramm

James P Boormeester

W. Michael Burke

Walter F. Adley, Jr.

Firefighters

William Bacon	John P. Kivlan
William V. Cady	Raymond R. Kydd
David Campbell	Cynthia Leczynski
William Campbell	Emil Magiera *
Jack Carroll	Daniel Manley
Anthony Cincevich	Leo Manley
David Clancy	Leo Martin
Kevin Clarke	Michael McTeague
F. Mark Conlin	Leslie Merrill
James Curran	Richard Miller
William Curran	Edward J. Nolet
William Dalton	Kevin O'Brien
John DePalma	Marc Pare
Michael Donoghue	Donald Peterson.
Bruce Donovan	Daniel T. Reid, Sr.
Donald A. Drew	Daniel T. Reid, Jr.
James J. Durkin	James F. Reid
Jesse Foster	John E. Reid
Daniel Funaro	Michael Ridlon
David Hadley	Rick Rivard
William Hadley	John Robinson
Paul D Hayes *	Gary Ryan
Henry A. Houle	George Ryan
William Jamer	Kevin M. Sheehy
Peter Johnson*	Joseph Spinazola *
Dennis Keohane	Brian J. Stanton
William Keohane	Daniel Ubele

Department Assistant

Martha A. DeSaulnier

Mechanic

James Keeley

*Retired

Fire Department Calls

Year	Auto Fire	Bld Fire	Outside Fire	Mutal Aid	Investigation	Services	False Alarm	Medical Aid	TOTAL
1989	78	60	112	10	559	95	343	652	1909
1990	80	58	119	8	645	63	142	648	1763
1991	70	57	153	18	706	1128	76	771	2979
1992	63	39	99	19	755	983	76	821	2855
1993	59	29	103	29	758	1193	128	885	3184
1994	88	46	100	11	842	1142	70	1127	3426
1995	100	52	114	28	852	953	4	1445	3548
1996	67	66	74	14	973	1441	3	1609	4247
1997	56	36	97	17	808	1406	0	1724	4144
1998	50	53	113	15	780	1399	2	1841	4253

Office of the Dog Officer

Items	Amount
Citizen complaints answered	1,341
Dogs picked up and taken to pound	80
Dogs returned to owners	65
Dogs adopted after 10 days	0
Stray dogs disposed of at the Lowell Humane Society	15
Road kills disposed of at the Lowell Humane Society	145
Violation citations issued	13
Animal bite reports	48
Total miles traveled	12,939
Dogs licensed for 1998	3,090
Value of citation fines	375.00
Other funds turned into the town	530.00

Raccoon rabies has now been documented in 306 towns in Massachusetts. At this time, no confirmed cases of rabies have been found in Chelmsford. The outbreak has peaked in most areas, but because the disease will always remain in the raccoon population, we should always maintain a healthy respect and be cautious when dealing with animals. Dog and cat owners are responsible for keeping their animal's rabies vaccination current for every ones protection.

Respectfully submitted,

Franklin E. Warren, Animal Control Officer

Department of Public Works

The Department of Public Works, created by the Town Charter is comprised of Divisions including the highway, engineering, recreation, public buildings, parks, public shade trees and the operation of the sanitary sewer system.

Engineering Division

Members:

James E. Pearson, P.E.	Director & Town Engineer
George LeMasurier,	Assistant Town Engineer
Gail A. Loiselle,	Principal Clerk
James B. Stanford,	Project Engineer

Listing the engineering assistance given to other Town boards and departments can best summarize the work of the Engineering Division. This year's projects included:

Planning Board:

- Reviewed twenty-four (24) subdivisions and/or site plans
- Inspected new construction on thirty-one (31) projects
- Prepared cost estimates for bonding new roadway construction and prepared bond reductions
- Attended all regular meetings
- Reviewed twenty-four (24) Approval not required plans

Assessors:

- Updated Assessors Maps
- Calculated lot areas
- Assisted in property line determination

Town Manager's Office:

- Inspected streets and reviewed plans and legal descriptions for street acceptances of Rosemary Lane, Stroble Lane, Hillside Lane, Hollow Ridge Road, Trailside Drive, & Wells Fargo Road
- Prepared maps for the Town Meeting articles
- Inspected & responded to pole location requests from utility companies
- Prepared Release of Easement document & exhibit for 12 Charlemont Court
- Updated Zoning Map
- Inspected & responded to drainage, tree, and other miscellaneous complaints
- Prepared Grants of Easements for drainage purposes on all new street acceptances

Highway Division:

- Inspected and prepared cost estimates for the resurfacing of ten (10) streets
- Provided drainage/grading analysis for thirty-eight (38) projects
- Supervised safety improvement at the intersection of Biltmore Ave. and Carlisle Road
- Provided layout for lanes and islands on Billerica Road after resurfacing
- Assisted with the snow and ice effort
- Provided layout, grades, and inspections for sidewalk construction on Summer Street
- Prepared revised plow route maps to include new streets

Project Engineer Jim Stanford continued design and construction management for the Westlands area roadway, sidewalk and drainage improvements. Completed construction of the new highway maintenance building including the implementation of specialized hydraulic equipment for this facility. Jim designed alternatives for Roberts Field and Central Square parking lot improvements and completed the drainage study for Longview Drive. He also represents the engineering department on the Police Station Building Committee and the GIS implementation committee.

Payrolls, expense vouchers and budgeting for all divisions except the Highway Division are performed in this office.

Highway Division:

Members:

John Long	Superintendent of Streets
Larry Ferreira	Foreman
Marie Burns	Principal Clerk

Drivers

Todd Chase
David Eacrett
Bryan Edwards
David Irvine
David Palmer
Richard Rowsell
Thomas Ryan
Paul Winegar

Operators

Gary Beaulieu
Audie Boudreau
Joseph Eriksen
Dennis Greenwood
Raymond Maybury

Mechanics

John Ferreira, Lead Mechanic
Richard Jensen

Laborers

Kenneth Burroughs

The Highway Division maintains and improves all the streets, culverts, catch basins and manholes, street signs, traffic signs and traffic signals for approximately 200 miles of roadway. Additionally, the Highway Division clears the streets and public lots of snow and ice and assists the other departments with the division's equipment and expertise of the crew. The office maintains all financial records needed for the reporting, tracking, payments of all vouchers connected with the highway budgets – including General Expenses, Salaries, Snow and Ice, Massachusetts Chapter 90 Funding (road reconstruction or repair), Street Lighting and Capital Expenditures.

Streets Resurfaced

Billerica Road	McCormack
Park Road	Longview
Summer Street	Monument Hill
Robin Hill	

All drains on the resurfaced streets were reconstructed prior to the resurfacing. Sidewalks were constructed on Summer Street and Stedman Street. In addition all drains in the sewer area were reconstructed prior to the pavement overlay by the Sewer Commission.

Public Buildings

Members:

Theodore Godfroy	Superintendent
David Grimshaw	Custodian
Gerry Johnson	Custodian

The Public Buildings Division maintains all public buildings in town. This division performs the everyday custodial duties as well as the updating of buildings to meet the ever-changing needs. This division also accommodates Board of Selectmen meetings, various town committees, commissions and multiple group meetings ensuring no conflicts with dates, times and meeting rooms. Snow removal during the winter months can also keep the staff very busy.

Gerald Johnson and David Grimshaw retired during the past year. We thank them for their years of service with the town and wish them the best. To better serve the needs of the division these positions have been upgraded to "Maintenance Specialist". Along with the daily duties performed, a systematic floor care program has been implemented. Other duties include furniture repair, mechanical repair, repair of ceilings, walls, woodwork and the never-ending need of painting.

This year's special projects at the Town Offices included:

- New heating system boiler
- New carpet on second floor in hallway and conference room
- Directories and signage were brought up to ADA compliance throughout the building.
- A new rubber roof was installed to replace the much patched ninety-nine year old tar and gravel roof.

Projects at the Old Town Hall included:

- The tower was repaired and re-roofed.
- Window screens were installed
- In a joint effort combining personnel from the Senior Citizen Program, Parks and Public Buildings Departments an area that was not functional was converted to a room that can be utilized for many different activities.
- Combined efforts also cleaned, repaired and painted four other function rooms.

Parks Division

Members:

Ed Jamros	Groundskeeper
Randy Boisvert	Laborer

The Parks Division maintains all parks, traffic islands, ballfields, playgrounds and commons in town. The grounds are groomed each spring and prepared for the heavy use each area receives during the year. This Division also prepares the Town Common for the annual July 4th celebration as well as the cleanup and restoring of damaged areas resulting from an abundance of activities throughout the year.

Special projects this year included:

- New fencing at the Varney Field Ballpark
- Two new park benches installed at Center Common. The Chelmsford Garden Club purchased the benches.
- Four new park benches were installed at North Common and Center Common.
- Backstops at Southwell Field were repaired
- Strawberry Hill field was reconstructed courtesy of Chelmsford Little League
- Installed new park benches at Southwell field
- Assisted in new lighting at the women's field at Southwell Field
- Repairs made to benches at North and Center Commons
- Planted new trees at North Common

Sewer Division

Members:

Joseph Witts, Operations Supervisor
James Casparro, Sewer Inspector
Michael Vosnakis, Maintenance Technician
Daniel Belkas, Maintenance Mechanic
Evelyn Newman, Departmental Assistant
Jacqueline Sheehy, Principal Clerk
Irene Oczkowski, Clerk
John Kobelenz, Safety Plumbing Inspector

The Sewer Division continued to expand this year with the addition of 686 new sewer connections, bringing the total on-line sewer users to 6003. The Rainbow Avenue sewer contract was completed. The East Chelmsford and Hart Pond contracts have begun construction and are scheduled for completion in the year 2000. No new pump stations were added, but the Abbott Lane pump station will be online in early 1999.

The operations staff performs sewer connection inspections, maintenance, repairs, and upgrades of the sewer pumping stations and sewer lines as they become necessary. They also perform building grounds maintenance to the pump stations as well as any other duties that keep the collection system operating smoothly.

The office staff handles all sewer betterments, sewer billing, phone inquiries, complaints and other related correspondence. They also perform clerical work for the Chelmsford Sewer Commission.

We thankfully acknowledge the East, Center, and North Water Districts for their ongoing cooperation, the Police and Fire Departments for their assistance in monitoring pump station alarms, the Highway and Parks Departments for their manpower and equipment assistance, and the Sewer Commission with whom future projects are coordinated.

I would like to thank all the staff members for their flexibility and cooperation in servicing the needs of the town and it's residents.

Respectfully submitted,

James E. Pearson, P.E.

Director of Public Works

Education

School Committee

The membership of the Chelmsford School Committee at the end of the 1997 calendar year included Mrs. Judy Mallette, Chair; Mrs. Mary Frantz, Vice Chair; Mrs. Evelyn Thoren, Secretary; Mrs. Mary Jo Sullivan Griffin, Member at Large; Mr. Tony Volpe, Member at Large; and Cegeon Chan, Student Representative. Central administration for the Chelmsford School Department included Dr. Richard Moser, Superintendent of Schools; Dr. Karen Mazza, Assistant Superintendent for Curriculum and Instruction; Mr. Bernie DiNatale, Director of Information and Technology Services; Mr. Robert Cruickshank, Business Manager; and Mrs. Dory Toppan, Director of Personnel.

A major focus of the Chelmsford School Department during 1998 was to develop the parameters of a facilities study to be conducted during the second semester of the 1998-99 school year. The study will include an analysis of the demographics of the Town of Chelmsford as it relates to future enrollment projections, exploration of alternative uses of existing space, and a review of the physical conditions of all existing school department buildings. The goal is to develop a long range facilities improvement plan to meet the future needs of Chelmsford students and staff.

A comprehensive selection process was conducted to identify a qualified architectural firm to serve as project consultants. Drummey, Roseanne and Anderson, Inc. (DRA) was chosen to conduct the study. DRA is an experienced architectural firm with substantive experience conducting similar feasibility studies in other cities and towns over the past twenty-five years. Their timeline includes project completion by the end of the 1998-99 school year. The Chelmsford School Committee will review their findings, present a status report at the April 26, 1999 Town Meeting, and submit final recommendations to town officials and the Chelmsford community through the summer months.

One reason for the development of a facilities study is the continuing growth of the Chelmsford Public Schools. School enrollment grew by 101 students this year, from 5,415 during the 1997-98 school year to 5,516 in September of 1998. Much of the growth is a function of the departure of a 1997 graduating class of 369 students and the entrance of an incoming kindergarten class of 457 students. Other growth has occurred primarily at the elementary and middle school levels; however, future growth is expected at the high school as larger classes of students in the younger years move their way through the school system into grades nine through twelve. Enrollment is projected to steadily increase and eventually exceed 6,000 students by the 2004-05 school year.

Increased enrollment for the 1999-00 school year will be accommodated by the development of Center School as an elementary facility of the Chelmsford School Department. Renovation and construction of the Center Elementary School began during the summer months of 1998. Demolition activities have been completed and the construction phase is well underway. The project is expected to be completed in August 1999, well in advance of the beginning of the 1999-00 school year. The Center Elementary School will serve 453 students in grade K - 4.

A second activity conducted during the 1997 calendar year, directly related to the development of Center Elementary School, was the reorganization of elementary school attendance areas. This difficult task resulted in approximately 30% of Chelmsford elementary school students being redistricted into a new attendance area for the 1998-99 school year. The Chelmsford School Committee and central administration were pleased with the manner in which families of elementary school students adjusted to the planned changes. Change is difficult, but the newly reorganized elementary school attendance areas will result in a more manageable school size for our five elementary schools in 1999-00. Our elementary school enrollments for 1999-00 are anticipated to be as follows:

School	1998-99 Actual Enrollment	1999-00 Projected Enrollment
Byam Elementary School	599	516
Center Elementary School	0	453
Harrington Elementary School	612	518
South Row Elementary School	601	433
Westlands Elementary Schools	477	379

A final focus of the 1998 calendar year worthy of attention by the Chelmsford community is the increase in the number of special education students and the corresponding pressures such increases place on the Chelmsford School Department budget. There has been an increase of approximately twenty students since September 1998 requiring out-of-district placements for educational services that cannot be performed in the context of Chelmsford in-house programs. Similarly, a larger number of students are requiring special programs associated with regulations of the 504 American Disabilities Act. Such increases have contributed to significant budgetary pressures for the 1998-99 school year and the projected budget for the 1999-00 school year.

The high cost of special education services was on the legislative agenda for 1998 and is again on the agenda for 1999. The Chelmsford School Committee has been active in studying the impact of special education for the Chelmsford Schools and will remain active as the legislature explores alternative funding structures for future years.

The Chelmsford School Committee continues to commit to the mission of our school system for all students.....”to cultivate the development of students into self-confident, lifelong learners and responsible citizens who possess personal integrity and the ability to succeed in a global society. The Committee welcomes input from our community on school programs and looks forward to a positive end to the 1998-99 school year.

IN CONCLUSION:

The School Committee wishes to extend deep appreciation to the following staff members for their years of loyal and meritorious service and who have retired this past year:

TEACHERS

- William Berry, Art, Chelmsford High School
- Diana Maloomian, Grade 5, McCarthy School

SUPPORT STAFF PERSONNEL

- George Brown, Custodian
- Bridget Cronin, P.S.P., High School Library
- Paul Garron, Head Custodian, McCarthy
- Dolores McAdam, Guidance Registrar, High School
- Jean Page, P.S.P., Harrington School
- Anita Perreault, Financial Coordinator, Central Office Administration
- Constance Pickard, I.P.S.P., Byam School
- Francis Poirier, Head Custodian, Harrington School

IN MEMORIAM:

The community and the Chelmsford School Department were grieved by the death of David McAndrew, Custodian at the Parker School. He will long be remembered for his devotion to the citizens of the Town of Chelmsford.

Respectfully Submitted by:

Richard H. Moser, Ph.D.
Superintendent of Schools



School Committee

Front Row: Cegeon Chan, Student Rep; Judith Mallette, Chairman; Dr. Richard Moser, Supt.

Back Row: Mary Frantz, Vice Chairman; Evelyn Thoren, Secretary; Mary Jo Griffin, Anthony Volpe

Assistant Superintendent for Curriculum and Instruction

Several initiatives have been important components of the instructional improvement efforts of the Chelmsford Public Schools during 1998. At the elementary school level, the district began a new early intervention reading program designed to help grade 1 students. Staffed by an early intervention reading specialist at each school, this program provides small group instruction to students in the classroom who have identified needs for extra support in the development of early reading skills. The intent is to provide support for early success and prevent learning problems from becoming larger deficits in later school years.

The district is continuing to write curriculum based on the Massachusetts Curriculum Frameworks. Of particular note, new units on technology and the industrial period of American History and on Ancient World Civilizations were developed for Grade 4. The district received a grant from the Massachusetts Department of Education to provide a course on Ancient Civilizations to Grade 4 teachers to prepare them for teaching this new unit topic. A professor at the University of Massachusetts/Lowell has taught this course.

The Massachusetts Comprehensive Assessment System (MCAS) was administered for the first time in 1998. This new assessment system for students in Grades 4, 8 and 10 is designed to assess student achievement of the learning standards in the curriculum frameworks. It is a very challenging test designed to hold schools and students accountable for improvement. The district is using the MCAS test results, along with other indicators of achievement, to develop data-driven analysis plans for school improvement.

Several initiatives are designed to support improvement in instruction. The new process for teacher supervision began in 1998. This process creates a cycle for supervision that includes opportunities for professional development, and a new focused evaluation plan that allows individual teachers to concentrate on a particular skill or knowledge base that he or she would like to extend and refine. The district also began a new mentor program for new teachers to support them in their first years of teaching. We have also continued to offer the Understanding Teaching Courses taught by Research for Better Teaching, serving approximately 75 district teachers per year.

Nashoba Valley Technical High School

Administration

Judith L. Klimkiewicz	Superintendent
Victor Kiloski	Assistant Superintendent / Principal
Ralph Dumas	Business Manager
William Towne	Director of Student Support Services & Measurement
Barbara Donaghue	Director of Curriculum Development
Kent Forty	Dean of Students
George Kalarites	Facilities Manager

School Committee

Peter Bagni	Chelmsford	
Charla Boles	Groton	
Augustine Kish	Littleton	
Irene Machemer	Townsend	
Hajo Koester	Westford	
Leo Dunn	Westford	
Joan O'Brien	Westford	Vice Chairman
Evangelos Lekas	Chelmsford	
Garry Ricard	Pepperell	
Sharon Shanahan	Chelmsford	
Benjamin Wales	Pepperell	
Richard White	Shirley	Chairman

Alternates

Al Buckley	Pepperell	
Frank Heslin	Westford	
Samuel Poulton	Chelmsford	Secretary
Barbara Sherritt	Townsend	
Heidi Shultz	Shirley	
Deborah D'Agostino	Groton	

School Data

Type: Public, regional four-year vocational technical high school

Student Enrollment:	As of October 1, 1998	
	Chelmsford	119
	Groton	39
	Littleton	9
	Pepperell	124
	Shirley	23
	Townsend	90
	Westford	81
	Ayer	28
	School Choice	47
	Total Enrollment	560

Accreditation: New England Association of Schools and Colleges

College Board Code Number: 222-333

Faculty: Sixty-five certified teachers

Pupil Teacher Ratio: 10:1

Calendar: Three twelve week trimesters. Eight 45 minute periods, five days per week. The school schedule alternates one week of academic classes with a week in a vocational technical program.

Vocational-Technical Programs

Auto-body Repair	Graphic Communications
Automotive Technology	Horticulture / Landscape Design
Construction / Cabinet Making	Computer Aided Machine (Machine Tool Tech)
Culinary Arts / Hotel Management / Conference Planning	Medical Occupations
Computer Aided Drafting / Design	Dental Assistant
Electrical Technology	Metal Fabrications
Electronics Repair	Painting & Decorating / Interior Design
Early Child Care Education	Plumbing / Heating
	Banking / Retail / Marketing (1999-2000)
	Pre-Engineering (1999-2000)

Special Academic Programs

Students receive four years of computer applications. Foreign Language is offered all four years for interested students. Juniors with honor grades may elect to enter the Dual Enrollment Program and take their senior year with a community college in Massachusetts or New Hampshire. Upon completion, they receive their high school diploma from Nashoba and an Associates Degree from the College they have attended.

Student Activities

Nashoba sponsors an extensive program in intra-scholastic sports including varsity teams in ten sports with equal opportunities for male and female students. Other activities include Student Council, National Honor Society, Yearbook, Students Against Destructive Decisions, Vocational Industrial Clubs of America, peer counseling and many special interest clubs. Nashoba does not charge user fees.

The iKidsi Career Exploration Program

A free program for four afternoons from 3-6 PM offering students in grades five, six and seven an opportunity to explore career opportunities in several vocational programs as well as World Language (Spanish).

Continuing & Community Education

Approximately fifteen hundred adults attend this evenings run program every school year.

Summer Programs

Nashoba Valleys Allstars Summer Program is offered to 5th, 6th, and 7th graders in the area. Students enjoy outdoor adventures, sports programs, computer applications & graphics, and academic enrichment.

Town Committees and Commissions

Arts & Technology Education Fund

MEMEBERS:

Evelyn S. Thoren Chairman (1998)
Sheila Pichette Secretary (1998)
Edward Morassi Financial Liason (Chair 1999)
Beverly Barrett (Secretary 1999)
George Ripsom
Kit Harbison
Richard Moser Superintendent of Schools

The Spring Town Meeting approved an amendment to their General By-Laws be adding Section 13 to Article VII entitled Chelmsford Arts and Technology Education Funds (ATEF). The purpose of this fund is to provide supplemental funding to support local educational initiatives and projects. Thanks to your generosity and support the ATEF has received over \$22,000 since its inception in November 1996. The fund received corporate donations from Lockheed/Martin (\$1000) and from PROSYS Corp. (\$500). The committee is currently working on investment strategies and researching other financial resources in order to create a lasting fund and insure continued and consistent awards.

Chelmsford is the first town to have a By-Law in place that specifies the application process, committee make-up and limitations. In June 1998 a seven member committee made awards totaling \$2000 to Christine Morassi - Westlands School, Sue Jamback - Chelmsford Public Charter School, Brenda O'Brien - Byam School, and Dr. Richard Hentz- McCarthy Middle School. These projects are currently being implemented. The Spring 1999 Applications and copies of the applications along with the By-Law were distributed in January 1999 to each school. The committee received completed applications by March 31, 1999. Teachers and School Councils apply for these funds. Awards will be announced in June 1999.

The concept of using tax check-offs for an alternative funding source for education was initiated by Arlington's veteran Town Treasurer, John Bilafer, under a Home Rule Petition over twelve years ago. Since this was accepted, over fifty towns in Massachusetts have adopted the statute Chapter 60. Chelmsford became involved in the process of adopting Chapter 60 through the efforts of Anthony Volpe, a member of the Chelmsford School Committee. The ATEF Committee is following with great interest the State Senate evaluation of Bill # S1475, An Act Establishing a Matching Grant Incentive Program for Cities and Towns Establishing Scholarship and Educational Funds.

Chelmsford uses pink insets in the real estate and excise tax bills as the method to elicit voluntary contributions to enhance the education of Chelmsford Public School students. The collected money does not become part of the school budget. The Town Treasurer disperses the funds under the direction of the ATEF Committee. Information sheets are available in the Town Offices.

The contributions* that you give have and will continue to make a difference in the education of our children ... our future taxpayers.

*These contributions may be tax deductible. Please contact your tax consultant.

Board Of Appeals

Members:

Harold Organ, Chairman
John Coppinger, Vice Chairman
Eileen M. Duffy
Gustave Fallgren
Ronald Pare'
Paul Landry, Alternate
John Blake, Alternate
Doris McClay, Board of Appeals Clerk

The Board had 42 petitions for Variances and 33 petitions for Special Permits. The statistics are as follows:

Type	Total	Granted	Denied	With drawn
Variance*	42	36	5	1
Special Permit 33	28	3	2	
Section 8 Appeals	3	2	1	0
Requested Extensions	3	3	0	0
Total	81	69	9	3

* One Variance petition was remanded back to the Board for reconsideration.

The Board wishes to express its gratitude to the Board of Health, Sign Advisory Committee, Conservation Commission, Planning Board, Building Inspector and Board of Selectmen for their assistance and cooperation.



Board of Appeals

Front Row: Gustave Fallgren, Harold Organ, Chairman; Eileen Duffy

Back Row: Ronald Pare', John Blake, John Coppinger, Vice Chairman

Celebrations Committee

Members:

Walter R. Hedlund Chairman
James K. Gifford
Robert J. Kelley
David Marderosian
Jeffrey W. Stallard

The 31st Annual 1998 4th of July Celebration was once again a tremendous success.

Thanks, to Chelmsford Lions Club, Chelmsford Lodge of Elks, No. 2310, Chelmsford Art Society, Chelmsford Community Band and many other Volunteers Chelmsford Organizations.

Thanks, for their efforts and assistance from Department Heads and their Personnel of the Police, Fire, Highway, Parks and D. P. W. the Town Manager and the Board of Selectmen.

To the members of the Chelmsford Auxiliary Police and Explorers Troop a special Thank You for your many Volunteer Hours.

The Committee, is now planning for the 1999 Annual Fourth of July Celebration, it's 32nd Year.

Respectfully Submitted

Walter R. Hedlund

Cemetery Commission

Members:

Gerald L. Hardy, Chairman
James F. Dolan
Jean R. McCaffery

Cemetery Department Personnel:

John Sousa, Jr.	Superintendent
Jorge Caires	Working Foreman
Kenneth Frazier	Backhoe Operator
Patrick Caires	Truck Driver
Eileen Johnson	P.T. Clerk
Claudio Caires	Special Laborer
Justin Johnson	Special Laborer
David Casey	Temporary Special Laborer

The Cemetery Commission is pleased to report some major accomplishments and highlights of 1998 to the citizens of Chelmsford. A number of improvements were completed at your Town cemeteries during the year including the following:

At Pine Ridge Cemetery earthwork was completed and grass was established in newly developed Section J. A second row of Austrian pines was planted as a buffer between Section J and the recent development at 100 Apollo Drive. This section will provide adequate space for nearly one thousand future grave sites.

Additional land was also cleared, stumped, and graded for future Section K. The Cemetery Department staff applied grass seed, fertilizer and extended new water lines to this area. The staff also redesigned an existing shrubby garden and cemetery road intersection to allow for smoother funeral traffic flow.

At Forefathers Burying Ground, our ongoing monument restoration program efforts continued. Twenty granite family monuments, which were either leaning or sinking, were reset on new concrete foundations. In December, the Commission selected the consulting firm of Fannin-Lehner to develop a comprehensive preservation plan for Chelmsford's earliest cemetery.

The Commission wishes to thank the Chelmsford Rotary Club for their generous donation of two hundred daffodil bulbs. The bulbs were planted last Fall by Nashoba Valley Tech. Horticulture students under the leadership of Harry Mohla

The number of interments reached an all-time high of 181. Cremation interments totaled 35 for the year and accounted for 19% of total interments. There were 90 burial lots sold during the year which represents a 26% decrease in lot sales over 1997.

The Cemetery Commission would like to commend the following Cemetery Department staff members for working so diligently to keep Chelmsford's six cemeteries well-maintained and attractive burial places.

Respectfully Submitted,

Gerald L. Hardy, Chairman

Community Services Council

Members:

Kathy Cryan-Hicks, Library
Susan Carmaris, Cultural Council
Kit Harbison, Resident
Holly Rice, Recreation
Matt Scott, Cable Television
Mary Walsh, Council on Aging

The Chelmsford Community Services Council was formed by the Town Manager to coordinate and expand Chelmsford's recreation and cultural opportunities. By improving and expanding the delivery of these services we hope to enrich the quality of life in the Town of Chelmsford as well as increase our sense of community.

The Chelmsford Community Services Council continues to deliver over 13,000 copies of the Chelmsford Community Newsletter to Chelmsford residents. The Chelmsford Community Newsletter was designed to increase the awareness of the programs and services that Chelmsford offers its citizens. These programs may be educational, cultural, recreational or all of the above. In addition to being a guide for seasonal activities, the Chelmsford Community Newsletter will provide information about the how and why of town services to better understand government operations.

The Chelmsford Community Services Council continues to sponsor the annual Winterfest event. This extremely successful and fun-filled weekend includes the chowderfest, ice-skating, hay rides, tearoom, variety show, carving of ice sculptures and much more. We will continue to offer a full slate of both indoor and outdoor activities for the entire community for future Winterfest Weekends. Numerous organizations in town sponsor specific events at various locations throughout Chelmsford. A very special thank you to Peggy Dunn for her continued dedication to the Winterfest event!

We would like to thank all that support the Chelmsford Community Newsletter and the annual Winterfest event.

Conservation Commission

Members:

Bob Greenwood, Chairman
David McLachlan, Vice Chairman
Christopher Garrahan
Lynne Davis
John Smaldone
Michael Jasinski
Charlene Parlee
Andrew Sheehan, Community Development Coordinator

During 1998, the Conservation Commission had a total of 80 filings under the Wetlands Protection Act and Wetlands Bylaw. The primary responsibility of the Conservation Commission is enforcement of the Wetlands Protection Act, MGL Ch. 131, s. 40, and the Chelmsford Wetlands Bylaw, Article XI of the General Bylaws. The Conservation Commission received 32 Notice of Intent filings. The Commission also held public meetings for 48 Requests for Determination. The Commission heard 3 cases of alleged wetlands violations. In response to the wetlands violations the Commission levied one fine of \$500. This business was accomplished in 22 meetings and 10 Saturday sitewalks. Commissioners and staff conducted several hundred inspections at construction sites.

The Conservation Commission is pleased to report continuing progress in the management of its Reservations, Town Forests and conservation lands. The Commission held a public hearing on the Open Space and Recreation Plan prepared by the Community Development Coordinator with the assistance of an intern. The Commission approved the Open Space and Recreation Plan which was approved by the State's Division of Conservation Services. Approval of the Plan allowed the Town to apply for funds for the improvements of Southwell Park.

The Commission again received valuable assistance from Eagle Scout and Gold Scout candidates. A number of mapping and improvement projects were undertaken on public lands again in 1998. As always, the Commission is grateful of the help of local Boy and Girl Scout troops.

Wetlands Protection	95	96	97	98
Requests for Determination	27	30	51	48
Notices of Intent	30	21	24	32
Total	57	51	75	80

Council on Aging

Council on Aging Members 1998 -1999

Elizabeth Marshall, Chairperson
 Arline Leman
 Donna Pechulis, Vice Chairperson
 Elizabeth McCarthy
 Jean McCaffery, Clerk
 Raymond Palmer
 Walter Clevon
 Peter Pedulla
 Lilla Eaton
 Joseph Warburton
 Catherine Goodwin

The Chelmsford Senior Center is a source of pride for the community and certainly one of the most active centers in the Commonwealth. Each day more than four hundred people pass through the doors to avail themselves of the various programs, services and recreational offerings. It is a department constantly evolving in response to individual and collective needs, and its human service importance will definitely continue to accelerate into the new millennium. The following program statistics give some indication of our efforts during the past year.

- Adult Social Day Care 49 participants, average daily Attendance is 11.5
- Congregate Lunch 45,644 meals; average daily is 188
- Elder Home Repair Services 38 minor repairs completed
- Friendly Visitor Program 42 elders, 1250 hours of service
- Health Benefits Counseling 278 seniors benefited from SHINE Medical Programs and Sr. Pharmacy Program
- Meals on Wheels 17,908 meals; average daily is 74
- Transportation 8,673 single trips/166 participants
- Outreach 15-20 per week visits to seniors
- Over 70 to assess needs and recommend services
- Trips 44 throughout the year
- Tax/Fuel Assistance 164 seniors benefited from these Services
- Respite/Companion Care 72 clients and 19227 provider Hours

Other Accomplishments:

- \$4,000 dollar Service Incentive Grant received from the Executive Office of Elder Affairs
- \$1,000 dollar grant received from Massachusetts Foundation for the Humanities which funded writing classes for 24 seniors
- Five classes (60 seniors) participated in computer training at Technology Dept. in Chelmsford High School Fourth Grade students at the Byam School developed and maintain a "Home Page" for the Senior Center: www.schools.chelmsford.ma.us/seniors

- Enclosure of the sun porch by students from Nashoba Technical High School

It was a successful and fulfilling year for everyone involved with the center's growth and development. The "Friends of the Senior Center" continued their dedicated efforts to support programs, make improvements and fund social service position by contributing approximately \$85,000 dollars. In June, the "Friends" funded a Volunteer Appreciation lunch, which honored 270 active volunteers, who contributed 34,042 hours of service during the year. Ultimately, the success of the center is based on the collective efforts of everyone involved. It is the pride and commitment of staff in responding to elderly needs. It is the effort, understanding and direction of the Council on aging members who work with the Director to steer the best course possible. It is the residents of Chelmsford who give us their financial support, dedication and involvement. It is a good relationship, one that resounds with community pride.

Submitted by

Martin J. Walsh, Director

Cultural Council

Members:

Susan Carmeris
Judy Fichtenbaum
Carol Merriam
Donna Thoene
Kathy O'Brien
Hildy Griffin
Ronalee Sayers
Judy Jump
Louie Stamas

Meetings: 1st Wednesday of the month, ten meetings per year.

The Chelmsford Cultural Council is a local agency of the Massachusetts Cultural Council (MCC), and was established to carry out the mission of the state agency by supporting programs that promote access, education, diversity, and excellence in the arts, humanities, and interpretive sciences. It allocates state funds for these disciplines through the local grant program. The primary source of these funds is the Megabucks Lottery game. Grant award decisions are subject to final approval by the MCC. These programs improve the quality of life for our residents and contribute to the economic vitality of our community. The council is comprised of nine residents who are appointed by the town manager.

In 1998 the council voted 23 grants totaling \$15,557. Students in the Chelmsford Public Schools directly benefited from 12 of these programs.

Accomplishments this year: In addition to granting state funds, LCC's may choose to produce other cultural programs for the benefit of the community at large. The Chelmsford Cultural Council has taken an active role in town by promoting a variety of cultural events. Additional programs presented during 1998 include: . Contributed to Chelmsford's Winterfest Weekend by funding a Jazz Band (Edward Wirt) who performed during an art show produced jointly by the Cultural Council and the Chelmsford Art Society. The Cultural Council displayed all the entries of their recent town-wide Photography Contest entitled "Your Image of Chelmsford". There were three categories - Professional, Amateur and Student. First, second and third place prizes were awarded. . Held Annual Community Input Meeting meeting in March, with a presentation by guest artist Berna Finley. Funded Quintessential Brass in conjunction with Chelmsford's Holiday Prelude ceremonies. Presented the fourth annual "Angel of the Arts" award to Kit Harbison and Kathryn Cryan-Hicks noting their support and dedication to cultural programs in Chelmsford. Outgoing members Cathy Clark and Robin Crane were recognized for their service to the council.

Susan Carmeris, Chair

Finance Committee

Members:

Marcia Dobroth Chairman
Clare Jeannotte Vice Chairman
William Curry
Dwight Hayward
Susan Olsen
Cornelius O'Neil
Charles Piper

The Finance Committee is comprised of seven members who are appointed by the Town Moderator to three-year terms.

The Finance Committee is the arm of Town Meeting whose primary mission is to study and make recommendations on the town budget and warrant articles to be considered by the Town Meeting Representatives.

There are two Town Meetings each year; the spring meeting commences on the last Monday in April and the fall meeting is held at the end of October.

Prior to the Spring Town Meeting, the Town Manager presents his proposed budget and capital improvement program for the upcoming fiscal year with accompanying budget message and supporting documents to the Finance Committee.

Each Finance Committee member acts as a liaison to various town departments and boards. Prior to the public hearing, the Finance Committee liaison meets individually with the department head to review the department's budget request. Weekly hearings are held from December through April to hear, analyze and discuss departmental budgets and warrant articles. Each department or independent board is given the opportunity to present their budget and respond to questions and concerns raised by Finance Committee members. Based on its deliberations, the Committee makes a recommendation on each line item of the budget and each warrant article.

Similar to the budget hearings, the Committee also meets with petitioners, proponents and other interested parties, whether in support or opposition of proposed warrant articles that are to be considered at the Spring or Fall Town Meetings. After consideration of each warrant article, the Committee votes on its recommendation. In certain instances, when the article has no financial implication to the Town, the Committee may vote to make "no recommendation" on the article.

The recommendations of the Committee are published in the Spring and Fall Report Books, which are available to residents and Town Meeting Representatives. Additionally, the Report contains financial data specific to the Town and other useful information.

