

BOARD OF SELECTMEN  
AGENDA  
Monday, October 5, 2015

Regular Meeting – 6:30 p.m.

Al Merritt Center, 600 Market Street

\*\*\*\*NOTE\*\*\*\*

As a result of changes in the Open Meeting Law, the chair must announce at the outset of every meeting that the meeting is being recorded and transmitted via cable television.

6:30 p.m.	Request for executive session under MGL Section 30A, Sec. 21(A)(3), regarding litigation strategy in re: Lynnfield v. Pascucci
	Pledge of Allegiance
7:00 p.m.	Fire Lt. Cohen commendation
	North Shore Workforce Investment Board Memorandum of Agreement
7:15 p.m.	Public hearing, petition for joint or identical pole locations, Verizon New England Inc. and Reading Municipal Light Department, Parsons Avenue, VZ N.E. Inc. Plan No. 40BU6J dated July 20, 2015
	Change of manager, Kings Bowl of Lynnfield, dba Kings, Christopher Michael Barrows
	Class II motor vehicle dealer license application, Michael DiCorato, 3 Melch Road, wholesale license only
	Appeal of shade tree hearing – Parsons Avenue
	LIFE, Inc. request to increase sale prices at Center Village and Essex Village
	Common victualler license, Sweetgreen New England, 675 Market Street
	Capital Facilities Advisory Committee
	Police Department staffing
	Kinder Morgan pipeline update
	Union Hospital update
	Perley Burrill update
	Camp Curtis Guild cell tower update
	Recommendations on warrant articles
<b>Use of Town facilities:</b>	October 30, common, Lynnfield Recreation, Halloween parade
<b>One-day liquor license:</b>	None
<b>Minutes:</b>	September 9, 2015
<b>Proclamations:</b>	Knights of Columbus Tootsie Roll Drive, Fire Lt. Theodore Cohen
<b>Administrative matters:</b>	Signing of warrants



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## ROCKPORT POLICE DEPARTMENT

*Chief of Police John Horvath*

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168 MAIN STREET, ROCKPORT, MASSACHUSETTS 01966  
Telephone (978) 546-1212 Fax (978) 546-7355  
[chief@pd.rockportma.gov](mailto:chief@pd.rockportma.gov)

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September 21, 2015

Chief Mark W. Tetreault  
Lynnfield Fire Department  
59 Summer Street  
Lynnfield, MA 01940

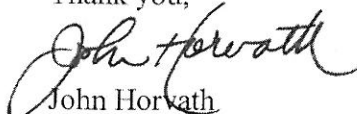
Dear Chief Tetreault:

I am writing to express my appreciation and admiration for a member of your department, Lieutenant Theodore Cohen for his heroic actions on September 5, 2015. At approximately 0905 hours an emergency call came in to the Rockport Police Department Dispatch Center regarding a possible diver in distress off of Pebble Beach in the Town of Rockport. The dispatcher was advised that an off-duty Lieutenant from the Lynnfield Fire Department was on scene and would signal our officer upon their arrival. Rockport PD Sergeant Michael Marino responded to the scene and met with Lieutenant Cohen and the diver in need.

Lieutenant Cohen reported that the diver was approximately 40 yards off shore when he noticed he appeared to be struggling. He swam out and assisted the diver to shore, who had trouble breathing and was shaking. It was determined that his wet suit had a tear in it, which caused the wet suit to fill with water. Lieutenant Cohen's actions in all probability saved the diver's life.

Too often the great work of first responders goes unnoticed. Lieutenant Cohen's actions are deserving of recognition and therefore I want to commend him for his life saving efforts and assistance in ensuring the safety of the Rockport community during this incident.

Thank you,

  
John Horvath  
Chief of Police

cc: Lieutenant Theodore Cohen  
Rockport Board of Selectmen  
Rockport Town Administrator Linda Sanders  
Rockport Fire Department Chief James Doyle

# PROCLAMATION

*WHEREAS: Theodore Cohen serves as a Lieutenant in the Lynnfield Fire Department, and is longtime member of the department as a call firefighter, and*

*WHEREAS: On the date of September 5, 2015, Lt. Cohen was off duty at Pebble Beach in the Town of Rockport when he spotted a diver approximately 40 yards offshore was in distress, and*

*WHEREAS: Lt. Cohen swam out to the diver's position and assisted him to shore, finding that the diver was struggling to breathe due to a tear in his wet suit, which caused it to fill with water, and*

*WHEREAS: The Rockport Chief of Police reported that if it had not been for Lt. Cohen's heroic actions, the diver's life may have been lost.*

*THEREFORE: We, the Board of Selectmen of the Town of Lynnfield do hereby offer our deep gratitude, and convey to him the thanks of the citizens of Lynnfield, for the alertness and bravery exhibited in this incident.*

*Dated this 5th day of October, 2015*

*Philip B. Crawford,  
Chairman*

*Christopher J. Barrett,  
Vice Chairman*

*Thomas D. Terranova, Jr.,  
Clerk*



CITY OF SALEM, MASSACHUSETTS  
Kimberley Driscoll  
Mayor

June 18, 2015

Phillip Crawford, Chair  
Selectmen's Office  
55 Summer Street  
Lynnfield, MA 01940

Dear Mr. Crawford:

As you know, the City of Salem has been the Lead City for the federal Workforce Investment Act (WIA) for the North Shore region since its inception in 1998, managing the funding that supports the One Stop Career Centers, Youth Initiatives, Job Training, Labor Market Research and other workforce development efforts. As the Lead City, the Salem Mayor is the appointing authority to the Workforce Investment Board which is authorized to set policy and oversee the implementation of these programs. Through hard work and many willing partners, such as our municipal leaders, we have been successful in meeting and exceeding the placement and wage goals established by US DOL. Thank you for your help and support throughout this process.

In July of 2014, Congress passed and the President signed into law the new Workforce Innovation and Opportunity Act (WIOA), which modernized workforce development to better respond to our workforce needs as they exist now. WIOA is a great piece of legislation, allowing the WIBs and the municipalities within their regions to partner with business, education, and other organizations so quality programming can continue to have the positive impact that is so needed for a strong and growing economy.

WIOA requires that for funding to initially remain within the local region as designated under WIA, the Lead City for the region must request such designation. The governor, in turn, must approve this request if the region has successfully met its WIA goals for the past two years and has been determined to have fiscal integrity. Fortunately, this is the case on the North Shore, so the City of Salem submitted this request by June 12, as stipulated by the Governor's office. Initial designation will be for two years.

Designation beyond this initial two-year period requires the WIB, the City of Salem, Partner Cities, and others to develop a Regional Plan that ensures full coordination of workforce, education, economic development, and other services that comprehensively addresses the regional needs and ensures appropriate investment of federal dollars. This Plan involves developing industry sector initiatives, coordinating workforce-related issues such as transportation, and developing agreements with the Governor on performance accountability measures. It will be an interesting and, we hope, productive two year period!

As you can tell, WIOA is built on partnerships, and the first partnership is among the 19 cities and towns that represent the North Shore as designated by the Governor. It is important that the elected leaders of our entire region agree to work together to bring the appropriate services to job seekers and companies within their jurisdiction and within the North Shore as a whole.

Enclosed is an agreement, developed in accordance with WIOA, that describes the relationship among the City of Salem, the partner municipalities within the North Shore, and the WIB, which will guide our efforts over the next several years. Please review and let me know if you have any questions. Your signature on this agreement would be greatly appreciated.

Looking forward to hearing your thoughts on this, and on how we can continue to build upon our workforce endeavors well into the future.

Sincerely,

Kim Driscoll  
Mayor, City of Salem

Nancy Huntington Stager  
Chair, North Shore Workforce Investment Board

# Chief Elected Official Memorandum of Agreement for the Workforce Innovation and Opportunity Act

## Introduction

The municipalities within the North Shore Workforce Investment Board region enter into this agreement to form a partnership that will support workforce development efforts under the Federal Workforce Innovation and Opportunity Act and related state and federal workforce-related opportunities.

The goal of this agreement is to ensure that elected leaders of the North Shore are actively engaged in:

1. supporting North Shore job seekers as they find and keep quality jobs in careers of importance to the North Shore economy, and
2. Supporting North Shore businesses as they seek to employ these job seekers in positions that are vital to the successful accomplishment of individual company mission and overall support of the North Shore economy.

