

**LYNNFIELD TOWN WARRANT**  
**THE COMMONWEALTH OF MASSACHUSETTS**  
**SPECIAL TOWN MEETING – March 2, 2009**

Essex, ss.

To the Constable of the Town of Lynnfield in the County of Essex, GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet in the Middle School Auditorium, and in the Gymnasium, if necessary, on Thursday, March 5, 2009 at 7:30 p.m. then and there to act on the following articles:

**ARTICLE 1.** To see if the Town will vote to raise and appropriate or transfer from available funds, sums of money to supplement certain accounts in the current 2009 Fiscal Year where balances are below projected expenditures for various reasons, and to reduce certain appropriations in order to balance the FY 09 Budget; or what action it will take thereon.

**Submitted by Board of Selectmen**

**ARTICLE 2.** To see if the Town will vote to amend Section 2.10 of the Zoning By-law entitled 'Housing for the Elderly' by deleting from the eighth line of the first paragraph of said Section the word 'sixty' and replacing it with the words 'fifty-five'." or what action it will take thereon.

**Submitted by Board of Selectmen**

**ARTICLE 3.** To see if the Town will vote to amend the Zoning Bylaws by deleting therefrom Section 4.6 and replacing it with the following:

“4.6 Housing for the Elderly District

“In a Housing for the Elderly District, no building or land shall be used and no buildings shall be erected or converted except for the purpose of providing housing for the elderly, provided that nothing herein shall prevent a municipal recreation use within such District.”

or to take any other action in relation thereto.

**Submitted by Board of Selectmen**

**ARTICLE 4.** To see if the Town will vote to authorize the Board of Selectmen to acquire by eminent domain all or a portion of the real property shown on the Town of Lynnfield Assessors' Maps as Parcel 629 on Map 55, Essex South District Registry of Deeds Book 13162, Page 3, for the purposes of elderly housing, it being the purpose of this article to effect a confirmatory taking of certain land which the Town contends that it owns but as to which a title defect may exist; and further to raise and appropriate or transfer from available funds a sufficient sum of money to carry out the said acquisition; or to take any other action in relation thereto.

**Submitted by Board of Selectmen**

**ARTICLE 5.** To see if the Town will vote to amend the General Bylaws by adding thereto, as Chapter 4, § J thereof, the following, to be entitled "Excessive Noise From Compression Brakes Prohibited":

"Except in the case of an emergency, it is unlawful for the driver of any vehicle to use or operate, or cause to be used or operated, within the Town limits of the Town of Lynnfield, any compression brake, engine brake, dynamic brake or mechanical exhaust device designed to assist in the deceleration or braking of any motor vehicle, if such device or devices result in excessive, loud or otherwise unusual noise. Violation shall be punishable by a fine of \$200."

or to take any other action in relation thereto.

**Submitted by Board of Selectmen**

And you are further directed to serve this warrant, by posting up attested copies thereof, in at least six public places in said Town of Lynnfield, fourteen days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, or before hand as aforesaid.

Given under our hands this 20th day of January in the year of our Lord two thousand and nine.

Arthur J. Bourque III, Chairman

Robert P. MacKendrick, Selectmen

Al Merritt, Selectman

A true copy  
ATTEST: \_\_\_\_\_, Constable