The Finance Committee also has one or more liaisons assigned to all major capital committees including the School Facilities Study Committee, Police Station, Adams Library and the Center School Building Committee. The liaisons are responsible for keeping the Committee informed about a project's progress and financial status.

In accordance with the Town Charter, "The duty of Town Meeting Representatives is to keep abreast of town business and review materials forwarded to them by the Board of Selectmen and Town Manager. It is expected that town meeting members will attend meetings of multiple member bodies, attend hearings held by the Finance Committee and actively prepare for each session of the town meeting." The Finance Committee both encourages and welcomes attendance and participation of town meeting members and residents at any of their meetings.

Historic District Commission

Members:

Peggy Dunn, Chairman
Steve Stowell, Vice Chairman
Tom Doyle
Jack Handley
Brenda Lovering
John Alden, Alternate

The Historic District Commission functions as a regulatory commission for the benefit of the town. A small area of the Town's center section is under the commission's authority. The objective of the Historic District Commission is to provide an expeditious application and review relative to the physical modification to the residences and businesses within the District. Regular meetings are held on the first Monday of each month at the Town Offices.

During the past year, the Historic District Commission received 14 applications for review; 13 applications were accepted, 2 public hearings were held, and 11 public hearings were waived. Eleven Certificates of Appropriateness and 2 Certificates of Non-Applicability were issued. One application for lighted window sign was denied.

Holiday Decorating Committee

Members: 1998

Donna A. Johnson, Chairman
Linda Emerson, Music Chairman
Ellen Donovan, Treasurer
Jean Kydd
Jacqueline Wunschel
Carrie Bacon
Iris Larssen
Carol Gillette
Linda Harrington
Ruthann Burkinshaw
Tink Nussbum
Donna Ready
Tink Nussbum
Donna Ready

Members: 1999

Linda Harrington, Co-chairman
Tink Nussbum, Co-chairman
Carol Gillette, Music Chairman
Ellen Donovan, Treasurer
Jean Kydd
Jacqueline Wunschel
Carrie Bacon
Iris Larssen
Ruthann Burkinshaw
Donna Ready
Lynn Lemaire

Departmental Mission Statement:

The Holiday Decorating Committee is a group of volunteers who arrange and implement the Holiday Lighting and Prelude Ceremony in Chelmsford Center the first Sunday in December. The committee, with the help of several interested individuals and groups, physically put up and take down all the lights on the shrubs and trees on Chelmsford Common, the Old Town Hall and the Chelmsford Business District. In addition to the lighting the committee also organize musical talent who volunteer their time, arrange the hay rides, assist "Piney the Talking Tree" and "Santa" with the more than 500 children who come to see them.

Budget:

While the Committee is sanctioned by the Town, we receive no funds and work from donations give to us by several groups and individuals. We are especially grateful this year to The Chelmsford Business Association, The Chelmsford Rotary Club and the Chelmsford Fire Union for their generous donations.

Goals and Objectives:

Our goal for the 1999 year is to have a third hayride added to the Center Business District to make the waiting time less for our increasing number of participants. We will have to secure the necessary funds to do this but feel we will be able to obtain our goal. We have increased our number of musical and vocal groups over the years and hope to continue receiving their much appreciated talents for the upcoming year. We thank the Police Department, Police Auxiliary, Fire Department and Highway Department for their continued help and cooperation which has made our event possible and a huge success. We feel fortunate to have so many residents support our efforts and thank all those who give so freely of their time and talents to make this once a year event possible.

Donna A. Johnson, Chairman

Housing Authority

During 1998, the Chelmsford Housing Authority has continued to witness a sharp increase in the need for affordable housing for families, elderly and disabled individuals. The average waiting period for elderly disabled housing has risen dramatically with the new preference to local veterans, elimination of the asset limits and an increase in the income limits. Currently, the waiting period for state aided elderly disabled housing is as follows: Local/Veterans 2 or more years, Local Residents 5 to 7 years, Non-residents 10 years or more. Our agency is not able to meet the current demand for affordable housing.

The Section 8 Program opened its list in November with over 1,000 families applying. The Federal Government has continued to reduce the number of participants our agency may assist. Further, the low vacancy rates in Chelmsford have made it quite difficult to house low income families in town. There does not appear to be any immediate solution to this problem as rents are continuing to rise and no new units are being constructed in town.

The Authority is actively pursuing opportunities to increase the number of elderly/disabled housing units in Chelmsford. During 1998, the Authority met with the Town Manager and Board of Selectmen to determine if any land was available for development. The Authority will continue to work with the Town in forging a stronger relationship.

The Chelmsford Housing Authority programs as of December 31, 1998 provided a total of 354 units of low income housing: 181 elderly/disabled and 173 family. Four of these programs are funded by the Commonwealth of Massachusetts through the Division of Housing and Community Development under Chapter 667, Chapter 705, Chapter 689, and the Massachusetts Rental Voucher Program. Chelmsford Arms completed in 1974, has 56 regular units and 8 handicapped units. The Middlesex Community residence for the mildly to moderately retarded was purchased in 1974 and has 5 units. Six, two bedroom condominiums in Pickwick Estates were purchased in 1981. McFarlin Manor, completed in 1981, has 43 regular units, 3 handicapped units, and a four bedroom congregate unit which serves the semi-independent elderly. Delaney Terrace, finished in 1990, has 48 units, 3 of which are handicapped and a one, 4 bedroom congregate unit for the frail elderly. These developments are funded under Chapter 667. Under the 705 Family Program, 11 units are scattered around Chelmsford. The Chapter 689 program is able to serve up to 8 individuals in the facility based respite care development located on Groton Road.

Members of the staff include David J. Hedison, Executive Director, Linda Dalton, Administrative Assistant, Nancy Harvey, Leased Housing Coordinator, Michelle Hudzik, Program Coordinator, Richard O'Neil, Part-Time Maintenance Mechanic, Michael Harrington, Full-Time Grounds Keeper/Maintenance Laborer and Manuel Mendonca, Full-Time Grounds Keeper/Maintenance Laborer. Regular meetings are held at McFarlin Manor, 10 Wilson Street at 7:30 p.m., on the first Tuesday each month. The Annual Meeting is the first Tuesday in May. All meetings are open to the public. The Chelmsford Housing Authority Board of Commissioners would like to thank the residents of Chelmsford and Town Officials for their continued support and cooperation.

Housing Authority Board of Commissioners

William P. Keohane	Chairman, 2001
Lynn M. Marcella	Vice Chairman, 2002
Scott Johnson	Treasurer, 2003
Pamela A. Turnbull	Asst. Treasurer, 1998
Denise Marcaurelle	Member, 1999

Planning Board

MEMBERS:

Susan E. Carter, Chairman
Tracey Wallace-Cody, Vice Chairman
Robert C. Morse, Clerk
Eugene E. Gilet
James P. Good
Kim J. MacKenzie
Charles Wojtas
Doris McClay, Senior Clerk

During 1998, there were 51 proposals which were brought before the Planning Board. The statistics are as follows:

SITE	Total	App	Deny	With drawn
SITE PLANS*	10	10	0	0
MINOR SITE PLANS	4	4	0	0
SUBDIVISIONS**	8	7	0	0
PRELIMINARY SUBDIVISIONS	2	2	0	0
PAPER STREETS	3	1	1	1
SUBDIVISION CONTROL LAW NOT REQUIRED	24	24	0	0

* The total square footage of the buildings in the Site Plans was approximately 451,360 square feet.

** These Subdivisions included approximately 33 residential lots. One of these Subdivisions is still pending before the Board.

At the April Election, Charles Wojtas was elected and Susan Carter was reelected to the Planning Board. The Master Plan By-Law Review Committee presented the comprehensive revision of the Zoning By-Law at the Fall Town Meeting. The Zoning By-Law was approved by the Town Meeting Representatives. The Planning Board wishes to thank all the members of the Master Plan By-Law Review Committee for all their hard work and dedication to this project. The Planning Board wishes to thank Mr. Gilet for his 32 years of service on the Planning Board. Mr. Gilet will be retiring from the Planning Board in 1999.

The Planning Board wishes to express its gratitude to the Board of Health, Department of Public Works, Police Department, Conservation Commission, Water Districts, Fire Department, Sewer Commission, Building Inspector, Community Development Coordinator and the public for their assistance and cooperation.



Planning Board

Front Row: Tracy Wallace Cody, Susan Carter, Charles Wojtas

Back Row: Eugene Gilet, Kim McKenzie, Robert Morse, James Good

Veterans' Emergency Fund

Balance as of January 1 st , 1998	\$21,726.98
Add Receipts:	
The MassBank for Savings, Reading, MA, Regular Savings, Interest	\$483.05
The Massbank for savings, Reading, MA., Certificate Account, Interest	\$380.64
<u>Total Interest Received:</u>	<u>\$863.69</u>
Balance on Hand as of January 1 st , 1998 And Interest Income as of December 31 st , 1998	\$22,590.67

ASSETS

MassBank for Savings, Account #91-1287909	\$15,106.45
MassBank for Savings, Account #92-2055696	\$7,484.22
<u>Total Assets</u>	<u>\$22,590.67</u>

LIABILITIES

Total Liabilities	None
Total Assets, Less Liabilities, as of December 31 st , 1998	\$22,590.67

Respectfully Yours,

Veterans' Emergency Fund Committee

By Alfred H. Coburn, Treasurer

Veterans' Emergency Fund Committee

Applications for assistance are received from the Veterans' Benefits Department. Material Grants are usually authorized. No cash grants have ever been approved. During 1998 no applications for assistance were received.

The membership of the committee during the year 1998 was as follows:

Precinct 1.	Steven E. E. Belkakis, DDS
Precinct 2.	Carl J. Lebedzinski
Precinct 3.	John J. Kenney
Precinct 4.	Thomas E. Firth, Jr.
Precinct 5.	Frederick H. Reid
Precinct 6.	Alfred H. Coburn
Precinct 7.	Alan E. Greenhalgh
Precinct 8.	Neal C. Stanley
Precinct 9.	Lloyd C. Greene, Jr.

Our member, Dr. Belkakis, passed on during 1998. We now wish to acknowledge his willingness to serve for several years.

Respectfully Yours

For the Veterans' Emergency Fund Committee

By Alfred H. Coburn, Chairman

Veterans' Services

Members:

Martin J. Walsh	Director
Regina B. Jackson	Assistant

The Chelmsford Veterans' Service Office provides short-term financial assistance to eligible veterans and their families as mandated by Massachusetts General Law Chapter 115. We can assist eligible, needy veterans with a monthly allowable grant and some medical coverage. The amount of assistance depends on the budget standards set by the Commonwealth of Massachusetts Department of Veterans' Services. In CY 1998 we averaged \$7,693 per month in benefits paid out. The State reimbursed Chelmsford 75% of these benefits. We have about 14 active cases per month. Our reimbursement from the State is paid quarterly and runs approximately 10 months behind the authorizations.

In addition to Chapter 115 cases, we receive about 25 requests for information and help per month from citizens dealing with a wide range of issues. We help veterans who are not eligible for the Chapter 115 program find alternate means of assistance with other state and federal resources. We hold a monthly meeting for veterans at the Senior Center, all are welcome. We also organize the Veterans' Day Observance and help with the Memorial Day flag honors.

Our office is located in the Community Center (Old Town Hall) in Chelmsford Center. The office is open M/W/F 8:30 to 4:00. Our phone number is #250-5238. If you need help when the office is closed, call Marty Walsh at the Senior Center #251-8692. If you are unable to visit our office and need a home visit, please call and we will be happy to schedule a convenient time. Thank you.

Town Meetings and Elections

Warrant for the Annual Town Election April 7, 1998 and Town Meeting April 27, 1998

MIDDLESEX, SS

To the Constable, or any other suitable person of the Town of Chelmsford

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ

- Precinct 1 South Row Elementary School Cafetorium
- Precinct 2 Harrington Elementary School Gymnasium
- Precinct 3 Harrington Elementary School Gymnasium
- Precinct 4 Westlands School Cafetorium
- Precinct 5 Byam School Cafetorium
- Precinct 6 Westlands School Cafetorium
- Precinct 7 McCarthy Middle School, Small Gymnasium
- Precinct 8 McCarthy Middle School, Small Gymnasium
- Precinct 9 South Row Elementary School Cafetorium

On Tuesday the 7th day of April, 1998, being the first Tuesday in said month at 7:00 a.m. until 8:00 p.m. for the following purposes.

To bring in their votes for the following officers:

- Two Selectmen for three years;
- Two School Committee Member for three years;
- Two Library Trustees for three years;
- One Board of Health Member for three years;
- Two Planning Board Members for three years;
- Two Sewer Commissioners for three years;
- One Housing Authority Member for five years;
- One Cemetery Commissioner for three years;

And vote on the following question:

QUESTION 1

Shall the Town of Chelmsford approve the charter amendments proposed by the May 1, 1997 Annual town Meeting summarized below? YES NO

Summary: A yes vote will adopt certain amendments to Section 2-13 of the Town Charter which were approved by the Spring, 1997 Annual Town Meeting any by the Attorney General. The amendments are intended to make the Charter's referendum election procedures conform to the election laws of the Commonwealth. The amendments include the time for filing a referendum petition, the scheduling and polling hours of a referendum election, the form of referendum questions and the percentage of voter participation necessary to reverse a vote of the representative town meeting.

And bring in their votes for the following:

- Fifty-four Representative Town Meeting Members for three years in precincts 1 through 9
- One Representative Town Meeting Member for an unexpired one year term in Precinct 2
- Two Representative Town Meeting Members for an unexpired one year term in Precinct 6
- Two Representative Town Meeting Members for an unexpired two year term in Precinct 8

And to meet in the senior Center, Groton Road, North Chelmsford, on Monday, the twenty-seventh day of April, at 7:30 p.m. in the evening, then and there to act upon the following articles, VIZ:

For complete warrant information see original documents on file in the Town Clerk's Office

Warrant for Special Town Meeting April 27, 1998

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford.

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town Meeting Representatives of said Chelmsford to meet in Senior Center, Groton Road, North Chelmsford on Monday, the twenty-seventh of April, at 7:30 p.m. in the evening then and there to act upon the following articles, VIZ:

For complete warrant information see original documents on file in the Town Clerk's Office.

Town Election April 7, 1998

SELECTMAN 3 Year Terms (2)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	191	155	249	143	192	196	194	160	206	1686
Thomas E. Moran	353	287	420	331	339	386	344	325	352	3137
Susan J. Gates*	286	212	266	231	312	333	381	251	381	2653
Michael F. McCall	303	270	413	301	343	363	382	294	372	3041
Write-In	1	1	0	0	0	0	0	0	0	2
Misc	0	1	0	0	0	0	1	0	1	3
TOTAL	1134	926	1348	1006	1186	1278	1302	1030	1312	10522
SCHOOL COMMITTEE 3 Year Terms (2)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	198	159	254	172	210	214	216	165	190	1778
Bruce R. Wolf	189	152	207	169	210	213	225	199	288	1852
Mary-Jo Griffin	373	311	448	340	362	463	466	348	433	3544
Evelyn S. Thoren	372	304	438	324	398	387	392	318	397	3330
Write-In	2	0	1	1	6	1	3	0	3	17
Misc	0	0	0	0	0	0	0	0	1	1
TOTAL	1134	926	1348	1006	1186	1278	1302	1030	1312	10522
LIBRARY TRUSTEE 3 Year Terms (2)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	359	297	446	329	364	381	342	332	449	3299
Sarah L. Warner*	406	319	450	354	423	461	464	345	448	3670
John W. Cutter, Jr.*	364	310	448	322	395	435	496	351	414	3535
Write-In	3	0	0	0	2	1	0	2	1	9
Misc	2	0	4	1	2	0	0	0	0	9
TOTAL	1134	926	1348	1006	1186	1278	1302	1030	1312	10522
BOARD OF HEALTH 3 Year Term (1)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	142	130	180	142	142	169	156	142	190	1393
Paul J. Canniff*	422	333	492	359	450	468	493	373	463	3853
Write-In	3	0	0	0	1	1	0	0	1	6
Misc	0	0	2	2	0	1	2	0	2	9
TOTAL	567	463	674	503	593	639	651	515	656	5261

PLANNING BOARD 3 Year Terms (2)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	255	236	356	229	259	271	277	241	293	2417
Susan E. Carter*	351	314	441	303	376	410	414	317	400	3326
Charles Wojtas	302	196	275	245	311	286	258	232	355	2460
James M. Creegan*	223	180	274	229	238	311	353	239	260	2307
Write-In	3	0	0	0	2	0	0	0	4	9
Misc	0	0	2	0	0	0	0	1	0	3
TOTAL	1134	926	1348	1006	1186	1278	1302	1030	1312	10522
SEWER COMMISSION 3 Year Term(2)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blank	320	282	369	272	327	360	360	309	435	3034
Barry B. Balan*	399	299	448	348	411	436	449	327	424	3541
John P. Emerson, Jr.*	411	345	529	385	447	481	485	394	445	3922
Write-in	3	0	0	1	0	1	6	0	8	19
Misc	1	0	2	0	1	0	2	0	0	6
TOTAL	1134	926	1348	1006	1186	1278	1302	1030	1312	10522
HOUSING AUTHORITY 5 Year Term (1)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	152	130	198	115	172	179	184	149	202	1481
Scott E. Johnson	413	332	473	386	421	459	465	366	452	3767
Write-In	2	0	1	2	0	1	1	0	1	8
Misc	0	1	2	0	0	0	1	0	1	5
TOTAL	567	463	674	503	593	639	651	515	656	5261
CEMETERY COMMISSION 3 Yr Term (1)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	95	91	138	85	110	131	142	98	124	1014
Gerald L. Hardy*	352	245	358	324	387	399	411	311	382	3169
Richard B. Nawoichik	120	127	178	93	96	109	96	106	148	1073
Write-in				0					2	2
Misc	0	0	0	1	0	0	2	0	0	3
TOTAL	567	463	674	503	593	639	651	515	656	5261
CONSTABLE 3 Year Term (1)	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	130	120	177	125	158	157	150	135	198	1350
William E. Spence*	434	343	495	378	432	481	500	379	455	3897
Write-In	3	0	1	0	2	0	1	1	2	10
Misc	0	0	1	0	1	1	0	0	1	4
TOTAL	567	463	674	503	593	639	651	515	656	5261
QUESTION 1	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	75	78	134	77	116	135	87	85	107	894
Yes	388	252	391	332	386	413	479	335	447	3423
No	104	133	149	94	91	91	85	95	102	944
TOTAL	567	463	674	503	593	639	651	515	656	5261

*Candidate for Re-election

TOWN MTG REPRES (3 YEARS)	PCT #1	TOWN MTG REPRES (3 YEARS)	PCT #2
Blanks	1489	Blanks	1167
William E. Spence*	358	Stanley W. Norkunas*	244
Samuel P. Chase	314	Jeffrey W. Stallard*	286
Sarah L. Warner	336	Mary Jo Welch*	298
Sandra B. Martinez*	289	Barry T. Bell*	261
Kathryn Brough*	316	Douglas R. Aker	252
Richard G. Allison*	288	Bonnie I. Foster*	266
Write-in	2	Write-in	2
Misc	10	Misc	2
TOTAL	3402	TOTAL	2778

TOWN MTG REPRES (1 YR UNEXPRD) PCT #2

Blanks	129
Phyllis H. Clark	333
Write-in	1
TOTAL	463

TOWN MTG REPRES (3 YEARS) PCT #3

Blanks	1168
John P. Emerson, Jr.*	439
Carol W. Merriam *	374
Henry R. McEnany*	340
Kevin D. Clark	215
Thomas E. Moran	358
James P. Boerneester*	295
Nancy J. Knight*	312
Robert M. Burns	234
H. Steve Flynn	299
Write-in	4
Misc	6
TOTAL	4044

TOWN MTG REPRES (3 YEARS) PCT #4

Blanks	1031
Mark A. House	178
Cathleen H. Latina	253
Helen A. Manahan*	252
John B. Sousa, Jr.*	286
Joan D. Morrison*	279
John R. Hibbard*	242
Jocaob P. Sartz, III*	204
Daniel J. Sullivan*	275
Write-in	2
Misc	16
TOTAL	3018

TOWN MTG REPRES (3 YEARS) PCT #5

Blanks	1237
Dean Carmeris*	337
Jonathan A. Stevens*	365
W. Allen Thomas, Jr. *	369
Leonard R. Richards, Jr.*	332
Thomas M. Chevalier	304
Dennis T. Bak	287
Frederick S. Marcks	325
Write-in	1
Misc	1
TOTAL	3558

TOWN MTG REPRES (3 YEARS)(6) PCT #6

Blanks	1913
George T. Chianis	348
Martin A. Gruber*	383
Evangelos T. Lekas*	337
Susan Kupor McHugh*	404
Janet G. Dubner*	402
Write-in	24
A. Taranto	18
Daniel Dubner	5
Misc	0
TOTAL	3834

TOWN MTG REPRES (1 YEAR)(2) PCT #6

Blanks	1219
Angelo J. Taranto, Jr. (Write-in)	39
Daniel Lekas	3
Christopher Mullen	2
Write-In	7
Write-in	0
Misc	8
TOTAL	1278

TOWN MTG REPRES (3 YEARS) PCT #7

Blanks	1179
Paul F. Gleason*	424
Karen D. Ready*	440
Linda G. Morabito*	407
Jonathan C. Stubbs*	336
Pamela L. Armstrong	395
Peter Dulchinos*	381
Clare L. Jeannotte*	342
Write-in	1
Misc	1
TOTAL	3906

TOWN MTG REPRES (3 YEARS) PCT #8

Blanks	1181
William C. Curry*	326
Joyce E. Johnson*	317
Angelo J. Taranto*	362
John E. Abbott*	295
Kathleen E. Howe	297
Jacqueline A. Sheehy*	303
Write-in	8
Misc	1
TOTAL	3090

TOWN MTG REPRES (2 YEARS)(2) PCT #8

Blanks	631
Linda M. Lee	337
Richard M. Johnson (Write-in)	53
Write-in	9
Write-in	0
Misc	0
TOTAL	1030

TOWN MTG REPRES (3 YEARS)	PCT #9		
Blanks	921	Phyllis M. Elias*	305
Francis J. Barre*	373	Eleanor D. Abbott*	268
Will L. Perry*	369	Dennis J. Newell, Jr.	213
Lesley M. Mathews	274	Gary A. Mathews	281
James W. Young*	221	Write-in	1
Robert P. Mackey	255	Misc	4
Arthur Carmen	219	TOTAL	3936
James E. Mazzola	232		

Annual Town Meeting April 27, 1998

The Annual Town Meeting was called to order at 7:35 PM at the Senior Center, by the Moderator Dennis McHugh, who recognized the presence of a quorum. There were 152 Town Meeting Representatives present. The Moderator explained the rules and procedures of the meeting. He made a few public announcements regarding upcoming events. He then asked for a moment of silence for those Town Meeting Representatives who had passed away, since the October meeting: Precinct 2 Representatives Patrick Mike Curran died January 3rd, former Precinct 6 Christopher Driscoll who died on March 12th, and former Precinct 9 Representative Edward Cady who also died on March 12th.

Selectman William Dalton moved that the reading of the Constable's return of the warrant be waived. Motion carried, unanimously. Selectman William Dalton moved that the reading of the entire warrant be waived. Motion carried, unanimously. The Moderator requested that the Body vote to allow non residents, Bernie DiNatalie, Mark Finneral, Ken DiNisco, and Dale Gienapp address the Body at the time of discussion relating to the School Departments articles. Motion carried, unanimously.

UNDER ARTICLE 1. Selectman William Dalton moved that the Town vote to hear reports of the Town Officers and Committees.

Town Manager Bernard Lynch presented a five year financial plan. He gave a presentation where he listed the different areas where revenue is provided and the projected figures. Local taxes, which are allowed to increase up to 2 ½ % each year. State Aid, Chapter 70 funding for education level funding, Lottery funding, 50% Quinn Bill reimbursement, Center School construction reimbursement. Available Funds, which are from stabilization funds transfers. Increase 2 ½ % of Sewer User Fees. 2 ½ % of Cemetery Trust funds. And Local Receipts, such as excise bills, interest on late taxes, rental income, alcoholic licenses, LRTA revenue, and miscellaneous receipts are projected to grow 2 ½ % per year. He listed the projected percentages for five years of expenditures, and the amounts projected to be added to Reserves (Stabilization Fund).

The Moderator then made a point of order. A warrant had been posted by the Constable for a scheduled Special Town Meeting to begin at 7:45 PM. Seeing that it was the time. He moved to adjourn the Annual Town Meeting in order to act upon the scheduled special. The motion carried, unanimously.

Special Town Meeting April 27, 1998

The Special Town Meeting was called to order at 7:45 PM at the Senior Center, by the Moderator Dennis McHugh, who recognized the presence of a quorum. There were 152 Town Meeting Representatives present.

Bernard Lynch, Town Manager moved to adjourn the Special Town Meeting in order to continue hearing the reports under Article 1 of the Annual. He explained that The State Senator Susan Fargo and State Representative Carol Clevon were in the hall and they would like to address the Body. The Special Town Meeting would begin immediately at the conclusion of Article 1. The Moderator asked for a show of hands on the motion to recess the Special Town Meeting, at 7:50 PM. Motion carried, unanimously.

The Moderator returned to the Adjourned Annual Town Meeting at 7:50 PM, the following action took place:

Under Article 1 Con't State Representative Carol Clevens came forward and announced that herself and Senator Fargo had come from a meeting with the State Board of Transportation this afternoon and that there is a major plan underway by Acting Governor Cellucci to proposed a project for the widening of Route 3 from Burlington, Ma to the New Hampshire border. The Acting Governor will be making an formal announcement tomorrow regarding the details and filing the bill. It will be a private/public partnership a ten year project and there would be no tolls. It must be approved by the Legislature. She then listed various bills and fundings that have taken place. The Tully Forum bill had passed and will be on the Acting Governor's desk by the end of the week waiting for his signature. There will be an increase in State Lottery funding this year. The funds were capped about 3-4 years ago, Legislation voted to remove the cap and distribute the funds throughout the local communities. The Education Reform bill will be funded in the Governor's budget. Early Childhood Education will be funded more this year. She mentioned different Boards and Commissions that have received various grant monies. The Sewer, Library, School Department, Council on Aging, Cultural Council. She thanked the Body for allowing her to appear before them. State Senator Susan Fargo came forth and thanked the Body. She went on and discussed the \$4 .5 Million dollar non interest Sewer funding that the Town had obtained. Also according to her office there were about \$3 million dollars in grants awarded to various departments and commissions. Her office would continue to work and keep up with the deadlines of the various funding available. It is important to contact the community when the deadline is near and remind them to submit the needed paperwork. Regarding the Rt. 3 project. Public input will be listen to, hearings are scheduled to beginning in May. The project should be completed between the years 2006 to 2010. Asked for questions hearing none, she ended her report.

Linda Prescott of the Historic Commission came forth and announced that May was Preservation Month and in keeping with the spirit of Preservation the Board would like to invite the public to Preservation Day on Saturday May 2nd, between the hours of 9 AM to 12 Noon, tours will be given of the Forefathers Cemetery, 1802 School House. While at these sites walk the Historic District area and visit the tollhouse on the Common. At this time she asked David and Patricia Ayotte to come forth and accept a plaque of appreciation from the Commission in honor of all the work they did on preserving the Olde Mill House in Chelmsford Center. The Town Meeting Body had voted not to tear down this building in order to build a parking lot, at the October 1996 Annual Meeting. The Ayotte's who are tenants of the property restored it. The public is welcomed to an open house on May 2nd to view their work. David Ayotte thanked the Historic Commission, Jack Handley, and the Body for the placque.

Seeing that there were no further reports, The Moderator asked that the Body accept the reports as presented and moved to recessed the Annual Town Meeting at 8:10 PM, in order to proceeded with the Special Town Meeting. Motion carried, unanimously.

Special Town Meeting April 27, 1998

The recessed Special Town Meeting was called to order at 8:10 PM by the Moderator and the following action took place:

Selectman William Dalton moved that the reading of the Constable's return of the warrant be waived. Motion carried, unanimously. Selectman William Dalton moved that the reading of the entire warrant be waived. Motion carried, unanimously. The Moderator requested that the Body vote to allow non residents, Bernie DiNatalie, Mark Finneral, Ken DiNisco, and Dale Gienapp address the Body at the time of discussion relating to the School Departments articles. Motion carried, unanimously.

UNDER ARTICLE 1. Judith Mallette, Chairman of the School Committee moved that the Town vote to appropriate \$1,300,000 for renovating the Center School for use as an Educational Facility, such appropriation being in addition to the \$6,093,399 previously appropriated for such project by the vote passed under Article 3 of the warrant for the April 25, 1994 annual town meeting as amended by the vote passed under Article 6 of the warrant for the May 4, 1995 special town meeting, said project having been approved by the State Board of Education on August 15, 1997 for a construction grant equal to 64% of the eligible costs of the project as required by such vote as amended; and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$1,300,000. under Chapter 44 of the General Law or Chapter 645 of the Acts of 1948 as amended.

School Superintendent Dr Richard Moser made a presentation to the Body. He introduced the various members of the Center School Building Committee and asked them to stand as he read their names: Bob Cruickshank, Chairman, Mark Finneral, Mary Frantz, Frank Higson, Bernie Lynch, Judy Mallette, Fred Mansfield, Karen Mazza, Jim Pearson, Charles Piper, Stuart Weisfeldt, DiNisco Design Partnership, which consisted of Ken DiNisco and Dale Gienapp and Clerk of the Works Anne Dodd.

The purpose of the project is to address enrollment increases and overcrowding at the elementary level of K - 4. Other areas had been investigated before deciding on this site. Which included looking for existing space within the School District. via retail/Town Owned space. Modular classrooms or new construction. All alternative motives failed to meet the State mandated conditions for 64% construction aid of the total cost of the project, therefore the Town Meeting body supported the proposed renovation project at the April 1994 Annual Town Meeting. An initial bid process to identify construction contractor was conducted in March of 1998. The first bids totaled \$8.1 million. The Committee felt it was more than what the Town could afford. The Committee rejected the bid. The project was scaled back and rebid, which resulted in a cost reduction of \$630,000. The changes did not compromised the integrity of the building as an educational institution. The following items changed were: Landscaping and site work, masonry and plastering, classroom ceiling design, roofing materials, hallway tiles, built-in shelving. There is a difference in the cost from the original 1994 estimate of \$1,299,741. The Town's share of 36% would be \$467,906. He listed the increased figures. This is due to the changes in the building code, building market, the project is labor intensive, inflation, air conditioning, added technology, sewer hook-up. The Town Manager has indicated that the Town can afford it's share of the increase without raising taxes. The building will be ready by September of 1999. Finalizing construction contracts and actual construction will begin in May of 1998. The project is to be completed in 15.5 months, by August 1, 1999. The Moderator asked for any questions, hearing none, he asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. A discussion took place. Robert Joyce questioned why the bidding process didn't start earlier, this would have avoided the increased costs. Judy Mallette, Chairman of the School Committee explained that the prior tenant, the Light House School had a lease agreement and until the school was vacant the bidding couldn't begin. No one could go through the building while it was occupied. When the project was first started a schedule was made for the bidding process. Even though the building ended up becoming vacant before the scheduled time, there was no choice the scheduled process had to be followed. Richard Johnson and Glenn Thoren asked questions about the process. Would there be a late charge enacted if not completed on time? Yes \$1000.00 per day. John Emerson, James Doukzewicz asked questions. Selectman William Dalton said that the Board felt it was in the best interest of the Town, even though they were not completely happy with the cost increase and that other departments stay within their budgets. The Moderator asked if there were any further questions? Hearing none he asked for a show of hands. The motion carried, by the Moderator recognizing the 2/3's vote rule.

UNDER ARTICLE 2. Selectman William Dalton moved that the Town vote to amend Article II of the General Bylaws of the Town of Chelmsford by deleting the following:

Section 1 Time of Annual Election - The Annual Election shall be held on the First Tuesday of April. and replacing with the following:

Section 1 Time of Annual Election - The Annual Election shall be held on the Second Tuesday of May, and amending Section 3 Time of Meetings by replacing the "last Monday in April" with "second Monday in April".

The Town Manager explained that this article was due to the result of last year's Annual Town Election. A Blizzard had occurred on the Tuesday April 1st election day. The Secretary of State ordered that the election be suspended and ordered it to recommence on Friday April 11th. If the date was changed the weather would not play a part in the election process. This would also allow more time in order to provide more information. The Manager explained that the Board was going to amend the article. Selectman William Dalton moved to amend the article by deleting the last sentence of the article with regards to the amendment to section 3. This way the motion only seeks to change the time of the Annual Election and will not effect the Town Meeting date. The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. Barry Balan questioned what information would be available. The warrant books had to be available two weeks prior to any Town Meeting. New Representatives wouldn't possibility attend a Town Meeting until October. Also there has been snow in May, he urge the Body to leave the election date as it is, and not vote for the amendment or the article. John Fudge felt that there would be much more unnecessary discussion taking place, speakers would not only be Representatives but candidates, because the election would be after the Town Meeting. John Wilder spoke in favor of the article. He felt that any Elected Official who worked on a budget or an article would be able to see it through the process. It's done this way on the federal level. The budget is passed on October 1st and the election is held in November. Selectman Dalton said that there are a lot of elderly who vote and the Board felt that this change in date would be better conditions. Glenn Thoren spoke against the article. He said the weather factor is part of living in New England. The Moderator asked for any further discussion. Hearing none he asked for a show of hands on the motion to amend. Motion defeated. He then asked for a show of hands on the article, motion defeated.

UNDER ARTICLE 3. Town Manager Bernard Lynch moved that the Town vote to amend the Fiscal year 1998 Operating Budget as voted under article 2 of the Annual Town Meeting held on April 28, 1997 as amended by the vote passed under Article 7 of the Annual Town Meeting held on October 20, 1997 by making the following changes:

Increase Line Item #5 Public Safety Personnel, by \$480,000 to \$6,601,379

Increase Line Item #6 Public Safety Expenses, by \$13,000 to \$625,569.

And that the Town transfer and appropriate \$445,495. from Available Funds and \$47,505 from Free Cash to defray such changes.

The Town Manager explained the article. The increase in Public Safety was a result of the negotiated contract settlement of the Fire Contract. The personnel had been without a contract for four years. Also the settlement of the Superior Officers contract of the Police Department. They had been working since last June without a contract. The increase in the Public Safety Expense was due to a new approxie floor being needed at the Center Fire Station. He asked the Body to support the article. The Moderator asked for the Finance Committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator as for a show of hands, motion carried, unanimously.

UNDER ARTICLE 4. Selectman William Dalton moved that the Town vote to authorize the Board of Selectmen to acquire by purchase land with improvements, if any, thereon, located on Richardson Road, heretofore leased by the Town for the purpose of a municipal sand and gravel operation, consisting of two parcels, one having approximately twelve acres, being shown on a plan entitled "Plan of Columbia Park, North Chelmsford, surveyed for Patrick T. McMahon," dated July 1902, recorded with the Middlesex North Registry of Deeds, Book of Plans 19, Plan 40, and also shown in Book of Plans 68, Plan 46, and the other having approximately 46,590 square feet, being shown on a plan entitled Plan of Land in Chelmsford, Mass. belonging to Gertrude M. Fallon," dated June 26, 1964, recorded with said Deeds in Plan Book 100, Plan 104A, described in the deed recorded with said Deeds in Book 5004, Page 240, for general municipal purposes, and for such purpose to appropriate by borrowing from the seller of said land the amount of \$250,000, to be paid over ten years in equal annual payments of \$25,000.00.

The Town Manager explained that the Town leases a portion of this land. It's about a total of 14 acre parcel. It is assessed at \$10,000, because it is land locked. The current lease is a ten year lease and the Town pays \$20,000.00 per year. The Town has removed approximately 45,000 cubic yards of sand from the property which is worth approximately \$400,000. The current ten year lease will cost the Town \$200,000, so it is well worth it. There is probably 50,000 yards left on the entire property. So all in all combined the Town would have thirty years worth of sand. By purchasing the property the Town could use it for municipal purposes. The present plan would be for recreational use of ball fields. No interest will be paid. It would be Town owned property so there would not be any trucking costs involved. Presently the sand is removed from the property and trucked into the DPW yard next door. James Doukszewicz asked if this sand could be sold to other municipalities? If so would it require a Town Meeting vote? Haven't looked into selling the sand, at this time, however it could be a future consideration. The Selectmen could sell the sand but not the land without a Town Meeting vote. The Moderator asked for the Finance committee's recommendation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Discussion followed.