Funding to carry out these activities is provided through WIOA and other grants made available to the region through other public and private sources. Services are provided to all job seekers across the region and to all companies located within this region.

By signing below, the elected leaders of the North Shore agree to collaborate and support the work required to build and maintain a strong workforce required for a healthy economy and high quality of life for all residents.

## Parties to this agreement:

1. Mayor of Salem as lead elected official so designated by the Governor of the Commonwealth
2. The Mayors or Lead Elected Officials of the surrounding cities and towns within the North Shore region as designated by the Governor of the Commonwealth
3. The North Shore Workforce Investment Board, charged with carrying out the mandates of WIOA and related laws and programs designed to ensure a strong workforce within the region.

## Roles and Responsibilities

- A. City of Salem as Lead City
  1. accepting responsibility for all WIOA and related workforce funding;
  2. providing fiscal oversight for these funds;
  3. providing technical assistance to WIB staff in the proper expenditure of funding;
  4. appointing members to the WIB in compliance with WIOA, ensuring that the WIB reflects North Shore critical and emerging industries and includes appropriate representation from other workforce partners;
  5. considering and seeking out nominations from the other Cities and Towns in this region for WIB membership;

6. communicating consistently with all North Shore cities and towns on the activities of the WIB;
7. in partnership with the WIB, leading the strategic Regional Planning with all stakeholders to ensure that the workforce needs of the region is met;
8. as determined through this Plan, provide needed supports to the WIB, including employing staff, purchasing good and services, providing insurance as needed, and generally carrying out the responsibilities commensurate with the role of fiscal agent. All costs associated with these services will be provided through grants received on behalf of the WIB.

B. Partner Cities and Town

1. participating in at least annual discussions with the City and WIB staff on WIB programming and services;
2. participating actively in our strategic Regional Planning process;
3. providing nominations to the Lead City for WIB membership;
4. referring companies within their municipal borders to the WIB for assistance on workforce issues as they arise;
5. referring job seekers to the WIB for services;
6. directing municipal staff, including planning, community development, and economic development staff, to utilize WIB services and products;
7. directing public schools within their jurisdiction to participate in WIB services.

C. WIB

1. providing updated labor market information for the WIB region as a whole;
2. providing LMI for individual cities and towns within the region as requested;
3. where possible and of mutual benefit, bringing services to job seekers and companies to the municipalities in access points of convenience;
4. directing and overseeing the strategic Regional Planning for the area;
5. work with municipal officials, including economic development, planning, community development, and education, to develop programs that respond to local and regional need;
6. providing periodic updates on WIB activities and results on the WIB website and in more formal documents as needed and requested.

By signing this agreement, all parties agree to carry out its tenants and to work together for strengthen and sustain the workforce system of the North Shore.

Signatories:

Salem	Mayor Kimberley Driscoll Salem City Hall 93 Washington Street Salem, MA 01970 <a href="mailto:mayor@salem.com">mayor@salem.com</a> 978-619-5600	<hr/> Signature  <hr/> Date
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Partner Municipalities:

City	Mayor Town Manager/Administrator	Signature/Date
Beverly	Michael P. Cahill, Mayor Beverly City Hall 191 Cabot Street Beverly, MA 01915 978-921-6000 x2333 <a href="mailto:mayorcahill@beverlyma.gov">mayorcahill@beverlyma.gov</a>	_____ Signature _____ Date
Danvers	William H. Clark, Jr., Chairman Danvers Board of Selectman 978-774-0550 <a href="mailto:whclarkjr@verizon.net">whclarkjr@verizon.net</a> 163R Hobart Street Danvers, MA 01923	_____ Signature _____ Date
Essex	Lisa O'Donnell, Chair Essex Town Hall 30 Martin Street-2 <sup>nd</sup> Floor Essex, MA 01929 978-890-7100	_____ Signature _____ Date
Gloucester	Mayor Sefatia Romeo Theken Gloucester City Hall 9 Dale Avenue Gloucester, MA 01930 978-281-9700 <a href="mailto:sromeotheken@gloucester-ma.gov">sromeotheken@gloucester-ma.gov</a>	_____ Signature _____ Date
Hamilton	Scott F. Maddern, Chair Selectmen's Office 577 Bay Road Hamilton, MA 01936 <a href="mailto:smaddern@hamiltonma.gov">smaddern@hamiltonma.gov</a> 978-468-5599	_____ Signature _____ Date
Ipswich	William M. Craft, Chair 25 Green Street Ipswich, MA 01938 <a href="mailto:selectmen@ipswich-ma.gov">selectmen@ipswich-ma.gov</a> 978-356-6604	_____ Signature _____ Date
Lynn	Mayor Judith Flannagan Kennedy Lynn City Hall 3 City Hall Square Lynn, MA 01901 <a href="mailto:jkennedy@lynnma.gov">jkennedy@lynnma.gov</a> 781-598-4000	_____ Signature _____ Date
Lynnfield	Phillip Crawford, Chair	

	Selectmen's Office 55 Summer Street Lynnfield, MA 01940 <a href="mailto:PhilCrawfordBOS@gmail.com">PhilCrawfordBOS@gmail.com</a> 781-334-9410	_____ Signature _____ Date
Manchester -By-The-Sea	Thomas P. Kehoe, Chair Town Hall 10 Central Street Manchester, MA 01944 978-526-2000 <a href="mailto:kehoet@manchester.ma.us">kehoet@manchester.ma.us</a>	_____ Signature _____ Date
Marblehead	Jackie Belf-Becker, Chair Abbot Hall 188 Washington Street Marblehead, MA 01945 <a href="mailto:wileyk@marblehead.org">wileyk@marblehead.org</a> 781-631-0000	_____ Signature _____ Date
Middleton	Christine Lindberg, Chair 48 South Main Street Middleton, MA 01949 978-774-3589 978-762-6422 <a href="mailto:clindberg@comcast.net">clindberg@comcast.net</a>	_____ Signature _____ Date
Nahant	Michael P. Manning, Chair Nahant Town Hall 334 Nahant Road Nahant, MA 01908 <a href="mailto:mmanning@nahant.org">mmanning@nahant.org</a> 781-581-0088	_____ Signature _____ Date
Peabody	Mayor Edward Bettencourt, Jr. Peabody City Hall 25 Lowell Street Peabody, MA 01960 <a href="mailto:mayor@peabody-ma.gov">mayor@peabody-ma.gov</a> 978-538-5700	_____ Signature _____ Date
Rockport	Erin Battistelli, Chair Town Office Building 34 Broadway Rockport, MA 01966 <a href="mailto:selectmen@rockportma.gov">selectmen@rockportma.gov</a> 978-546-6786	_____ Signature _____ Date
Saugus	Debra Panetta, Chairman 298 Central St Ste 4 Saugus, MA 01906 <a href="mailto:Artistakita@comcast.net">Artistakita@comcast.net</a> 781-231-4124	_____ Signature _____ Date



Swampscott	Naomi R. Dreeben, Chairman Swampscott Town Hall 22 Monument Avenue Swampscott, MA 01907 <a href="mailto:ndreeben@town.swampscott.ma.us">ndreeben@town.swampscott.ma.us</a> 781-596-8850	_____ Signature  _____ Date
Topsfield	Laura Powers, Chairman Selectmen's Office Topsfield Town Hall 8 West Common Street Topsfield, MA 01983 978-887-1500 <a href="mailto:selectmen@topsfield-ma.gov">selectmen@topsfield-ma.gov</a>	_____ Signature  _____ Date
Wenham	Catherine Harrison, Chairman Wenham Town Hall 138 Main Street Wenham, MA 01984 <a href="mailto:charrison@wenhamma.gov">charrison@wenhamma.gov</a> 978-468-8014	_____ Signature  _____ Date

North Shore Workforce Investment Board

Nancy Huntington Stager

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

# ***MEMORANDUM***

## ***OFFICE OF TOWN ADMINISTRATOR***

DATE: August 24, 2015

TO: Public Works Director Andrew Lafferty  
Wiring Inspector David Sardella  
Town Engineer Charles Richter

FROM: Bob Curtin, Assistant to Administration

RE: Petition for pole location

The Board of Selectmen has received the attached petition from Verizon New England and Reading Municipal Light Department to relocate two utility poles on Parsons Avenue. A public hearing on the matter has been set for Monday, October 5 at 7:15 p.m.

Please advise the Board of any objections or recommendations you may have.