George Merrill expressed concerns of the aquifer area which is the source of the North Chelmsford Water supply. This parcel is in the aquifer area. Any type of development on it could effect the water supply. He urged to remove only the sand but not to built any thing on it. John Wilder expressed concerns for the purchase price vs the assessed value. The Town Manager explained that the process to remove sand is an expensive one and anyone could do it and sell the sand, however it may not be worth going through the process unless it was the intention to use the sand directly, which is why it's a good buy for the Town. Brian Latina questioned if this article passed would the Town drop the lease. No, the Town couldn't because it is a signed agreement to lease the portion of land for a full ten years. This would allow the Town to start the necessary process to enable the purchase to be complete by the time the lease ran out on the other portion. John Emerson moved the question. The Moderator asked for a show of hands on the motion to stop debate. Motion carried, unanimously. The Moderator asked for a show of hands on the article. Motion carried, by the Moderator

recognizing the 2/3's rule.

The Moderator declared that there was no further business at hand concerning the Special Town Meeting, so he declared the meeting adjourned at 9:30 PM.

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

He then commenced to take up the Adjourned Annual Town Meeting at 9:30 PM.

UNDER ARTICLE 2. The Moderator explained that he was going to read the total figure of each department. Some of the figures in the book were incorrect and he would read the figures from the motion presented to him by the Town Manager. The viewgraph reflected the correct figures. He read the Municipal Administration figures, then he read the School Department figure of \$32,860,000. Judith Mallette, Chairman of the School Committee moved to increase the figure to read \$32,999,078. Which was an increase of \$139,078. This increased figure was to be used for future classroom increase and it also reflected a \$70,000. contingency fund. The Finance Committee and the Board of Selectmen were against the motion to amend. Barry Balan questioned why the School Committee can't work with the figure that the Town Manager has given them? The Committee wanted to be prepared for the potential overcrowding situation \$70,000. of the money will be returned if it is not used. A discussion took place. Brian Latina polled the School Committee for their individual vote on the amendment:

Those in favor: J. Mallette, M. Franz, M. Griffin. Those against: T. Volpe and E. Thoren. George Merrill spoke against the motion to amend. William Curry of the Finance Committee explained that the other departments live within their budgets and the School Committee should also. Claire Jeannotte further explained that the Finance Committee is not against the School budget or education, but the Finance Committee must look at the overall budget that includes all departments, not just the School and the percentage of increases the School has received compared to the other departments. Bernard Lynch explained that since 1994 the School side of the budget has increased 34% and the Town side has increased 21%, he asked for fairness.. Barry Balan moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. He then asked for a show of hands on the motion to amend, motion defeated. The Moderator then read the following Departmental budget figures and asked for discussion after each, hearing none he continued to read. Beginning with the Nashoba Technical High School assessment figure of \$762,342. The total Public Safety figure of \$7,487,419. The total Public Works figure of \$4,916,236. The total Sewer Commission figure of \$20,000. The total Cemetery Department figure of \$233,950. The total Community Services figure of \$628,209. The total Library Department figure of \$1,010,093. The Undistributed expenses figure of \$5,673,101. And the total figure for Debt and Interest of \$6,964,081. Dennis Ready moved the question to stop debate. The Moderator asked for a show of hands, motion carried, unanimously. He then asked for a show of hands on the total budget figure of \$61,284,113. motion carried The article reads as follows:

.Selectman William Dalton moved that the Town vote to raise and appropriate the sum of \$61,284,113. to defray Town charges for the fiscal period July 1, 1998 to June 30, 1999 according to the following line items:

Municipal Administration	
Personnel Services	\$ 1,155,701
Expenses	\$ 548,781
Chelmsford School Department	\$ 32,860,000
Nashoba Technical High School	
Assessment	\$ 762,342
Public Safety	
Personnel Services	\$ 6,847,970
Expense	\$ 639,449
Public Works	
Personnel Services	\$ 1,437,790
Expense	\$ 3,478,446
Offset Receipt	(\$ 975,800)
TOTAL	\$ 3,940,436
Sewer Commission	
Expense	\$ 20,000
Cemetery Department	
Personnel Services	\$ 199,375
Expense	\$ 34,575
Community Services	
Personnel Services	\$ 436,551
Expense	\$ 191,658
Library	
Personnel Services	\$ 771,146
Expense	\$ 238,947
Undistributed Expenses	\$ 5,673,101
Debt and Interest	
Principal	\$ 5,336,194
Interest	\$ 1,627,887

UNDER ARTICLE 3. Town Manager Bernard Lynch moved that the Town vote to transfer \$2,000 from Conservation fees under Wetlands Special Revenue Fund to reduce the Conservation Commission Budget Fiscal Year 1999.

The Town Manager explained that this is a yearly article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 4. Town Manager Bernard Lynch moved that the Town vote to transfer the sum of \$1,530,000 from Sewer Betterments, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1999 Budget.

The Town Manager explained that this was a standard article of the Sewer Commission. The betterment money is used to offset the cost of the sewer project. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 5. Town Manager Bernard Lynch moved that the Town vote to transfer the sum of \$265,049 from Sewer Rate Relief Funds, Special Revenue, to reduce the exempt portion of debt and interest in the Fiscal Year 1999 Budget

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 6. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of \$ 150,000.00 to be used as a Reserve Fund at the discretion of the Finance Committee, as provided in General Laws Chapter 40, Section 6.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 7. Town Manager Bernard Lynch moved that the Town vote to appropriate the sum of \$1,350,000 for the following capital projects:

<u>Department</u>	<u>Project</u>	
Cemetery	Pick-up Truck	\$25,000.00
Fire	Pick-up Truck/Plow	\$25,000.00
	Station Roof Repair	\$15,000.00
	Engine Refurbishment	\$40,000.00
Library	Computer Upgrade	\$75,000.00
Police	Cruiser Replacement	\$130,000.00
Police/Fire	Rescue Boat/Trailer	\$20,000.00
DPW	Drainage Projects	\$100,000.00
	Road Maintenance	\$100,000.00
	Dump Truck/Sander	\$90,000.00
	Street Sweeper	\$90,000.00
	Sidewalk Tractor	\$60,000.00
Elder Services	Steamer	\$15,000.00
School	Telecommunications	\$185,000.00
	Microscopes	\$30,000.00
	One Ton Dump Truck	\$26,000.00
	Academic Technology	\$260,000.00
	Administrative Technology	\$64,000.00
	Total	\$1,350,000.00

and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow \$1,350,000.00 under Massachusetts General Laws Chapter 44, Sections 7 and 8 or any other enabling authority.

The Town Manager explained the article. A discussion followed. The Finance Committee recommended the article. The Board of Selectmen recommended the article. Barry Balan moved the question to stop debate. The Moderator asked for a show of hands, motion carried, by the Moderator recognizing the 2/3's rule. The Moderator asked for a show of hands on the article. The motion carried, by the Moderator recognizing the 2/3's rule.

UNDER ARTICLE 8. Cemetery Superintendent John Sousa moved that the Town vote to transfer the sum of \$24,000.00 from the sale of the graves and lots to the Cemetery Improvement and Development Fund.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 9. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of \$19,000 to engage a private accounting firm to prepare an audit of all accounts in all departments in the Town of Chelmsford.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 10. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of \$20,000 for the purpose of funding the sand lease approved by the Town under Article 12 of the 1989 Annual Town Meeting.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Robert Joyce moved to adjourned the Town Meeting until Thursday April 30, 1998, 7:30 PM at the Senior Center. The Moderator asked for a show of hands, motion carried, unanimously.

The meeting adjourned at 11:00 PM.

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

Adjourned Annual Town Meeting April 30, 1998

The Adjourned Annual Town Meeting was called to order at 7:45 PM at the Senior Center, by the Moderator Dennis McHugh, who recognized the presence of a quorum. There were 150 Town Meeting Representatives present. The Moderator made a public announcement concerning the upcoming CHS musical, P.T. Barnum. Tickets are available for May 7th, 8th and 9th shows.

UNDER ARTICLE 11. Town Manager Bernard Lynch moved that the Town vote to appropriate the sum of \$ 4,890,000, for the purpose of designing and constructing a police station at the site of the existing police station at 230 North Road including original equipment and furnishings related thereto; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$ 4,890,000 under General Laws Chapter 44, Section 7; and that the Town Manager is authorized to take any other action to carry out this project.

Town Manager Bernard Lynch, explained that the money for this project is included in his long term five year financial plan. The existing building is 7,500 sq feet in size and was built in the mid 60's. It is too small to accommodate the size of the community that Chelmsford has become. The designed proposal is the right size building and the most efficient. He then asked the Moderator to allow Mark Weisman and Jeff McElravy, Architects of the firm Kaestle Boos Associates, to speak and make a presentation to the Body. The Moderator asked for a show of hands, motion carried. The architects gave a 3-D presentation showing the layout of the proposed building. There would be an area set aside for the public for non criminal activities that needed assistance, such as children fingerprinting ID's etc. A private area for victims of crimes to be interviewed in. A much needed training area. Storage area, plus a secure record keeping area. A area and entrance where criminals are held but not accessible to the public view. The upstairs would hold the administration offices. It will be built on the present site. The estimated cost of the building is \$4.9 million which includes a ten percent contingency to accommodate higher than expected bids. Also a three percent inflation contingency has been built into the figure. Mark Weisman explained that the project should go out for bid by November, ground breaking in March of 1999. It should take about fourteen months to complete. David McLachlan asked if there is any plan for combining the Public Safety Departments all into one building. The Town Manager said no. This site will be strictly for Police use only. It has been found that it's more efficient to have two separate departments. Robert Hall asked if the alternate housing cost was part of the article. The Manager said it was, however, a location hasn't been chosen as of yet. Probably begin moving in February or March of 1999. George Merrill questioned why the New Lighthouse School could be built for less money and provide more space than this project. The Architects explained that the difference in space requirement alone is much different. Also the cost and need for different type of security. Brian Latina questioned if there was an alternate back up plan? Selectman Philip Eliopoulos who was a member of the committee, explained that the original project figure was \$5.9 million. The plan was scaled down to the present figures. John Wilder questioned if there would be any State or Federal grant monies available for the project. The Manager explained that this is an area when grant money is unobtainable. No grants are allowed for public safety buildings. The Finance Committee and the Board of Selectmen supported the article. John Wilder expressed concern over the cost. The Town Manager said that this is the purpose of the five year plan, to show how the expenses will be dealt with. He felt that this project and others can be handled. Dennis Ready spoke in favor, felt that the project was long over due. It was a well thought out and well planned project. The Moderator asked for a show of hands on the article. The motion carried, by the Moderator recognizing the 2/3's rule.

UNDER ARTICLE 12. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of \$20,000.00 to provide Senior Citizen Real Estate Tax Payment Vouchers for services rendered, pursuant to an agreement services rendered, pursuant to an agreement by the Town Manager.

The Town Manager explained that this is a standard yearly article. This year in order to improve and expand the program and make it available to more people the amount has been increased. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 13. The Town Manager moved to withdraw this article seeing that there are no bills from the previous year. The Moderator asked for a show of hands, motion carried, unanimously. The article read as follows:

That the Town vote to raise and appropriate or transfer from available funds, with which to meet bills from previous year.

UNDER ARTICLE 14. Town Manager Bernard Lynch moved that the Town vote to raise and appropriate the sum of \$10,000 to the Community Action Program established under Article 12 of the April 29, 1996 Annual Town Meeting in order to provide matching funds to community improvement projects by individuals and/or organizations within the Town of Chelmsford.

The Town Manager explained that this program was started a few years ago. No funding was done in 1996 or 1997. Money is used to encourage neighborhoods to improve their area. He listed the accomplishments. The Friendship Park at the former East School site. Southwell Field used money to purchase benches. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 15. Selectman William Dalton moved to amend the article by deleting the last sentence of the article "and to vote to borrow a certain sum of money to defray all necessary costs, fees, and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as the result of any such taking". The Finance and the Board of Selectmen were in favor of the motion to amend. The Moderator asked for a show of hands on the motion to amend. Motion carried. The Moderator asked for a show of hands on the article as amended. motion carried, unanimously. The article reads as follows:

Chairman of the Sewer Commission John Emerson Jr. moved that the Town vote to authorize the Board of Selectmen and the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easements in Chelmsford, Massachusetts Phase IIIC Sewers dated April, 1998, prepared for the Chelmsford Sewer Commission by Richard F. Kaminski & Associates, Inc.", and "Plan of Access Easement in Chelmsford, Massachusetts" Hart Pond Area Phase IIIC Sewers dated April 1, 1998 prepared for the Chelmsford Sewer Commission by Richard F. Kaminski and Associates, Inc., copies of which are on file in the office of the Town Engineer and are incorporated herein by reference, for the purpose of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto.

UNDER ARTICLE 16. Town Manager Bernard Lynch moved that the article be withdrawn. The Finance Committee was in favor of the withdrawing of the article. The Moderator asked for a show of hands, motion carried, unanimously. The article read as follows:

That the Town vote to authorize a revolving fund under Massachusetts General Law C. 44, S. 53E ½ for the Department of Public Works for Fiscal Year 1999. The receipts to be credited to the fund shall be from the collection of fees and incidental expenses from the full time inspector assigned to each trench opening or excavation site as assigned by the Highway Superintendent. The Public Works Department shall be authorized to spend money from the fund for the purpose of paying the expenses relative to inspections necessary for implementing the full time trench opening or excavation inspection program. Expenditures from the trench opening or excavation inspection program shall be limited to \$ 25,000 during Fiscal Year 1999.

UNDER ARTICLE 17. Selectman William Dalton moved that the Town vote to accept the following mentioned streets, as laid out by the Board of Selectmen and shown by their reports duly filed in the office of the Town Clerk:

Strobel Lane
Rosemary Lane
Wells Fargo Road
Hollow Ridge Road
Trailside Drive
Hillside Lane

Providing all the construction of the same meets with the requirements of the Board of Selectmen, and subject to the withholding of any remaining bonds until such requirements have been met; and to see if the Town will vote to authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with trees thereon, by purchase, eminent domain, or otherwise, for the purpose of securing traffic safety and road improvements, and to raise and appropriate \$ 6.00 to defray all necessary costs, fees and expenses in connection with the acquisition of said land and for paying any damages which may be awarded as a result of any such taking; and to authorize the Board of Selectmen to negotiate and execute all necessary and proper contracts and agreements thereto.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 18. Town Manager Bernard Lynch moved that the Town vote to authorize a revolving fund under Massachusetts General Laws C. 44, S. 53E ½ for the Council on Aging for Fiscal Year 1999. The receipts to be credited to the fund shall be from the collection of fees from the implementation of a Senior Trip program. The Council on Aging shall be authorized to spend money from the fund for the purpose of providing transportation necessary for implementing a Senior Trip program. Expenditures from the Senior Trip program revolving fund shall be limited to \$ 300,000 during Fiscal Year 1999.

The Town Manager explained that this is a requirement by the State that a vote be taken and that the revolving account is approved each year. This account was started last year. It is zero cost to the Town, he asked for approval. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 19. Selectman William Dalton moved that the Town vote to transfer the care, custody, management, and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in a certain parcel of land on Middlesex Street, shown as Lot 11 shown on Assessor's Map 17, containing 4,361 square feet more or less, and more fully described in a deed recorded in the Middlesex North Registry of Deeds in Book 05059, Page 0317.

The Town Manager explained that the Town took this property for back taxes, and want to sell it to the highest bidder. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 20. Selectman William Dalton moved that the Town vote to authorize the Board of Selectmen to abandon and release to Troop 45, Boy Scouts of America, with respect to the land shown on Assessors Map 42, Lot 2, the restriction and right of reverter set out in a deed from the Town to Troop 45, Boy Scouts of America, dated July 31, 1947, recorded with the Middlesex North Registry of Deeds in Book 1084, Page 231, for consideration of \$1.00 and on such other terms and conditions as the Selectmen may determine, which may include a grant of a restrictive covenant and easement to the Town with respect to other property of said Boy Scouts located at 60 Carlisle Street, and shown as Lot 35 on Assessors Map 239, and to authorize the Board of Selectmen to accept a restrictive covenant and easement with respect to said other land.

The Town Manager explained that the property in question is six acres of land that is off Penni lane and abuts Route 3. In 1936 the Town of Chelmsford took the land for non payment of taxes. In 1947 the Town conveyed the land to the Boy Scouts. Within the deed there is wording of a reverter clause and restrictive date. The land can not be conveyed to anyone but the Town. Due to a new law the reverter has expired. According to Town Counsel, the Town can only act on the conveying of the property. The Boy Scouts appeared before the Board of Selectmen and said that they wanted to sell this property in order to repair the Council Headquarters located at the former East School on Carlisle St. The Board felt that the Body should vote on the issue of should the Town convey the rights to sell the property. He asked for the Moderator to allow Thomas Markham, of the Greater Lowell Council of Boy Scouts of America to address the Body with the proposal. The Moderator asked for a show of hands, motion carried. Thomas Markham came forward and made his presentation. He explained that the land was sold to the Scouts for \$1.00 It was a forest area. Due to the surrounding area of the site becoming built up the site hasn't been used by the scouts for years. He felt that the sale of the land for the development of homes would be more beneficial to the Scouts. The property on Carlisle Street was in terrible shape. The money from the land sale would go towards putting siding on the outside along with new replacement windows, and repairing the bathrooms. Money would go into a long term endowment fund which will be created to help pay for annual cost of running the scouting program. Dennis Ready explained that he had appeared before the Board of Selectmen and asked if the Town would be interested as obtaining the land as open space. It could be used as an recreational area, which would make a big impact on the neighborhood. There was no direct interest at the time so he further pursued the issue to see if a private developer would be interested in the land. He felt that three or four homes would be a better solution for all. A number of questions were asked. John Wilder questioned if this would be a enforceable sale agreement? Christopher Garrahan question exactly when did troop 45 dissolved? Why did it come under the Council. Thomas Markham explained that the Council oversees the troop and when it dissolved the land came under the Council's jurisdiction. Residents in the area of the East School property asked questions. Gerald Pacht wanted to know what guarantee if any that the money would be spent on repairs to the building? Selectman Dalton said that if the article passed tonight, the Board would work with the Scouts to make sure repairs are done. Kathy Redican wanted to know when the entire building inside would be fixed? Thomas Markham said that fund raising would be done to compete future interior work. It all can't be done now. The Council's intention is to make a partnership with the Town as the building could be rented out during the day, which would provide revenue to the Scouts, or use a portion as a recreational center for the East Chelmsford residents. Roger Sumner asked when was the land used last. In the 1960's. Penni Lane resident Carol Bruell asked questions about the development. The Moderator asked for the Finance Committee recommendation. The Committee wanted to hear more debate. The Board of Selectmen want to hear more discussion. A lengthy discussion took place. Selectman Philip Eliopoulos explained that a yes vote would only allow the Selectmen to go forward and decide what would be in the best interest of the Town. Kit Harbison questioned if the Town could buy back the East School property, then rent it back to the Scouts. This idea hadn't been approached by either party as of yet. Glenn Thoren felt that the land when sold to the Scouts, was to be used as recreational use, either by the Scouts or the Town and just because the law has changed the original intent should be followed. A number of Representatives spoke against the article. Barbara Ward, William Spence, Roger Sumner, Jeff Stallard. Susan Gates spoke in favor of the article. Susan Carter, Chairman of the Planning Board said that the Planning Board was against any type of development of the land. Donna Ready spoke in favor of the article. She mentioned the numerous projects that had been completed by her sons and others for the good of the Town. She felt that it was time for the Town to help the Scouts. Frederick Marcks moved the question to stop any further debate. The Moderator asked for a show of hands, motion carried, by the Moderator recognizing the 2/3's rule. The Moderator then asked for a show of hands on the article. Motion defeated.

UNDER ARTICLE 21. Selectman William Dalton moved that the Town vote to accept the provisions of Massachusetts General Laws, Chapter 59, Section 5J to provide phased property tax assessments for the substantial rehabilitation of owner-occupied residential property which is listed on the State Register of Historic Places.

The Town Manager explained that this would allow the Town to adopt a new law that was passed by the State Legislation. When taxpayers who are owner-occupants of historic property make improvements to their property, the increased assessed value resulting from such rehabilitation shall be phased in one-fifth increments over a period of five years to the full assessed value of the property. Peggy Dunn said that the Historic District Commission was in favor of the article. Jeff Stallard of the Historic Commission questioned if this included endanger houses. No, only those on the State Registered list. Peggy Dunn said that at the moment there is only one eligible owner-property that this would be applied to. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 22. Land Use Coordinator Andrew Sheehan moved that the Town vote to amend the Zoning Bylaw, Town of Chelmsford, by deleting the definition of "Motel or Hotel" as it currently reads:

Motel or hotel: a building or group of buildings providing accommodation for compensation on a transient basis, but not meeting the definition of "boarding house." Accommodations individually having a stove and either or both a refrigerator and sink shall be considered dwelling units.

and replacing it with the following:

Motel or hotel: a building or buildings intended and designed for transient, overnight or extended occupancy, divided into separate units within the same building with or without a public dining facility. If such hotel or motel has independent cooking facilities, such unit shall not be occupied by any guest for more than four (4) continuous months, nor may the guest reoccupy any unit within thirty (30) days of a four-month continuous stay, nor may the guest stay more than six (6) months in any calendar year. No occupant of such hotel or motel may claim residency at such location.

Andrew Sheehan, Community Development coordinator explained that this would allow kitchen areas to be included in extended stay hotels. Presently this is not allowed. It is in surrounding communities. The by-law purposely does not allow a guest to occupy the hotel as a permanent address. It was asked who would enforce this by-law. The Building Inspector would be responsible. The Moderator asked for the Planning Board's recommendation. Chairman of the Planning Board, Susan Carter read the Board's recommendation:

The Planning Board held a public hearing on April 8, 1998 on article 22, after advertising a legal notice in the Lowell Sun on March 23, 1998 and March 30, 1998, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Laws, Chapter 40A, Section 5. At the meeting on April 8, 1998 the proponents, residents and the Planning Board discussed the merits of this zoning by-law change. It is the opinion of the Planning Board that changing the zoning definition of "Motel or Hotel" will provide more clarity and will allow for the inclusion of extended stay hotels towards which the industry is turning. Therefore, in keeping with the general intent of the Zoning By-laws in the development of the community, the Planning Board voted unanimously (7-0) to recommend this change in the zoning definition of "Motel or Hotel". The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, by the Moderator recognizing the 2/3's rule.

UNDER ARTICLE 23. Selectman William Dalton moved that the Town vote to authorize the Board of Selectmen to acquire by gift for general municipal Services, on such terms and conditions as the Selectmen may determine, two parcels of land abutting Route 3, shown as Parcel F, containing 20,550 square feet, and Parcel G, containing 57,504 square feet, on a plan entitled "Plan of Land in Chelmsford, Mass. Owned by H. E. Fletcher Company," dated August 7, 1985, recorded with the Middlesex North District Registry of Deeds at Plan Book 149, Plan 102.

The Town Manager explained that there were sixty-six acres of land that the Town took last year. When the final deed was done these two parcels of land were discovered. It is the owner's wish to turn this over to the Town along with the sixty-six areas. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 24. The Manager explained that this article had been already addressed under article 2 of the Special Meeting of Monday night and moved to withdraw it. The Moderator asked for a show of hands, motion carried, unanimously.

Seeing that there was no further business at hand, The Moderator declared the meeting adjourned sine die. The meeting adjourned at 10:30 PM.

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

Warrant for State Primaries September 15, 1998

William Francis Galvin, Secretary of the Commonwealth
MIDDLESEX, SS

To the Constable, or any other suitable person of the Town of Chelmsford
Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ
Precinct 1 South Row Elementary School Cafetorium
Precinct 2 Harrington Elementary School Gymnasium
Precinct 3 Harrington Elementary School Gymnasium
Precinct 4 Westlands School Cafetorium
Precinct 5 Byam School Cafetorium
Precinct 6 Westlands School Cafetorium
Precinct 7 McCarthy Middle School, Small Gymnasium
Precinct 8 McCarthy Middle School, Small Gymnasium
Precinct 9 South Row Elementary School Cafetorium

On Tuesday the 15th day of September 1998, being the first Tuesday in said month at 7:00 a.m. until 8:00 p.m. for the following purposes.

To cast their votes in the State Primary for the candidates of political parties for the following offices:

GOVERNOR
LT. GOVERNOR
ATTORNEY GENERAL

FOR THE COMMONWEALTH
.....
.....

SECRETARY
TREASURER
AUDITOR
REPRESENTATIVE IN CONGRESS	5 th Congressional District
COUNCILLOR	3 rd Councillor District
SENATOR IN GENERAL COURT	5 th Middlesex Senatorial District
REPRESENTATIVE IN GENERAL COURT	16 Middlesex Representative district
DISTRICT ATTORNEY	Northern District
SHERIFF	Middlesex County

For complete warrant information see original documents on file in the Town Clerk's Office

Democratic State Primary September 15,1998

Governor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	11	8	14	9	8	8	10	19	6	93
Brian J. Donnelly	53	33	56	47	42	50	34	27	44	386
Scott Harshbarger	144	141	185	148	168	226	153	170	163	1498
Patricia Mcgovern	113	106	119	113	115	161	141	148	104	1120
Write-In	5	1	1	0	0	4	0	1	0	12
Misc	0	0	0	0	0	0	0	0	0	0
Total	326	289	375	317	333	449	338	365	317	3109
Lt Governor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	60	57	80	45	72	84	86	81	63	628
Dorothy A. Kelly Gay	118	98	125	109	127	141	92	128	109	1047
Warren E. Tolman	145	131	170	163	132	222	160	154	145	1422
Write-In	3	2	0	0	0	2	0	2	0	9
Misc	0	1	0	0	2	0	0	0	0	3
Total	326	289	375	317	333	449	338	365	317	3109
Attorney General	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	16	9	17	17	13	13	14	11	10	120
Lois G. Pines	142	109	148	119	157	169	127	146	126	1243
Thomas F. Reilly	168	169	210	181	163	267	196	207	181	1742
Write-In	0	0	0	0	0	0	0	1	0	1
Misc	0	2	0	0	0	0	1	0	0	3
Total	326	289	375	317	333	449	338	365	317	3109
Secretary Of State	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	89	79	113	80	83	122	120	98	101	885
William Francis Galvin	236	208	262	237	250	326	217	266	214	2216
Write-In	1	1	0	0	0	0	0	1	1	4
Misc	0	1	0	0	0	1	1	0	1	4
Total	326	289	375	317	333	449	338	365	317	3109

Treasurer	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	92	86	110	82	99	139	131	114	108	961
Shannon P. O'brien	234	202	265	235	234	309	206	249	209	2143
Write-In	0	0	0	0	0	1	0	1	0	2
Misc	0	1	0	0	0	0	1	1	0	3
Total	326	289	375	317	333	449	338	365	317	3109
Auditor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	88	78	101	78	93	125	117	95	100	875
A. Joseph Denucci	238	210	274	239	239	323	220	269	217	2229
Write-In	0	0	0	0	1	0	0	1	0	2
Misc	0	1	0	0	0	1	1	0	0	3
Total	326	289	375	317	333	449	338	365	317	3109
Representative Congress -5th	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	49	38	66	60	48	77	61	59	58	516
Martin T. Meehan	277	249	309	256	284	369	276	305	257	2582
Write-In	0	1	0	0	0	1	0	1	2	5
Misc	0	1	0	1	1	2	1	0	0	6
Total	326	289	375	317	333	449	338	365	317	3109
Councillor - 3rd District	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	78	52	88	44	82	90	83	84	81	682
Ginny Allan	25	17	11	17	29	37	18	21	21	196
Garrett J. Barry	6	8	7	12	14	11	7	10	11	86
John W. Costello	21	14	25	25	32	19	19	25	19	199
Marilyn Pettito Devaney	19	17	27	19	18	18	12	18	20	168
Leonard H. Golder	10	7	7	10	8	5	4	3	7	61
Howard I. Goldstein	2	9	11	8	11	10	7	11	12	81
Ruth E. Nenzoff	13	17	8	7	8	22	13	10	20	118
Francis Thomas "Frank" Talty	152	148	191	175	131	237	175	182	126	1517
Write-In	0	0	0	0	0	0	0	1	0	1
Misc	0	0	0	0	0	0	0	0	0	0
Total	326	289	375	317	333	449	338	365	317	3109
Senator General Court-5th Mldsx	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	81	79	102	69	76	98	86	92	84	767
Susan C. Fargo	242	208	273	248	256	350	252	272	232	2333
Write-In	3	2	0	0	0	0	0	1	1	7
Misc	0	0	0	0	1	1	0	0	0	2
Total	326	289	375	317	333	449	338	365	317	3109
Representative In General Court-16th Mldsx	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	75	55	84	50	89	107	109	93	94	756
William F. Dalton	244	230	288	265	235	328	215	267	211	2283
Write-In	7	3	3	1	7	14	14	5	11	65
Misc	0	1	0	1	2	0	0	0	1	5
Total	326	289	375	317	333	449	338	365	317	3109
District Attorney - Northern Dist	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	46	25	46	32	33	35	41	48	37	343
Martha Coakley	149	151	157	134	173	225	173	166	155	1483
Timothy R. Flaherty	51	59	64	66	66	77	55	62	47	547
Michael A. Sullivan	80	54	108	85	61	112	69	88	78	735
Write-In	0	0	0	0	0	0	0	1	0	1
Total	326	289	375	317	333	449	338	365	317	3109

Sheriff - Middlesex County	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	41	40	52	22	45	48	51	51	45	39
James V. Dipaola	149	127	160	166	135	222	163	161	153	143
Edward J. Kennedy, Jr.	135	121	163	129	153	179	124	153	119	127
Write-In	1	1	0	0	0	0	0	0	0	
Total	326	289	375	317	333	449	338	365	317	310

Republican State Primary - September 15, 1998

Governor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	3	1	4	2	5	3	1	4	2	25
Argeo Paul Cellucci	137	79	130	103	127	144	142	105	141	1108
Joseph D. Malone	95	62	88	80	92	118	106	108	124	873
Write-In	0	0	0	0	2	0	0	0	2	4
Misc	0	0	0	0	0	0	0	0	0	0
Total	235	142	222	185	226	265	249	217	269	2010
Lt Governor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	17	14	26	13	26	22	30	31	17	196
Janet E. Jeghelian	103	70	77	78	102	130	95	111	130	896
Jane Maria Swift	115	58	118	94	98	112	123	75	120	913
Write-In	0	0	1	0	0	0	0	0	2	3
Misc	0	0	0	0	0	1	1	0	0	2
Total	235	142	222	185	226	265	249	217	269	2010
Attorney General	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	69	37	54	47	67	66	72	58	67	537
Brad Bailey	165	103	168	134	159	198	174	158	196	1455
Write-In	1	2	0	4	0	0	3	1	5	16
Misc	0	0	0	0	0	1	0	0	1	2
Total	235	142	222	185	226	265	249	217	269	2010
Secretary Of State	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	87	51	75	60	81	78	94	66	93	685
Dale C. Jenkins, Jr	148	90	147	125	145	187	154	151	175	1322
Write-In	0	1	0	0	0	0	1	0	1	3
Misc	0	0	0	0	0	0	0	0	0	0
Total	235	142	222	185	226	265	249	217	269	2010
Treasurer	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	93	53	74	61	82	79	97	69	94	702
Robert A. Maginn	142	89	147	123	144	185	151	148	174	1303
Write-In	0	0	0	0	0	0	1	0	1	2
Misc	0	0	1	1	0	1	0	0	0	3
Total	235	142	222	185	226	265	249	217	269	2010
Auditor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	90	56	72	63	81	79	95	69	88	693
Michael T. Duffy	145	86	150	122	145	185	153	148	179	1313
Write-In	0	0	0	0	0	0	1	0	2	3
Misc	0	0	0	0	0	1	0	0	0	1
Total	235	142	222	185	226	265	249	217	269	2010

Representative Congress -5th	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	85	55	72	62	80	86	98	62	88	688
David E. Coleman	150	86	150	123	144	177	151	155	181	1317
Write-In	0	0	0	0	2	1	0	0	0	3
Misc	0	1	0	0	0	1	0	0	0	2
Total	235	142	222	185	226	265	249	217	269	2010
Councillor - 3rd District	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	105	63	83	68	88	90	106	72	99	774
John Henry Dejong	130	79	139	117	138	174	142	145	169	1233
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	1	1	0	1	3
Total	235	142	222	185	226	265	249	217	269	2010
Senator General Court-5th Mldsx	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	78	52	70	57	77	83	91	60	83	651
Thomas F. Healy	157	89	152	128	147	182	158	157	186	1356
Write-In	0	0	0	0	1	0	0	0	0	1
Misc	0	1	0	0	1	0	0	0	0	2
Total	235	142	222	185	226	265	249	217	269	2010
Representative In General Court-16th Mldsx	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	67	43	46	64	52	66	52	54	76	520
Carol C. Cleven	156	92	171	113	165	189	195	158	187	1426
Write-In	12	4	4	5	8	8	2	5	6	54
Misc	0	3	1	3	1	2	0	0	0	10
Total	235	142	222	185	226	265	249	217	269	2010
District Attorney - Northern Dist	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	93	55	76	64	91	94	101	74	92	740
Lee Johnson	142	86	145	120	135	170	148	143	175	1264
Write-In	0	1	1	1	0	1	0	0	2	6
Misc	0	0	0	0	0	0	0	0	0	0
Total	235	142	222	185	226	265	249	217	269	2010
Sheriff - Middlesex County	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	217	132	203	164	215	240	226	196	240	1833
Write-In	18	5	7	5	6	9	9	21	11	91
Misc	0	5	12	16	5	16	14	0	18	86
Total	235	142	222	185	226	265	249	217	269	2010

Reform State Primary - September 15, 1998

Governor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	0	0	0	1	0	0	0	0	1
Write-In Brian Delhany	0	0	1	0	0	0	0	0	0	1
Write-In Cellucci	0	1	0	0	0	0	0	0	0	1
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Lt Governor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	0	0	1	0	0	0	0	2
Write-In D. Gay	0	0	1	0	0	0	0	0	0	1
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3

Attorney General	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	0	1	0	1	0	0	0	0	2
Write-In O'reilly	0	1	0	0	0	0	0	0	0	1
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Secretary Of State	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	1	0	1	0	0	0	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Treasurer	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	0	0	1	0	0	0	0	2
Write-In O'brien	0	0	1	0	0	0	0	0	0	1
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Auditor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	1	0	1	0	0	0	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Representative Congress -5th	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	0	1	0	0	0	0	0	0	1
Write-In Dalton	0	1	0	0	0	0	0	0	0	1
Write-In Carol Cleven	0	0	0	0	1	0	0	0	0	1
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Councillor - 3rd District	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	1	0	1	0	0	0	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Senator General Court-5th Mldsx	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	1	0	1	0	0	0	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Representative In										
General Court-16th Mldsx	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	1	0	1	0	0	0	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
District Attorney - Northern Dist	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	0	0	1	0	0	0	0	2
Write-In Flarant	0	0	1	0	0	0	0	0	0	1
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3
Sheriff - Middlesex County	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	0	1	1	0	1	0	0	0	0	3
Write-In	0	0	0	0	0	0	0	0	0	0
Misc	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	0	1	0	0	0	0	3

Warrant for Annual Town Meeting October 19, 1998

MIDDLESEX, SS.

To the Constable, or any other suitable person of the Town of Chelmsford.

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the town Meeting Representatives of said Chelmsford to meet in Senior Center, Groton Road, North Chelmsford on Monday, the nineteenth of October, at 7:30 p.m. in the evening then and there to act upon the following articles, VIZ:

For complete warrant information see original documents on file in the Town Clerk's Office.

Annual Fall Town Meeting October 19, 1998

The Annual Fall Town Meeting was called to order by the Moderator Dennis E. McHugh at the Senior Center at 7:35 PM There were 138 Town Meeting Representatives present. The Moderator pointed out the location of the fire exits and went over the voting procedures.

Selectman William F. Dalton moved that the reading of the Constables return of the warrant be waived. Motion carried, unanimously.

Selectman William F. Dalton moved that the reading of the entire warrant be waived. Motion carried, unanimously.

UNDER ARTICLE 1 Selectman William F. Dalton moved that the Town vote to hear reports of the Town Officers and Committees.