**PUBLIC NOTICE OF HEARING  
PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

The Board of Selectmen of the Town of Lynnfield will hold a public hearing at 7:15 p.m. on Monday, October 5, 2015, in the Selectmen's Hearing Room, Town Hall, 55 Summer Street, on the following petition:

In accordance with Chapter 166, Section 22 of the General Laws of Massachusetts, and upon petition from the Verizon New England, Inc. and Reading Municipal Light Department request permission to locate poles, wires, cables and fixtures, including the necessary anchors, guys and other sustaining and protective fixtures to be owned and used in common upon, along, under and across the following public way or ways:

**PARSONS AVENUE**

Relocate one JO pole on the northwesterly side of Parsons Avenue to a point approximately 60 feet northwesterly from its current location.

Relocate one JO pole on the southeasterly side of Parsons Avenue to a point approximately 38 feet easterly from its current location.

The pole relocations are necessary in order to accommodate the extension of Parsons Avenue.

The petitioners also request that they be granted joint or identical locations for and permission to erect and maintain poles, wires, cables and fixtures, including the necessary anchors, guys and other sustaining and protective fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed with the Board of Selectmen and marked VZ N.E. Plan No. 4AOBU6J dated July 20, 2015.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and building as each of said petitioners may desire for distributing purposes.

James M. Boudreau  
Town Administrator



Penny Kane  
Right of Way

125 Lundquist Drive  
Braintree, MA 02184

Phone 781-849-6320  
Fax 781-380-8854  
penny.l.kane@verizon.com

July 24, 2015

Board of Selectmen  
Selectmen's Office  
55 Summer Street  
Lynnfield, MA 01940

**RE: Petition for Verizon job #4A0BU6J  
Parsons Avenue, Lynnfield, MA**

Dear Honorable Board of Selectmen:

Enclosed please find a petition on behalf of Verizon New England Inc. and Reading Light Municipal Department to relocate two Poles (P.7 and P.8) on Parsons Avenue as shown on the attached sketch.

The pole relocations are necessary to accommodate the extension of Parsons Avenue.

A Public hearing and notice to abutters is required. A Verizon representative will attend the Public hearing. Should any questions or comments arise concerning this matter prior to the hearing, please contact me at (781) 849-6320. Your Assistance is greatly appreciated.

Sincerely,

Penny Kane  
Right of Way Specialist

Enc

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

July 20, 2015

To the Board of Selectmen

in LYNNFIELD, Massachusetts

VERIZON NEW ENGLAND INC. and READING LIGHT MUNICIPAL DEPARTMENT request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

**Parsons Avenue:**

**Relocate two (2) JO poles, P.7 and P.8 -**

**Relocate one JO Pole, P.7., on the northwesterly side of Parsons Avenue to a point approximately 60' southwesterly from its current location as shown on the attached sketch**

**Relocate one JO Pole P.8., to the southeasterly side of Parsons Avenue at a point across the street and approximately 38' easterly from its current location as shown on the attached sketch**

**The pole relocations are necessary in order to accommodate the extension of Parsons Avenue.**

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. Plan No. 4A0BU6J Dated July 20, 2015.

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree that space shall be reserved and maintained for the limited purpose of attaching one-way low voltage fire and police signaling wires owned by the municipality or governmental entity for public safety purposes only.

VERIZON NEW ENGLAND INC.

By Penny Kane  
Manager - Rights of Way

Dated this 27 day of July, 2015.

READING LIGHT MUNICIPAL DEPARTMENT

By [Signature]  
Manager - Rights of Way

Dated this 15 day of August, 2015.

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**

By the Board of selectmen of the Town of LYNNFIELD, Massachusetts.

Notice having been given and a public hearing held, as provided by law,  
IT IS HEREBY ORDERED:

that VERIZON NEW ENGLAND INC. and READING LIGHT MUNICIAPL DEPARTMENT be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in public way or ways hereinafter referred to, as requested in petition of said Companies dated the 20<sup>th</sup> day of July, 2015

**Parsons Avenue:**

**Relocate two (2) JO poles, P.7 and P.8 -**

**Relocate one JO Pole, P.7., on the northwesterly side of Parsons Avenue to a point approximately 60' southwesterly from its current location as shown on the attached sketch**

**Relocate one JO Pole P.8., to the southeasterly side of Parsons Avenue at a point across the street and approximately 38' easterly from its current location as shown on the attached sketch**

**The pole relocations are necessary in order to accommodate the extension of Parsons Avenue.**

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight and shall be set substantially at the points indicated upon the plan marked-VZ N. E. Inc. No. **4A0BU6J** in a package Dated **July 20, 2015** - filed with said petition.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles, which may be erected thereon under this order:

Parsons Avenue  
2 JO poles to be relocated

Also that permission be and hereby is granted to each of said Companies to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen for the Town of LYNNFIELD, Massachusetts held on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Town Clerk

We hereby certify that on \_\_\_\_\_ 2015, at \_\_\_\_\_ o'clock \_\_\_\_\_ m., at the \_\_\_\_\_ a public hearing was held on the petition of the VERIZON NEW ENGLAND INC. and READING LIGHT MUNICIPAL DEPARTMENT for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board of Selectmen of the Town of LYNNFIELD, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Board of Selectmen for the Town of LYNNFIELD, Massachusetts, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, and recorded with the records of location orders of said Town, Book \_\_\_\_\_, Page \_\_\_\_\_. this certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
Town Clerk

**ABUTTERS LIST**

PARCEL ID: 0029 0000 0969  
50 Parsons Avenue

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PARCEL ID: 0029 0000 0998  
56 Parsons Avenue

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PARCEL ID: 0029 0000 1617  
71 Parsons Avenue

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PARCEL ID: 0029 0000 0959  
51 Parsons Avenue

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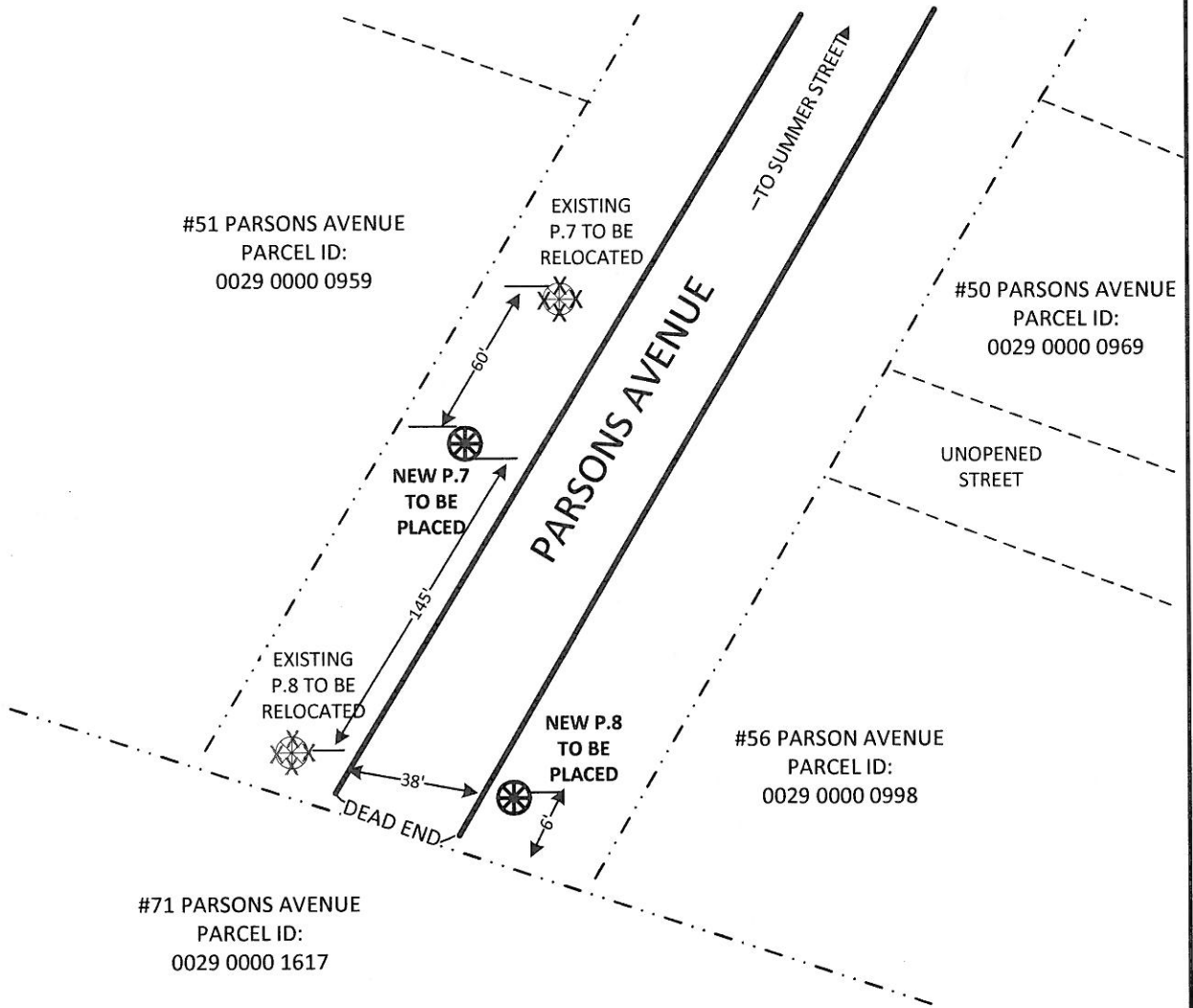