Evelyn Thoren, Chairman of the Arts Technology Education Fund explained that the Committee had been established at the Spring Town Meeting of 1996. All private contributions are anonymous. This year there has been two Corporate contributions and the Committee thanks them both, Lockhead/Martin gave \$1000. and Process Corporation gave \$500. So far there has been a total of \$23,000 received in donations, and over \$5,000 has been awarded. It had been requested that a brief report be given yearly concerning the awards. The Committee has given out four awards for the 1998-1999 school year:

Christine Morassi (Westlands School), Music Supplies for Listening Resource Center, Brenda O'Brien (Byam), Grade 1 Hands-on Discovery Center, Sue Jamback (Chelmsford Public Charter School), Art Immersion Day, Dr Richard Hentz (McCarthy Middle School Council), McCarthy School Ethics Library. The applications will be available January 4, 1999 and deadline is March 31, 1999. The awards will be done in June of 1999.

The Moderator asked if the Body accepted the report as presented, motion carried, unanimously.

UNDER ARTICLE 2. Town Manager Bernard F. Lynch moved that the Town vote to appropriate from free cash \$1,000,000 (one million) for the reduction of the tax rate.

The Town Manager explained that this has become a standard practice of the Board of Selectmen and himself. Over the last six years free cash has been used to reduce the tax rate. A total of \$3,138,072 in tax relief has been returned to the taxpayers. Free cash is used for items within a budget, such as tax relief, stabilization funds, one time capital costs. The year closed out with \$2.7 million dollars in free cash. The amount used in this article will represent a savings of \$60-\$80 per household during this fiscal year. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 3. Town Manager Bernard F. Lynch moved that the Town vote to transfer from Free Cash \$750,000 to the Stabilization Fund.

The Town Manager explained that this is part of the Financial plan as presented in the past. It is part of the overall formula used to fund present and future projects. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 4. Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate \$518,670 to the Stabilization Fund.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 5. Town Manager Bernard F. Lynch moved that the Town vote to raise and appropriate \$7880. to pay bills of previous fiscal years.

The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 6. Town Manager Bernard F. Lynch moved that the Town vote to rescind Article 15 of the Fall Town Meeting of October 20, 1997 which established an Enterprise Fund in accordance with G.L. c.44, Section 53 F ½ for the operation of the Tully Forum.

The Town Manager explained that this is a housekeeping article. The Town had assumed that it would get full ownership of the skating rink and run as a separate entity outside of the general funds through a enterprise fund. However, when the State Legislation was passed in the Spring a revolving fund was incorporated as part of the wording to be used for the next twenty years. Therefore the \$200,000 which had been voted to fund the enterprise account had been rolled back into free cash at the close of FY1998. There is no money in the account and the books need to be eliminated. There is a lease agreement with Facility Management Corporation who must provide a minimum of \$50,000 to the Town each year for the right to operate the facility. They must also contribute \$25000 to \$30,000 for capital improvements. This facility will run much like the golf course. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 7. Town Manager Bernard F. Lynch moved that the Town vote to transfer from Free Cash \$94,979 to the School Department, said funding coming from Medicaid reimbursements.

The Town Manager explained that this is money tracked down for reimbursement for cost of special education programs. The agreement in the past is that the School Department keeps track of the records. When reimbursement comes through, the money is transferred to their budget for school programs. . The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 8. Town Manager Bernard F. Lynch moved that the Town vote to amend the Fiscal Year 1999 operating budget under Article 2 of the Annual Town Meeting held on April 27, 1998 as follows:

- Increase Line Item #2, Municipal Administration Expenses, by \$40,000
- Increase Line Item #3, Chelmsford School Department, by \$118,000
- Increase Line Item #8, Public Works Expenses, by \$50,000
- Increase Line Item #12, Community Services Personnel Services, by \$15,000

And that the Town raise and appropriate \$223,000 to defray such changes.

The Town Manager explained that at each Fall Meeting an article is presented that reflects an adjustment to the budget. This is due to a better sense of the needs within the budget. He further explained that the \$40,000 was needed to upgrade the Assessors software to make compatible to the year 2000. This is recommended by the Auditors and the Insurance Company. The \$118,000 was the money needed by the School Department to fund increase enrollment. This amount was agreed to after justification of figures was presented. The \$50,000 was for the construction of 38 additional parking spaces at Roberts Field. There is a potential safety hazard being created because of the lack of parking. Cars are parking on the street and at the Fire Station. This should be addressed now rather than later as a capital expenditure item. The \$15,000 was for the Recreation Department. Presently there is one full-time and one part-time employee. This additional money would allow the part-time clerical to become full-time. Due to the future expansion of a youth center and the extensive programs being offered there is a need for this additional position. The Finance Committee recommended only the first two items. They did not recommend the parking lot and clerical money. The Board of Selectmen recommended the entire article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 9. Selectman William F. Dalton moved that the Town vote to acquire by purchase, gift, eminent domain, or otherwise, the properties located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Chelmsford Center Project 05809, prepared by Vanasse Hangen Brustlin, Inc.," a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference, for the purpose of Central Square Improvements; and to vote to raise and appropriate \$3,000 for said acquisitions.

The Town Manager explained that there has been an on going study project to improve Central and Vinal Squares and Drum Hill area. This article is based on the results of a Committee that was formed a few years ago of residents, business owners and Town Officials to develop a plan of traffic improvements for Central Square. The cost of the improvements is \$1.3 million dollars, which the Town received a grant for in that amount from the State. And an additional \$600,000 grant from the Department of Transportation for beautification was received today. This will be used for brick type sidewalks, lamps. There are three areas that need to be addressed. The areas in front of the Fiske House, Texaco Gas Station/ Block Hotel need to be taken for road widening work.. And an area in front of the Unitarian Church for improved street parking. Hopefully these lands would be donated. They measure approximately 3-5 feet in width and run 20-30 feet long. 25% of the design work has been approved by the State. Now the next step is to go to the Historic District for fine tuning and input. Overall it is a good plan and he asked the body to support it. Leslie Matthews questioned the time frame . The Manager explained that it should start a year from now and take approximately 12-15 months. The road work is minimal, most of the time involved will be due to the traffic lights installation. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 10. Selectman William F. Dalton moved that the Town vote to acquire by purchase, gift, eminent domain, or otherwise, a portion of a parcel owned by J.H. Realty Trust III, John M. Handley, Trustee, recorded with Middlesex North District Registry of Deeds, Book 7848, page 8, dated January 26, 1996.

The Town Manager explained that this article and the next one are again part of the Central Square beautification plan. The site mentioned in this article is a good site for parking, according to the Town and the present property owner. The property owner is willing to donate the area to the Town and this will allow 35 parking spaces and a small park. The Town will build and maintain the area. Roger Sumner questioned who decided the amount of parking spots to be obtained. He felt that there were quite a few parking spaces in the Boston Road lot right down the street. The Town Manager said that there was a need for parking for the businesses and merchants directly in the Square area. A general lot. Also for future users of the bike path participants. John Wilder questioned if the wetlands and brook adjacent will be effected. The Manager said it would not. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 11. Selectman William F. Dalton moved that the Town vote to accept the provisions of Section 22E of M.G.L. Chapter 166 relative to the removal and replacement of facilities by the Town under a Cooperation Agreement with utility companies to facilitate the depression of overhead utilities in the Chelmsford Center area and further described and shown on a set of plans on file in the office of the Town Engineer and is incorporated herein by reference.

The Town Manager explained that this idea had been before the Body a few years ago and had been turned down. The cost and the necessity played a major factor on why the project didn't pass. However, now it would be part of the plan for improving Central Square. This article would allow the Town to begin negotiations with the utility companies for burying their cables underground. The estimated cost is \$4-5 million dollars, this will be funded through the utilities, who will pass the costs onto the users based on the amount of electricity used. The average homeowner will pay roughly \$2.00 a month for six to seven years. Businesses would be paying a much higher monthly fee because their usage is higher. The cables that run along the poles will only get bigger and heavier due to the increase in services. Now is the time to decide because the work will be incorporated along with the traffic improvement project for Central Square. The Town will bear the expense of the road work and Police details and paving. Frank Barre questioned if the cost will be \$2.00 per utility? No just one monthly fee. Jeff Stallard questioned when Vinal Square would be upgraded. The Manager explained that within a couple of years this Square would be addressed. It's just too costly to do both. Jeff Stallard questioned if any effort had been made to see if any Historical grants were available. Yes, this is an option that is being looked into. Could this be offered by another cable TV company as a bargaining factor in order to obtain the Town's business? Yes it could. Glenn Thoren spoke in favor of the article and asked what type of design lighting would be used. The Manager explained that the street lamps style in Lowell would most likely be recommended, along with the most modern technology in cable. The Manager said that the surrounding towns Andover, Concord, Ayer, and Lexington successfully have done this project. Robert Hall questioned who would monitor the cost that the utility companies will charge. This will be written into the agreement. Kathy Howe questioned if these cables are buried will curb cuts be allowed along Chelmsford St? Yes it will. The Moderator asked for the recommendation of the article. The Finance Committee recommended the article. The Board of Selectmen voted unanimously to approve the article. Further discussion took place.

Richard Allison wanted to know if a non-binding question could be placed on the Town ballot. John Georgio, Town Counsel said that there is a petition process allowed by Massachusetts General Law which would allow a question to be placed on the ballot as non-binding. Richard Allison felt that this process should be looked into, that way everyone could decide. John Wilder questioned the estimated cost formula. Dennis Ready spoke in favor of the article, citing that it is only going to get more expensive to do the longer the wait. Glenn Thoren said now is the time to do this while doing the traffic lights. Gerald Pacht spoke against the article, he felt that between satellite dishes and cellular towers the use of the cable lines will decrease. It's been proven that electricity cable is more efficient when kept above ground so why bury these cables? Jeffrey Brem urged the Body to vote in favor of the article. He researched and presented the plan back a few years ago and said there are still the same issues regardless of them, now is the time to bury them. George Merrill said that there was no comprehensive plan for this project and there should be. What guarantee would there be that this type of improvement would take place in the other parts of town? Everyone is paying for this section but it may never happen elsewhere. Leonard Richards moved the question. The Moderator asked if there was any need for further debate by way of a show of hands. The motion carried due to the Moderator recognizing the 2/3's vote by-law. The Moderator asked for a show of hands on the main motion, motion carried.

UNDER ARTICLE 12. Selectman William F. Dalton moved that the Town vote to transfer the care, custody, management and control of the following described parcel of land to the Board of Selectmen to be held for the purpose of conveyance and to authorize the Board of Selectmen to convey in accordance with Massachusetts General Law, Chapter 30B, for consideration to be determined, all right, title, and interest, if any, held by the Town in a certain portion of a parcel of land shown as Lot 9 on Assessors Map 7, starting at a point on the southeasterly property line of the town-owned land approximately 115 feet from the line of Tyngsboro Road, then northwesterly approximately 5 feet, then northeasterly approximately 30 feet, then southeasterly approximately 5 feet to the property line.

The Town Manager explained that this would allow the transfer of land to the current owners. . The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 13. Selectman William F. Dalton moved that the Town vote to authorize the Board of Selectmen to accept the gift of the following described parcel of land from John Burbuti and Florence T. Barbuti. The subject parcel is held by John Burbuti and Florence T. Barbuti as tenants by the entirety under a deed with quitclaim covenants duly recorded with Middlesex North District Registry of Deeds at Book 1839, Page 355 and appears on a plan prepared by Bradford Saivetz and Associates Inc., Consulting Engineers, entitled "Modification, Old Stage Estates, Chelmsford, Mass." dated January 4, 1965, duly recorded with Middlesex North Registry of Deeds at Plan Book 101, Plan 110; said parcel is shown and identified in said plan as Lot 4186A, and contains 24,180 square feet of land more or less, according to said plan.

The Town Manager explained that the current owner's of this land had gone to the Board of Appeals numerous times to try to obtain a variance and were unsuccessful. They are no longer interested in the land and do not want to pay any taxes on it. Eventually the Town will obtain the land due to non payment of real-estate taxes. There is a cost savings if the land is obtained now by the Town. In the future it could be used as a potential neighborhood park.. Wendy Marcks questioned if it's a buildable lot. It has a slope and is steep. . The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 14. Town Manager Bernard F. Lynch moved to amend the vote taken under Article 11 of the April 27, 1998 Town Meeting to relocate the proposed police station from its existing site at 230 North Road to a portion of the McCarthy Middle School site on North Road and further more to transfer to the Board of Selectmen a portion of said site consisting of 3.5 acres more or less as depicted on a plan entitled "Police Station Site Assessment" prepared by Ross Associates on file in the Town Engineer's Office, to be held for general municipal purposes.

The Town Manager explained that this article is the result of looking at the site as a temporary location for the modular units that would house the Police Station while the renovation construction took place at the present building. It was more feasible to just keep the present building as is and build a new building for the same cost at this new site. A better building will be built which will offer a cellar for more storage and a better layout. An on site firing range will be made available. The entrance and exit will be designed so that there will be no interference to the McCarthy Middle School, overall it is a much better location choice. John Wilder questioned why the Study Committee didn't pick this location in the first place. The Manager explained that the architect firm hired only addressed the site that was given to them to evaluate and work with, which was the present Police station location. They had nothing to do with determining the location. He didn't realize that this site was available, so it wasn't recommended to the Committee for study. He admitted that a mistake had been made and now wanted to correct it before the project moves forward. Jack Fudge asked what would happen to the Drum Hill rotary? The Manager explained that eventually this will be eliminated and improvements made with the plans for widening route 3. The Manager explained that there will be no further costs. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 15. Judith Mallette Chairman of the School Committee moved that the Town vote to raise and appropriate \$80,000, to fund a Chelmsford Public Schools Facility Study, further described and shown on a set of plans entitled " District-wide School Facilities Study: Request for Proposals for Architectural and Engineering Services" a copy of which is located on file in the Office of the Superintendent of Schools.

Superintendent of Schools Dr Richard Moser explained the article. It's main purpose was to come up with a plan that will show the future improvements that will be required within the next ten years for the present school buildings. The study includes, but is not limited to , structured and mechanical review of the existing buildings as well as long range enrollment projections and space planning for educational effectiveness. He showed the ages of the present schools in the system. The oldest is the McCarthy middle school built in 1959 and the newest is the High School built in 1972. He estimated that there will be many hours put forth in the study. The Committee will consist of two members of the School Committee, two members of the Board of Selectmen, two Finance Committee members, two Planning Representatives and the Town Manager. If this article is approved then immediately an architectural firm will be chosen through the bid process, which should take one month. The firm should start December 1st and take three to five months. He hopes that the findings will be completed and a report to the Body will be presented at the April 1999 Town Meeting. George Ripsom questioned if at that time it will be expected to vote a certain amount of monies for the improvements, if so that doesn't give much time for the Representatives to evaluate the need. No, the intent is to present a long range plan. James Doukszewicz asked if it will be part of the study to evaluate the administration offices location and needs. Yes, it will because their present location at the High School along with some preschool classes enter into the future space availability question of the High School classes. The Finance Committee was in favor of the article. The Board of Selectmen were in favor of the article. The Moderator asked for a show of hands, motion carried.

UNDER ARTICLE 16. The Moderator read the article. I move that the Town vote to maintain grinder pumps for all single family homes in the Town of Chelmsford.

The Moderator explained that no action will be taken because the petitioner had withdrawn this article after consulting with Town Counsel about the legal aspects involved.

UNDER ARTICLE 17. Town Manager Bernard F. Lynch moved that the Town vote to authorize the revolving fund under Massachusetts General law c. 44, sec. 53E ½ for the Board of Health for Fiscal Year 1998. The receipts to be credited to the fund shall be from the collection of fees from the implementation of a Hepatitis B program. The Board of Health shall be authorized to spend money from the fund for the purpose of acquiring supplies and materials necessary for implementing a Hepatitis B program. Expenditures from the Hepatitis B Revolving Fund shall be limited to \$7,500 during Fiscal Year 1998.

The Town Manger moved to amend the figure to read \$3,500. He was advised by the Board of Health that this was the amount needed. The Finance Committee recommended the amended figure. The Board of Selectmen were in favor of the motion. The Moderator asked for a show of hands, motion carried to amend unanimously. The Moderator asked for a show of hands on the main motion as amended, motion carried, unanimously.

UNDER ARTICLE 18. Selectman William F. Dalton moved that the Town vote to establish a special fund as provided in Chapter 59 of the Acts of 1998 for the purpose of celebrating the years 2000 and 2001.

The Town Manager explained that this would allow the Town to set up a fund which will be used to receive gifts, donations and allow for sale of commemorative items with the proceeds being put back into the fund for celebrating the millenium. It was asked if this fund could be used for the future celebration of the Town's 350th birthday. Yes it can. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 19. Selectman William F. Dalton moved that the Town vote to acquire by purchase, gift, eminent domain, or otherwise, property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Exhibit A: Showing proposed taking for roadway purposes at 56 Concord Road, dated September 1998," a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference.

The Town Manager explained that through an approved Planning Board project an offer was made by the Developer to improve the roadway conditions of this area. Due to the present road layout, speed is a major safety issue. The improvements would cut down the speed factor tremendously. Leslie Matthews questioned the layout. The Manager showed on the view graph the proposed new route the traffic would take on Hazen Rd prior to entering Concord Rd. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 20. Selectman William F. Dalton moved that the Town vote to release a portion of a drainage easement located in the Town of Chelmsford, said portion totaling 150 square feet, more or less, and further described and shown on a set of plans entitled "Exhibit A: Showing easement area released at 12 Charlemont Court, dated September 1998," a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference.

The Town Manager explained the article. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 21. Sewer Commissioner John P. Emerson Jr. moved that the Town vote to authorize the Board of Selectmen and/or the Sewer Commissioners to acquire any and all temporary and/or permanent easements, and any property in fee simple with buildings and trees thereon by purchase, eminent domain, or otherwise, for the property located in the Town of Chelmsford, Massachusetts, and further described and shown on a set of plans entitled "Plan of Sewer Easement in Chelmsford, Massachusetts, Westview Avenue Phase IIIC Sewers" dated October 1998, prepared by Richard F. Kaminski & Associates, Inc., a copy of which is on file in the Office of the Town Engineer and is incorporated herein by reference, for purposes of constructing and maintaining sewers, pumping stations, and all other appurtenances thereto; and for paying any damages which may be awarded as the result of any such taking.

John Emerson Jr. Chairman of the Sewer Commission explained that this article is a standard housekeeping article needed in order to continue the ongoing sewer project being done in the Town. The Finance Committee recommended the article. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

Selectman William Dalton moved that the Town Meeting adjourn until Thursday October 22, 1998 at 7:30 PM at the Senior Center on Groton Road. The Finance Committee recommended the motion. The Board of Selectmen recommended the motion. The Moderator asked for a show of hands, motion carried, unanimously. The meeting adjourned at 10:10 PM.

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

Adjourned Annual Fall Town Meeting October 22, 1998

The Adjourned Annual Fall Town Meeting was called to order by the Moderator Dennis E. McHugh at the Senior Center at 7:40 PM There were 143 Town Meeting Representatives present. The Moderator stated that prior to beginning any action under article 22, he requested that Robert Morse come forward and present a summary addressing all the zoning articles at this time.

Robert Morse, Chairman of the By-law Review Committee named the other members of the Board. Sue Carter, current Chairman of the Planning Board. Eileen Duffy of the Board of Appeals, Tracy Wallace-Cody, Planning Board member and Vice Chair of this Committee. And Andrew Sheehan, Community Developer, Land Use Co-ordinator. This Committee is the result of the Master Plan Implementation Comprehensive Plan, whose members had brought to the Body at prior meetings various articles concerning the improvement of the zoning by-law. The Committee has been working on this review since 1997. Andrew Sheehan had applied for and received a \$25,000. Municipal Incentive grant from the Mass Dept of Housing and Community Development in the fall of 1997. In December the Committee went out through the bid process and secured Attorney Mark Bobrowski as their consultant to the project. The Committee asked for input from all the Town boards. Then in February through July of 1998 the Committee reviewed the By-law section by section with the consultant. A public hearing was held before the Planning Board on September 9th and ran for three sessions. The result of this process is the complete re-codification of the zoning by-law which now complies fully with State law. It also has added new sections which address landscaping, erosion control, rear lot development and home occupation. There are no zoning boundary changes or no new types of zones. The zoning by-law is broken up into five articles and he cited the purpose of each. Article 22 reflects no substantial change to the by-law. Article 23 complies with the State statues Article 24 moderately revises the by-law to meet Master Plan goals. Article 25 extensively revises the by-law to meet Master Plan goals. Article 26 address the new sections being proposed

The Moderator explained that the Body needed to give permission for non-resident Attorney Mark Bobrowski, Consultant to the By-law Review Committee to speak. The Moderator asked for a show of hands, motion carried, unanimously.

Robert Morse moved to take articles 27 and 28 out of order to consider them in advance of article 22.

Andrew Sheehan explained that these articles presently exist in the zoning by-law and the Committee has been advised by their consultant Mark Bobrowski to place them in the general by-laws. No wording has been added or changed, only their location of reference. The Moderator asked for the Finance Committee's recommendation. The Finance Committee approved taking the two articles out of order. The Board of Selectmen recommended taking the two articles out of order. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 27, Robert Morse of the Master Plan By-Law Review Committee moved that the Town vote to amend the General Bylaws, Article VII, Miscellaneous, by inserting a new Section 16, to read:

SECTION 16: SWIMMING POOLS

Any constructed pool, located above or below the ground, whether portable or fixed, used or capable of being used for swimming, wading or bathing purposes and having a depth of at least two (2) feet and a capacity of at least two hundred (200) cubic feet in volume, shall be subject to the following requirements:

Every outdoor swimming pool shall be completely surrounded at all times, whether or not filled with water, by a fence or wall not less than four (4) feet in height; unless the pool wall itself is four (4) feet or more above grade at all points.

Every such fence, wall, door or gate shall be constructed as not to have openings, holes or gaps larger than two (2) inches in a horizontal dimension and four (4) inches in a vertical dimension or shall be otherwise designed, constructed and maintained to be non-climbable by small children. The wire sizes for all fences and doors fabricated with wire mesh shall not be less than No. 16 wire. The gates or door openings in the fence shall be at least of the same height and construction as the fence or wall and shall be equipped with a self-closing and self-latching device located at least four (4) feet above the underlying ground and inaccessible from the outside to small children. Every gate or door shall be kept locked at all times when the swimming pool enclosure is not in use.

All ladders used to gain access to above ground pools shall be removed or placed so as not to allow entrance by small children when the pool is not in use. No permanent ladders may be attached to above ground pools on the outside unless the pool is surrounded by a separate fence as specified above.

Andrew Sheehan explained that this already exists as section 4120 this just puts it into

the General By-law. Questions were asked concerning the fencing material and purpose. The Moderator asked for the various recommendations. The Finance Committee said that they felt they had no expertise on the subject therefore they had no recommendation. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 28. Robert Morse of the Master Plan By-Law Review Committee moved that the Town vote to amend the General Bylaws, Article VII, Miscellaneous, by inserting a new Section 17, to read:

SECTION 17 :WILLOW TREES

Any willow tree found growing within fifty (50) feet of any portion of a town maintained drainage system, or within fifty (50) feet of any drainage easement, whether granted to the town by specific deed or included on a definitive plan submitted pursuant to the provisions of the subdivision control law, is hereby declared to be a nuisance, and it shall be unlawful to permit any such willow tree to grow or remain in any such location. It shall be the duty of the tree warden to serve, or cause to be served, notice upon the owner of any premises on which willow trees are permitted to grow in violation of the provisions of this section and demand abatement of this nuisance within thirty (30) days.

Andrew Sheehan explained that this currently exists as a Zoning By-law. This would move the law to the General By-laws. If passed the only change will be who enforces the by-law. Currently it is the Building Inspector. Once this is put into the General By-law then the Tree Warden will be the enforcer. The Moderator asked for questions, hearing none he asked for the recommendations. The Finance Committee had none. The Board of Selectmen recommended the article. The Moderator asked for a show of hands, motion carried, unanimously.

UNDER ARTICLE 22. Barry Bell moved that the reading of the article be waived, motion carried, unanimously. Susan Carter Chairman of the Planning Board explained that the members of the Committee would go through the articles briefly. They would discuss and highlight the changes. They are fully prepared to answer any questions. They may use in some instances current projects, not doing this to single out anyone just to make it easier to understand.

Susan Carter explained that this article is strictly clarification that addresses Chelmsford's character. There are new parking requirements for multifamily housing. Home Occupations are being addressed. Allowing the permit expiration to be increased from one year to two years. Under Facilitated and Independent Living age restriction is being eliminated for Assisted Living. Units per acres for Facilitated Living is being increased and Senior or Elder age definition is being lowered from 62 to 60. Questions were asked by the Representatives concerning existing structures, parking, home occupations. It was explained that home occupations are not allowed without Board of Appeal approval. This change would allow some uses to be allowed by right. A person who has a business in the home and does not have the public coming to it would be allowed to conduct the business. If however, the public does go to the home then the business owner must get a special permit. The reasoning is that parking and traffic now become an issue which could be an impact on the neighborhood. George Merrill questioned the term by-law and regulations. Andrew Sheehan explained that these are the regulations of the By-law. The Moderator asked for the recommendations. The Finance Committee had none. The Board of Selectmen recommended the article. Susan Carter, Chairman of the Planning Board, gave the Board's recommendation. The Planning Board held a Public hearing on September 9, 1998 on Articles 22 to 26 after advertising a legal notice in the Lowell Sun on August 25, 1998 and September 1, 1998, a minimum of 14 days before the hearing. A copy of the ad was sent to all abutting towns and the appropriate agencies, as required in the Massachusetts General Law, Chapter 40A, Section 5. At the meetings on September 9th, 16th and 23rd, the proponents, residents and the Planning Board discussed the merits of these proposed zoning by-laws. It is the opinion of the Planning Board that the proposed zoning by-laws will provide more clarity, will comply with state statutes and the Master Plan goals and will provide for the future development of the Town. Therefore, in keeping with the general intent of the zoning by-law in the development of the community, the Planning Board voted (5-1) to recommend the proposed zoning by-laws.

George Merrill moved that the word "These regulations are" in Article 1 Purpose be changed to "This by-law is."

The Finance Committee had no recommendation. The Board of Selectmen recommended the motion. The Moderator asked for a show of hands on the motion to amend. Motion carried.

Robert Hall moved to refer to a committee of Town Meeting Representatives (one from each precinct) to be elected by precinct representatives at the end of Town Meeting. Said Committee to make recommendations to the Planning Board.

The Finance Committee does not recommend the motion. The Board of Selectmen do not recommend the motion. William Curry asked Andrew Sheehan how many mailings were sent to the Town Meeting Representatives? Two separate mailings, the first on August 27th. How many attended the meetings? Approximately six at the first and one dozen at the second. William Curry felt that the article shouldn't be tabled. Sufficient notice was given. If the Representatives didn't attend the meetings or study the book that was available for the last ten days, why would the Body feel that they would study in the future? Elizabeth Marshall spoke against the motion. Peter Lawlor felt that these articles have been well thought out and discussion asked that the motion be defeated. John Coppinger these people have worked diligently. Worked dedicated for the past year, defeat the motion and vote for the article. The Moderator asked for a show of hands on the motion to send the article to Committee. Motion defeated. Kathy Howe spoke about the off street parking in residential areas. She felt that clarification should be made in order to exempt residential parking spaces on a residential home otherwise 90% of the homes will be considered illegal based on the by-law because the driveway or parking garage can be on a sideline. It needs to refer to certain zones and not all zones. Susan Carter said that this is not the intent. It is identical to the existing by-law. Kathy Howe moved to amend 3151 by adding the following sentence at the end of the section. This section shall not apply to single and two family residential uses. A discussion took place. George Ripsom spoke against the motion. Howard Hall spoke against the motion. The Moderator asked for a show of hands on the motion to amend. Motion defeated. The Moderator asked for a vote by way of a show of hands of the main motion as amended, he declared the motion carried, by recognizing the 2/3's vote by-law.

The article reads as follows:

Robert Morse of the Master Plan By-Law Review Committee moved that the Town vote to amend the Chelmsford Zoning Bylaw by:

A. deleting existing Section 1100, regarding title, authority and purpose from the Zoning Bylaw and substituting therefor a new Article I;

Article I. Purpose.

This by-law is enacted to promote the general welfare of the Town of Chelmsford, to protect the health and safety of its inhabitants, to encourage the most appropriate use of land throughout the town, to preserve the cultural, historical and agricultural heritage of the community, to increase the amenities of the town, and to reduce the hazard from fire by regulating the location and use of buildings and the area of open space around them, all as authorized by the provisions of the Zoning Act, G.L. c. 40A, as amended, and by Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

Deleting existing Section 1300 regarding Board of Appeals and substituting therefor a new Section 5200;
5200. BOARD OF APPEALS.

5210. Establishment. The Board of Appeals shall consist of five (5) members and three (3) associate members, who shall be appointed by the Town Manager.

5220. Powers. The Board of Appeals shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the General Laws and by this By-Law. The Board's powers are as follows:

5221. To hear and decide applications for special permits. Unless otherwise specified herein, the Board of Appeals shall serve as the special permit granting authority, to act in all matters in accordance with the provisions of Section 5300, or as otherwise specified.

5222. To hear and decide appeals or petitions for variances from the terms of this By-Law, with respect to particular land or structures, as set forth in G.L. c. 40A, s. 10. The Board of Appeals shall not grant use variances.

5223. To hear and decide appeals taken by any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of G.L. c. 40A, ss. 8 and 15.

5224. To hear and decide comprehensive permits for construction of low or moderate income housing by a public agency or limited dividend or nonprofit corporation, as set forth in G.L. c. 40B, ss. 20-23.

Deleting existing Section 1600 regarding amendments to the Bylaw and substituting therefor a new Section 5500;

5500. AMENDMENTS.

This By-Law may from time to time be changed by amendment, addition, or repeal by the Town Meeting in the manner provided in G.L. c. 40A, s.5, and any amendments thereto.

Deleting existing Section 1800 regarding applicability and substituting therefor a new Section 5600;

5600. APPLICABILITY.

5610. Other Laws. Where the application of this By-Law imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or agreements, the provisions of this By-Law shall control.

5620. Conformance. Construction or operations under a Building Permit shall conform to any subsequent amendment of this By-Law unless the use or construction is commenced within a period of six months after the issuance of the permit, and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

deleting existing Section 1900 regarding validity and substituting therefor a new Section 5700;

5700. SEPARABILITY.

The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision herein.

B. deleting existing Section 2100 regarding establishment of districts and substituting therefor a new Section 2100;

2100. DISTRICTS.

2110. Establishment. For the purposes of this By-Law, the Town of Chelmsford is hereby divided into the following districts:

RA – Residential A District. These are the lowest density single-family residence districts.

RB – Residential B District. These are low-density single-family residence districts.

RC – Residential C District. These are medium-density general residence districts.

RM – Residential Multifamily District. These are high-density residence districts.

CA – Neighborhood Commercial District. These are commercial districts for neighborhood areas.

CB – Roadside Commercial District. These are general commercial districts which are high traffic generators. Included are such uses as automotive repair, open lot sales, wholesale business, retail and offices and so on.

CC – Shopping Center District. These are commercial districts designed to allow the clustering of stores, offices and so on around a central parking area. These are high traffic generators usually located on major roads.

CD – General Commercial District. These are primarily retail, commercial offices, restaurants and entertainment commercial uses excluding repair, open lot sales, wholesale and storage uses. These uses are usually located along existing major traffic thoroughfares.

CX – Adult Entertainment District. This is a commercial district created for adult entertainment establishments and other permitted uses as defined by this by-law.

IA – Limited Industrial District. These are areas that are primarily used for office, research development, manufacturing and warehousing.

IS – Special Industrial District. This district is suited for heavy industrial and storage.

P – Public District. These are lands owned or leased by federal, state or municipal governments for governmental purposes.

OS – Open Space District. These are privately owned lands used for open space.

RMH – Residential Mobile Home District. This is a district for mobile homes.

"Overlay" districts are also hereby created, as follows: CX, Aquifer Protection, Floodplain.

2111. Official zoning map. The districts set forth above are shown on the official zoning map, which, together with all explanatory material thereon, is hereby adopted by reference and declared to be part of this by-law. The official zoning map shall be identified by the signature of the chairman of the Planning Board, and attested by the town clerk bearing the seal of the town. The official zoning map is included as originally dated May, 1963, and as most recently amended.

2120. Rules for interpretation of zoning district boundaries. Where uncertainties exist as to the boundaries of districts as shown on the official zoning maps the following shall apply:

2121. Where the boundary lines as shown upon said map as approximately following the street lines, of public and private ways or railways, the centerlines of such ways shall be the boundary lines.

2122. Where the boundary lines are shown approximately on the location of property lot lines, and the exact location of property, lot or boundary lines is not indicated by means of dimensions shown in figures, then the property or lot lines shall be the boundary lines.

2123. Boundary lines located outside of street lines are shown approximately parallel thereto shall be regarded as parallel to such street lines, and dimensions shown in figures placed upon said map between such boundary lines and street lines are the distance in feet of such boundary lines from such street lines; such distances being measured at right angles to such street lines unless otherwise indicated.

2124. In all cases which are not covered by other provisions of this section, the location of boundary lines shall be determined by the distance in feet, if given, from other lines upon said map, by the use of identifications as shown on the map, or by the scale of the map.

2125. Where the district boundary line follows a stream, lake or other body of water, said boundary line shall be construed to be at the thread or channel of the stream; or at the limit of the jurisdiction of the Town of Chelmsford, unless otherwise indicated.

2126. Where a district boundary line divides any lot existing at the time such line is adopted, the regulations of any district in which the lot has frontage on a street may be extended by special permit from the Board of Appeals not more than thirty (30) feet into the other district.

2127. Where physical or cultural features existing on the ground are at variance with those shown on the official map, or in other circumstances not covered by the above subsections, the Board of Appeals shall interpret the district boundaries.

Deleting existing Section 2510 regarding intensity of use related to buildings and substituting therefor a new Section 2310;

2310. General. No structure shall be erected or used, premises used, or lot changed in size or shape except in conformity with the requirements of this section, unless exempted by this By-Law or by statute (see G.L. c. 40A, s.6).

deleting existing Section 2520 regarding lot change and substituting therefor a new Section 2311;

2311. Lot change. No existing nonconforming lot shall be changed in size or shape except through a public land taking or donation for road widening, drainage, utility improvements or except where otherwise permitted herein, so as to increase the degree of nonconformity that presently exists.

deleting existing Section 2540 regarding accessory buildings and substituting therefor a new Section 2330;

2330. Accessory buildings. No accessory building or structure, except a permitted sign or roadside stand, shall be located within a required front yard area. A detached accessory building may be located in the rear yard areas and on the same lot as a principal building, provided that not more than twenty-five (25) percent of the required yard area shall be so occupied, and further provided that an accessory building shall not be located nearer than ten (10) feet from the principal building and at least ten (10) feet from any side or rear lot line. An accessory building attached to its principal building or within ten (10) feet of it shall be considered an integral part thereof and as such shall be subject to the front, side, and rear yard requirements applicable to the principal building.

deleting existing Section 2550 regarding multiple principal buildings on a lot and substituting therefor a new Section 2340;

2340. Multiple Principal Structures. Except in the residential districts, more than one principal nonresidential structure may be erected on a lot, pursuant to a special permit issued by the Planning Board in accordance with Section 5300 herein and the following conditions:

2341. No principal building shall be located in relation to another principal building on the same lot, or on an adjacent lot, so as to cause danger from fire;

2342. All principal buildings on the lot shall be served by access ways suitable for fire, police, and emergency vehicles;

2343. All of the multiple principal buildings on the same lot shall be accessible via pedestrian walkways connected to the required parking for the premises, and to each principal building.

deleting existing Section 2560 regarding conversion of dwelling units and substituting therefor a new Section 2350;

2350. Conversion of dwelling units. Alteration of a single-family dwelling existing at the time of adoption of this by-law (3/14/38), for occupancy by not more than two (2) families, is permitted, in accordance with section 2200 of this by-law, provided that the lot contains not less than fifteen thousand (15,000) square feet; that the exterior design of the structure is not changed from the character of a single-family dwelling; and provided further that at least six hundred (600) square feet of living space shall be provided for each resulting dwelling unit.

deleting existing Section 2700 regarding the floodplain district and substituting therefor a new Section 4300;

4300. FLOODPLAIN DISTRICT.

4310. Purpose. The purposes of this district are:

- (a) To provide the lands in the Town of Chelmsford subject to seasonal or periodic flooding as described hereinafter shall not be used for residence or other purposes in such manner as to endanger the health or safety of the occupants thereof.
- (b) To protect, preserve, and maintain the water table and water recharge areas within the town so as to preserve present and potential water supplies for the public health and safety of the residents of the Town of Chelmsford.
- (c) To assure the continuation of the natural flow of the water course(s) within the Town of Chelmsford in order to provide adequate and safe floodwater storage capacity to protect persons and property against the hazards of flood inundation.

4320. Floodplain district and floodway district boundaries. The floodplain district and floodway district is herein established as an overlay district. The underlying permitted uses are allowed provided they meet the following additional requirements as well as those of the Massachusetts State Building Code dealing with construction in floodplains. The floodplain district and floodway district includes all special flood hazard areas designated on the National Flood Insurance Program, Flood Insurance Rate Map for the Town of Chelmsford, prepared by the U.S. Dept. of Housing and Urban Development, Community Panel Number 250188 0005B-0015B dated June 4, 1980 on file with the Town Clerk, Planning Board, Building Inspector and Conservation Commission. These maps as well as the accompanying Chelmsford flood insurance study, dated December, 1979, are incorporated herein by reference.

4330. Base Flood Elevation and Floodway Data.

4331. Floodway Data. In Zone A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the map entitled " Chelmsford Floodplain and Floodway District Map, 1980" prepared by O'Connell and Associates shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge. This map is incorporated herein by reference.

4332. Base Flood Elevation Data.

Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

4340. Notification of Watercourse Alteration.

Notify, in a riverine situation, the following of any alteration or relocation of a watercourse:

- a. Adjacent communities
- b. Bordering States
- c. NFIP State Coordinator

Massachusetts Office of Water Resources
100 Cambridge Street
Boston, MA 02202

d. NFIP Program Specialist

FEMA Region I, Room 462

J. W. McCormack Post Office and Courthouse

Boston, MA 02109

4350. District use regulations.

4351. The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non- structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- a. Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 2102.0, " Flood Resistant Construction");
- b. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- c. Inland Wetlands Restriction, DEP (currently 302 CMR 6.00);
- d. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

4352. In the floodplain district no new building shall be erected or constructed and no existing structure shall be altered, enlarged or moved; no dumping, filling, or earth transfer or relocation shall be permitted; nor any land, building, or structure used for any purposes except:

- a. Conservation of water, plants, and wildlife.
- b. Outdoor recreation, including play areas, nature study, boating, fishing and hunting, where otherwise legally permitted, but excluding buildings and structures.
- c. Noncommercial signs (as permitted in the residential districts), wildlife management areas, foot, bicycle, and/or horse paths and bridges, provided that such uses do not affect the natural flow pattern of watercourses.
- d. Grazing and farming, including truck gardening and harvesting of crops.
- e. Forestry and nurseries.

Floodway Regulations. In the floodway, designated on the Chelmsford floodplain and floodway district map, the following provisions shall apply:

4361. All encroachments including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one- hundred-year flood.

4362. Any encroachment meeting the above standard shall comply with the floodplain requirements of the state building code.

4363. If a property owner questions the location of a floodplain or floodway district, the owner may engage at his own cost a registered licensed surveyor with the approval of the town engineer to determine if the land in question is within the floodplain or floodway district. The landowner shall be responsible for the cost for this determination. The Board of Appeals, in consultation with the Town Engineer, shall decide whether or not to accept the surveyor's determination.

4364. No new building or portion thereof located within the

Floodplain District shall be allowed to connect to the municipal wastewater system or to a private wastewater system that discharges to the municipal wastewater system.

4365. The portion of any lot within the area delineated in subsection 4320 above may be used to meet the area and yard requirements for the district or districts in which the remainder of the lot is situated.

4370. Exemptions. In the floodplain district, the Board of Appeals may grant a special permit for exception for uses or structures in addition to those allowed under section 4350, subject to the following:

- a. The applicant has referred the request to the Planning Board, the Town Engineer, the Board of Health, and the Conservation Commission for review and recommendation as provided in Section 11, Chapter 40A, M.G.L.;
- b. The land is shown to be neither subject to flooding nor unsuitable for the proposed use because of hydrologic and/or topographic conditions;
- c. The proposed use will not be detrimental to the public health, safety, and welfare; and
- d. The proposed use will comply in all respects to the provisions of the underlying district or districts within which the land is located; and,
- e. Any loss of floodplain or floodway shall be compensated for at a similar elevation within the same local watershed.

C. deleting existing Section 3100 regarding off street parking and loading and substituting therefor a new Section 3100;

3100. OFF-STREET PARKING AND LOADING.

3110. General Parking Requirements.

3111. Adequate off-street parking must be provided to service all parking demand created by the new structures, additions to existing structures, or changes of use. Existing buildings and uses need not comply unless expanded or otherwise changed to increase their parking needs.

3112. In applying for building or occupancy permits, the applicant must demonstrate that the minimum parking requirements set forth below will be met for the new demand without counting existing parking necessary for pre-existing remaining uses.

3113. Common parking areas may be permitted for the purpose of servicing two (2) or more principal uses on the same or separate lots, provided that:

- a. Evidence is submitted that parking is available within five hundred (500) feet of the premises, which lot satisfies the requirements of this by-law and has excess capacity during all or part of the day, which excess capacity shall be demonstrated by competent parking survey conducted by a traffic engineer registered in the Commonwealth of Massachusetts.
- b. A contract, agreement, or suitable legal instrument acceptable to Chelmsford's town counsel, shall be filed with the application for building permit, occupancy permit, or special permit for exception which shall specify the location of all spaces to be jointly used, the number of such spaces, the hours during the day that such parking shall be available, and the duration or limit, if any on such parking.
- c. Any reduction in area required for parking because of these joint use provisions shall be reserved in landscaped open space. Such area shall be computed at the rate of four hundred (400) square feet per parking space.
- d. Nothing in this section shall relieve the owner from providing parking facilities in accordance with this by-law if subsequently the joint use of parking facilities shall terminate.

3120. Number of Spaces. For the purpose of computing the parking requirements of different uses, the number of spaces required shall be the largest whole number obtained after increasing all fractions upwards to one. Employees shall include the largest number of owners, managers, full and part-time workers and volunteers that may be normally expected on the premises during any single shift or portion thereof. The number of seats in benches, pews, or other continuous seating arrangements shall be calculated at twenty (20) inches for each seat. The following minimum parking requirements shall apply to uses as listed below:

USE	NUMBER OF SPACES
Stores, retail business, and services	One (1) space per two hundred (200) square feet of net leasable floor area or a minimum of at least three (3) spaces per establishment
Banks, libraries, and post offices	One (1) space per one hundred (100) square feet of floor area devoted to public use, plus one (1) space per employee
Bowling alleys	Four (4) spaces for each alley
Business and professional offices, office buildings, and office of a wholesale establishment including sales space	One (1) space per two hundred (200) square feet of net floor area
Medical and dental offices and clinics	One (1) space per two hundred (200) square feet of net floor area
Restaurants, lounges, and function rooms	One (1) space per employee on the largest shift and one space per two and one-half (2.5) seats based on the maximum rated legal seating capacity of the facility
Fast food establishment	One (1) space per fifty (50) square feet of net floor area
Adult entertainment establishment	One (1) space per employee on the largest shift and one (1) parking space for each 1.25 persons allowed for said establishment's seating capacity
Theater, funeral home, and places of assembly	One (1) space for each four (4) seats or for each fifty (50) square feet of assembly area, whichever is greater
Hotels, motels, and tourist homes	One (1) space per guest room, plus one (1) space per employee, plus a number of spaces as required elsewhere herein for restaurants, assembly halls, function rooms, shops and similar functions if occurring on the premises
Non-family accommodation	One (1) space per two (2) persons accommodated
Nursing and convalescent homes	One (1) space for each three (3) beds, plus one (1) space for each employee serving on the shift having the greatest number of employees, plus one (1) space for each visiting staff
Clubs, lodges and association buildings	One (1) space per three (3) memberships
Lumber and building material yards, nurseries, and outdoor sales	One (1) space per two hundred (200) square feet of net floor area and one (1) space per one thousand (1,000) square feet of outdoor or bulk sales area
Manufacturing, truck terminals, wholesale establishments, public utility buildings other than their business office, warehouses and similar uses not normally visited by the general public	One (1) space per two hundred (200) feet of net floor area. Provided, however, that the Inspector of Buildings may waive the actual construction of said space to no less than one (1) space per one and four-tenths (1.4) employees, plus one (1) space for each vehicle used in the operation upon issuance of a building permit or occupancy permit
Facilitated Living Facility	One space for each employee on the shift having the greatest number of employees, plus one (1) space for each visiting staff person. When on site parking for the facility's residents is permitted, the parking requirement is eight tenths (8/10) space per room. When on site parking for the facility's residents is not permitted, the parking requirement is one (1) space for each three (3) beds. The site must support the potential for meeting the parking requirement for "Business and professional offices" in the event of a building conversion, and shall be shown on the site plan as potential future parking.

Single-family and two-family dwelling	Two (2) spaces per dwelling unit for units with two (2) or more bedrooms
Multi-family dwelling	One (1) space per dwelling unit for one bedroom; two (2) spaces per dwelling unit for units with two (2) or more; plus one space per every three units or fraction thereof.
Home occupations	In addition to the spaces required for the dwelling, one (1) space for the nonresident employee.
Any other nonresidential use, or any use involving a combination of functions similar to or listed herein	A number of spaces as determined by the Inspector of Buildings by application of the ratios above

3121. The requirements of Section 3120 may be reduced on special permit by the Planning Board if a property owner can demonstrate to the satisfaction of the board that the required number of spaces will not be needed for the proposed use, and that fewer spaces meet all parking needs. Such cases might include:

- a. Use of a common parking lot for separate uses having peak demands occurring at different times;
- b. Age or other characteristics of occupants which reduce their auto usage;
- c. Peculiarities of the use that make usual measures of demand invalid.
- d. The area necessary for the reduced spaces is available on the lot.

3122. Waived Parking Build-out. If anytime after the property is in use, the Planning Board or the Inspector of Buildings determines that a need exists for the additional spaces that were waived under Section 3121, the Planning Board may require that these spaces be constructed.

3130. Size of Parking Spaces. Parking spaces shall be no less than eight and five-tenths (8.5) feet in width and nineteen (19) feet in length.

3140. Off-Street Loading. All buildings, requiring the delivery of goods, supplies, or materials, or shipments of the same shall have bays and suitable maneuvering space for off-street loading of vehicles in accordance with the following:

3141. Retail stores and services. For each establishment with a net floor area from five thousand (5,000) to eight thousand (8,000) square feet, at least one (1) berth. Additional space is required at the rate of one (1) berth per eight thousand (8,000) square feet or nearest multiple thereof. Where two (2) or more such establishments are connected by a common wall such as in a shopping center, common berths may be permitted for the use of all establishments at the rate of one (1) berth space per eight thousand (8,000) square feet in the entire shopping center.

3142. Office buildings. For each office building with net area of four thousand (4,000) square feet or more, at least one (1) berth shall be provided.

3143. Manufacturing industrial warehousing. For manufacturing, industrial warehousing and similar uses up to eight thousand (8,000) square feet of net floor area, at least one (1) berth shall be provided. For larger floor areas, additional berths shall be provided as required by the Inspector of Buildings adequate for off-street loading and unloading.

3144. Loading areas shall provide screening in accordance with Section 3500.

3145. Loading bays shall not be less than twelve (12) feet in width, forty (40) feet in length, and fourteen (14) feet in height, exclusive of driveway and maneuvering space. Required off-street loading bays and maneuvering spaces shall be located entirely on the same lot as the building being served.

3150. Parking and Loading Area Design and Location.

3151. No off-street parking area shall be located within ten (10) feet of a property line, within twenty (20) feet of a street right-of-way, or in any required yard adjacent to a residential or institutional use.

3152. Sidewalks are required within the site where necessary for safe pedestrian access and circulation. There shall be a marked pedestrian aisle at each entrance to the building served by the parking lot.

3153. Parking spaces more than five hundred (500) feet from the building entrance they serve may not be counted towards fulfillment of parking requirements unless the Planning Board determines that circumstances justify this greater separation of parking from use.

3154. All required parking areas except those serving single-family residences shall be paved, unless exempted on special permit from the Planning Board for cases such as seasonal or periodic use where unpaved surfaces will not cause dust, erosion, hazard, or unsightly conditions.

3155. Parking areas for five (5) or more cars shall not require vehicles to back onto a public way.

3156. Parking areas for ten (10) or more cars shall provide screening in accordance with Section 3500.

3157. No dead end aisle shall exceed five (5) parking spaces in width.

3158. Continuous curbing shall be provided to control access, drainage and damage.

3159. Curb stops, planting strips or other means shall be provided to maintain a minimum usable sidewalk width of four feet or the minimum width required by the Americans with Disabilities Act.

3160. Parking Areas with Twenty or More Spaces. The following shall apply to entrances or exits to all parking areas with twenty (20) or more spaces:

3161. Entrance or exit center lines shall not fall within fifty (50) feet of an intersection of street sidelines or within one hundred fifty (150) feet of the centerline of any other parking area entrance or exit on the same side of the street, whether on the same parcel or not, if serving twenty (20) or more spaces. Uses shall arrange for shared egress if necessary to meet these requirements.

3162. Egressing vehicles shall have four hundred (400) feet visibility in each travel direction.

3163. Street entrances shall be designed consistent with Massachusetts DPW Traffic Regulations, section 10A-9 or subsequent revisions.

3164. An appropriate area for snow storage after plowing shall be provided on the premises.

3170. Parking Garages. An application for a special permit for a parking garage shall require the submission of a site plan in conformance with Section 5400. No parking garage shall exceed three (3) stories in height (thirty-five (35) feet), and when taken in consideration with the principal structure, shall not exceed the lot coverage for the applicable zoning district.

deleting existing section 3300 regarding signs and outdoor lighting and substituting therefor a new Section 3300;

3300. SIGNS AND OUTDOOR LIGHTING

The following sign regulations are intended to serve these objectives: (a) to facilitate efficient communication to ensure that people receive the messages they need or want; (b) to promote good relationships between signs and the visual qualities of their environs and the buildings to which they relate; (c) to maintain visual diversity within commercial areas by avoiding requirement of uniformity; and (d) to support business vitality within nonresidential zones by accomplishing the above objectives without burdensome procedures and restrictions.

3310. General Regulations.

3311. Permits. No sign shall be erected, enlarged or structurally altered without a sign permit issued by the Building Inspector, with the exception of unlighted signs one (1) square foot or smaller and temporary construction signs less than twelve (12) square feet in area. Temporary unlighted real estate signs require no sign permit if erecting agent has obtained a one-year permit from the Building Inspector for erecting such signs.

3312. Maintenance. All signs shall be maintained in a safe and neat condition to the satisfaction of the Building Inspector and in accordance with sections 1404.0 and 1405.0 of the State Building Code.

3313. **Nonconforming Signs.** Any sign legally erected may be continued and maintained despite being made nonconforming through change in the zoning by-law, except that no off-premises signs may be maintained after June 1, 1980. Any sign rendered nonconforming through erection of additional signs on the premises or through change or termination of activities on the premises shall be removed within thirty (30) days of order of the Building Inspector. No existing sign shall be enlarged, reworded (unless equipped with movable letters), redesigned, or altered in any way except in conformity with the provisions contained herein. Any sign which has been destroyed or damaged to the extent that the cost of repair or restoration will exceed one-third of the replacement value as of the date of the destruction shall not be repaired, rebuilt, restored, or altered unless in conformity with this by-law.

3314. **Identification.** All signs approved by the Building Inspector will have an identifying number affixed to the face of the sign in the lower right hand corner, said number to be at least one (1) inch in height.

3320. **Prohibitions.**

3321. No moving, animated, revolving, moving light, or flashing sign or sign elements shall be permitted, except for traditional illuminated barbershop poles with revolving pillars. Only registered and licensed barbershops are allowed to display a barber pole and the barber pole shall not exceed eighteen (18) inches in height. No pennants, streamers, advertising flags, spinners, or similar devices shall be permitted.

3322. No sign shall be located within twenty-five (25) feet of the intersection of sidelines of intersecting streets unless entirely less than three and one-half (3 1/2) feet or more than eight (8) feet above grade.

3323. No part of any sign shall be more than twenty (20) feet in height above ground level or exceed the height of the building to which it relates unless granted a special permit for an exception by the Board of Appeals.

3324. No part of any sign shall overhang a public way by more than twelve (12) inches, except that on special permit from the Board of Appeals such overhang may be increased up to four (4) feet.

3325. No billboard or other sign shall be erected or maintained unless its subject matter relates exclusively to the premises on which it is located, or to products, accommodations, services, or activities on those premises.

3330. **Signs Permitted in Residential District.** The following signs are permitted in residential districts RA, RB, RC, and RM.

3331. One (1) sign for each family residing on the premises indicating the owner or occupant or pertaining to a permitted accessory use, provided that no such sign shall exceed one (1) square foot in area.

3332. One (1) sign not over nine (9) square feet in area pertaining to a permitted use or building other than dwellings or their accessory uses.

3333. One (1) temporary sign not over six (6) square feet in area pertaining to the sale, rent, or lease of the premises provided that it shall be removed within seven (7) days after sale, rent, or lease thereof. Such signs may be illuminated only if granted a special permit by the Board of Appeals upon its determination that such illumination serves public safety and convenience without damage to neighborhood character. These signs require no sign permit if erecting agent has obtained a one-year permit from the Building Inspector for erecting such signs.

3334. Unlighted directional signs not exceeding one (1) square foot in area each and pertaining to permitted building, uses of the premises other than dwellings and their accessory uses, or prohibiting use of the premises or certain portions of it.

3335. One (1) temporary unlighted sign not larger than twenty-five (25) square feet in an area indicating the name and address of the parties involved in construction on the premises. Requires no permit if not more than twelve (12) square feet in area and is removed within thirty (30) days of erection.

3340. **Signs Permitted in Business Districts.** The following signs are permitted in business districts CA, CB, CC, and CD.

3341. Attached signs. One sign may be attached to any one wall of a building, not to exceed an area equivalent to fifteen (15) percent of the front wall area of said building, or sixty (60) square feet, whichever is greater.

- a. Allowable sign area may be divided between two (2) signs, each sign to be attached to a different wall of the building, and the total allowable sign area shall not exceed an area equivalent to twenty (20) percent of the front wall area of said building or eighty (80) square feet, whichever is smaller.
- b. In the case of buildings with multiple occupants, each occupant is allowed one (1) sign, with the above total allowable sign area divided among them in proportion to their share of total floor area.
- c. No attached sign shall extend above the wall to which it is attached. No sign shall be attached to a roof, real or simulated.
- d. A building located at an intersection fronting on two (2) public ways may divide the allowable sign area between two (2) signs, each sign to be attached to a different wall of the building, and the total allowable sign area shall not exceed an area equivalent to twenty (20) percent of the front wall area of said building, or eighty (80) square feet, whichever is smaller.

3342. Freestanding signs.

- a. One freestanding sign located within the front yard area of the lot and not exceeding five (5) percent of the front wall of the building, or forty (40) square feet, whichever is smaller, provided that the building has a minimum setback of thirty (30) feet and the sign is so located as to be set back fifteen (15) feet from the street line and twenty (20) feet from any side lot line. On special permit from the Board of Appeals the allowable sign area may be increased to sixty (60) square feet.
- b. Directory signs. A freestanding "directory" sign, a sign representing multi-tenants, must have uniformity of size and color and the overall sign must meet the criteria for freestanding signs.

3343. Directional signs. No more than two (2) directional signs per driveway. Said signs shall contain no advertising and shall not exceed an area of five (5) square feet each.

3344. Window signs. One (1) unlighted window sign for each window of the building not to exceed in area twenty (20) percent of the area of any window upon which located.

3345. Lighted Window Signs. One lighted window sign, including all types of internally illuminated signs, whether or not neon, conforming to the following standards:

- a. Such signs shall not exceed five (5) square feet in area or cover more than 20% of the window in which it is situated, whichever is less, and shall only be allowed in ground floor windows;
- b. Such signs shall be equipped with a timer which shall permit illumination no longer than thirty minutes before opening or after closing of the business;
- c. Such signs shall not flash or blink or use lights changing in intensity;
- d. Such signs shall not contain more than three different colors;
- e. Such signs illuminated by a neon source shall be composed of primarily single strand glass tubing with a maximum outside diameter of one inch;
- f. Such signs within three feet of a window shall be considered to be a window sign for purposes of these standards.

3350. Signs Permitted in Industrial Districts. Any sign permitted in a business district is permitted in an industrial district (IA or IS) excepting window signs. However, a freestanding sign oriented parallel to the street line and not more than thirty (30) square feet in area need to be set back only five (5) feet from the street line.

3360. Illumination.

3361. **Overspill.** Illuminated signs, parking lot lighting, building floodlighting, or other exterior lighting shall be so designed and arranged that their collective result does not create so much light overspill onto adjacent premises that it casts observable shadows, and so that it does not create glare from unshielded light sources.

3362. Unless all the following are met, it will be presumed that the above performance requirements are not satisfied. The Board of Appeals may grant a special permit for lighting which does not comply with these specifications if it determines that the performance standards of the first paragraph will still be met, and if the applicant documents that brightness of any sign or building element will not exceed twenty (20) foot lamberts in residential districts or fifty (50) foot lamberts in other districts.

a. Internally illuminated signs on the premises collectively total not more than two hundred (200) watts unless not exceeding fifteen thousand (15,000) lumens.

b. Externally illuminated signs employ only shielded lights fixed within three (3) feet of the surface they illuminate.

c. Building floodlighting totals not more than two thousand (2,000) watts unless not exceeding fifty thousand (50,000) lumens.

d. Exterior lighting fixtures other than signs are mounted not more than twenty (20) feet high.

3363. **Hours.** No sign or building in any residential district or within three hundred (300) feet of any residential district if within sight from it shall be illuminated between the hours of 11 p.m. and 7 a.m. unless indicating an establishment open to the public during those hours.

3364. **Movement.** No flashing, moving, or revolving lights shall be maintained.

3370. **Temporary Signs.** Temporary signs (including those mounted on wheels, trailers, or motor vehicles if those vehicles, trailers, or wheeled signs are regularly located for fixed display) are prohibited unless complying with all requirements of this by-law as applicable to permanent signs, or as may be allowed herein.

3371. **Political Signs.** Temporary, freestanding political signs, not exceeding in aggregate twenty-four (24) square feet in area, which is designed to influence the action of voters for the passage or defeat of a referendum question or other measure appearing on the ballot of an election duly called in the Town of Chelmsford or designed to influence the action of voters for election of a candidate whose name appears on the ballot of an election duly called in the Town of Chelmsford are allowed in all districts. Such signs may be erected no sooner than twenty-one (21) days prior to the date of election and must be removed not later than fourteen (14) days after such election. Signs permitted by this by-law: (a) shall not be higher than three feet above ground level; (b) shall not be artificially illuminated; (c) shall be freestanding and not attached to a building, tree, utility pole, or fence; (d) shall be set back at least 15 feet from the street line; and (e) shall only be located within the front or side yard area of the property. These signs require no sign permit.

3372. **Construction signs.** Temporary, freestanding signs may be erected on the premises to identify any building under construction, its owner, architect, builder or other associated with it, provided that such sign shall not exceed sixty (60) square feet in area and shall not be erected to interfere with sight lines along the public way. Such sign shall be removed within seven (7) days of the issuance of an occupancy permit. These signs require no sign permit if not more than twelve (12) square feet in area and are removed within thirty (30) days of erection.

3373. **Real estate signs.** Temporary freestanding sign or signs attached to the front wall of the building and pertaining to the sale, rental, or lease of the premises are allowed in all districts. Such sign shall be removed within seven (7) days of the sale, rental, or lease of said premises. These signs require no sign permit if erecting agent has obtained a one-year permit from the Building Inspector for erecting such signs. Signs advertising an "open house" shall be situated only on the property which is for sale, and/or at nearby intersections to guide potential buyers to that location, only during the hours of the open house.

3374. **Yard sale signs.** A sign advertising a yard sale shall not exceed two square feet in area, shall not be erected more than seventy-two hours before the sale, and shall be removed immediately thereafter. No permit is required for a yard sale sign.

3380. Guidelines. These guidelines are not mandatory, but degree of compliance with them shall be considered by the Board of Appeals in acting upon special permits authorized under this section, as shall consistency with the basic sign objectives and any specific criteria cited above.

3381. Designs.

- a. Any increase above the basic maxima for the size and number of signs should be justifiable because of multiple frontages, development scale, or other special needs, and should be appropriate in relation to street width, signage on nearby structures, and speed of vehicular travel.
- b. Sign content normally should not occupy more than forty (40) percent of the sign background, whether a signboard or a building element.
- c. Signs should be simple, neat, and avoid distracting elements, so that contents can be quickly and easily read.
- d. Signs should be sized and located so as to not interrupt, obscure, or hide the continuity of columns, cornices, roof eaves, sill lines, or other elements of building structure, and where possible, should reflect and emphasize building structural form.
- e. Sign materials, form, colors, and lettering shall be reflective of the character of the building to which the sign relates.
- f. Clutter should be avoided by not using support brackets extending above the sign or guy wires and turnbuckles.

3382. Content.

- a. Signs should not display brand-names, symbols, or slogans of nationally distributed products except in cases where the majority of the floor or lot area on the premises is devoted to manufacturing, sale, or other processing of that specific product.
- b. Premises chiefly identified by a product brand-name (such as a gasoline or auto brand) should devote some part of their permitted sign area to also displaying the identity of the local outlet.
- c. Signs should not contain selling slogans, product descriptions, help wanted notices, or other advertising that is not an integral part of the name or other identification of the location or the enterprise.

3390. Sign advisory committee. A sign advisory committee of five (5) members shall be appointed by the Town Manager for three-year terms (except so arranged initially that no more than two (2) terms expire each year). Members shall include at least one (1) retail merchant operating in Chelmsford, and two (2) others, preferably with a strong interest in architecture, landscape architecture or visual design. In addition a member of the Board of Appeals shall be designated by the board as a nonvoting sixth member of the sign advisory committee.

3390A. Procedure. All appeals to the Board of Appeals involving signs, applications for sign permits, and all applications for special permits authorized hereunder shall be referred to the sign advisory committee for its review and comment. No such appeal or application shall be acted upon prior to receipt of a report thereon from the sign advisory committee unless no report is received within twenty-one (21) days from the date of referral of a sign permit application or thirty-five (35) days from the date of referral of an appeal or special permit application. Any departure from the recommendations of the sign advisory board in the decision shall be explained in a written report from the authorizing agent to the Sign Advisory Committee, Board of Selectmen, and Planning Board.

deleting existing Section 3410 regarding grading and substituting therefor a new Section 3430;

D. deleting existing Section 4110 regarding home occupations and substituting therefor a new Section 2250;

2250. Home Occupations.

2251. Home Occupations As of Right. Businesses or professions incidental to and customarily associated with the principal residential use of premises may be engaged in as an accessory use by a resident of that dwelling; provided, however, that all of the following conditions shall be satisfied:

- a. The occupation or profession shall be carried on wholly within the principal building, or within a building or other structure accessory thereto which has been in existence at least five (5) years, without extension thereof.
- b. Not more than twenty-five (25) percent of the combined floor area of the residence and any qualified accessory structures shall be used in the home occupation.
- c. No person not a member of the household shall be employed in the home occupation.
- d. The home occupation shall not serve clients, customers, pupils, salespersons, or the like on the premises.
- e. There shall be no sign, exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.
- f. No use or storage hazardous materials in quantities greater than associated with normal household use shall be permitted.
- g. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.

2252. Home Occupations by Special Permit. Businesses or professions incidental to and customarily associated with the principal residential use of premises may be engaged in as an accessory use by a resident of that dwelling upon the issuance of a special permit by the Board of Appeals; provided, however, that all of the following conditions shall be satisfied:

- a. All of the requirements of Section 2251.a, 2251.b, and 2251.g.
- b. Not more than one (1) person not a member of the household shall be employed in the home occupation.
- c. An unlighted sign of not more than three (3) square feet in area may be permitted. The visibility of exterior storage of materials and other exterior indications of the home occupation, or other variation from the residential character of the premises, shall be minimized through screening and other appropriate devices.
- d. Parking generated by the home occupation shall be accommodated off-street, other than in a required front yard, and shall not occupy more than 20% of lot area.

The use or storage of hazardous materials in quantities greater than associated with normal household use shall be subject to design requirements to protect against discharge to the environment.

deleting existing Section 4110A regarding family day care homes and substituting therefor a new Section 2243;

Family Day Care Homes. Family day care home providers shall be registered with and have obtained all applicable licenses from the Commonwealth of Massachusetts Office of Children and shall be in full compliance with all applicable Rules and Regulations promulgated by the Office of Children as set forth in accordance with G.L. c. 28A, particularly sections 9 through 13 thereof, and in accordance with section 13 of Chapter 785 of the Acts of 1972. Providers shall also comply with the provisions of the Life Safety Code adopted by the National Fire Protection Association, section 10-9, Family Child Day Care Homes, and any amendments or revisions thereto or act in relation thereto.

deleting existing Section 4120 regarding swimming pools in its entirety;

deleting existing Section 4130 regarding barn, yard and garage sales and flea markets and substituting therefor a new Section 2244;

Barn sale, yard sale, garage sale, or flea market. The temporary use of residential, institutional, or industrial premises for sale of personal property is permitted provided that a temporary occupancy permit is obtained. Such permits shall be issued by the Inspector of Buildings for up to two (2) consecutive days only, not more than twice each calendar year for any given premises. For each such sale a separate permit shall be required. No merchandise dangerous to life or limb shall be shown or sold and all persons conducting such sales shall take all necessary steps for the protection of persons while on their premises.

deleting existing Section 4140 regarding scientific uses and substituting therefor a new Section 2241;

2241. Accessory Scientific Uses. Uses, whether or not on the same parcel as activities permitted as a matter of right, which are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit by the Board of Appeals, provided that the Board finds that the proposed use does not substantially derogate from the public good.

deleting existing Section 4150 regarding roadside stands and substituting therefor a new Section 2331;

Roadside stands. Roadside stands shall be located at least fifteen (15) feet back from any street right-of-way and twenty (20) feet from any lot line. Portable stands shall be removed during seasons when not in use.

deleting existing Section 4160 regarding animals accessory to dwellings and substituting therefor a new Section 2245;

Animals accessory to dwellings. Cattle, horses, sheep, hogs, goats, game birds or similar livestock shall be maintained accessory to a dwelling only on a lot having an area of not less than forty thousand (40,000) square feet plus fifteen thousand (15,000) square feet per large animal (twenty-five (25) pounds or heavier at maturity) in excess of one (1) or per ten (10) smaller animals in excess of the first ten (10). Such animals and their wastes shall be contained at least fifty (50) feet from any abutting lot line of a residentially used lot, and at least fifty (50) feet from any year-round surface water body.

deleting existing Section 4170 regarding unregistered motor vehicles in its entirety;

deleting existing Section 4180 regarding willow trees in its entirety;

deleting existing Section 4190 regarding height of accessory uses and structures and substituting therefor a new Section 2360;

2360. Height Restrictions on Certain Accessory Structures. Tall structures and roof-mounted or attached structures shall comply with the following requirements, conditions and guidelines. For purposes of this section a "tall structure" shall mean any freestanding man-made device (lattice, mast, pole, windmill, wind turbine, spire, tower, antenna, or the like) which exceeds thirty-five (35) feet in height and which is not subject to section 4100 - Wireless Communications Facilities.

2361. Each tall structure shall be placed in a circle with a radius equal to its height as measured from the base of said structure. This circle must be contained entirely within the property on which the tall structure is located. More than one tall structure may be erected on a lot provided that total area of the circles required above does not exceed the area of the lot.

2362. No tall structure shall be located within a required front or side yard area.

2363. Roof-mounted or attached structures, including masts, poles, towers, antennae, etc., may not exceed twenty (20) feet above the uppermost part of the structure to which attached. Such structures shall not be located nearer to the lot line than the total height of the mounted or attached structure.

deleting existing Section 4200 regarding earth removal and landfill and substituting therefor a new Section 3600;

3600. EARTH REMOVAL

3610. General. No removal of sod, loam, humus, clay, sand or gravel shall be permitted except in accordance with the conditions and procedures contained herein.

3620. Exceptions. The provisions of this section shall not apply to the following types of uses. Any fill material imported to the site pursuant to any exception shall be inorganic material and any earthwork, final grades, planting and landscaping shall be constructed with due regard for the protection of persons and property adjacent to the site; at no time will a slope exceed 3:1. Any site within one hundred (100) feet of a wetland shall be subject to the jurisdiction of the Conservation Commission.

3621. Removal or filling incidental to the construction of a building, for which the site of removal or filling is not more than six (6) months old, or for grading, or otherwise improving the premises around the building.

3622. Removal on a lot located in a residential district containing an existing residential dwelling provided a plan of the proposed work has been submitted to the Inspector of Buildings and a residential earth removal permit has been issued by him upon determination of compliance of said plans with the requirements of this by-law.

3623. Removal on any town-operated or town-maintained landfill.

3630. Procedures. The Board of Appeals may authorize earth removal upon the issuance of a special permit.

3631. Each application for a special permit shall be accompanied by a plan of land, at least six (6) eight-inch by ten-inch photographs of the area, and a statement describing any fill material to be used and where such fill would be obtained. The plan of land shall indicate the existing grade, proposed area of fill, proposed area of cut, area to be left as natural ground, grades below which no removal is to take place, proposed final landscaping, and permanent benchmarks.

3632. All required plans shall be prepared by a registered civil engineer and surveyor, except that the Board of Appeals may waive this requirement, upon written request, where it is evident that the plan is sufficiently accurate for the scope of operations proposed and where such operations will be minor.

3633. Five (5) copies of the initial plan of land shall be prepared and at the time of application to the Board of Appeals, such copies shall be distributed to the Inspector of Buildings, Town Engineer, Planning Board, and Conservation Commission.

3634. The Inspector of Buildings, Town Engineer, Planning Board, and Conservation Commission may report with recommendations to the Board of Appeals either at or prior to the hearing on the application.

3635. A final plan of land shall be prepared showing the final grades, cross sections, location of culverts and other site improvements, and cover vegetation, trees, and landscaping.

3636. Three (3) copies of the final plan shall be prepared, one of which shall be distributed to the Inspector of Buildings, and one to the town engineer who shall review the final plan and inspect the completed site for conformity with this by-law and any terms and conditions imposed by the Board of Appeals.

3637. A performance bond in an amount determined by the Board of Appeals shall be posted in the name of the town assuring satisfactory compliance with this by-law and any conditions imposed by the Board of Appeals in the interests of safe-guarding the area and the town against injury, assuring proper future use of the land after operations are completed, or to control the transportation of such material through the town. Upon failure to comply and forfeiture of the bond, monies therefrom shall be utilized by the town for the purpose of fulfilling these requirements. No bond shall be released until sufficient time has elapsed to ascertain that any filled area has stabilized, that vegetation planted has successfully been established, and that drainage is satisfactory.

3640. Special Permits. Before granting a special permit for removal, the Board of Appeals shall give due consideration to the location of the proposed operation, to the general character of the neighborhood surrounding such location, to the existing topography and natural landscape, drainage patterns, ground cover and vegetation, and to the general safety of the public on the public ways and in the vicinity of the removal or landfill operations.

3641. The Board of Appeals may set additional conditions governing the conduct of operations, hours when trucking is permitted, trees, screening, and landscaping which shall be in writing and a part of the permit issued.

3642. No permit shall be issued for more than one (1) year, and may be renewed only upon application and following a public hearing. Prior to renewal, inspection of the premises shall be made by the Inspector of Buildings.

3643. The Board of Appeals, after hearing and proof of violation of the terms of the permit or of this by-law shall withdraw the permit, after which the operation shall be discontinued, and the area restored in accordance with this by-law.

3650. Conditions. Removal operations shall comply with the following standards

3651. Removal shall not take place below a level that would reasonably be considered a desirable grade for the later development of the area, or below the grades specified on the plan accompanying the permit, provided such plan has been approved or modified in accord with the directive of the Board of Appeals.

3652. During removal operations, no slope shall exceed one (1) foot rise to one and one-half (1 ½) feet horizontal distance or the natural angle of repose of the material in a dry state, whichever is lower, except in ledge rock.

3653. Provision shall be made for safe drainage of water, and for prevention of wind or water erosion carrying material onto adjoining properties.

3654. Soil shall not be disturbed within one hundred (100) feet of the boundaries of the premises, excepting at the conclusion of operations, if required in order to improve the overall grading.