# PETITION PLAN

MUNICIPALITY LYNNFIELD VZ N.E. Inc. No. 4A0BU6J

VERIZON NEW ENGLAND INC. AND READING MUNICIPAL LIGHT DEPARTMENT DATE : JULY 20, 2015

SHOWING PROPOSED RELOCATION TWO POLES ON PARSONS AVENUE



**NOT TO SCALE**

2 JO POLES  
TO BE RELOCATED

## LEGEND



EXISTING JOINTLY OWNED POLE  
TO BE REMOVED



PROPOSED NEW JOINTLY OWNED POLE  
TO BE INSTALLED



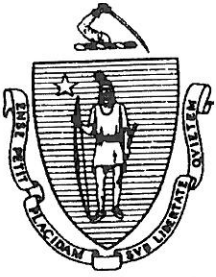
EDGE OF PAVEMENT



EDGE OF ROADWAY



PROPERTY LINE



The Commonwealth of Massachusetts  
 Alcoholic Beverages Control Commission  
 239 Causeway Street  
 Boston, MA 02114  
 www.mass.gov/abcc

For Reconsideration

**FORM 43**  
**MUST BE SIGNED BY LOCAL LICENSING AUTHORITY**

064000033

ABCC License Number

LYNNFIELD

City/Town

OCTOBER 5, 2015

Local Approval Date

**TRANSACTION TYPE (Please check all relevant transactions):**

- |   |  |   |   |
|---|--|---|---|
| <input type="checkbox"/> New License                  | <input type="checkbox"/> New Officer/Director            | <input type="checkbox"/> Pledge of License          | <input type="checkbox"/> Change Corporate Name      |
| <input type="checkbox"/> Transfer of License          | <input type="checkbox"/> Change of Location              | <input type="checkbox"/> Pledge of Stock            | <input type="checkbox"/> Seasonal to Annual         |
| <input checked="" type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Transfer of Stock          | <input type="checkbox"/> Change of License Type     |
| <input type="checkbox"/> Cordials/Liqueurs Permit     | <input type="checkbox"/> Issuance of Stock               | <input type="checkbox"/> New Stockholder            | <input type="checkbox"/> Other <input type="text"/> |
| <input type="checkbox"/> 6-Day to 7-Day License       | <input type="checkbox"/> Management/Operating Agreement  | <input type="checkbox"/> Wine & Malt to All Alcohol |   |

Name of Licensee

EIN of Licensee

D/B/A

Manager

ADDRESS:

CITY/TOWN:

STATE

ZIP CODE

Annual or Seasonal

Category: (All Alcohol; Wine & Malt; Wine, Malt & Cordials; Wine; Malt)

Type: (Restaurant, Club, Package Store, General On Premises, Etc.)

Granted under Special Legislation? Yes  No   
If Yes, Chapter  Year

Complete Description of Licensed Premises:

20,905 sf RESTAURANT AND BOWLING ALLEY WITH 192 INSIDE SEATS AND 26 PAITO. 16 BOLWING LANES. 4 POINTS OF EGREES. FACILITY INCLUDES A TAP WALL WHICH ALLOWS PATRONS TO POUR THEIR OWN BEER UNDER SUPERVISION OF STAFF.

Application Filed:   
Date & Time

Advertised:   
Date & Attach Publication

Abutters Notified: Yes  No

Licensee Contact Person for Transaction

Phone:

ADDRESS:

CITY/TOWN:

STATE

ZIP CODE

Remarks:

The Local Licensing Authorities By:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Alcoholic Beverages Control Commission  
 Ralph Sacramone  
 Executive Director

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ABCC Remarks:

September 21, 2015

**BY HAND DELIVERY**

Mr. James M. Boudreau  
Town Administrator  
Town of Lynnfield  
55 Summer Street  
Lynnfield, MA 01940

Re: Kings Bowl of Lynnfield d/b/a Kings - Liquor License; Change of Manager Application  
427 Walnut Street/Building 500 (Market Street at Lynnfield)

Dear Mr. Boudreau:

Please be advised that this office and the undersigned represent King's Bowl of Lynnfield d/b/a Kings ("Applicant") with respect to the full-service restaurant located at 427 Walnut Street/Building 500 ("Premises"). Pursuant to the enclosed material, the Applicant is petitioning the Board of Selectmen to change the manager of the Premises to Christopher Michael Barrows. Mr. Barrows has obtained the necessary server training in compliance with the Town of Lynnfield Rules and Regulations.

Enclosed, please find an original plus seven (7) copies of the following materials for your review and consideration:

1. Retail Alcoholic Beverages License Application Monetary Transmittal Form
2. Petition for Change of License for Change of Manager
3. Managers Certificate authorizing the Change of Manager
4. Personal Information Form for Christopher Barrows
5. Manager's Application Form for Christopher Barrows
6. Executed State CORI Request Form including a copy of Passport and Driver's License
7. Alcohol Intervention Methods Certificate for Christopher Barrows


September 21, 2015

Page 2

8. A check in the amount of \$200.00 made payable to the Commonwealth of Massachusetts for the respective application.

We respectfully request that this matter be placed on your October 5, 2015 agenda for consideration by the Board of Selectmen. In the interim, if you require any additional information, please feel free to contact me.

Very truly yours,



Mark T. Vaughan

MTV/egs/sm  
Enclosure  
33201/1

1886775.1

**BOARD OF SELECTMEN  
TOWN OF LYNNFIELD**

55 Summer Street, Lynnfield MA 01940  
Telephone 781-334-9410 Fax 781-334-9419

**CLASS II AUTO LICENSE  
USED CAR DEALER'S LICENSE APPLICATION**

**To buy and sell Second-Hand Motor Vehicles**

**FEE - \$150 - PAYABLE TO TOWN OF LYNNFIELD - Expires on January 1**

Date 9/9/15

To the Licensing Authorities:

The undersigned hereby applies for a License in accordance with the provisions of the Statutes relating thereto:

Michael J DiCorato  
FULL NAME OF PERSON, FIRM OR CORPORATION

3 Melch Road LYNNFIELD MA 01940  
ADDRESS

781 334 2797 / 978 857 6811  
TELEPHONE NUMBER

Premises description as follows:

JUST FOR OFFICE PURPOSES, NO VEHICLES STORED

CLASS II LICENSE IN THE TOWN OF LYNNFIELD IN ACCORDANCE WITH THE  
RULES AND REGULATIONS MADE UNDER AUTHORITY OF SAID STATUTES.

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state and local taxes required under law.

[Signature]  
\*Signature of Individual or Corporate Name By Corporate Officer

(Mandatory)

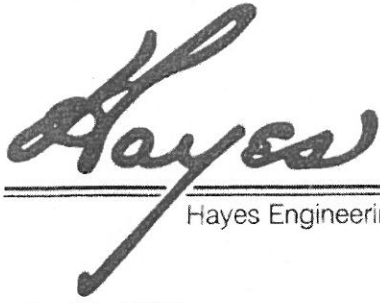
(Mandatory, if applicable)

025527898  
\*\* Social Security # (Voluntary) or Federal Identification Number

\* This license will not be issued unless this certification clause is signed by the applicant

\*\* Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. c626Cs 49A.

[Signature]  
Signature of Applicant



Hayes Engineering, Inc.