3660. Restoration. Within ten (10) days after the expiration or withdrawal of a permit or upon voluntary cessation of operations, or upon completion of removal in a substantial area, that entire area shall be restored as follows:

3661. All land shall be graded so that the elevation of any disturbed areas shall be one (1) foot or more above the grade level of any adjacent street or way and so that no slope exceeds a rise of one (1) foot vertical for each three (3) feet of horizontal distance, and shall be graded as to safely provide for drainage without erosion.

3662. All boulders larger than one-half (1/2) cubic yard shall be removed or buried.

3663. The entire area of disturbed ground shall be covered with not less than four (4) inches of loam, which shall be planted with cover vegetation adequate to prevent soil erosion, using either grasses or ground cover, depending upon conditions.

3664. Retaining walls. Where it is necessary to erect retaining walls to guard against erosion, such retaining walls shall be no more than eighteen (18) inches above the grade of all adjacent streets or ways with the filled land at least eight (8) inches below the top of the retaining wall.

deleting existing Section 4300 regarding fairs, carnivals and similar events and substituting therefor a new Section 3200;

3200. FAIRS, CARNIVALS AND SIMILAR EVENTS

3210. General. Special permits for carnivals, fairs, exhibits, or similar outdoor events may be granted consistent with the following:

3211. Sponsorship. The sponsor shall be a religious, charitable, social or public organization.

3212. Duration. The event shall continue no longer than one (1) week at any one (1) time, and not more than two (2) such events shall be authorized within any twelve (12) months for any one (1) sponsor.

3220. Other Requirements. All requirements of this by-law, except paving for parking areas but including Section 3400, Environmental Standards, and Section 3360, Illumination, shall be observed.

deleting existing Section 4400 regarding multifamily dwellings and substituting therefor a new Section 3800;

3800. MULTIFAMILY DWELLINGS

3810. Objectives. Multifamily dwellings may be allowed by special permit in RM Districts in Chelmsford to provide greater variety and choice in housing types, to broaden availability of housing for persons and families of limited income, to focus development at locations able to support it with relatively small environmental or municipal cost, and to protect the town's natural environment, existing character and development, and ability to provide public services.

3820. District Creation. RM districts may be created by town meeting vote, but only if the proposed district meets the following criteria:

a. At least five (5) acres of land;

Two hundred fifty (250) linear feet of frontage upon one (1) or more of the following: a state-numbered highway; a street having a right-of-way width of sixty (60) feet or more; or, a street determined by the Planning Board to have current annual average daily traffic equal to one thousand (1,000) vehicles per day or more.

3821. Except as part of a comprehensive reconsideration of the zoning map, the Planning Board shall neither sponsor nor favorably recommend any proposal to create an RM district unless it has presented to it at a public hearing the information required in section 3840.

3830. Applicability. Multifamily dwellings may be allowed by special permit in the RM District by the Planning Board.

3840. Submittals. The following information shall be submitted as part of the application for a special permit.

3841. A schematic site plan of the property, showing general shape and location of structures, parking, retained vegetation, wetlands, and points of egress onto public ways.

3842. Materials indicating proposals for methods of water supply and sewage disposal; number of dwelling units, distinguishing single-family, multifamily; a development schedule for dwellings and improvements; proposed form of tenure, whether rental, condominium, cooperative, or other; means, if any, of providing for design control; and means, if any, of providing assurance of long-term conformity to present proposals.

3843. A development phasing schedule indicating the maximum number of dwelling units proposed to be erected in each calendar year, and the timing of construction of any proposed community facilities.

3844. Analysis of the consequences of the proposed development, evaluating the following impacts at a level of detail appropriate to the number of units proposed, and using analysis materials provided by the Planning Board.

- a. Natural environment: Groundwater and surface water quality, groundwater level, stream flows, erosion and siltation, vegetative removal (especially unusual species and mature trees), and wildlife habitats.
- b. Public services: Traffic safety and congestion, need for water system improvements, need for public sewerage, need for additional public recreation facilities, need for additional school facilities.
- c. Economics: Municipal costs and revenues, local business activity, local jobs.
- d. Social environment: Rate of town population growth, range of available housing choice.
- e. Visual environment: Visibility of buildings and parking, visual consistency with existing development in the area.

3850. Procedures. The applicant shall transmit one (1) copy of the materials required herein to each of the following for their review and recommendation, to be made not later than the public hearing: the Conservation Commission, Board of Selectmen, and Fire Department. A special permit shall be approved by the Planning Board only after consideration of the criteria set forth in Section 5300, and the following additional factors:

3851. Departure from the scale of single-family development is minimized through including not more than twenty-four (24) dwelling units in a single structure, serving not more than six (6) dwelling units from a single entrance, limiting building length to not more than two hundred (200) feet, having unbroken roof area of not more than three thousand (3,000) square feet, and having parking areas individually contain not more than thirty-six (36) parking spaces and be separated from all other parking areas by at least fifty (50) feet.

3852. Visual separation from nearby premises is assured through providing yards of at least one and five-tenths (1.5) times building height measured from each lot line which shall contain no parking areas, and through use of outdoor lighting fixtures not higher than fifteen (15) feet.

3860. Density Bonus. For every one (1) unit in ten (10) set aside for low- and moderate-income persons and families in a multifamily housing project, the applicant may apply and the Planning Board may grant a bonus of one (1) additional unit. To apply the applicant shall demonstrate to the Planning Board that:

3861. The rent required for the unit set aside shall meet the affordable rents established by the department of housing and urban development for the Chelmsford area; and

3862. The unit set aside shall be made available to low- and moderate-income persons and families for a period of no less than ten (10) years; and

3863. The low- and moderate-income level shall be as defined by the department of housing and urban development for the Chelmsford area.

3864. The applicant shall work with the housing authority to rent units to eligible persons and families.

deleting existing Section 4500 regarding major business complexes and substituting therefor a new Section 3700;

3700. MAJOR BUSINESS COMPLEXES.

3710. Objectives. The objectives for allowing major business complexes are to increase the diversity and convenience of goods and services available in Chelmsford, to provide entrepreneurial and employment opportunities for area residents, to focus development at locations able to support it with relatively small environmental or municipal cost, and to protect the town's natural environment, existing character and development, and ability to provide public services.

3720. Applicability. Any existing or proposed premises having more than twenty thousand (20,000) square feet gross floor area devoted to any use included in the Use Regulation Schedule in Section 2230 under "Commercial" and "Industrial" uses shall be considered a major business complex. Any construction, alteration, relocation or change of use resulting in such complex shall be permitted only upon the granting of a special permit by the Planning Board. For the purposes of this subsection, "change of use" shall mean a change in principal use which results in or is accompanied by an increase in the gross floor area of the principal structure of 10% or the addition of at least ten new parking spaces.

3730. Submittals. Ten (10) copies of the following shall be filed with the Planning Board application for a special permit for a major business complex or for rezoning to accommodate such a complex. Additional copies shall be filed with the town clerk and the Inspector of Buildings. The Inspector of Buildings shall review the application for major business complex and shall submit a report with recommendations not later than the time of the public hearing. The Planning Board shall neither sponsor nor favorably recommend any rezoning of three (3) or more acres to a commercial or industrial district unless such materials have been submitted to it at a public hearing.

3731. A site plan, as specified at Section 5400.

3732. Narrative analyses of the consequences of the proposed development, including evaluation of the following concerns at a level of detail appropriate to the scale of development proposed, as determined by the Planning Board:

- a. Natural environment: Groundwater and surface water quality, groundwater level, stream flows, erosion and siltation, vegetation removal (especially unusual species and mature trees), and wildlife habitats.

- b. Public services: Traffic safety and congestion, need for water system improvements, need for public sewerage.
- c. Economics: Anticipated market area, augmentation or duplication of existing services, amount and types of employment, labor force area.
- d. Visual environment: Visibility of buildings and parking, visual consistency with existing development in the area.

3740. Decision Criteria. In addition to the criteria set forth in Section 5330, a special permit may be granted by the Planning Board only after consideration of the following factors:

3741. If the required traffic study shows that there will be an increase in traffic above the present level of service at any point within one (1) mile of the premises, satisfactory evidence shall be presented to demonstrate that the complex will not be injurious to public safety.

3742. Satisfactory evidence shall be presented to demonstrate that the complex will result in no net increase of runoff above current flows, and the design capacity of receiving structures or the channel capacity of receiving streams shall not be exceeded.

3750. Lapse. Special permits granted pursuant to this section shall lapse within two (2) years following the filing of the special permit (including such time required to pursue and await the determination of an appeal referred to in G.L. c. 40A, s. 17 from the grant thereof) with the Town Clerk, if a substantial use thereof has not sooner commenced except for good cause or in the case of permit for construction, if construction has not begun by such date except for good cause.

deleting existing Section 4600 regarding adult entertainment establishments and substituting therefor a new Section 4400;

4400. ADULT ENTERTAINMENT ESTABLISHMENTS

4410. Purpose. It is the intent and purpose of this by-law to regulate adult entertainment establishments to promote the health, safety and general welfare of the citizens of Chelmsford and to guard against adverse secondary effects on the youth of the Town. Furthermore it is the intent and purpose to establish reasonable and uniform regulations to prevent any deleterious location and concentration of adult entertainment establishments within the town, thereby reducing the adverse secondary effects from such adult entertainment establishments. The provisions of this by-law have neither the purpose nor effect of imposing limitations or restriction on the content of any communicative materials. Similarly, it is not the intent nor effect of this by-law to condone or legitimize the distribution of obscene material.

4420. Adult Entertainment Overlay District Boundaries. The Adult Entertainment Overlay District is established in addition to the Adult Entertainment (CX) District. The Adult Entertainment Overlay District Use Regulations shall be as herein described in the Adult Entertainment District.

4430. Spacing Requirement. Special Permits shall not be granted for an adult entertainment establishment if it is to be located less than one thousand (1000) feet from the following uses. Measurement of distances shall be from the lot line of any of the uses described herein:

4431. Another adult entertainment establishment;

4432. Residential uses;

4433. Public or private nursery schools;

4434. Public or private daycare centers;

4435. Public or private kindergartens;

4436. Public or private elementary schools;

4437. Public or private secondary schools;

4438. Playgrounds or parks;

4439. Religious institutions.

4440. Reduction of Spacing Requirement. The Board of Appeals may waive the one-thousand foot restriction contained in Section 4430 by special permit; provided, however, that the Board of Appeals shall not, under any circumstances, grant a special permit for an Adult Entertainment Establishment which shall be closer than seven-hundred-fifty (750) feet to any of the uses listed in section 4430. To grant a special permit reducing the spacing requirement, the board shall find:

4441. That the proposed use will not be contrary to the public interest or injurious to nearby properties and that the spirit of this by-law will be observed;

4442. That the proposed use will not enlarge or encourage the development of a "skid row" area;

4443. That the establishment of an additional regulated use in that area will not be contrary to any program of neighborhood conservation nor will it interfere with any program or urban renewal;

4444. That all applicable regulations of this by-law will be observed;

4445. That no portion of the establishment shall be located on the ground level of any building.

4450. Special Permit. No adult entertainment establishment shall commence operations without first applying for and receiving a Special Permit from the Board of Appeals.

4460. Conditions. The following conditions shall be attached to any special permit for adult entertainment establishments:

4461. Adult entertainment establishments shall not be allowed within a building containing other retail, consumer or residential uses;

4462. No adult entertainment establishment shall be located within sixty (60) feet of a public or private way;

4463. Any adult entertainment establishment shall cease its operations between the hours of 1:00 AM and 10:00 AM each day;

4464. No adult entertainment establishment may have visible from the exterior of the premises any flashing lights;

4465. At all times when an adult entertainment establishment is open for business, the entire area of the premises must be continually illuminated to the degree of not less than one (1) foot candle (measured thirty (30) inches from the floor) except those portions of the room covered by furniture;

4470. Statutory Prohibition. No special permit for an adult use shall be issued to any person convicted of violating G. L. c. 119, s. 63, or G. L. c. 272, s. 28.

deleting existing Section 4800 regarding aquifer protection district and substituting therefor a new Section 4200;

4200. AQUIFER PROTECTION DISTRICT

4210. Purpose. Groundwater is the sole source of drinking water to the residents, businesses and industries of the Town of Chelmsford. The purpose of the Aquifer Protection District is to protect the health, safety, and general welfare by protecting the Town's limited present and future drinking water supply, to ensure a sufficient quantity of potable pure drinking water for the present and future residents, institutions, and businesses of the Town of Chelmsford; and to limit the adverse effects of use and development of land on the quality of the groundwater and surface water resources of the Town of Chelmsford.

4220. Definitions. For the purposes of this section the following words and phrases shall have the following meanings:

AQUIFER - Geologic formation composed of rock, sand, gravel or other geologic material that contains significant amounts of potentially recoverable water.

IMPERVIOUS SURFACE: Material or structure on, above, or below the ground that does not allow precipitation or surface water to penetrate directly into the soil.

TOXIC OR HAZARDOUS MATERIAL OR WASTE - Any substance or mixture of physical, chemical or infectious characteristics posing a significant, actual or potential hazard to water supplies or other hazards to human health if such substance or mixture were discharged to land or water of the Town of Chelmsford. Toxic or hazardous materials include, without limitation, synthetic organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalis, and all substances defined as Toxic or Hazardous under G. L. c. 21C and c. 21E and 310 CMR 30.00. For the purposes of this section, sanitary domestic wastes from residential sources shall not be considered toxic or hazardous waste.

4230. Establishment and Delineation of Aquifer Protection District. There is hereby established within the Town of Chelmsford the Aquifer Protection District. This area is described on a map entitled "Aquifer Protection District Town of Chelmsford, dated October 1997." Said map is incorporated herein by reference.

4231. If the location of the district boundary in relation to a particular parcel is in doubt, resolution of boundary disputes shall be through a Special Permit application to the Zoning Board of Appeal (ZBA). Any application for a special permit for this purpose shall be accompanied by adequate documentation according to the normal application requirements of the Board of Appeals. If the applicant is able to demonstrate that groundwater flows will not be impacted by the activity on the site, or that groundwater from the site does not contribute to the Aquifer, the Board may grant a special permit relieving the applicant of the obligations of the Aquifer Protection District. The burden of proof shall be upon the owner(s) of the land in question to show where the bounds should properly be located. At the request of the owner(s), the Town may engage a registered professional engineer, hydrologist, geologist, or soil scientist to determine more accurately the boundaries of the district with respect to individual parcels of land, and may charge the owner(s) for all, or part of the cost of the investigation.

4240. Overlay District. The Aquifer Protection District is an overlay district superimposed on the zoning districts and whose regulations are in addition to any other regulations established by this by-law. This overlay district shall apply to all new construction, reconstruction or expansion of existing buildings and new or expanded uses. Applicable activities or uses in a portion of one of the underlying zoning districts which fall within the Aquifer Protection District must additionally comply with the requirements of this district. Uses that are prohibited in the underlying zoning district shall not be permitted in the Aquifer Protection District.

4250. Use Regulations. The uses permitted within the Aquifer Protection District shall be the uses permitted in the underlying zoning district, except as restricted below. In the following Table of Use Regulations "N" indicates the use is prohibited, "Y" indicates that the use is permitted, and "PB" indicates that the use may only be permitted by a Special Permit from the Planning Board.

TABLE OF USE REGULATIONS WITHIN THE AQUIFER PROTECTION DISTRICT

PRINCIPAL OR ACCESSORY USE	
1. Sanitary landfill, solid waste disposal site, refuse treatment and disposal facility, landfilling of sludge and septage, storage of sludge and septage.	N
2. Generation, treatment, disposal or storage of Toxic or Hazardous Materials or Waste, except for the following; (a) municipal uses associated with the provision of public water and sanitary sewer services; (b) very small quantity generators, as defined by 310 CMR 30.00; (c) waste oil retention facilities required by G.L. c. 21 s. 52A; (d) treatment works approved by DEP designed in accordance with 314 CMR 5.00 for the treatment of contaminated ground or surface waters; (e) household hazardous waste collection centers or events operated pursuant to 310 CMR 30.390	N
3. Motor vehicle repair facility	PB
4. Automobile graveyards and junkyards as defined in G.L. c. 140B, s. 1	N

5. Car, truck and equipment washing facility where all wastewater discharges to the municipal sewer system or to a private sewer system which discharges to the municipal sewer system or to an approved disposal facility	PB
6. Commercial laundries not connected to the municipal sewer system or to a private sewer system which discharges to the municipal sewer system	PB
7. Dry cleaners with on-site cleaning facilities	PB
8. Furniture or wood stripping, painting & refinishing	PB
9. Disposal of snow contaminated with deicing chemicals and originating from outside the district	N
10. Outdoor storage of fertilizer, animal manure, soil conditioner, pesticide, herbicide and deicing chemicals	N
11. Chemical, bacteriological or radiological laboratory or production facility	N
12. Treatment disposal works for non-sanitary wastewater that are subject to 314 CMR 5.00, except replacement or repair of existing treatment works, or treatment works approved by the Department of Environmental Protection designed for the treatment of contaminated groundwater or surface water, or treatment works for pretreatment of industrial discharges to the municipal sewer system	N
13. Individual sewage disposal systems designed and/or maintained in accordance with the current requirements of Title 5, 310 CMR 15.00	Y
14. Earth removal, consisting of the removal of soil, loam, sand, gravel, or any other earth material (including mining activities) within four feet of historical high groundwater as determined from monitoring wells and historical water table fluctuation data compiled by the United States Geological Survey except for excavations for building foundations, roads or utility works	N
15. The enclosed storage of road salt or other deicing chemicals	PB
16. Modification of groundwater flow through use of underdrains or similar devices, except that a Special Permit shall not be required to maintain, modify or expand single family residential structures lawfully in existence on effective date of this section	PB
17. Enlargement or alteration of existing uses that are nonconforming in the Aquifer Protection District	PB
18. Storage of hazardous materials as defined in G.L. c. 21E, and/or liquid petroleum products unless such storage is: (a) above ground level; (b) on an impervious surface; (c) either in container(s) or above ground tank(s) within a building or outdoors in covered container(s) or above ground tank(s) in an area that has a containment system designed and operated to hold either 10% of the total possible storage capacity of all containers or 110% of the largest container's storage capacity, whichever is greater. These storage requirements shall not apply to replacement of existing tanks or systems for the keeping, dispensing or storing of	N

gasoline provided the replacement is performed in a manner consistent with state and local requirements	
19. The construction of dams or other water control devices, ponds, or other changes in water bodies or courses, created for swimming, fishing or other recreational uses, agricultural uses, or drainage improvements	PB
20. Any use that will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater (see section 4260)	PB
21. Any discharge to the ground through an interior floor drain	N

4260. Lot Coverage. Any use proposed to render impervious more than 15% or 2,500 square feet of any lot, whichever is greater, shall be subject to a special Permit from the Planning Board. On any such lot a system for groundwater recharge must be provided which does not degrade groundwater quality. Any project drainage design that satisfies the Stormwater Policy issued by the Department of Environmental Protection, dated November 18, 1996, as amended, shall be sufficient to satisfy the requirements of this section.

4270. Special Permits. The Special Permit granting authority under this section of the Zoning by-law shall be the Planning Board. The Planning Board may grant the Special Permit only upon a finding that the proposed use meets the following performance standards:

4271. The use shall not, during construction or thereafter, adversely affect the existing quality or quantity of water that is available in the Aquifer Protection District;

4272. The use shall be designed to avoid substantial disturbances of the soils, topography, drainage, vegetation and other water related natural characteristics of the site to be developed which are likely to affect existing quality or quantity of water that is available in the Aquifer Protection District;

4273. The use shall be designed to meet State and Federal drinking water standards at the property line; and

4274. The use shall utilize the Best Management Practices which are available for the proposed use.

deleting existing Section 4900 regarding wireless communications facilities and substituting therefor a new Section 4100;

4100. WIRELESS COMMUNICATIONS FACILITIES

4110. Purpose. The purpose of these regulations include to establish siting criteria and standards for communication towers and facilities; to minimize the adverse visual impacts of wireless communications facilities, satellite dishes and antennas on adjacent properties and residential neighborhoods; to minimize the overall number and height of such facilities to only what is essential; and to promote shared use of existing facilities to reduce the need for new facilities. The by-law is intended to establish reasonable regulations while allowing adequate service to residents, the traveling public and others within the Town, and to accommodate the need for the minimum number of such facilities within the Town. This section shall not apply to satellite dishes and antennas for residential use which are regulated under Section 2360.

4120. General Requirements. No wireless communications facility shall be erected or installed except in compliance with the provisions of this by-law. In all cases, a Special Permit is required from the Board of Appeals. Any proposed extension in the height, addition of cells, antenna or panels, or construction of a new or replacement facility shall be subject to a new application for a Special Permit. Attachment of cells, antenna or panels to existing suitable structures shall be subject to application for a Special Permit.

4121. Only freestanding monopoles, with associated antenna and/or panels, may be allowed. Lattice style towers and similar facilities requiring three or more legs and/or guy wires for support are not allowed. For the purposes of this section "monopole" shall mean a pole consisting of not more than one leg, anchored in the ground, which is not supported by guy wires or other bracing. Monopoles shall be set back from the property line a distance at least equal to the height of the monopoles.

4122. Erection of new monopoles may be allowed by special permit in any Commercial District, Industrial District or Public district.

4123. New structures shall be located within five hundred (500) feet of a limited access highway as defined by State and Federal standards.

4124. No new monopoles shall be erected within five hundred (500) feet of an existing residential structure or within two (2) miles of another existing or approved monopole.

4125. Structures shall be removed within one (1) year of cessation of use. If applicable, proof of continued compliance with the standards of the Federal Communications Commission (FCC), Federal Aviation Administration (FAA), the American National Standards Institute (ANSI), State building code, and required maintenance shall be filed with the Building Inspector by the Special Permit holder on an annual basis or as deemed necessary by the Building Inspector.

4126. Not more than one monopole shall be located on a lot.

4130. Procedures. All applications for special permits for wireless communications facilities, antennas or satellite dishes shall be made and filed in compliance with the Rules and Regulations of the Chelmsford Board of Appeals. In addition to the minimum requirements of the Board of Appeals, applicants under this section shall include the following:

4131. A locus plan which shall show all property lines, the exact location of the proposed structure(s), streets, landscape features, residential dwellings, and all buildings within five hundred (500) feet of the facility;

4132. A color photograph or rendition of the proposed monopole with its antenna and/or panels. For satellite dishes or antennas, a color photograph or rendition illustrating the dish at the proposed location is required. A rendition shall also be prepared illustrating a view of the monopole, dish or antenna from the nearest street or streets.

4133. The following information prepared by one or more professional engineers:

- a. a description of the monopole and the technical, economic and other reasons for the proposed location, height and design.
- b. confirmation that the monopole complies with all applicable Federal and State standards.
- c. a description of the capacity of the monopole including the number and type of panels, antennas and/or transmitter receivers that it can accommodate and the basis for these calculations.
- d. If applicable, a written statement that the proposed facility complies with, or is exempt from applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.

4140. Design Requirements. Wireless communications facilities shall conform to the following requirements:

4141. All monopoles shall be designed to be constructed at the minimum height necessary to accommodate the anticipated and future use. The setback of a monopole from the property line of the lot on which it is located shall be at least equal to the height of the monopole.

4142. No monopole, or attached accessory antenna on a monopole, shall exceed one hundred twenty (120) feet in height as measured from ground level at the base of the pole. No monopole shall be constructed which requires guy wires. Monopoles shall not be located on buildings.

4143. Antennas or dishes located on nonresidential buildings shall not exceed ten (10) feet in height above the roof-line of the structure. Satellite dishes and/or antennas shall be situated on or attached to a structure in such a manner that they are screened, preferably not being visible from abutting streets.

4144. All wireless communications facilities shall be sited in such a manner that the view of the facility from adjacent abutters, residential neighbors and other areas of Town shall be as limited as possible. No monopole shall be visible from any location within the Historic District. All monopoles and dishes shall be painted or otherwise colored so they blend in with the landscape or the structure on which they are located and existing on-site vegetation shall be preserved to the maximum extent possible.

4145. There shall be a minimum of one (1) parking space for each facility, to be used in connection with the maintenance of the site, and not to be used for the permanent storage of vehicles or other equipment. Traffic associated with any wireless communication facility shall not adversely affect abutting ways.

4146. Wireless communications facilities shall be designed to accommodate the maximum number of users technologically practical, so as to reduce the number of facilities which will be required to be located within the community.

4147. Fencing shall be provided to control access to wireless communications facilities and shall be compatible with the character of the Town and shall not be of razor wire. The fence shall be surrounded by a screen of plantings of sufficient density and height so as to shield the fence from view.

4148. There shall be no signs, except for announcement signs, no trespassing signs and a required sign giving a phone number where the owner can be reached on a twenty-four (24) basis. All signs shall conform with Section 3300 of the Chelmsford Zoning By-law, Signs and Outdoor Lighting.

4149. Night lighting of towers shall be prohibited unless required by the Federal Aviation Administration. Lighting shall be limited to that needed for emergencies and/or as required by the FAA.

4150. Special Permit Review. Applications for Special Permits may be approved where the Board of Appeals determines compliance with the requirements set forth herein. When considering an application for a wireless communication facility, the Board of Appeals shall place great emphasis on the proximity of the facility to residential neighborhoods and its impact on these residences. New facilities shall only be considered after a finding that existing (or previously approved) facilities cannot accommodate the proposed use(s). When considering an application for an antenna or dish proposed to be placed on a structure, the Board shall place great emphasis on the visual impact of the unit from the abutting neighborhoods and street(s).

E. deleting existing Section 5000 regarding facilitated and independent senior living and substituting therefor a new Section 4500.

4500. FACILITATED AND INDEPENDENT SENIOR LIVING.

4510. Purpose. Facilitated and Independent Senior Living facilities are allowed in a variety of zoning districts by special permit from the Board of Appeals. The intent of the by-law is to provide the opportunity for the development of the types of multi-family and communal housing most beneficial for the senior and elder population of Chelmsford.

4511. Facilitated Living Facilities provide private or communal lodging for persons requiring limited medical attention or supervision and who ordinarily are ambulatory. These include, but are not limited to Assisted Living facilities, Alzheimer's facilities and Congregate Living facilities.

4512. Independent Senior Living facilities are intended to provide a safe, suitable age restricted dwelling unit for a senior couple or individual who are able to live independently. Open space preservation is an important facet of Independent Senior Living projects, and is meant to provide the residents of the project with opportunities for active and passive recreation.

4520. Standards. The following dimensional standards shall apply to Facilitated and Independent Senior Living Facilities:

	RM	CA	CB	CC	CD	IA
Minimum lot area (acres) ¹	5	5	5	5	5	7
Minimum lot width (ft.)	150	125	150	200	50	150
Minimum lot depth (ft.)	150	125	0	200	0	150
Minimum frontage (ft.)	150	125	150	200	50	150
Minimum front yard (ft.) ²	40	20	60	60	20	40
Minimum side yard (ft.)	25	40	40	40	40	40
Minimum rear yard (ft.)	30	40	40	40	40	40
Minimum building separation (ft.)	25	25	25	25	25	25
Maximum building coverage (%)	35	35	35	35	35	35
Maximum building height (ft.)	35	35	35	35	35	35
Minimum open space - Independent Senior Living (%)	10	30	30	30	30	30
Maximum number of units per acre - Facilitated Living ³	7	7	7	7	7	7
Maximum number of units per acre - Independent Senior Living ⁴	7	4	4	4	4	4

4530. General Standards.

4531. The entire site shall be a size and shape as shall provide a housing site that will be in harmony with the natural terrain and other features of the site, and will preserve natural vistas and the character of the neighborhood.

4532. No site on a plan for which an approval is granted under this section may be subdivided so as to create additional lots. A notation to that effect shall be shown on the site plan.

4533. Sites abutting residentially zoned land shall provide a landscaped buffer strip fifty (50) feet in width or a strip as set forth in Section 3531, whichever is larger, to provide adequate screening for adjacent properties. No structure, driveway, parking area or sidewalk shall be located in the landscaped buffer strip. A smaller buffer may be allowed by special permit from the Planning Board where such smaller buffer is determined to promote the objectives of this Section 4500.

¹ A smaller lot size may be allowed by special permit from the Planning Board where such smaller lot is determined to promote the objectives of this Section 4500.

² Or twice the building height, whichever is greater.

³ Up to 10 units per acre may be allowed by special permit from the Planning Board where increase is determined to promote the objectives of this Section 4500.

⁴ Exclusive of open space requirement. Tract size minus open space requirement minus wetlands/floodplain not included in open space requirement times units per acre equals maximum number of units per tract.

4534. Driveways and parking areas within the development shall be constructed in accordance with Section 3100. Sidewalks conforming to the Planning Board Subdivision Rules and Regulations shall be required by the Planning Board. Additional requirements linking pedestrian circulation systems may be required by the Planning Board.

4536. Buildings shall be designed to be complementary in exterior design with each other and with the existing neighborhood in which the facility is located. Dwellings constructed under this section shall not be eligible for subsequent conversion to conventional apartments with the exception of projects in the RM district.

4537. The method(s) of implementing age restrictions of seniors and elders must be to the satisfaction of the Board of Appeals and the Planning Board. .

4538. The Planning Board may set additional site security and safety requirements as deemed necessary to ensure the security and safety of the residents of the facility.

4540. Open Space Requirements. The minimum required open space set forth in Section 4520 shall be contiguous open space, excluding required yards and buffer areas. Such open space may be separated by the road(s) constructed within the site. The percentage of the open space which is wetlands, as defined pursuant to G.L. c. 131, s. 40, shall not normally exceed the percentage of the tract which is wetlands; provided, however, that the applicant may include a greater percentage of wetlands in the open space upon a demonstration that such inclusion promotes the purposes set forth in this Section 4500.

4541. The required open space shall be used for conservation, historic preservation and education, outdoor education, recreation, park purposes, agriculture, horticulture, forestry, or for a combination of these uses, and shall be served by suitable access for such purposes.

4542. The required open space shall remain unbuilt upon, provided that ten percent (10%) of such open space may be paved or built upon for structures accessory to the dedicated use or uses of such open space, pedestrian walks, and bikepaths.

4543. Underground utilities to serve the site may be located within the required open space.

4544. The required open space shall, at the Planning Board's election, be conveyed to

- a. the Town of Chelmsford or its Conservation Commission;
- b. a nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above;
- c. a corporation or trust owned jointly or in common by the owners of lots within the site. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots in perpetuity. Maintenance of the open space and facilities shall be permanently guaranteed by such corporation or trust which shall provide for mandatory assessments for maintenance expenses to each lot. Each such trust or corporation shall be deemed to have assented to allow the Town of Chelmsford to perform maintenance of the open space and facilities, if the trust or corporation fails to provide adequate maintenance, and shall grant the town an easement for this purpose. In such event, the town shall first provide fourteen (14) days written notice to the trust or corporation as to the inadequate maintenance, and, if the trust or corporation fails to complete such maintenance, the town may perform it. The owner of each lot shall be deemed to have assented to the town filing a lien against each lot in the development for the full cost of such maintenance, which liens shall be released upon payment to the town of same. Each individual deed, and the deed or trust or articles of incorporation, shall include provisions designed to effect these provisions. Documents creating such trust or corporation shall be submitted to the Planning Board for approval, and shall thereafter be recorded in the Registry of Deeds.

4545. Any proposed open space, unless conveyed to the Town or its Conservation Commission, shall be subject to a recorded restriction enforceable by the Town, providing that such land shall be perpetually kept in an open state, that it shall be preserved for exclusively agricultural, horticultural, educational or recreational purposes, and that it shall be maintained in a manner which will ensure its suitability for its intended purposes.

4550. Standards for Independent Senior Living. A minimum of 33% of the units in a project shall comply with ADA accessibility standards to all living areas.

UNDER ARTICLE 23. Michael McCall moved to waive the reading of the article. Motion carried, unanimously. Susan Carter Chairman of the Planning Board explained that this article's purpose is to amend sections of the zoning by-law so it fully complies with current State statutes. She further explained that the fines for zoning violations will now be \$300. Where before it was \$100. Site Plan Review now will be in conformance with case law, and longer considered a special permit. A majority approval of members present at hearing is all that is now needed. The permit expiration has been increased from one year to two years. The Moderator asked for the various recommendations. The Finance Committee had no recommendation. The Board of Selectmen recommended the article. Susan Carter said that the Planning Board recommended the article as stated under article 22. The Moderator asked for a vote by way of a show of hands, he declared the motion carried, by recognizing the 2/3's vote by-law.

The article reads as follows:

Robert Morse of the Master Plan By-Law Review Committee moved that the Town vote to amend the Chelmsford Zoning Bylaw by:

deleting existing Section 1200 regarding administration and substituting therefor a new Section 5100;

5100. ADMINISTRATION.

5110. Permits. This By-Law shall be administered by the Inspector of Buildings. Pursuant to the State Building Code, the Inspector of Buildings may require such plans and specifications as may be necessary to determine compliance with all pertinent laws of the Commonwealth. Buildings, structures or signs may not be erected, substantially altered, moved, or changed in use and land may not be substantially altered or changed in principal use without written certification by the Inspector of Buildings that such action is in compliance with then-applicable zoning, and that all necessary permits have been received under federal, state, or local law. Issuance of a Building Permit or Certificate of Use and Occupancy, where required under the Commonwealth's State Building Code, may serve as such certification.

5120. Enforcement. The Inspector of Buildings shall institute and take any and all such action as may be necessary to enforce full compliance with any and all of the provisions of this By-Law and of permits and variances issued thereunder, including notification of noncompliance and request for legal action through the Selectmen or Town Manager to Town Counsel, or action pursuant to Article I, Section 2 of the Town of Chelmsford General By-Laws allowing non-criminal disposition of violations.

5130. Penalties. The penalty for violation of any provision of this By-Law, of any of the conditions under which a permit is issued, or of any decision rendered by the Board of Appeals shall be Three Hundred dollars (\$300.00) for each offense. Each day that each violation continues shall constitute a separate offense.

deleting existing Section 1400 regarding planning board and site plan review and substituting therefor a new Section 5400;

5400. SITE PLAN REVIEW.

5410. Applicability. The following types of activities and uses require site plan review by the Planning Board:

5411. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or multi-family structure involving more than 500 square feet. For the purposes of this section change of use shall mean a change from one principal use listed in the Use Regulations Schedule, Section 2230, to another listed use which results in an increase in required parking or invokes the Aquifer Protection District, Section 4200;

5412. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or multi-family structure or purpose;

5413. Grading or clearing more than ten percent (10%) of a lot, except for the following: landscaping on a lot with an existing structure or a proposed single or two family dwelling; clearing necessary for percolation and other site tests, work incidental to agricultural activity, work in conjunction with an approved subdivision plan, or work pursuant to an earth removal permit.

5420. Exemptions.

5421. A building wholly or partially destroyed may be rebuilt without recourse to this section if rebuilt without change to the building footprint or the square footage of usable space.

5430. Procedures.

5431. Use, Structure, or Activity Available As of Right. An application for a building permit to perform work as set forth in Section 5410 available as of right shall be accompanied by an approved Site Plan. Prior to the commencement of any activity set forth in Section 5410 available as of right, the project proponent shall obtain site plan approval from the Planning Board. Applicants for site plan approval shall submit twelve (12) full size sets and eight (8) reduced size sets of the site plan to the Planning Board for review.

5432. The Planning Board shall review and act upon the site plan, with such conditions as may be deemed appropriate, within sixty (60) days of its receipt, and notify the applicant of its decision. The decision of the Planning Board shall be upon a majority of those present and shall be in writing. No building permit shall be issued by the Inspector of Buildings without the written approval of the site plan by the Planning Board, or unless 60 days lapse from the date of the submittal of the site plan without action by the Planning Board.

5433. Use or Structure Available by Special Permit or Variance. An application for a special permit or a variance to perform work as set forth in Section 5410 shall be accompanied by an approved Site Plan. Applicants for site plan approval shall submit twelve (12) full size sets and eight (8) reduced size sets of the site plan to the Planning Board for review. The Planning Board shall publish a legal notice no less than five (5) days before the public hearing and shall notify all abutters and abutters to abutters within 300 feet.

5434. The Planning Board shall review and act upon the site plan, with such conditions as may be deemed appropriate, within sixty (60) days of its receipt, and notify the applicant of its decision. The decision of the Planning Board shall be upon a majority of those present and shall be in writing. No special permit or variance shall be issued by the Board of Appeals without the written approval of the site plan by the Planning Board, or unless 60 days lapse from the date of the submittal of the site plan without action by the Planning Board, unless extended by the Planning Board. Where the Planning Board approves a site plan "with conditions", and said site plan accompanies a special permit or variance application to the Board of Appeals, the conditions imposed by the Planning Board shall be incorporated into the issuance, if any, of a special permit or variance by the Board of Appeals.

5435. Where the Planning Board serves as the special permit granting authority, it shall consolidate its site plan review and special permit procedures. Applicants must meet the submission requirements of section 5433.

5436. An application for site plan approval shall be accompanied by a fee, as set forth in the Planning Board's Rules and Regulations.

5437. The applicant may request, and the Planning Board may grant by majority vote, an extension of the time limits set forth herein. A copy of the extension shall be provided to the Board of Appeals.

5438. No deviation from an approved site plan shall be permitted without modification thereof.

5440. Preparation of Plans. Site Plans shall be submitted on 24-inch by 36-inch sheets. Plans shall be prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1"=20'.

5450. Contents of Plan. The contents of the site plan are as follows:

5451. Five (5) separate plans prepared at a scale of one (1) inch equals twenty (20) feet or such other scale as may be approved by the Planning Board. The plans are as follows:

- a. Site layout, which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, drives, parking, fences, walls, walks, outdoor lighting, loading facilities, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale of one (1) inch equals one hundred (100) feet, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the Planning Board.
- b. Topography and drainage plan, which shall contain the existing and proposed final topography at two-foot intervals and plans for handling stormwater drainage.
- c. Utility and landscaping plan, which shall include all facilities for refuse and sewerage disposal or storage of all wastes, the location of all hydrants, fire alarm and firefighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including floodplain areas or resource protection areas subject to protection by the Wetlands Protection Act.
- d. Architectural plan, which shall include all floor plans and architectural elevations of all proposed buildings and a color rendering.
- e. Landscaping plan, showing the limits of work, existing tree lines, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for each shrub or tree, and including proposed erosion control measures.

5452. The site plan shall be accompanied by a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof. There shall be submitted a written estimate, showing in detail the costs of all site improvements planned.

5453. A written summary of the contemplated projects shall be submitted with the site plan indicating, where appropriate, the number of dwelling units to be built and the acreage in residential use, the evidence of compliance with parking and off-street loading requirements, the forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof, identification of all land that will become common or public land, and any other evidence necessary to indicate compliance with this by-law.

5454. The site plan shall be accompanied by drainage calculations by a registered professional engineer. Storm drainage design must conform to Town of Chelmsford subdivision regulations.

5455. The Planning Board may require narrative assessments of the on-site and off-site impacts of the proposed project, including traffic, drainage, noise, and other environmental factors. The Planning Board may require that such narrative assessments be prepared by qualified experts.

5456. Certification that the proposal is in full compliance with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

5460. Waiver of Technical Compliance. The Planning Board may, upon written request of the applicant, waive any of the technical requirements of Section 5440 where the project involves relatively simple development plans or constitutes a minor site plan.

5470. Minor site plan. Applications for permits to build, alter or expand any nonresidential building, structure or use in any district where such construction will exceed a total gross floor area of five hundred (500) square feet but not exceed a total gross floor area of three thousand (3000) square feet, or will not generate the need for more than ten (10) parking spaces, shall be deemed a minor site plan. For the purposes of computing the total gross floor area of a minor site plan, the Inspector of Buildings shall aggregate all such applications made within the five (5) previous calendar years. Minor site plans shall set forth all of the information required by Section 5440; provided, however, that the scale of the site plan may be 1' = 100', unless greater detail is needed for clarity, and the plan may depict topographical contours at intervals available on maps provided by the United States Geological Survey or Town of Chelmsford topographic maps.

5471. Minor site plans shall be referred to the applicable town agencies at the discretion of the Planning Board.

5480. Approval. Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the following objectives. The Planning Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the Site Plan, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

5481. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, soil erosion, and threat of air and water pollution;

Maximize pedestrian and vehicular safety both on the site and egressing from it.

5483. Minimize obstruction of scenic views from publicly accessible locations;

5484. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned;

5485. Minimize glare from headlights and lighting intrusion;

5486. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places.

5487. Minimize contamination of groundwater from on-site waste-water disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances;

5488. Ensure compliance with the provisions of this Zoning By-Law, including parking and landscaping.

5490. Lapse. Site plan approval shall lapse after two (2) years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant.

5490A. Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines.

deleting existing Section 1500 regarding special permits and substituting therefor a new Section 5300;

5300. SPECIAL PERMITS AND VARIANCES.

5310. Special Permit Granting Authority. Unless specifically designated otherwise, the Board of Appeals shall act as the Special Permit Granting Authority.

5320. Criteria. Special permits shall be granted by the Special Permit Granting Authority, unless otherwise specified herein, only upon its written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this By-Law, the determination shall include consideration of each of the following:

5321. Social, economic, or community needs which are served by the proposal;

5322. Traffic flow and safety, including parking and loading;

5323. Adequacy of utilities and other public services;

5324. Neighborhood character and social structures;

5325. Impacts on the natural environment; and

5326. Potential fiscal impact, including impact on town services, tax base, and employment.

5330. Procedures. Whenever an application for a special permit is filed with a special permit granting authority, said authority shall distribute copies of the application, accompanying site plan, and other documentation, to the Board of Health, Conservation Commission, Inspector of Buildings, Director of Public Works, Police Chief, Fire Chief, Sewer Commission, Planning Board/Board of Appeals (whichever is not the Special Permit granting authority) and applicable water district for their consideration, review, and report. The copies necessary to fulfill this requirement shall be furnished by the applicant.

5331. An application shall not be deemed complete until all copies of required information and documentation have been filed with the special permit granting authority.

5332. The special permit granting authority shall notify applicants by registered mail, within 14 days of submittal, of incomplete application status, and the applicant shall have 14 days from the mailing of such notice to complete an application. Failure to complete an application within such time shall be deemed nonsubmittal of the application, without prejudice.

5333. Reports from other boards and officials shall be submitted to the special permit granting authority by the date of the public hearing. Failure of these reviewing parties to make recommendations after having received copies of all such required materials shall be deemed a lack of opposition thereto.

5334. The Decision/Findings of the special permit granting authority shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

5340. Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use, including performance guarantees, as the Special Permit Granting Authority may deem necessary to serve the purposes of this By-Law.

5350. Plans. An applicant for a special permit shall submit a plan in substantial conformance with the requirements of Section 5440, herein.

5351. The provisions of this Section 5350 shall not apply to applications for special permits to reconstruct, extend, alter, or structurally change a nonconforming single or two family structure. The Board of Appeals may establish procedures governing such applications by regulation.

5360. Lapse. Special permits shall lapse if a substantial use thereof or construction thereunder has not begun, except for good cause, within two (2) years following the filing of the special permit approval (plus such time required to pursue or await the determination of an appeal referred to in G.L. c. 40A, s. 17, from the grant thereof) with the Town Clerk.

Variances. Procedural requirements for variances shall follow 5330.

deleting existing Section 1700 regarding court appeals in its entirety;

deleting existing Section 2400 regarding nonconforming uses and structures and substituting therefor a new Section 2260;

2260. Nonconforming Uses and Structures.

2261. Applicability. This zoning by-law shall not apply to structures or uses lawfully in existence or lawfully begun, or to a building or special permit issued before the first publication of notice of the public hearing required by G.L. c. 40A, s. 5 at which this zoning by-law, or any relevant part thereof, was adopted. Such prior, lawfully existing nonconforming uses and structures may continue, provided that no modification of the use or structure is accomplished, unless authorized hereunder.

2262. Nonconforming Uses. The Board of Appeals may award a special permit to change a nonconforming use in accordance with this section only if it determines that such change or extension shall not be substantially more detrimental than the existing nonconforming use to the neighborhood. The following types of changes to nonconforming uses may be considered by the Board of Appeals:

- a. Change or substantial extension of the use;
- b. Change from one nonconforming use to another, less detrimental, nonconforming use.

2263. Nonconforming Structures. The Board of Appeals may award a special permit to reconstruct, extend, alter, or change a nonconforming structure in accordance with this section only if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood. The following types of changes to nonconforming structures may be considered by the Board of Appeals:

- a. Reconstructed, extended or structurally changed;
- b. Altered to provide for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent;
- c. Reconstructed after a catastrophe, provided that the owner shall apply for a building permit and start operations for reconstruction on said premises within two years after such catastrophe, and provided that the building(s) as reconstructed shall be only as great in volume or area as the original nonconforming structure.

2264. The reconstruction, extension or structural change of a nonconforming structure in such a manner as to increase an existing nonconformity, or create a new nonconformity, including the extension of an exterior wall at or along the same nonconforming distance within a required yard, shall require the issuance of a variance from the Board of Appeals.

2265. Nonconforming Single and Two Family Residential Structures. Nonconforming single and two family residential structures may be reconstructed, extended, altered, or structurally changed upon a determination by the Inspector of Buildings that such proposed reconstruction, extension, alteration, or change does not increase the nonconforming nature of said structure. In the event that the Inspector of Buildings determines that the nonconforming nature of such structure would be increased by the proposed reconstruction, extension, alteration, or change, the Board of Appeals may, by special permit, allow such reconstruction, extension, alteration, or change where it determines that the proposed modification will not be substantially more detrimental than the existing nonconforming structure to the neighborhood. Extension or alteration of nonconforming single and two family structures shall be allowed by right so long as such extension or alteration is within the existing footprint.

2266. Abandonment or Non-Use. A nonconforming use or structure which has been abandoned, or not used for a period of two years, shall lose its protected status and be subject to all of the provisions of this zoning by-law.

2267. Reversion to Nonconformity. No nonconforming use shall, if changed to a conforming use, revert to a nonconforming use.

deleting existing Section 2530 regarding isolated lots in its entirety.

UNDER ARTICLE 24. Dwight Hayward moved that the reading of the article be waived. Motion carried, unanimously. Robert Morse explained that this article consists of sections that have been moderately revised in order to comply with Master Plan Goals. Added to required exempt uses Child Care Facility. Motel- Hotel by special permit in IA district. Added Adult Day Care and Group Residence. Delete contractors yard in commercial district and add to Industrial District by special permit. Delete Refuse incinerator, sanitary landfill from IS. Stricter standards for demonstrating conventional zoning build-out, from which the total number of houses allowed for the POS is calculated. Open space may be transferred to Town as permanent open space. Minimum lot size may be reduced from 20,000 sq. ft to 12,000 sq. ft to increase the amount of potential open space and allow more flexible house placement. Susan Carter sent over the definitions. The Moderator asked for the various recommendations. The Finance Committee had no recommendation. The Board of Selectmen recommended the article. Susan Carter said that the Planning Board recommended the article as stated under article 22. The Moderator asked for a vote by way of a show of hands, he declared the motion carried, by recognizing the 2/3's vote by-law.

The article reads as follows:

Robert Morse of the Master Plan By-Law Review Committee moved that the Town vote to amend the Chelmsford Zoning Bylaw by:

A. deleting existing Sections 2210, 2220 and 2300 regarding use regulations and substituting therefor new Sections 2210, 2220 and 2230 respectively in order to bring the sections into conformance with actual development patterns and the recommendations of the 1996 Master Plan;

2200. USE REGULATIONS.

2210. General. No structure shall be erected or used or land used except as set forth in Section 2230, "Use Regulation Schedule", or in Section 2240, "Accessory Uses", unless exempted by this by-law or by statute. Uses not expressly provided for herein are prohibited. Not more than one principal structure shall be placed on a lot, except in accordance with Section 2340.

Symbols employed below shall mean the following:

Y A permitted use.

N An excluded or prohibited use.

BA A use authorized under special permit from the Board of Appeals as provided under Section 5300.

PB A use authorized under special permit from the Planning Board as provided under Section 5300.

2220. Applicability. When an activity might be classified under more than one of the following uses, the more specific classification shall govern; if equally specific, the more restrictive shall govern.

State Use Regulations Schedule

U T I L I T Y

PERMITS	RA	RB	RC	RM	VA	UB	UC	UD	EA	EB	EM	EX	FX	OF
1 RESIDENTIAL														
2 Single family dwelling	Y	Y	Y	Y	N	N	N	N	N	N	N	N	N	N
3 Two-family dwelling	N	N	Y	Y	N	N	N	N	N	N	N	N	N	N
4 Multi-family dwelling	N	N	N	PR	N	N	N	N	N	N	N	N	N	N
5 Conversion of dwelling	N	DA	Y	DA	N	N	N	N	N	N	N	N	N	N
6 Single house	N	N	Y	N	N	Y	N	Y	N	N	N	N	N	N
7 Mobile home	N	N	N	N	N	N	N	N	N	N	N	N	N	N
8 Accessory residential development	PR	PR	N	N	N	N	N	N	N	N	N	N	N	N
9 Accessory Residential	N	N	N	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA
10 Accessory and Independent Senior Living	N	N	N	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA	DA
11 VACUUM AND INSTILLATION USES														
12 Use of land or structures for religious purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
13 Use of land or structures for educational purposes as land owned or leased by the corporation or any of its agencies, subdivisions or bodies politic or by a religious sect or organization, or by a nonprofit educational corporation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
14 Licensed day care facility for the day care of six or fewer nonresident children	Y	Y	Y	N	N	N	N	N	N	N	N	N	N	N

1. Intensity of use shall be limited to permit a maximum of 7 units per acre and a maximum of 254 units in the RMD District.

PRINCIPAL USE	RA	RII	RC'	RM	C/A	CB	CC	CD	IA	IS	PMBB	CX	P	CS
4. Agricultural equipment	N	N	N	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
5. Agricultural equipment	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
6. Not used for the primary purpose of agriculture, but used for agriculture or agriculture related activities	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
7. Structures to be used for storage of grain and farm products, including the purchase of grain, hay, and equipment of every year, or the purchase of equipment of every year, or the purchase of equipment for sale based on either the purchase of equipment or the purchase of equipment, but not the purchase of equipment more than five times in a year	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
8. Structures	Y	Y	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y
9. Structures for uses every 60 days, storage or repair shops	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
10. Structures for storage or repair shops	N	N	N	N	N	BA	BA	BA	BA	BA	BA	BA	BA	BA
11. Structures	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
12. Repair	N	BA	BA	BA	N	Y	BA	BA	BA	BA	BA	BA	BA	BA
13. Repair	N	N	N	N	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
14. Commercial	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
15. Commercial	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
16. Non-agricultural use ⁶	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
17. Non-agricultural use ⁶	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

⁶ Provided there are neither horses nor fire-bearing animals.

⁷ No such stand shall be permitted in an historic district.

PRINCIPAL USE	RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
3. Nonexempt educational use	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	N
4. Animal clinic or hospital	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N	N
5. Kennel	N	N	N	N	N	N	N	N	BA	N	N	N	N	N
6. Nursing or convalescent home	N	N	N	BA	N	BA	N	N	N	N	N	N	N	N
7. Funeral home	N	N	N	N	N	Y	N	Y	N	N	N	N	N	N
8. Motel or hotel	N	N	N	N	N	Y	PB	PB	PB	N	N	N	N	N
9. Retail stores and services not elsewhere set forth	N	N	N	N	Y ⁸	Y ⁹	Y ⁵	Y ⁵	N	N	N	N	N	N
10. Motor vehicle sales and rental	N	N	N	N	N	Y	N	N	N	N	N	N	N	N
11. Motor vehicle general and body repair	N	N	N	N	N	Y ⁵	N	N	N	N	N	N	N	N
12. Motor vehicle light service ¹⁰	N	N	N	N	N	Y ⁵	BA	BA	N	N	N	N	N	N
13. Parking Garage	N	N	N	N	N	BA	BA	BA	BA	BA	N	N	N	N
14. Restaurant	N	N	N	N	N	Y ⁵	Y ⁵	Y ⁵	N	N	N	N	N	N
15. Restaurant, fast-food	N	N	N	N	N	BA	BA	N	N	N	N	N	N	N
16. Business or professional office	N	N	N	N	Y ⁴	Y	Y	Y	Y	N	N	Y	N	N
17. Medical center or clinic	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N	N
18. Bank, financial agency	N	N	N	N	N	Y ⁵	Y ⁵	Y ⁵	N	N	N	Y	N	N
20. Indoor commercial recreation	N	N	N	N	N	Y ⁵	Y ⁵	BA	N	N	N	N	BA	Y

⁸ No structure shall exceed 3,000 square feet gross floor area.

⁹ A special permit from the Board of Appeals shall be required if more than 10,000 square feet gross floor area are devoted to business use on the premises.

¹⁰ Notwithstanding the provisions of note 6 of the Dimensional Table, no structures, pumps, or fuel storage tanks shall be located within 50 feet of a residentially used premises or a residential district.

PRINCIPAL USE	RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
21. Outdoor commercial recreation	N	N	N	N	N	N	N	N	N	N	N	N	BA	Y
22. Club or lodge	N	BA	BA	BA	N	Y	BA	Y	N	N	N	N	BA	Y
23. Riding academy	N	BA	N	N	N	BA	N	N	N	N	BA	N	BA	BA
24. Golf course	BA	BA	BA	BA	BA	BA	BA	BA	N	N	BA	N	Y	BA
25. Campground	N	N	N	N	N	N	N	N	N	N	N	N	N	N
26. Adult entertainment establishment	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
27. Wireless Communications Facility	N	N	N	N	BA	BA	BA	BA	BA	BA	N	BA	BA	N
28. Fairs, carnivals and similar events	N	N	N	N	N	BA	BA	BA	BA	BA	N	N	BA	BA
D. INDUSTRIAL														
1. Earth removal	N	N	N	N	N	N	N	N	BA	BA	N	N	N	N
2. Light manufacturing	N	N	N	N	N	N	N	N	Y	Y	N	N	N	N
3. Wholesale, warehouse, self-storage mini-warehouse, or distribution facility	N	N	N	N	N	N	N	N	BA	N	N	Y	N	N
4. Granite operations	N	N	N	N	N	N	N	N	N	BA	N	N	N	N
5. Contractor's yard	N	N	N	N	N	N	N	N	BA	N	N	N	N	N
6. Junkyard or Automobile Graveyard	N	N	N	N	N	N	N	N	N	N	N	N	N	N
7. Solid waste disposal facility or sanitary landfill	N	N	N	N	N	N	N	N	N	N	N	N	N	N
8. Refuse incinerator	N	N	N	N	N	N	N	N	N	N	N	N	N	N
9. Transport terminal	N	N	N	N	N	N	N	N	N	Y	N	N	N	N
10. Wood operation	N	N	N	N	N	N	N	N	Y	Y	Y	N	N	N
11. Pedestrian and vehicular access and egress by private way to and from uses permitted in an IA District	N	N	N	N	N	PB	N	N	Y	N	N	N	N	N

PRINCIPAL USE	RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
12. Retail sale of goods, the majority of which are produced or undergo processing on the premises ¹¹	N	N	N	N	N	Y	N	N	BA	BA	N	N	N	N

2240. Accessory Uses. Any use permitted as a principal use is also allowed as an accessory use, as are others customarily accessory and incidental to permitted principal uses. Accessory uses are permitted only in accordance with lawfully existing principal uses. An accessory use may not, in effect, convert a principal use to a use not permitted in the zoning district in which it is located. Where a principal use is permitted under special permit, its accessory use is also subject to the special permit. In all instances where site plan review and approval is required for a principal use, the addition of any new accessory use to the principal use, where such addition exceeds the thresholds established in Section 5400, such addition shall also require site plan review and approval.

2242. Major Recreational Equipment. No major unregistered recreational equipment shall be stored on any lot in a residential district other than in a carport or enclosed building or behind the building line of the principal building, provided however that such equipment may be parked anywhere on residential premises for a period not to exceed seventy-two (72) hours. No such equipment shall be used for living or housekeeping purposes when stored on a residential lot, or in any location not approved for such use. All equipment which does not conform to these regulations shall be considered nonconforming.

B. deleting existing Section 2600 regarding the intensity of use schedule and substituting therefor a new Section 2320 in order to bring the section into conformance with actual development patterns and the recommendations of the 1996 Master Plan. The table of dimensional uses includes new headings floor area ratio and (maximum) stories and deletes minimum landscaped open space and landscaped front yard.

¹¹ The retail outlet shall not exceed 1,000 square feet or 10% of the gross floor area of the principal facility, whichever is less.

2320. Table of Dimensional Requirements.

D I S T R I C T S

DIMENSIONAL REQUIREMENTS	RA	RB	RC	RM	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
Minimum Lot Requirements														
Area (x1000 sq. ft.)	60	40	20	40 ¹²	20	40	100	10	40	40 ²		40	20	20
Width (feet)	150	150	125	150	125	150	200	50	150	150		150	125	125
Depth (feet)	150	150	125	150	125	0	200	0	150	150		0	125	125
Frontage (feet)	150	150	125	150	125	150	200	50	150	150		150	125	125
Minimum Yard Requirements														
Front (feet) ³	40	40	20	40	20	60	60	20	40 ⁴	40 ⁴		60	20	20
Side (feet)	25	25	12	25 ⁵	10 ⁶	30 ⁶	30 ⁶	10 ⁶	40 ⁴	40 ⁴		30 ⁶	10 ⁶	10 ⁶
Rear (feet)	30	30	20	30 ⁵	10 ⁶	20 ⁶	30 ⁶	10 ⁶	30 ⁴	30 ⁴		20	10	10
Maximum Building														
Coverage (%)	10	15	20	15	15	30	30	40	40	30		30	15	15
Stories	3	3	4	3	3	4	3	4	4	4		4	3	3
Height (feet)	35	35	45	35	35	45	35	45	45	45		45	35	35
Floor Area Ratio	.15	.20	.25	.30	.45	.45	.45	.45	.45	.45		.45	N/A	N/A

1. For multifamily dwellings, not less than 80,000 sq. ft. or 5,000 sq. ft. per dwelling unit, whichever is greater.

2. For granite operations, minimum lot area shall be 10 acres.

3. Corner lots shall maintain front yard requirements for each street frontage.

4. Increase to 100 feet when abutting a residentially used or zoned property.

5. Increase by 20 feet where abutting an RA or RB District.

6. Increase by 20 feet where abutting a residentially used or zoned property.

C. deleting existing Section 4700 regarding planned open space residential development and substituting therefor a new Section 4600. The changes simplify the language and procedures of the section.

4600. PLANNED OPEN SPACE DEVELOPMENT.

4610. Purpose. Planned Open Space Developments, hereinafter known as POS, may be allowed by special permit by the Planning Board for the purpose of providing attractive, convenient, efficient neighborhoods and to promote the conservation of open space and the efficient use of land in harmony with its natural features.

4620. General Standards.

4621. The tract of land proposed for a POS shall contain a minimum of ten (10) acres. These proposals shall be permitted only within a subdivision as defined in G.L. c. 41, s. 81L.

4622. Number of Dwelling Units. The maximum number of dwelling units allowed shall be equal to the number of lots which could reasonably be expected to be developed upon that parcel under a conventional plan in full conformance with all zoning, subdivision regulations, health regulations, wetlands regulations and other applicable requirements. The proponent shall have the burden of proof with regard to the design and engineering specifications for such conventional plan.

4623. If any part of a dwelling or accessory building in a POS is proposed to be located within one hundred (100) feet of the perimeter of such development, such building(s) shall be located so as to comply with the minimum yard dimensions for principal and accessory buildings for the applicable zoning district.

4624. Minimum lot area shall be 12,000 square feet. Minimum frontage shall be 50 feet. Minimum side yards shall be 12 feet. Minimum front and rear yards shall be 20 feet. Lots having reduced area or frontage shall not have frontage on a street other than a street created by a subdivision involved.

4625. All streets in a POS shall be improved in accordance with the requirements and specifications of the subdivision regulations. Driveways and other paved areas intended to remain in private ownership shall be approved as to design and construction standards by the Planning Board.

4626. A written agreement or contract to be executed between the developer and the Town of Chelmsford shall be submitted at the final stage of the subdivision review stating:

- a. That the owner or developer will construct the development and install improvements both public and private in accordance with the approved plan. A bond shall be posted to guarantee completion.
- b. That in the event of failure of the owners, successors, or assigns to maintain any common open space, recreation areas, landscaping features or other required improvements the town may enter said development and perform such necessary maintenance work and charge the cost, including attorney fees to the owner, successor, or assigns.
- c. That this contract shall be binding upon the heirs, assigns, successors or receivers of the development and shall constitute a lien on the property in the development.
- d. Any other conditions required by the Planning Board.

4627. A site plan, in addition to the final subdivision plan, shall be recorded after the POS is approved. As a minimum this site plan shall show the entire development indicating lots, roads, easements, open space, phases for development, any recreational uses or buildings to be constructed in the open space and any ponds, streams or wetlands. This plan shall be approved by the Planning Board before it is recorded.

4628. Buffer Areas. All dwellings and structures shall be located a minimum of 50 feet from adjacent properties, and 100 feet from adjacent surface waters or wetlands. Buffer areas shall be retained in their natural vegetative state to the maximum extent feasible, except where adjacent to agriculturally used property.

4630. Open Space Requirements. A minimum of twenty-five (25%) of the site shall be contiguous open space, excluding required yards and buffer areas. Such open space may be separated by the road(s) constructed within the site. The percentage of the open space which is wetlands, as defined pursuant to G.L. c. 131, s. 40, shall not normally exceed the percentage of the tract which is wetlands; provided, however, that the applicant may include a greater percentage of wetlands in the open space upon a demonstration that such inclusion promotes the purposes set forth in this Section 4600.

4631. The required open space shall be used for conservation, historic preservation and education, outdoor education, recreation, park purposes, agriculture, horticulture, forestry, or for a combination of these uses, and shall be served by suitable access for such purposes.

4632. The required open space shall remain unbuilt upon, provided that ten percent (10%) of such open space may be paved or built upon for structures accessory to the dedicated use or uses of such open space, pedestrian walks, and bikepaths.

4633. Underground utilities to serve the site may be located within the required open space.

4634. The required open space shall, at the Planning Board's election, be conveyed to

- a. the Town of Chelmsford or its Conservation Commission;
- b. a nonprofit organization, the principal purpose of which is the conservation of open space and any of the purposes for such open space set forth above;
- c. a corporation or trust owned jointly or in common by the owners of lots within the site. If such corporation or trust is utilized, ownership thereof shall pass with conveyance of the lots in perpetuity. Maintenance of the open space and facilities shall be permanently guaranteed by such corporation or trust which shall provide for mandatory assessments for maintenance expenses to each lot. Each such trust or corporation shall be deemed to have assented to allow the Town of Chelmsford to perform maintenance of the open space and facilities, if the trust or corporation fails to provide adequate maintenance, and shall grant the town an easement for this purpose. In such event, the town shall first provide fourteen (14) days written notice to the trust or corporation as to the inadequate maintenance, and, if the trust or corporation fails to complete such maintenance, the town may perform it. The owner of each lot shall be deemed to have assented to the town filing a lien against each lot in the development for the full cost of such maintenance, which liens shall be released upon payment to the town of same. Each individual deed, and the deed or trust or articles of incorporation, shall include provisions designed to effect these provisions. Documents creating such trust or corporation shall be submitted to the Planning Board for approval, and shall thereafter be recorded in the Registry of Deeds.

4635. Any proposed open space, unless conveyed to the Town or its Conservation Commission, shall be subject to a recorded restriction enforceable by the Town, providing that such land shall be perpetually kept in an open state, that it shall be preserved for exclusively agricultural, horticultural, educational or recreational purposes, and that it shall be maintained in a manner which will ensure its suitability for its intended purposes.

4640. Homeowners Association. The applicant or developer shall provide for and establish a homeowners association as a nonprofit organization or other legal entity under the laws of Massachusetts for the use, care and maintenance of lands and improvements. Membership in the association shall be mandatory for all landowners within the POS, and each lot shall be entitled to equal representation. The association shall be formed prior to conveyance of the first lot, in a form acceptable to the Planning Board.

4650. Certificates or Documents. The following certificates or documents shall be submitted to the Planning Board:

4651. Copies of any proposed management policies and existing or proposed deed restrictions or covenants running with the land in the development.

4652. A description of any existing easement, covenants, or restrictions affecting land within the development and an instrument conveying any easements required as condition of approval to the town.

4660. Disclosure. Prior to approval by the Planning Board, the developer must file and have approval by the Planning Board a sample purchase and sale agreement which shall be used for the purchase of individual lots and dwellings. Said agreement shall include a conspicuous type the following;

The property is part of a POS subject to the zoning by-law and the subdivision regulations of the Town of Chelmsford. The purchaser and subsequent owners of the property are subject to the requirements therein contained. The purchaser shall be required to be a member of a homeowners association, shall be subject to rules and regulations of said association and shall be liable for any applicable assessment made by or against said association. The ultimate liability for the open space falls on the individual lot owner.

The purchase and sale agreement shall further contain a statement by the seller that the purchaser has been provided with a copy of the documents pertinent to the POS and a prospectus which shall summarize in layman's language of the information contained therein.

4670. Decision. The Planning Board shall not approve a POS development in an established single-family neighborhood where, in their determination, such land use will be inconsistent with or will have a detrimental effect upon the surrounding property. If the Planning Board denies a POS based on this section they shall identify this as the reason for denial.

4671. Approval under this Section 4600 does not relieve the applicant from conformance with the Subdivision Control Law. No part of the construction of a POS shall begin until the plan of such development has been granted final approval by the Planning Board in accordance with the subdivision regulations. The developer shall submit with the request for a POS an alternate plan(s) for developing the site as a conventional subdivision at the presubmission review and preliminary plan stages of the subdivision process which shall adhere to all subdivision requirements. The Planning Board may establish additional rules and regulations to govern the POS and the filing of additional material or information.

D. deleting existing Article V regarding definitions and substituting therefor a new Article VI. These changes add definitions for previously undefined terms and clarify other definitions.

Article VI. Definitions.

In this by-law, the following terms and constructions shall apply unless a contrary meaning is required by the context or is specifically prescribed in the text of the by-law. Words used in the present tense include the future. The singular includes the plural and the plural includes the singular. The word "shall" is mandatory and "may" is permissive or discretionary. The word "and" includes "or" unless the contrary is evident from the text. The word "includes" or "including" shall not limit a term to specified examples, but is intended to extend its meaning to all other instances, circumstances, or items of like character or kind. The word "lot" includes "plot"; the word "used" or "occupied" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied". The words "building," "structure," "lot," or "parcel," shall be construed as being followed by the words "or any portion thereof." The word "person" includes a firm, association, organization, partnership, company, or corporation, as well as an individual. Terms and words not defined herein but defined in the Commonwealth of Massachusetts state building code shall have the meaning given therein unless a contrary intention is clearly evident in this by-law.

Accessory building: A subordinate building located on the same lot as the main, or principal building or principal use, the use of which is customarily incidental to that of the principal building or use of the land.

Accessory use: A use customarily incidental to that of the main or principal building or use of the land.

Adult day care facility: A building or structure where care, protection, and supervision are provided, on a regular schedule, to adults over the age of 18.

Adult entertainment establishments: Shall include and be defined as follows:

Adult bookstore: An establishment having as a substantial or significant portion of its stock in trade printed matter, books, magazines, picture periodicals, motion picture films, video cassettes, computer compact disks, computer disks or diskettes, or coin-operated motion picture machines for sale, barter or rental which are distinguished or characterized by their emphasis on matters depicting, describing or relating to "sexual conduct" as that term is defined in Chapter 272, section 31 G.L., "sexual devices" or an establishment having for sale sexual devices which shall mean any artificial human penis, vagina or anus or other device primarily designed promoted or marketed to physically stimulate or manipulate the human genitals, pubic area or anal area, including dildos, penisators, vibrators, penis rings, erection enlargement or prolonging creams or other preparations or an establishment with a segment or section devoted to the sale or display of such materials.

Adult live entertainment establishments: Establishments which feature live entertainment which consists of entertainers engaging in "sexual conduct" or "nudity" as defined in Chapter 272, section 31, G.L.

Adult motion picture theater: An enclosed building with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating "sexual conduct" as defined in Chapter 272, section 31, G.L., for observation by patrons therein.

Adult mini motion picture theater: An enclosed building with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by emphasis on matter depicting, describing or relating to "sexual conduct" as defined in Chapter 272, section 31, G.L., for observation by patrons therein.

Substantial or significant portion shall mean at least that portion of:

- (i) retail sales accounting for at least twenty-five percent of gross sales; or
- (ii) merchandise accounting for at least twenty-five percent of total merchandise available for sales; or
- (iii) shelf space and display space which when combined is in excess of eighty (80) square feet.

Agricultural use, nonexempt: Agricultural use of property not exempted by G.L. c. 40A, s. 3.

Alterations: As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement whether by extending on a side or by increasing in height, or the moving from one (1) location or position to another.

Alzheimer's facility: A facility providing treatment and communal lodging for more than four (4) unrelated persons who have been diagnosed by a medical doctor as having Alzheimer's disease, but who do not require the skilled nursing care typically provided by a nursing home.

Animal clinic or hospital: A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the clinic or hospital use.

Animal kennel or hospital: Premises used for the harboring and/or care of more than three (3) dogs or other domestic, non-farm animals (three months old or over). Use shall be so classified regardless of the purpose for which the animals are maintained, whether fees are charged or not, and whether the use is a principal or accessory one.

Assisted living facility: A facility providing private multifamily dwellings or communal lodging for more than four (4) unrelated persons requiring assistance with the activities of daily living, such as aid or assistance with bathing, dressing/grooming, ambulation, eating, toileting or other similar tasks, as defined by G.L. c. 19D, s. 1.

Barn sale, garage sale, yard sale or flea market: Temporary use of residential, institutional, or industrial premises for sale of personal property.

Boarding house: A dwelling or part thereof in which lodging is provided by the owner or operator to more than four (4) boarders. Where four (4) or more unrelated individuals rent a dwelling, it shall be considered a boarding house.

Building: A structure enclosed within exterior walls or firewalls, built, erected, and framed of a combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, or property. For the purposes of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.

Building coverage: That percentage of the lot or plot area covered by the roof area of a building or buildings.

Building height: The vertical distance from the grade to the highest point of the roof. When a building faces more than one street, the height shall be measured from the average of the grade at the center line of each street front. Not included are spires, cupolas, antennae, or similar parts of structures that do not enclose potentially habitable floor space.

Building, principal: A building in which is conducted the main or principal use of the lot on which said building is situated.

Business or professional office: A building or part thereof, for the transaction of business or the provision of services exclusive of the receipt, sale, storage, or processing of merchandise.

Campground: An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, which is primarily used for recreational purposes and retains on open air or natural character.

Child Care Facility: A day care center or school age child care program, as those terms are defined in G.L. c. 28A, s. 9.

Commercial recreation, indoor: A structure for recreational, social or amusement purposes, which may include as an accessory use the consumption of food and drink, including all connected rooms or space with a common means of egress and entrance. Places of assembly shall include theaters, concert halls, dance halls, skating rinks, bowling alleys, health clubs, dance studios, or other commercial recreational centers conducted for or not for profit.

Commercial recreation, outdoor: Drive-in theater, golf course/driving range, miniature golf, bathing beach, sports club, horseback riding stable, boathouse, game preserve, marina or other commercial recreation carried on in whole or in part outdoors, except those activities more specifically designated in this By-Law.

Congregate living facility: A facility providing communal lodging for more than four (4) unrelated elders in a non-institutional residential shared living environment which integrates shelter and services needed by the functionally impaired or socially isolated elder who does not require the constant supervision or intensive health care services as provided in a nursing home. The shared living environment shall include at least the following: (a) shared kitchen facilities; and (b) shared dining facilities. Each bedroom shall be considered one (1) unit.

Club or lodge: Buildings, structures and premises used by a nonprofit social or civic organization, or by an organization catering exclusively to members and their guests for social, civic, recreational, or athletic purposes which are not conducted primarily for gain and provided there are no vending stands, merchandising, or commercial activities except as may be required generally for the membership and purposes of such organization.

Contractor's yard: Premises used by a building contractor or subcontractor for storage of equipment and supplies, fabrication of subassemblies, and parking of wheeled equipment.

Dwelling: A building designed and occupied as the living quarters of one (1) or more families. Single- and two-family dwellings shall be designed for and occupied by not more than one (1) or two (2) families, respectively. A multifamily dwelling shall be one designed for and occupied by three (3) or more families.

Earth removal: Extraction of sand, gravel, top soil, or other earth for sale or for use at a site removed from the place of extraction exclusive of the grading of a lot preparatory to the construction of a building for which a building permit has been issued, or the grading of streets in accordance with an approved definitive plan, and exclusive of granite operations.

Educational use, nonexempt: Educational facilities not exempted from regulation by G.L. c. 40A, s. 3.

Erect: To build, construct, reconstruct, move upon, or conduct any physical development of the premises required for a building; to excavate, fill, drain, and the like preparation for building shall also be considered to erect.