603 Salem Street  
Wakefield, MA 01880  
Tel: (781) 246-2800  
Fax: (781) 246-7596

Nantucket, MA 02554  
Tel: (508) 228-7909

LYF-1008

Refer to File # \_\_\_\_\_

April 1, 2015

Andrew Lafferty  
Department of Public Works  
55 Summer Street  
Lynnfield, MA 01940

RE: Public Shade Trees  
Parsons Avenue / Rombult

Dear Mr. Lafferty,

Enclosed, please find a plan showing trees we wish to remove on Parsons Avenue to construct Parsons Avenue Extension. The five (5) trees we are requesting to remove are public shade trees, and we are asking you to schedule a hearing for the removal of those trees at the earliest possible convenience.

Very truly yours,

A handwritten signature in cursive script that reads "William R. Bergeron P.E.".

William R. Bergeron, P.E.  
Project Engineer

WRB/dab  
Enclosure  
cc: Peter Rombult

EXISTING 1987 MAINE CONFORMANCE MAP OF THE ACCESS OF DEEDS BY PLANNING AND P.L.M.

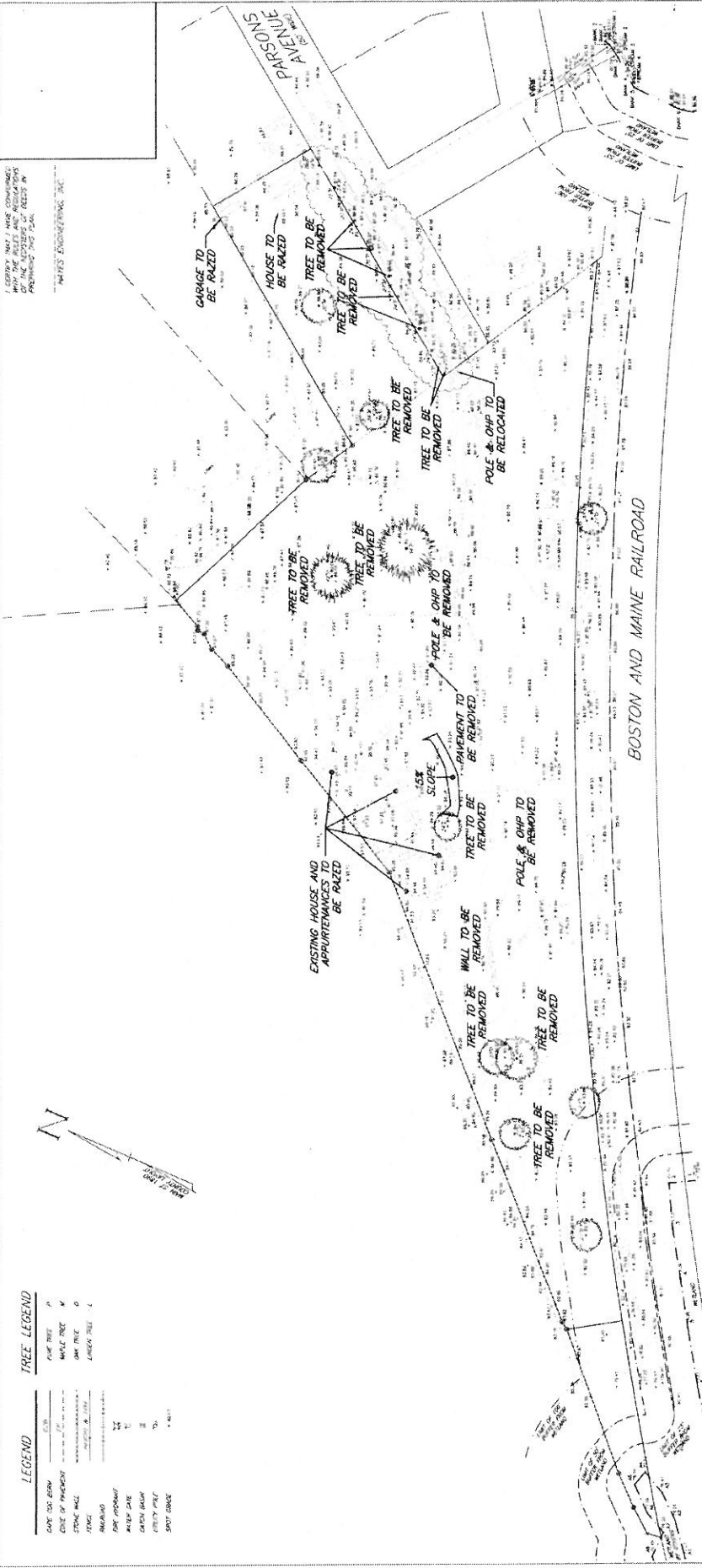
MAINTENANCE ENGINEERING, INC.

**LEGEND**

- CONCRETE CURB
- CONCRETE DRIVE
- STONE WALL
- SEWER
- WATER MAIN
- UTILITY WIRE
- SPOT GRADE

**TREE LEGEND**

- DOG FUR TREE
- MAPLE TREE
- OAK TREE
- LAUREL TREE



*Hayes*

0' 12' 24' 36' 48' 60' 72' 84' 96' 108' 120'

**EXISTING CONDITIONS & DEMOLITION PLAN**  
**PARSONS AVE. EXT.**  
**LYNNFIELD, MASS.**

Client/Owner: AMERICAN MAINE STATE COLLEGE & STATE COLLEGE  
 21 Parsons Ave. Ext., Lynnfield, MA 02151  
 31 Park Ave., Lynnfield, MA 02151  
 www.hayesinc.com

Engine: James E. Hayes, Inc.  
 433 Lynnfield Road  
 Lynnfield, MA 02151  
 www.hayesinc.com

Scale: 1"=40'

Revision: 11/11/11  
 From Plan: 11/11/11  
 Drawing Date: 11/11/11  
 Project Name: Parsons Ave. Ext.  
 Project No.: 11/11/11

Sheet: 1 OF 1  
 Sheet 2 OF 6

CLIENT'S CONCERN REGARDING THE SETBACK OF THE EXISTING GARAGE AND HOUSE TO BE RAIZED BY A NEIGHBORHOOD PROPERTY OWNER (LAWYER'S OFFICE)

1. THE PROPERTY OWNER HAS A CLAIM OF THE TOWN OF LYNNFIELD AS TO THE PARSONS AVENUE EXT. WITH RECORDS AND RECORDS AT THE DEEDS AND AS ABOVE WILL BE RECEIVED DURING THE TRAILER AND WILL BE SET ASSET AND RECORDING TO THE TOWN.

TOWN CLERK

PROJECT NOTES:

1. ALL EXISTING STRUCTURES ARE TO BE DEMOLISHED TO THE NEIGHBORHOOD PROPERTY OWNER'S CLAIM OF 1986.
2. THE PROPERTY OWNER HAS A CLAIM OF THE TOWN OF LYNNFIELD AS TO THE PARSONS AVENUE EXT. WITH RECORDS AND RECORDS AT THE DEEDS AND AS ABOVE WILL BE RECEIVED DURING THE TRAILER AND WILL BE SET ASSET AND RECORDING TO THE TOWN.
3. THE MAP NUMBER IS 11/11/11 AND THE MAP IS ON 10 AS SHOWN ON THE ORIGINAL ANNOTATION.
4. THE MAP NUMBER IS 11/11/11 AND THE MAP IS ON 10 AS SHOWN ON THE ORIGINAL ANNOTATION.
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7. THE MAP NUMBER IS 11/11/11 AND THE MAP IS ON 10 AS SHOWN ON THE ORIGINAL ANNOTATION.
8. THE MAP NUMBER IS 11/11/11 AND THE MAP IS ON 10 AS SHOWN ON THE ORIGINAL ANNOTATION.

TOWN OF LYNNFIELD  
**NOTICE OF A PUBLIC HEARING**

Removal of Public Shade Trees

In accordance with Massachusetts General Laws, Chapter 87, Public Shade Tree Law, Section 3, the Town of Lynnfield Tree Warden will hold a **Public Hearing on Wednesday, September 9, 2015 at 5:00PM at the Lynnfield Town Hall, 55 Summer Street, Lynnfield, MA** to consider the removal of the following (7) public shade trees located on Parsons Avenue, Lynnfield, MA. upon the request of Peter J. Ogren, Hayes Engineering of 603 Salem Street, Wakefield, MA.

1. 25" DBH
2. 34" DBH
3. 22" DBH
4. 26" DBH
5. 24.5" DBH
6. 12" DBH
7. 20" DBH

The trees identified above have been posted for public inspection. Any objections to their removal **must be submitted in writing** to Director of Public Works/Tree Warden, 55 Summer Street Lynnfield, MA 01940, prior to or during the public hearing.

The mailing address for the Tree Warden is Department of Public Works, 55 Summer Street, Lynnfield, MA. 01940.

*Director of Public Works  
Town of Lynnfield, MA*



Lynnfield Villager, Wednesday, August 26, 2015

----- they should check to

TOWN OF LYNNFIELD



**NOTICE OF A PUBLIC HEARING**

**Removal of Public Shade Trees**

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- |            |              |
|------------|--------------|
| 1. 25" DBH | 5. 24.5" DBH |
| 2. 34" DBH | 6. 12" DBH   |
| 3. 22" DBH | 7. 20" DBH   |
| 4. 26" DBH |              |

The trees identified above have been posted for public inspection. Any objections to their removal **must be submitted in writing** to Director of Public Works/Tree Warden, 55 Summer Street Lynnfield, MA 01940, prior to or during the public hearing.

The mailing address for the Tree Warden is Department of Public Works, 55 Summer Street, Lynnfield, MA. 01940.

Director of Public Works      8-26-15,  
Town of Lynnfield, MA      9-2-15 LV

Denise Young  
81 Perry Avenue  
Lynnfield, MA 01940

September 8, 2015

Andrew Lafferty, Director of Public Works  
Lynnfield Town Hall  
55 Summer Street  
Lynnfield, MA 01940

Dear Mr. Lafferty,

I recently read in the Lynnfield Village that you are holding a public hearing on September 9th at 5pm regarding the removal of numerous public shade trees at the Parsons Street subdivision. My work schedule prohibits my attendance at this meeting, however, please accept this letter voicing my objection to the removal of these public shade trees that are flagged on the site. These appear to be old healthy trees that provide shade and beauty to the neighborhood. It appears that the access to the subdivision is sufficient and should not warrant the removal of these valuable trees.

As tree warden of Lynnfield, I hope you protect these trees and response favorably to this request.

Respectfully,

Denise Young



**TREE HEARING**  
**NOTICE OF FINAL DECISION FOR**  
**PARSONS AVE**

A public hearing was held on September 9, 2015 at 5:00 pm at the Town Hall for the removal of (7) public shade trees located on Parsons Ave as indicated by the Parsons Ave subdivision project plans and submitted by Hayes Engineering and Symes Development.

The following were in attendance:

Andrew Lafferty, DPW Director/Tree Warden  
Eric Lang, Hayes Engineering  
Jeff Rhuda, Symes Development  
Jane Bandini, Tree Committee Member  
Carol Kilroy, Resident of 9 Parsons Ave  
Bob Breslin, Resident of 56 Parsons Ave

Legal Notice was posted in accordance with MGL C87 Sec 3 to include 2 postings in the local newspaper and posted in the Town Hall and the DPW.

(7) Seven trees were identified for removal as indicated:

25" DBH Maple	34" DBH Pine	22" DBH Pine	26" DBH Maple
24.5" DBH Maple	12" DBH Pine	20" DBH Pine	

The trees in question were noted to be mature pines and maples of relatively acceptable health although unmaintained with poor pruning cuts and previous breaks.

There were (3) three written objections received prior to hearing from the following:

Denise Young 81 Perry Ave  
Don Gentile 8 Debston Lane  
Melanie Lovell 68 Bourque Rd

The property owner/developer requested permission to remove these trees in order to construct a driveway, realign the road, and build a dwelling with septic and drainage.

Mr. Rhuda and Mr. Lang described the need for removal was to allow access to the site and indicated the significant excavating and filling in the area under the tree canopies. This is required to construct the drainage system. Mr. Lafferty agreed that the work for the project will be a significant negative impact to the tree root system and the long term health of the trees. Mr. Lafferty expressed concern about the trees roots being damaged and the Town then being responsible in the future to deal with some very large trees that would need to be removed at the Towns expense. Ms. Bandini indicated that trees could survive through the construction if appropriate measures were taken. Ms. Kilroy appeared to be in favor of removing excessively large trees due to the hazard they could pose, but it is noted that an opinion was not stated outright. Mr. Breslin indicated that he would be favorable to the area being cleaned up and appeared satisfied with the additional tree plantings that would be part of the new construction. Mr. Lafferty asked what mitigation measures Symes/Hayes would consider, including providing additional trees for the Town, wither on Parsons Ave or elsewhere, as determined by the Town. Mr Rhuda indicated that would be an option they would consider.

**DECISION:**

Due to the fact that (3) three written objections were received, in accordance with MGL CH 87 Sec 4, *“Tree wardens shall not...grant a permit for the cutting down or removal of a public shade tree...unless such cutting or removal or permit to cut or remove is approved by the selectman...”* This request will be scheduled for the next Board of Selectman meeting on October 5 2015 to be held at the Al Merritt Center located at Market Street.

**1. TREE WARDEN RECOMENDATIION:**

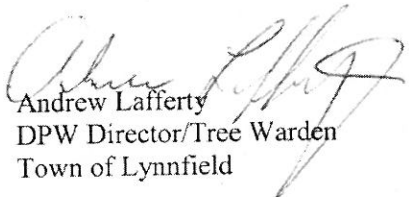
Due to the nature of the work under the tree canopy and within the tree root system, It is my concern that these trees will be stressed and damaged to a point that sometime in the future these trees would become a hazard tree, at which point it would be the Town’s responsibility to address and possibly remove at the Town expense.

It is also my opinion these trees are not good examples of street trees due to their size, location, species and potential negative impact to the infrastructure, utilizes, property and life.

It is the recommendation of the Tree Warden that the approval to remove the (7) seven indicated trees be granted. The requestor shall be responsible for all costs associated with cutting, removal; including stump removal.

It is also the recommendation of the Tree Warden to have the requestor, Symes Development, provide the Town (7) seven additional trees, including installation, not including trees proposed as part of the project. These trees are to be planted on Parsons Ave if possible or anywhere within the Town, as determined by the Tree Warden with input from the Tree Committee.

24-hour notification, prior to removal of the public shade trees, shall be given to the Tree Warden via the DPW. This is the final decision of the Tree Warden of the Town of Lynnfield and shall be posted on the Town Hall bulletin board, sent to persons present at the Public Hearing.

  
Andrew Lafferty  
DPW Director/Tree Warden  
Town of Lynnfield

**PART I** ADMINISTRATION OF THE GOVERNMENT**TITLE XIV** PUBLIC WAYS AND WORKS**CHAPTER 87** SHADE TREES**Section 4** Cutting down or removing public shade trees; approval of selectmen or mayor

Section 4. Tree wardens shall not cut down or remove or grant a permit for the cutting down or removal of a public shade tree if, at or before a public hearing as provided in the preceding section, objection in writing is made by one or more persons, unless such cutting or removal or permit to cut or remove is approved by the selectmen or by the mayor.

**L.I.F.E. Incorporated**  
101 Essex Village  
Lynnfield, MA 01940-1269  
LIFE.Inc@Verizon.Net  
Telephone & FAX +1.781.334.6066

Center Village

Colonial Village

Essex Village

September 21, 2015

Lynnfield Board of Selectmen  
Town Hall  
55 Summer Street  
Lynnfield, MA 01940-1861

Dear Mr. Chairman,

The Board of Directors of Lynnfield Initiative for Elders Inc. voted unanimously at their meeting of September 19, 2015 to adjust the prices for units at Center and Essex Village. You may recall that the last time this was done was April of 2012.

The Board of Directors proposes the following changes in purchase price:

- Center Village 2 bedroom from \$184,000.00 to \$199,000.00.
- Center Village 1 bedroom from \$150,000.00 to \$159,000.00.
- Essex Village Units from \$229,000.00 to \$259,000.00.

We await your approval and will be happy to attend the meeting when you consider this request.

Very truly yours,

H. Joseph Maney, President

L.I.F.E. Inc.