Essential services: Services provided by a public service corporation or by governmental agencies through erection, construction, alteration, or maintenance of gas, electrical, steam, or water or sewer transmission or distribution systems and collection, communication, supply, or disposal systems whether underground or overhead, but not including wireless communications facilities. Facilities necessary for the provision of essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment in connection therewith.

Facilitated living facility: Shall include assisted, Alzheimer's and congregate living facilities.

Family: Any number of individuals living and cooking together on the premises as a single housekeeping unit.

Family day care home: Any private residence which on a regular basis receives for temporary custody and care during part or all of the day, children under seven (7) years of age or children under sixteen (16) years of age if such children have special needs. Provided, however, in either case, that the total number of children shall not exceed more than six (6), excluding participating children living in the residence.

Farm stand, nonexempt: Facility for the sale of produce, wine and dairy products on property not exempted by G.L. c. 40A, s. 3.

Floor area, gross: The sum of the horizontal areas of the floors of a building or several buildings on the same lot measured from the exterior face of exterior walls, or from the centerline of the wall separating two buildings, not including any space where the floor to ceiling height is less than seven feet three inches.

Floor area, net: the aggregate horizontal area in square feet of all floors of a building or several buildings on the same lot, measured from the exterior faces of the walls enclosing each building; and exclusive of the cellars and attic areas used only for storage, bathrooms, stairwells, elevators, mechanical rooms, or areas for service incidental to the operation or maintenance of the building.

Floor area ratio: The ratio of the gross floor area of the building or buildings on one lot to the total area of the lot.

Funeral home: Facility for the conducting of funerals and related activities such as embalming.

Group residence: A facility licensed by the Commonwealth of Massachusetts serving not more than twenty-five (25) persons.

Granite operations: The removal and processing of granite for construction use, not including stone crushing.

Hazardous material: Any substance which is listed in, but not limited to, the EPA priority pollutants as described in section 307(a) of the Clean Water Act, as amended.

Home occupation: An occupation, business, trade, service or profession which is incidental to and conducted in a dwelling unit or in a building or other structure accessory thereto, by a resident thereof.

Impervious: Any area impenetrable by surface water.

Independent living facility: A facility providing an independent, age restricted dwelling for a retired or senior individual or couple. In addition to bed space, such facilities would ordinarily include private toilet, bath, food preparation facilities and a private dining area.

Junk: Any article or material or collection thereof which is worn out, cast off or discarded and which is ready for destruction or has been collected or stored for salvage or conversion. Any article or material which, unaltered or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall not be considered junk.

Junkyard or automobile graveyard: The use of any area or any lot, whether inside or outside of a building, for the storage, keeping, or abandonment of junk, scrap or discarded materials, or the dismantling, demolition, or abandonment of automobiles, other vehicles, machinery, or parts thereof.

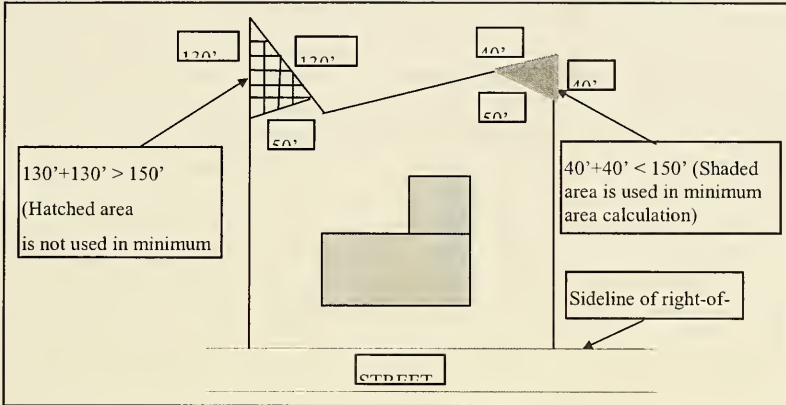
Kennel: An establishment in which more than three (3) dogs or domesticated animals are housed, groomed, bred, boarded, trained or sold located on at least five (5) acres of land.

Light manufacturing: Fabrication, assembly, processing, finishing work or packaging.

Lot: A continuous parcel of land with legally definable boundaries.

Lot area: The horizontal area of the lot exclusive of any area in a street or recorded way open to public use. At least eighty (80) percent of the lot area required for zoning compliance shall be contiguous land other than that under any water body, bog, swamp, wet meadow, marsh, or other wetland, as defined in section 40, Chapter 131, G.L., as amended. When the distance between any two (2) points on lot lines is less than fifty (50) feet, measured in a straight line, the smaller portion of the lot which is bounded by such straight line shall not be considered in computing the minimum lot area unless the distance along such lot lines between such two points is less than one hundred fifty (150) feet. See accompanying diagram, below.

Figure 1: Minimum lot area



Lot, corner: A lot with two (2) adjacent sides abutting upon streets or other public spaces.

Lot, depth of: The mean distance from the street line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.

Lot, frontage of: A lot line coinciding with the sideline of a street which provides both legal rights of vehicular access and physical vehicular access to the lot, said line to be measured continuously along a single street or along two (2) intersecting streets if their angle of intersection is greater than one hundred and twenty (120) degrees. Vehicular access to a building site on the lot shall be exclusively through the frontage of the lot.

Lot line: A line dividing one lot from another, or from a street or any public place.

Lot, width of: The horizontal distance between side lot lines, measured parallel to the lot frontage at the front yard setback line.

Major Recreational Equipment: Campers, trailers or other recreational vehicles.

Massage service establishments: (i) Massage. Any method of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of external parts of the human body with the hands or with the aid of any mechanical or electric apparatus or appliances, with or without such supplementary aids as rubbing alcohol, liniment antiseptics, oils, powders, creams, lotions, ointment or other such similar preparations commonly used in the practice of massage under such circumstances that it is reasonably expected that the person to whom the service is provided, or some third person on his or her behalf, will pay money or give any other consideration or any gratuity therefor; (ii) The practice of massage shall not include the following individuals while engaged in the personal performance of duties of their respective professions: (a) Physicians, surgeons, chiropractors, osteopaths, or physical therapists who are duly licensed to practice their respective professions in the Commonwealth of Massachusetts; (b) Nurses who are registered under the laws of the Commonwealth of Massachusetts; (c) Barbers and beauticians who are duly licensed under the laws of the Commonwealth of Massachusetts, except that this exclusion shall apply solely to the massage of the neck, face, scalp and hair of the customer or client for cosmetic or beautifying purposes; (d) Massage therapists who are duly permitted to practice under the Rules and Regulations of the Chelmsford Board of Health.

Medical center or clinic: A building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities.

Mobile home: A dwelling built upon a chassis, containing complete electrical, plumbing and sanitary facilities, and designed without necessity of a permanent foundation for year-round living, irrespective of whether actually attached to a foundation or otherwise permanently located.

Motel or hotel: A building or buildings intended and designed for transient, overnight or extended occupancy, divided into separate units within the same building with or without a public dining facility. If such hotel or motel has independent cooking facilities, such unit shall not be occupied by any guest for more than four (4) continuous months, nor may the guest reoccupy any unit within thirty (30) days of a continuous four-month stay, nor may the guest stay more than six (6) months in any calendar year. No occupant of such hotel or motel may claim residency at such location.

Motor vehicle, body repair: An establishment, garage or work area enclosed within a building where repairs are made or caused to be made to motor vehicle bodies, including fenders, bumpers and similar components of motor vehicle bodies, but does not include the storage vehicles for the cannibalization of parts.

Motor vehicle, general repairs: Premises for the servicing and repair of autos, but not to include fuel sales.

Motor vehicle, light service: Premises for the supplying of fuel, oil, lubrication, washing, or minor repair services, but not to include body work, painting, or major repairs.

Municipal facilities: Facilities owned or operated by the Town of Chelmsford.

Nonfamily accommodations: Boarding houses, lodging houses, guest houses, tourist homes, dormitories, half-way houses, or similar accommodations. Accommodations shall be considered hotels or motels if having a sign in excess of two (2) square feet or other departure from residential character; or, if having specified term of residence less than one (1) week. Accommodations individually having a stove and either or both a refrigerator and a sink shall be considered dwelling units.

Nursery school: A school designed to provide daytime care or instruction for two (2) or more children from two (2) to five (5) years of age inclusive and operated on a regular basis.

Nursing or convalescent home: Any building with sleeping rooms where persons are housed or lodged and furnished with meals and nursing care for hire.

Open lot storage: Outdoor storage of bulk goods and products for distribution but not for sale on the premises.

Open space, landscaped: That part or parts of a lot designed and developed with trees, plants, shrubs, flowers, grass, groundcover, and other landscape features, including natural features of the site, walks, terraces, and open areas otherwise free of any structures or pavement. Such landscaped open space as is provided shall be maintained by the owner throughout the duration of his or her tenure.

Parking garage: A structure which is accessory to a commercial or industrial establishment and is primarily for the parking and storage of vehicles operated by the customers, visitors and employees of such an establishment.

Recharge area: An area of geologic deposits through which water from the surface can infiltrate through the soil to the groundwater. These geologic deposits generally consist of stratified sand and gravels.

Refuse incinerator: An engineered apparatus with grate area in excess of ten (10) square feet used to burn waste and in which all combustion factors, temperature, retention time, turbulence and combustion can be controlled which is approved by the Massachusetts Department of Public Health and the Chelmsford Board of Health.

Restaurant: A building, or portion thereof, containing tables and/or booths for at least two-thirds (2/3) of its legal capacity, which is designed, intended and used for the indoor sales and consumption of food prepared on the premises, except that food may be consumed outdoors in landscaped terraces, designed for dining purposes, which are adjuncts to the main indoor restaurant facility. The term "restaurant" shall not include "fast food establishments."

Restaurant, fast-food: An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready to consume state for consumption either within the restaurant building or off premises and usually requires ordering food at a counter.

Retail: A facility selling goods but not specifically listed in 2230, the Table of Use Regulations.

Riding academy: An establishment where horses are kept for sale, riding, driving, or stabling, for compensation or incidental to the operation of a club, association, or similar establishment.

Salvage yard: Property where motor vehicles are junked, dismantled or stored for later dismantling or distribution.

Sanitary landfill: A site for solid waste disposal approved by the Massachusetts Department of Public Health and the Chelmsford Board of Health. Disposal of raw sewage and similar waste items are not permitted.

Senior or Elder: An individual who is 60 years of age or over.

Sign: Any device designed to inform or attract the attention of persons not on the premises on which the device is located. Any building surfaces other than windows that are internally illuminated or decorated with gaseous tube or other lights are considered "signs." The following, however, shall not be considered signs within the context of this by-law:

- (a) Flags and insignia of any government except when displayed in connection with commercial promotion.
- (b) Legal notices, or informational devices erected or required by public agencies.
- (c) Temporary devices erected for a charitable or religious cause, provided they are removed within seven (7) days of erection.
- (d) Temporary displays inside windows, covering not more [than] thirty (30) percent of window area, illuminated by building illumination only.
- (e) Standard gasoline pumps bearing thereon in usual size and form the name, type, and price of gasoline.
- (f) Integral decorative or architectural features of a building, except letters, trademarks, moving parts, or parts internally illuminated or decorated with gaseous tube or other lights.
- (g) Devices identifying a building as distinct from one (1) or more of its occupants, such device being carved into or attached in such a way as to be an integral part of the building, not illuminated separate from building illumination, without color contrasting with sign background, and not exceeding four (4) square feet in area.
- (h) Address identification through numerals or letters not exceeding three (3) inches in height.

Sign area: The area of the smallest horizontally or vertically oriented rectangle which could enclose all the display area of the sign, together with any backing different in color or material from the finish material of the building face, without deduction for open space or other irregularities. Structural members not bearing advertising matters shall not be included unless internally or decoratively lighted. Only one side of flat, back-to-back signs need be included in calculating sign area.

Solid waste disposal facility: Refuse transfer station, composting plant, solid waste recycling operation and any other works or use approved by the Massachusetts Department of Public Health and the Board of Health of the Town of Chelmsford for processing, handling, treating, and disposing of solid or liquid waste materials, including garbage, rubbish, junk, discarded bulk items, and sludges but not raw sewage, and similar waste items.

Street: An accepted town way, or a way established by or maintained under county, state, or federal authority, or a way established by a subdivision plan approved in accordance with the subdivision control law, or a way determined by the Planning Board to have sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

Structure: A combination of materials assembled at a fixed location to give support or shelter, such as a building, framework, retaining wall, tent, reviewing stand, platform, bin, fence, sign, flagpole, recreational tramway, mast for radio antenna or the like.

Temporary structure: A structure without any foundation or footings to be removed within a twelve-month time period. Said structure shall conform to the requirements of the intensity schedule of section 2300 and shall receive a permit from the Building Inspector.

Toxic materials: A combination of pollutants including disease-carrying agents, which after discharge and upon exposure, ingestion, inhalation, and assimilation into any organism can cause death, disease, mutations, deficiencies, or malfunctions in such organisms or their offspring.

Transport terminal: Terminal facilities for handling freight with or without maintenance facilities.

Warehouse: A building used primarily for the storage of goods and materials, for distribution, but not for sale on the premises.

Wireless communications facility: Monopoles, satellite dish(es) over three (3) feet in diameter, antennas, and accessory structures which facilitate the provision of wireless communication service.

Wireless communication service: The provision of cellular telephone service, personal communication service and enhanced mobile radio service.

Wood operation: Forests, wood lots, portable woodworking mills and machinery located on the property for use in connection with the forest and wood lot operations of the owner only, with products stored not within one hundred (100) feet of the street line.

Yard: A space open to the sky, located between a building or structure and a lot line, unoccupied except by fences, walls, poles, paving, and other customary yard accessories.

Yard, front: A yard extending the full width of the lot and situated between the street line and the nearest point of the building.

Yard, rear: A yard the full width of the lot and situated between the rear line of the lot and the nearest part of the main building projected to the side line of the lot.

Yard, side: A yard situated between the nearest point of the building and the side line of the lot and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line.

UNDER ARTICLE 25, Dwight Hayward moved that the reading of the article be waived. Motion carried, unanimously. Susan Carter went over the purpose of the article. She explained that the changes addressed in this article extensively revised in order to meet the Master Plan Goals. Erosion measures and improved parking lot landscaping and buffer requirements have been improved. George Merrill questioned the use of the word Building Commissioner instead of Building Inspector. Andrew Sheehan explained that this was wording advised by the Committee's consultant Mark Bobrowski. The Moderator asked for the various recommendations. The Finance Committee had no recommendation. The Board of Selectmen recommended the article. Susan Carter said that the Planning Board recommended the article as stated under article 22. The Moderator asked for a vote by way of a show of hands, he declared the motion carried, by recognizing the 2/3's vote by-law.

The article reads as follows:

Robert Morse of the Master Plan By-Law Review Committee moved that the Town vote to amend the Chelmsford Zoning Bylaw by:

A. deleting existing Section 3200 regarding environmental protection standards and substituting therefor a new Section 3400, which is similar to the existing section and adds a new section related to erosion control;

3400. ENVIRONMENTAL PROTECTION STANDARDS.

3410. General. No activity shall be permitted in any district unless it shall be in conformity with the standards for environmental protection included herein. The Inspector of Buildings may require an applicant for a building or occupancy permit to supply, at his expense, such technical evidence as is necessary in support of the application, and may, in connection therewith, and at the applicant's expense, obtain expert advice as necessary to review the plans and proposals of the applicant. Payment of such expert advice to the Inspector of Buildings shall be made, or guaranteed by bond or other legally binding device, before further consideration of the application shall continue. After a permit is issued in accordance with this section, continuing compliance is required. When the Inspector of Buildings suspects a subsequent violation he may, as necessary obtain expert advice, which if the violation is established, shall be paid for by the violator, otherwise, by the town.

3420. Standards. The following standards are hereby established.

3421. Water quality. No discharge at any point into any public sewer, private sewerage disposal system, stream, water body, or into the ground, of any materials of such nature or temperature as can contaminate such water body or water supply, or cause emission of dangerous or offensive elements in reaction thereto, shall be permitted except in accordance with applicable federal, state, and local health and water pollution control laws and regulations.

3422. Air quality. No building or occupancy permit shall be issued for any facility specified in Regulation 2.3, "Regulations as Amended for The Control of Air Pollution in the Merrimack Valley Air Pollution District," Commonwealth of Massachusetts, Department of Public Health, Bureau of Air Quality Control, until written approval for the facility has been obtained from the Department of Public Health. The provisions of said regulations shall apply to dust, flash, gas, fume, mist, odor, smoke, vapor, pollen, microorganism, radioactive material, radiation, heat, sound, any combination thereof, or any decay or reaction product thereof in the ambient air space.

3423. Noise. No use shall be permitted within the Town of Chelmsford which, by reason of excessive noise generated therefrom, would cause nuisance or hazard to persons or property. Exempt from the provisions of this subsection are (a) vehicles not controlled by an owner or occupant of a lot within the town, (b) temporary construction activities occurring during the hours of 7 a.m. to 6 p.m. on weekdays, (c) occasionally used safety signals, warning devices, emergency pressure relief valves, or other such temporary activity, (d) use of power tools and equipment such as lawn mowers, snow-blowers, chain saws, tractors, and similar equipment for the maintenance of property. For the purposes of this by-law the standards in the Noise Table shall apply:

NOISE TABLE

FOR SOUNDS GENERATED CONTINUOUSLY FROM ANY SOURCE NOT OTHERWISE EXEMPTED ABOVE, AND MEASURED:	MAXIMUM PERMITTED SOUND LEVELS (IN DBA): (dBA shall mean the A-weighted sound pressure levels in decibels, as measured by a general purpose sound level meter complying with the provision of "American National Standards Institute." The instrument shall be properly calibrated and set to the A-weighted response scale, and the meter set to the slow response. Reference pressure shall be 0.0002 microbars.)
At the lot line of an adjacent or nearby residence or institutional use, weekdays during the hours of 7 a.m. to 6 p.m.	60
At the lot line of an adjacent or nearby residence or institutional use, Sundays or during the hours of 6 p.m. to 7 a.m. weekdays	50
At the lot line of an adjacent business use	65
At the lot line of an adjacent industrial use	70

a. Exceptions for intermittent noise. The levels (dBA) specified in the Noise Table may be exceeded by ten (10) dBA, weekdays during the hours of 7 a.m. to 6 p.m., but not at any other time, for a period not to exceed twenty (20) minutes during any one (1) day.

b. Impact noise. Impact noise such as from a punch press, drop forge hammer, or similar equipment, shall be measured using the fast response of the sound level meter, and shall not exceed the levels specified in the Noise Table by more than ten (10) dBA.

3424. Solid waste storage. Any accessory receptacle or structure with holding capacity of at least one hundred (100) cubic feet for temporary storage of solid or liquid waste materials, including garbage, rubbish, junk, discarded bulk items and similar waste items shall be located not less than ten (10) feet from any structure and shall be screened from all adjacent premises and streets from which it would otherwise be visible in accordance with subsection 3542 of this by-law. Screening materials will not be attached to any structure.

3425. No vibration, odor, glare, or flashing shall be detectable without instruments at any lot line of a residential or institutional use.

3426. Cinders, dust, fumes, gases, odors, smoke, radiation, refuse or other waste materials shall be effectively confined to the premises and treated or disposed of in accordance with state, federal, and town laws and regulations.

3427. No process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in excess of ten (10) percent in line voltage off the premises.

3428. All activities involving, and all storage of, inflammable and explosive materials shall be provided with adequate safety devices against hazards from fire and explosion, and with adequate fire fighting and fire suppression equipment standard in this industry. Burning of waste materials in the open contrary to state law is prohibited.

3429. All materials which may be edible by or attractive to rodents or insects shall, when stored in or outdoors, be stored in tightly closed containers.

3430. Erosion Control. Site design, materials, and construction processes shall be designed to avoid erosion damage, sedimentation, or uncontrolled surface water runoff by conformance with the following:

3431. Grading or construction which will result in final slopes of 15% or greater on 50% or more of lot area, or on 30,000 square feet or more on a single lot, even if less than half the lot area, shall be allowed only under special permit from the Planning Board, which shall be granted only upon demonstration that adequate provisions have been made to protect against erosion, soil instability, uncontrolled surface water runoff, or other environmental degradation. Applications and plans for such special permits shall be referred to the Conservation Commission for its advisory review.

3432. All such slopes exceeding 15% which result from site grading or construction activities shall either be covered with topsoil to a depth of 4 inches and planted with vegetative cover sufficient to prevent erosion or be retained by a wall constructed of masonry, reinforced concrete or treated pile or timber, or other acceptable means.

3433. No area or areas totaling 2 acres or more on any parcel or contiguous parcels in the same ownership shall have existing vegetation clear-stripped or be filled 6 inches or more so as to destroy existing vegetation unless in conjunction with agricultural activity, or unless necessarily incidental to construction on the premises under a currently valid building permit, or unless within streets which are either public or designated on an approved subdivision plan, or unless a special permit is approved by the Planning Board on condition that runoff will be controlled, erosion avoided, and either a constructed surface or cover vegetation will be provided not later than the first full spring season immediately following completion of the stripping operation. No stripped area or areas which are allowed by special permit shall remain through the winter without a temporary cover of winter rye or similar plant material being provided for soil control, except in the case of agricultural activity where such temporary cover would be infeasible.

3434. The Building Commissioner may require the submission of all information from the building permit applicant or the landowner, in addition to that otherwise specified herein, necessary to ensure compliance with these requirements, including, if necessary, elevations of the subject property, description of vegetative cover, and the nature of impoundment basins proposed, if any.

3435. In granting a special permit hereunder, the Planning Board may require a performance bond to ensure compliance with the requirements of this Section.

3436. Hillside areas, except naturally occurring ledge or bedrock outcroppings or ledge cuts, shall be retained with vegetative cover or appropriate stabilization.

B. deleting Section 3420 regarding screening and substituting therefor a new Section 3500 related to landscaping for non-residential uses.

3500. GENERAL LANDSCAPING REQUIREMENTS.

3510. Purpose. This Section 3500 is designed to accomplish the following objectives:

3511. To provide a suitable boundary or buffer between residential uses and districts and nearby nonresidential uses;

3512. To define the street edge and provide visual connection between nonresidential uses of different architectural styles;

3513. To separate different and otherwise incompatible land uses from each other in order to partially or completely reduce potential nuisances such as dirt, dust, litter, noise, glare from motor vehicle headlights, intrusion from artificial light (including ambient glare), or view of signs, unsightly buildings or parking lots;

3514. To provide visual relief and a source of shade in parking lots and other areas, and protection from wind in open areas;

3515. To preserve or improve the visual and environmental character of Chelmsford, as generally viewed from residential or publicly accessible locations; and

3516. To offer property owners protection against diminution of property values due to adjacent nonresidential use.

3520. Applicability. The requirements of this section shall apply to any nonresidential use and to multifamily dwellings. The requirements set forth in Section 3500 may be reduced by special permit issued by the Planning Board upon a finding that such reduction will not detract from the objectives of this Section 3500.

3530. Landscaping Requirements for Property Lines.

3531. Property line(s) with residential uses or districts shall be screened from nonresidential uses by means of plantings or maintenance of trees of a species common to the area and appropriate for screening, spaced to minimize visual intrusion, and providing an opaque year-round visual buffer between uses. Such plantings shall be provided and maintained by the owner of the property used for nonresidential purposes. The buffer area may contain walks, sewerage, and wells, but no part of any building structure, or paved space intended for or used as a parking area may be located within the buffer area. Planted buffer areas along property lines with residential districts or uses shall be of the following minimum depth in each district:

DISTRICT	RM	CA	CB	CC	CD	IA	IS	RMH	CX	P	OS
Distance in ft.	20	20	30	50	50	50	50	30	30	30	10

3540. Landscaping Requirements for Parking Areas.

3541. Parking areas with more than 10 spaces shall contain 150 square feet of planted area for every 1000 square feet of pavement related to parking spaces and aisles. Such planted areas shall be appropriately situated within the parking area and contain an appropriate mix of shade trees and other plants.

3542. Parking lots, loading areas, storage areas, refuse storage and disposal areas, and service areas shall be screened from view, to the extent feasible, from all public ways, and from adjacent properties, by the use of planted areas, berms, natural contours, fences or a combination of the above.

3543. Buffer strips between parking lots and rear or side lot lines shall meet the following specifications:

Number of Spaces in Lot	Depth of Buffer Strip
Up to 10	10 feet
11-24	10 feet plus one foot for each space in excess of 10 spaces
25 or more	25 feet

3550. Landscaping Requirements for Street Frontage of Nonresidential Uses. A landscaped buffer area, except for approved access ways, at least twenty feet in width as measured from the layout of the roadway providing frontage, shall be established. The buffer area shall be planted with grass, medium height shrubs, and shade trees. Shade trees shall be planted at least every 35 feet along the road frontage.

3560. Planted Area Requirements. Planted Areas shall contain an appropriate mix of the following types of plants. Plant species shall be appropriate to proposed use, siting, soils, and other environmental conditions. Where the Planning Board determines that the planting of trees is impractical, the permit applicant may substitute shrubbery for trees.

3561. Shrubs and hedges shall be at least 2.5 feet in height at the time of planting, and have a spread of at least 18 inches.

3562. Grass is preferable to mulch where practical.

3563. Existing trees with a caliper of six inches (6") or more shall be preserved wherever feasible.

3564. Deciduous trees shall be at least two (2") inches in caliper as measured six (6") inches above the root ball at time of planting. Deciduous trees shall be expected to reach a height of 20 feet within ten years after planting. Evergreens shall be a minimum of eight (8') feet in height at the time of planting.

3570. Coordination with Site Plan Approval. The Planning Board may require a landscaping plan as part of the overall site plan for the premises. Such landscaping plan shall be at a scale sufficient to determine compliance with the specifications set forth in this Section 3500.

3580. Maintenance of Landscaped Areas. The owner of the property used for nonresidential purposes shall be responsible for the maintenance, repair and replacement of all landscaping materials installed in accordance with this section. All plant materials required by this chapter shall be maintained in a healthy condition. Dead limbs, refuse and debris shall be promptly removed. Dead plantings shall be replaced with new live plantings at the earliest appropriate season. Bark mulch and nonplant ground surface materials shall be maintained so as to control weed growth.

UNDER ARTICLE 26. Dwight Hayward moved that the reading of the article be waived. Motion carried. Susan Carter, Chairman of the Planning Board explained the article. In the future land area will be more valuable then the actual home that is built upon it. If an older home is demolished or a cape is expanded beyond 4,000 square feet of habital space , then a site plan review will be needed. The would allow abutters to address any issues. The Planning Board has been having a lot of two lot subdivisions come before them. Due to the cost of road construction which runs \$250.00 per linea foot, a developer needs two built two homes to pay for the road cost. The Board felt that by allowing the development of a rear lot by way of a special permit, will allow a contractor to cut down on road construction and only one house will be built. Andrew Sheehan explained that a new district had been added to the Aquifer Protection District map.The Moderator asked for the various recommendations. The Finance Committee had no recommendation. The Board of Selectmen recommended the article. Susan Carter said that the Planning Board recommended the article as stated under article 22. The Moderator asked for a vote by way of a show of hands, he declared the motion carried, by recognizing the 2/3's vote by-law.

The article reads as follows:

Robert Morse of the Master Plan By-Law Review Committee moved that the Town vote to amend the Chelmsford Zoning Bylaw by:

A. inserting a new Section 5414 regarding site plan review for certain single family dwellings;

5414. Construction or exterior expansion of a single or two family structure that will result in habitable space of more than 4000 square feet on a lot which held a single or two family structure within the past two years. Construction which does not increase the floor area shall not be subject to the provisions of this section.

B. inserting a new Section 2370 regarding the creation of rear lots;

2370. Rear Lots. Rear lots shall be allowed only in the RA and RB Districts by special permit issued by the Planning Board. Individual lots need not have the required amount of street frontage, provided that all of the following conditions can be met for each individual lot lacking such frontage:

2371. The area of said lot is at least 80,000 square feet.

2372. The front, rear, and side yards shall be at least 40 feet.

2373. A building line is designated on the plan, and the width of the lot at that line equals or exceeds 125 feet.

2374. Lot width is at no point less than 50 feet, and lot frontage is not less than 50 feet. No section of the lot with a width of less than 100 feet shall be used to compute the minimum lot area set forth above.

2375. Not more than one (1) rear lot shall be created from a property, or a set of contiguous properties held in common ownership as of [date of town meeting]. In order to be eligible for a rear lot, such property or set of contiguous properties held in common ownership as of [date of town meeting] shall not have been divided after such date. No further division of said property or properties shall be permitted after the creation of a rear lot. Documentation to this effect shall be submitted to the Building Inspector. The Building Inspector shall not issue a building permit for any rear lot without first establishing that compliance with this provision has been determined by the Planning Board.

2376. At the time of the creation of the rear lot, it shall be held in common and contiguous ownership with the front lot.

2377. There shall be a turnaround at the house site suitable for an SU30 vehicle. There shall be a pullout on the access driveway every 250 feet.

C. amending Section 4230 regarding the aquifer protection district map by deleting reference to the map entitled "Aquifer Protection District Town of Chelmsford, dated October 1997" and substituting therefor a new map entitled "Aquifer Protection District, August 1998". This change would amend the aquifer protection district to include the recharge area for the proposed Chelmsford Water District well located at Barnes Terrace.

Seeing that there was no further business at hand the Moderator declared the meeting over and moved to adjourn. He asked for a show of hands, motion carried, unanimously. The meeting adjourned at 9:40 PM

Dennis E. McHugh, Moderator

Mary E. St.Hilaire, Town Clerk

Warrant for State Election November 3, 1998

COMMONWEALTH OF MASSACHUSETTS
WILLIAM FRANCIS GALVIN SECRETARY OF THE COMMONWEALTH
MIDDLESEX, SS

To the Constable of the Town of Chelmsford

Greetings:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the legal voters of said Chelmsford to meet in their several polling places, VIZ

- Precinct 1 South Row Elementary School Cafetorium
- Precinct 2 Harrington Elementary School Gymnasium
- Precinct 3 Harrington Elementary School Gymnasium
- Precinct 4 Westlands School Cafetorium
- Precinct 5 Byam School Cafetorium
- Precinct 6 Westlands School Cafetorium
- Precinct 7 McCarthy Middle School, Small Gymnasium
- Precinct 8 McCarthy Middle School, Small Gymnasium
- Precinct 9 South Row Elementary School Cafetorium

On Tuesday the 3RD day of November 1998, from 7:00 a.m. until 8:00 p.m. for the following purposes.

To cast their votes in the State Election for the candidates of political parties for the following offices:

GOVERNOR	FOR THE COMMONEALTH
LT. GOVERNOR
ATTORNEY GENERAL
SECRETARY
TREASURER
AUDITOR
REPRESENTATIVE IN CONGRESS	5 th Congressional District
COUNCILLOR	3 rd Councillor District
SENATOR IN GENERAL COURT	5 th Middlesex Senatorial District
REPRESENTATIVE IN GENERAL COURT	16 Middlesex Representative district
DISTRICT ATTORNEY	Northern District
SHERIFF	Middlesex County

QUESTIONS

- #1 Setting Compensation of State Legislators
- #2 Public Campaign Financing
- #3 Tax Rate on Interest and Dividend Income
- #4 electric Utility Industry Restructuring

For complete warrant information see original documents on file in the Town Clerk's Office

State Election November 3, 1998

Governor & Lt. Governor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	47	18	20	13	26	23	23	22	17	209
Cellucci & Swift	831	652	863	756	874	910	978	833	910	7607
Harshbarger & Tolman	531	424	564	507	547	647	567	537	532	4856
Cook & Israel	29	25	21	17	28	21	11	29	34	215
Write-In	0	1	3	0	6	4	2	0	5	21
Misc	4	1	0	0	0	1	0	0	0	6
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Attorney General	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	77	51	68	55	84	63	58	66	65	587
Brad Bailey	542	396	507	483	538	544	619	552	609	4790
Thomas F. Reilly	822	672	896	755	856	997	904	800	823	7525
Write-In	0	2	0	0	3	1	0	1	1	8
Misc	1	0	0	0	0	1	0	2	0	4
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Secretary Of State	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	111	81	113	92	120	116	106	101	108	948
William Francis Galvin*	841	715	918	782	887	997	910	834	858	7742
Dale C. Jenkins, Jr	411	260	371	347	406	410	507	426	465	3603
David L. Atkinson	79	64	69	71	67	82	58	57	66	613
Write-In	0	1	0	0	1	1	0	1	0	4
Misc	0	0	0	1	0	0	0	2	1	4
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Treasurer	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	128	75	131	100	140	125	138	105	121	1063
Bob Maginn	613	417	545	502	612	640	699	609	647	5284
Shannon P. O'brien	649	596	750	652	680	795	707	667	680	6176
Merton B. Baker	52	32	45	38	48	44	36	40	49	384
Write-In	0	1	0	0	1	2	0	0	1	5
Misc	0	0	0	1	0	0	1	0	0	2
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Auditor	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	135	92	131	88	134	129	129	122	117	1077
A. Joseph Denucci*	750	627	808	721	750	879	801	721	753	6810
Michael T. Duffy	461	327	447	385	509	506	579	487	525	4226
Carla A. Howell	94	75	85	97	87	91	71	90	102	792
Write-In	1	0	0	0	1	1	0	0	0	3
Misc	1	0	0	2	0	0	1	1	1	6
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Representative Congress -5th	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	65	37	52	40	42	54	46	53	49	438
Martin T. Meehan*	982	833	1039	909	1066	1148	1097	988	990	9052
David E. Coleman	392	251	380	344	371	402	437	379	456	3412
Write-In	0	0	0	0	2	0	1	0	2	5
Misc	3	0	0	0	0	2	0	1	1	7
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Councillor - 3rd District	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	267	183	289	213	298	282	326	251	267	2376
John Henry Dejong	573	386	481	457	544	576	632	537	588	4774
Marilyn Petitto Devaney	599	551	701	621	635	745	623	631	641	5747
Write-In	2	1	0	0	2	1	0	1	1	8
Misc	1	0	0	2	2	2	0	1	1	9
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914

Senator General Court-5th Mldsx	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	75	52	89	69	67	80	72	65	65	634
Susan C. Fargo*	783	669	846	740	822	926	848	815	799	7248
Thomas F. Healy	583	399	535	483	590	599	661	540	632	5022
Write-In	0	0	1	0	1	1	0	0	0	3
Misc	1	1	0	1	1	0	0	1	2	7
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Representative In										
General Court-16th Mldsx	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	47	24	34	36	45	40	34	34	32	326
Carol C. Cleven*	738	502	713	585	798	808	1007	790	825	6766
William F. Dalton	655	592	722	672	638	752	539	596	638	5804
Write-In	0	3	2	0	0	4	0	0	3	12
Misc	2	0	0	0	0	2	1	1	0	6
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
District Attorney - Northern Dist	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	147	88	147	112	153	146	126	132	140	1191
Martha Coakley	797	710	875	796	855	987	875	840	819	7554
Lee Johnson	497	322	448	383	471	471	580	448	538	4158
Write-In	0	1	1	0	2	2	0	1	0	7
Misc	1	0	0	2	0	0	0	0	1	4
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Sheriff - Middlesex County	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	487	312	410	371	474	463	524	450	512	4003
James V. Dipaola*	935	802	1051	912	994	1122	1047	958	971	8792
Write-In	6	7	6	0	9	11	8	7	9	63
Misc	14	0	4	10	4	10	2	6	6	56
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Question 1	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	116	77	97	77	83	115	79	93	78	815
Yes	895	751	936	795	983	1021	1025	930	953	8289
No	431	293	438	421	415	470	477	398	467	3810
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Question 2	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	110	71	87	75	90	104	100	85	78	800
Yes	816	671	859	729	922	956	898	857	847	7555
No	516	379	525	489	469	546	583	479	573	4559
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Question 3	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	84	75	82	79	86	90	81	70	70	717
Yes	1166	883	1178	985	1220	1296	1344	1191	1245	10508
No	192	163	211	229	175	220	156	160	183	1689
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914
Question 4	Pre 1	Pre 2	Pre 3	Pre 4	Pre 5	Pre 6	Pre 7	Pre 8	Pre 9	Total
Blanks	61	43	63	52	51	55	62	50	40	477
Yes	997	797	1062	888	1068	1164	1140	1011	1012	9139
No	384	281	346	353	362	387	379	360	446	3298
Total	1442	1121	1471	1293	1481	1606	1581	1421	1498	12914

*candidate for re-election

Precinct 2 was adjusted 11/13/98 over seas vote