101 Essex Village

Lynnfield, MA 01940

*Lynnfield Initiatives for Elders, Inc.*

TOWN OF LYNNFIELD  
Attn: Selectmen's Office  
55 Summer Street  
Lynnfield, MA 01940  
Phone 781-334-9412 -- fax #781-334-9419

**APPLICATION FOR COMMON VICTUALLER**

**Fee: \$50.00**

*Return this form along with the Workers' Compensation Insurance Affidavit and applicable fee. Checks are to be made payable to the Town of Lynnfield.*

Sweetgreen Boston, LLC 703-473-9303  
Name of Business Business Telephone #

675 Market Street, Lynnfield, MA 01940  
Address of Business  
1728 14<sup>th</sup> Street, NW Washington DC 20009  
Business Mailing Address if different from above

Jason Hopkins, AREA LEADER 323-868-7790  
Name & Title of Applicant Telephone #

659 Boylston Street, Boston, MA 02116  
Address of Applicant

**Description of Business/Operation:**

Sweetgreen is a fast-casual eating  
establishment focused on local and sustainable  
sourcing by offering salads, grain bowls, and  
house made beverages.

**I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.**

Sweetgreen Boston, LLC  
\*Signature of Individual or Corporate Name (Mandatory)

Karen Kelley  
By: Corporate Officer (Mandatory, if applicable)

\*\*Social Security # or Federal Identification Number

**\*This license will not be issued unless the applicant signs this certification clause.**

**\*\*Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. c.62C s.49A.**



**CORNERSTONE**  
DESIGN/BUILD SERVICES, INC.

September 30, 2015

Mr. Bob Curtin  
Assistant to Administration  
Town of Lynnfield  
Selectmen's Office  
55 Summer Street  
Lynnfield, MA 01940

RE: Sweetgreen Lynnfield  
Common Victualler License

Bob –

As per our conversation, as the General Contractor for above referenced Sweetgreen location, we are assisting Jason Hopkins, the Sweetgreen/ New England GM with the required paperwork for the Common Victualler License. The application for CV license, Workers Comp Affidavit, Certificate of Insurance, and \$50 check for application fee is attached.

Please note, Jason Hopkins/Sweetgreen, will attend the hearing on 10/6/15 at 7:00 pm at the Al Merritt Center, 2<sup>nd</sup> Floor at 675 Market Street in Lynnfield.

Thank you for your help.

Mann Braga  
Construction Support Services



TOWN OF LYNNFIELD  
Attn: Selectmen's Office  
55 Summer Street  
Lynnfield, MA 01940  
Phone 781-334-9412 -- fax #781-334-9419

**APPLICATION FOR COMMON VICTUALLER**

**Fee: \$50.00**

*Return this form along with the Workers' Compensation Insurance Affidavit and applicable fee. Checks are to be made payable to the Town of Lynnfield.*

Sweetgreen Boston, LLC 703-473-9303  
Name of Business Business Telephone #

675 Market Street, Lynnfield, MA 01940  
Address of Business  
1728 14<sup>th</sup> Street, NW Washington, DC 20009  
Business Mailing Address if different from above

Jason Hopkins, AREA LEADER 323-868-7790  
Name & Title of Applicant Telephone #

659 Boylston Street, Boston, MA 02116  
Address of Applicant

**Description of Business/Operation:**

Sweetgreen is a fast-casual eating  
establishment focused on local and sustainable  
sourcing by offering salads, grain bowls, and  
house made beverages.

**I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required under law.**

Sweetgreen Boston, LLC  
\*Signature of Individual or Corporate Name (Mandatory)

Karen Kelley  
By: Corporate Officer (Mandatory, if applicable)

80-0827770  
\*\*Social Security # or Federal Identification Number

**\*This license will not be issued unless the applicant signs this certification clause.**

**\*\*Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Licensees who fail to correct their non-filing or delinquency will be subject to license suspension or revocation. This request is made under the authority of Mass. G.L. c.62C s.49A.**

**LYNNFIELD TOWN WARRANT**  
**THE COMMONWEALTH OF MASSACHUSETTS**  
**TOWN MEETING – OCTOBER 19, 2015**

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 Cafeteria and Gymnasium, if necessary, on Monday, October 19, 2015 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 appropriate by transfer from available funds, sums of money to pay overdue bills of a prior fiscal year; or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 2.** 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 2016 Fiscal Year for various purposes; or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 3.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be deposited into the Other Post Employment Benefits Liability Trust Fund; or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 4.** To see if the Town will vote to petition the Legislature for the purpose of amending the Town Charter to enact the following:

*An Act amending the Charter of the Town of Lynnfield*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Town Charter of the Town of Lynnfield, which is on file with the archivist of the Commonwealth, as provided in section 12 of chapter 43B of the General Laws, is hereby amended by deleting the first sentence of section 3-1-1 and inserting in its place thereof the following sentence:

A Board of Selectmen of five members shall be elected for three-year overlapping terms.

SECTION 2. At the annual election of the Town of Lynnfield occurring in 2016, three selectmen shall be elected as follows: two for a three-year term and one for a two-year term. Thereafter, upon the expiration of the term of a selectman, his successor shall be elected for a term of three years.

SECTION 3. This act shall take effect upon its passage.

provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general objectives of this petition, or what action it shall take thereon.

**Submitted by PETITION**

**ARTICLE 5.** To see if the Town will vote to authorize the establishment of a Revolving Fund, pursuant to Massachusetts General Laws Chapter 44, Section 53 E-1/2, to be spent by the Department of Public Works, limited to a certain amount, without further appropriation during Fiscal Year 2016, to pay expenses related to maintenance and upkeep of athletics fields for the fiscal year commencing July 1, 2015; said fund to be credited with all field maintenance fees and charges received during FY 2016 for field use, or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 6.** To see if the Town will establish a Recreation Capital Trust Stabilization fund pursuant to Massachusetts General Laws Chapter 40, §5B for large and/or long-term capital projects, improvements and turf replacement to the town's synthetic turf fields; or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 7.** To see if the Town will vote to appropriate from free cash a sum of money to pay certain outstanding medical bills, and to empower the Town Administrator to pay any and all other bills associated with the April 8, 2013 line of duty injury suffered by Firefighter Kim Diorio McGonnell, or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 8.** To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 41, Section 110A which states, "Any public office in any town may remain closed on any or all Saturdays as may be determined from time to time in a town, by vote of the town at a special or regular town meeting, and the provisions of section nine of chapter four shall apply in the case of such closing of any such office on any Saturday to the same extent as if such Saturday were a legal holiday," or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 9.** To see if the town will revise the dog licensing fees as currently listed in Section 17A of Chapter 4 of the town's general bylaws as follows:

Neutered males and spayed females: \$10.00

Intact dogs - \$15.00

(D) Any owner or keeper of a dog who shall fail to comply with the provisions of this section by March in any year shall be subject to a penalty of \$10.00 per dog;

Or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 10.** To see if the Town will vote to renumber and recaption the General Bylaws of the Town as follows: to assign a new number to each chapter of the General Bylaws; to renumber each section accordingly; to insert chapter and section titles; to update internal references to reflect the new numbering system; and to reorganize defined terms to be indented and capitalized in the definitions sections of various chapters, all as set forth in the document entitled "Lynnfield Recodification – Final Draft – August 2015," on file in the office of the Town Clerk; or what it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 11.** To see if the Town will vote to enact certain global changes to the text of General Bylaws of the Town, all as incorporated in the document entitled "Lynnfield Recodification – Final Draft – August 2015," on file in the office of the Town Clerk, as follows:

1. To cite statutory references to the Massachusetts General Laws in a consistent manner, to read in the form MGL c. \_\_, § \_\_\_\_.
2. To consistently spell and capitalize the words "Bylaw," "Section," "Chapter," and "Article."
3. To cite all numbers one through nine in text format; and all numbers 10 and above, fractions and decimals in numeric format.

or what it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 12.** To see if the Town will vote to enact certain changes to the text of the General Bylaws of the Town, as noted by strikethroughs (indicating deletion) and underlines (indicating addition), all as set forth in the document entitled "Lynnfield Recodification – Final Draft – August 2015," on file in the office of the Town Clerk; or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 13.** To see if the Town will vote to authorize the Board of Selectmen and Conservation Commission to convey approximately 9,104 square feet of land located at 353-385 Broadway Rear (behind Kelly Jeep-Chrysler, Inc.), as described on a plan entitled "Plan of Land #353 Broadway (NEWBURYPORT TRNPK) RTE 1, Lynnfield, Mass. dated January 4, 2014 prepared by Hayes Engineering, Inc." (the "Parcel"), being a

portion of a larger 2.29 acre parcel conveyed to the Town of Lynnfield, acting by and through its Conservation Commission, on July 3, 1996 and as further described in Essex South District Registry of Deeds, Book 13666, Page 224. This Article would authorize the Board of Selectmen and Conservation Commission to sell the Parcel per the provisions of Massachusetts General Law Chapter 30B, as applicable, or other authority as may be applicable, upon such terms and conditions as the Board of Selectmen and Conservation Commission deem in the best interests of the Town, for not less than \$170,000 in replacement property and cash (i.e., the fair market value of the land and cash to be included shall together equal at least \$170,000) and for additional consideration of a permanent access easement, to the remaining portion of the 2.29 acre parcel owned by the Town and being known as the Bow Ridge Conservation Area, from Route One for recreational purposes in the Bow Ridge Conservation Area and Lynn Woods and to provide an easement for five parking spaces for recreational users of the Bow Ridge Conservation Area and further to authorize the Board of Selectmen to petition the General Court and seek legislative authorization for the aforesaid transfer and conveyance under Article 97 of the Articles of Amendment to the Massachusetts Constitution, if such approval is deemed by the Board of Selectmen to be necessary, or take any other action necessary, appropriate and relative thereto to permit the sale of the Parcel; or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 14.** To see if the Town will vote to accept the provisions of M.G.L c. 59, § 5, Clause 56 which would allow the Board of Assessors to grant to members of the Massachusetts National Guard or military reservists who are on active duty and serving in a foreign country a reduction of all or part of their real and personal property taxes, or what action it will take thereon.

**Submitted by BOARD OF SELECTMEN**

**ARTICLE 15.** To see if the Town will vote to amend the Zoning Bylaws by adding the following subsection to the end of Section 6, concerning signs:

**6.8 STANDARDS APPLICABLE IN ALL DISTRICTS**

The sections on sign regulations are intended to ensure that all signs are located, designed, sized, constructed, installed, and maintained in a way that protects and promotes safety, health, aesthetics, and the public welfare including impact upon residential property value while allowing adequate communication.

Signs shall neither contain moving elements nor convey the appearance of movement, whether by changing pixilation or any other physical or electronic representation of movement.

Or what action it will take thereon.

**Submitted by PLANNING BOARD**

**ARTICLE 16.** To see if the Town will vote to amend the Zoning Bylaws by adding the following subsection to Section 2, concerning definitions:

**2.15 SIGN:**

Any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminated surface which shall be constructed, placed, attached, painted, erected, fastened or manufactured in any manner whatsoever, so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise, whatsoever, which is displayed in any manner outdoors including any from the foregoing which may be visible in any manner from the outdoors.

Or what action it will take thereon.

**Submitted by PLANNING BOARD**

**ARTICLE 17.** To see if the Town will vote to amend the Zoning Bylaws by adding the following subsection to Section 2, concerning definitions:

**2.16 STANDARDS APPLICABLE TO ALL DEFINITIONS**

**2.16.1 TENSE & CONSTRUCTION:** Words used in the present tense include the future; the singular includes the plural, and the plural the singular; the words “structure”, “land”, or “premises” shall be construed as though followed by the words “or any portion thereof”, and the word “shall” is always mandatory and not merely discretionary.

**2.16.2 PRECEDENCE:** Those definitions that are set forth in a subsection outside this Section 2 shall take precedence only in that subsection; otherwise those listed in this section shall be used.

**2.16.3 SPECIFIC DEFINITIONS:** In this Zoning Bylaw each term shall have the meaning given herein, unless another meaning is required by the context.

**2.16.4 MISSING DEFINITIONS:** Words not defined herein shall have the meaning as defined in the Commonwealth of Massachusetts Building Code in effect on April 1, 2015.

Or what action it will take thereon.

**Submitted by PLANNING BOARD**

**ARTICLE 18.** To see if the Town will vote to amend the Zoning Bylaws by adding the following subsection at the end of Subsection 9.3.3 concerning definitions used in connection with the Groundwater Protection District:

7. Acre: For the purposes of this section of the Bylaw relating to Groundwater Protection only, an acre shall be considered to be 40,000 square feet.

Or what action it will take thereon.

**Submitted by PLANNING BOARD**

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 2nd day of October, 2015.

Philip B. Crawford, Chairman

Thomas Terranova, Jr., Selectman

Christopher J. Barrett, Selectman



REQUEST TO OMIT PROPOSED ARTICLE FROM WARRANT

FALL TOWN MEETING

OCTOBER 2015

The originators of a Town Meeting Article to see if the Town will vote to amend the existing "Zoning Map of the Town of Lynnfield, MA Dec 1953" together will all duly adopted amendments and revisions thereto, as filed in the Office of the Town Clerk so that the following described portion of the premises at 834 Salem Street, Lynnfield, Essex County, Massachusetts, is rezoned from the Residence A (RA) District to the Limited Business (LB) District, as shown on the plan on file with the Town Clerk, hereby respectfully rescind and withdraw the request/submittal of said Article and specifically ask that it not be included on the Town Meeting Warrant.

✓ Name  
John H Kimball Jr  
Print Name  
[Signature]  
Signature

Address  
618 Main Street  
Print Address  
LYNNFIELD, MA 01940  
City and State

✓ LUKE KIMBALL  
Print Name  
[Signature]  
Signature

618 MAIN STREET  
Print Address  
LYNNFIELD, MA  
City and State

✓ John H Kimball Jr  
Print Name  
[Signature]  
Signature

816 Main St  
Print Address  
Lynnfield MA 01940  
City and State

✓ Andrea Curley  
Print Name  
[Signature]  
Signature

9 Taylor Terrace  
Print Address  
Lynnfield, MA 01940  
City and State

✓ John Nickerson  
Print Name  
[Signature]  
Signature

9 Robin Rd  
Print Address  
Lynnfield MA 01940  
City and State

✓ Lauren Dickerson  
Print Name

Lauren Dickerson  
Signature

✓ Michael Sheehan  
Print Name

Michael J. Sheehan  
Signature

✓ Jennifer Sheehan  
Print Name

Jennife Sheehan  
Signature

✓ NIKKI Martin  
Print Name

Nikki Martin  
Signature

✓ Kathryn Kimball  
Print Name

Ky Kimball  
Signature

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Print Name

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Signature

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Print Name

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Signature

9 Robin Rd  
Print Address

Lynnfield, MA 01940  
City and State

14 Priscilla Rd  
Print Address

Lynnfield, MA 01940  
City and State

14 Priscilla Road  
Print Address

Lynnfield, MA 01940  
City and State

31 OXBOW Road  
Print Address

Lynnfield, MA 01940  
City and State

816 Main Street  
Lynnfield, MA 01940  
Print Address

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City and State

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City and State

**Articles 1 and 2  
October 19, 2015 Special Town Meeting**

**Article 1**

0300-580002	Prior Year's Bills- Raise and Appropriate	2,590.68
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**Article 2**

**Transfer To:**

0112254-530000	Selectmen-Other Professional Services	20,000.00
0112257-574100	Selectmen- Property and Casualty Insurance	25,000.00
0113551-511000	Town Accountant Salary	18,000.00
0113552-513000	Asst. Town Accountant-Overtime	2,500.00
0114153-531410	Assessing Consultant	5,000.00
0122052-511000	Firefighter Salaries	30,008.00
0161051-511000	Library Director Salaries	15,650.00
0175251-592504	Short Term Interest-BAN	7,500.00
0191653-517010	Federal Medicare	61,472.00
2516-511000	W.P.A.T. Septic Administration	10,000.00
6350-490000	Golf Course Enterprise-Other Financing Sources	70,000.00
		265,130.00

**Transfer From:**

0114152-511000	Assessing Manager Salary	5,000.00
2536-597500	WPAT Betterments-Transfers for Administrative Costs	10,000.00
0191151-517011	Essex Country Retirement	21,472.00
0191254-517006	Worker's Compensation	40,000.00
0100-104000	Certified Free Cash- General Fund	70,000.00
-----	Additional Appropriations- Raise and Appropriate	118,658.00
		265,130.00

**Prior Year Bills**

**Amount**

**Vendor**

**Reason**

2,400.00	The Appraisers Group	Invoice Received Late
57.00	Focus Technology	Invoice Received Late
103.00	Reliable Technologies	Invoice Received Late
20.68	Cassandra Costa (Mileage reimbursement BOH)	Invoice Received Late
10.00	Alan Dresios (Meeting Reimbursement)	Invoice Received Late
2,590.68		

