



TOWN OF CHELMSFORD
WARRANT FOR THE
2022 FALL
ANNUAL TOWN MEETING
OCTOBER 17, 2022

MIDDLESEX, SS.

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

Greeting:

In the name of the Commonwealth aforesaid, you are hereby requested to notify and warn the Town Meeting Representatives of said Chelmsford to meet at the Senior Center, 75 Groton Road, North Chelmsford on Monday, the seventeenth day of October in the year two-thousand and twenty-two at 7:30 p.m. in the evening and there to act upon the following articles, VIZ:

ARTICLE 1. To hear reports of the Town Officers and Committees; or act in relation thereto.

SUBMITTED BY: Select Board

ARTICLE 2. To see if the Town will vote to transfer a sum of money from the Sale of Graves and Lots Account to the Cemetery Improvement and Development fund; or act in relation thereto.

SUBMITTED BY: Cemetery Commission

ARTICLE 3. To see if the Town will vote to appropriate the funding received by the Town from the Commonwealth Transportation Infrastructure Fund, to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure, or any other public purpose substantially related to the operation of transportation network services in the Town, including, but not limited to, the complete streets program established in Massachusetts General Laws Chapter 90I, Section 1, and other programs that support alternative modes of transportation; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 4. To see if the Town will vote to transfer from Free Cash a sum of money to the Sewer Construction Stabilization Fund; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 5. To see if the Town will vote to transfer a sum of money that has been received by the Town under the Town’s inclusionary housing zoning bylaw to the Affordable Housing Stabilization Fund; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 6. To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money to be used to fund employee contract agreements between the Town and its collective bargaining units; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 7. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money with which to pay bills of previous fiscal years; or act in relation thereto.

**SUBMITTED BY: Town Manager
Four-Fifths Vote**

ARTICLE 8. To see if the Town will vote to amend the Fiscal Year 2023 operating budget adopted under Articles 4, 5, and 6 of the Warrant for the Spring Annual Town Meeting held on April 25, 2022; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 9. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Board of Health in accordance with the Massachusetts Attorney General’s statewide opioid settlement abatement funds allocation agreement with certain Massachusetts political subdivisions; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 10. To see if the Town will vote to amend the vote taken under Article 5 of the April 25, 2022 Spring Annual Town Meeting by raising and appropriating, or transferring from available funds, an additional sum of money to defray charges for the operations of the Chelmsford Public Schools for the fiscal year period of July 1, 2022 through June 30, 2023 for the purposes of providing a “livable wage” to the School Department’s Professional Support Staff employees; or act in relation thereto.

**SUBMITTED BY: CITIZEN PETITION
Kathleen Leslie Peluso**

ARTICLE 11. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money to fund roadway and sidewalk construction; or act in relation thereto.

SUBMITTED BY: Town Manager
Two-Thirds Vote

ARTICLE 12. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money to correct, remedy, repair, prevent and prohibit any and all forms of infiltration or inflow from groundwater and other sources of leakage into pipes, facilities and other components of the sewer system; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 13. To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow a sum of money to remediate PFAS in the soil and groundwater at the Town's highway yard located at 54 Richardson Road; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 14. To see if the Town will vote to transfer from Free Cash a sum of money to reduce the Fiscal Year 2023 property tax levy; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 15. To see if the Town will vote to transfer from Free Cash a sum of money to the General Stabilization Fund; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 16. To see if the Town will vote to transfer from the Community Preservation Fund General Reserve a sum of money to fund the Historical Commission Property Inventory Program; or act in relation thereto.

SUBMITTED BY: Community Preservation Committee
Two-Thirds Vote

ARTICLE 17. To see if the Town will vote to amend its vote taken under Article 14 of the April 27, 2015 Spring Annual Town Meeting pertaining to the Town's acceptance of the provisions of Massachusetts General Laws Chapter 59, Section 5K which authorizes the Town to establish a senior citizens property tax work-off abatement program by eliminating the cap on the total amount of abatements that may be granted under this program of \$100,000 in any given year; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 18. To see if the Town will vote to increase the amount of the local property tax exemption for seniors provided for under the provisions of Massachusetts General Laws Chapter 59, Section 5, Clause 41C from \$500 per fiscal year to \$1,000 per fiscal year; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 19. To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws Chapter 43B, Section 10 and Section 7-1 of the Town Charter, to amend the Town Charter, Part VI, Financial Provisions, Section 6-7 Annual Audit, by amending the text in the paragraph as follows:

Section 6-7. Annual Audit.

The Select Board shall provide for an annual audit of the books and accounts of the town to be made by a certified public accountant, or firm of accountants, who have no personal interest, direct or indirect, in fiscal affairs of the town government or any of its offices; provided, however, that any certified public accountant or firm of accountants that conducts said audit ~~for 3 consecutive years shall refrain from doing so for a minimum of 1 year before becoming eligible to conduct any future audits~~ shall change the audit team that performs the audit at least every five years.

; or act in relation thereto.

SUBMITTED BY: Select Board

ARTICLE 20. To see if the Town will vote to authorize the Select Board to file a petition the Massachusetts Great and General Court to exempt the position of Deputy Fire Chief from Chapter 31 of the Massachusetts General Laws; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 21. To see if the Town will vote to amend the Town code, Chapter 195: “Zoning Bylaw” Article XX, “Terminology” by deleting the definition of “warehouse” and replacing it with the following definition:

Warehouse: A BUILDING used primarily for the enclosed storage of goods, and materials for any length of time; including receiving, repackaging, and/or reshipping; and including office, administrative, and support facilities related to the foregoing, but not a Distribution Center as defined in Section XX; a personal self-storage facility or mini-warehouse; or act in relation thereto.

**SUBMITTED BY: CITIZEN PETITION
Christopher Lavallee**

ARTICLE 22. To see if the Town will vote to amend the Town Code, Chapter 195: “Zoning Bylaw” Article XX, “Terminology” by adding the following definition of Distribution Center:

Distribution Center: An establishment with a BUILDING NET FLOOR AREA larger than 50,000 square feet used primarily for the receiving, short-term enclosed storage, repackaging, and/or reshipping or distribution of goods and materials to retail stores and other market outlets, or directly to the consumer via telephone or Internet remote sales. including office, administrative, and support facilities related to the foregoing; or act in relation thereto.

**SUBMITTED BY: CITIZEN PETITION
Christopher Lavallee**

ARTICLE 23. To see if the Town will vote to amend the Town Code, Chapter 195: “Zoning Bylaw” Attachment 1, Use Regulation Schedule by adding the following use:

And add new Line E.19 to Chapter 195 Attachment 1 – Use Regulation Schedule

E. Industrial

Principal Use	RA	RB	RC	RM	CA	CB	CC	CD	CV	IA	IS	RMH	CX	P	OS
19. Distribution Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

**SUBMITTED BY: CITIZEN PETITION
Christopher Lavallee**

ARTICLE 24. To see if the Town will vote to accept an easement to pass and repass by foot or by non-motorized vehicle for access to, and travel within, and to construct all necessary infrastructure to allow a walking area near the area known as “Beaver Brook” over the area shown as “Brook Walk Easement—1 5,000 +/- S.F.” as shown on a plan entitled “Approval Not Required Subdivision Plan” dated August 3, 2021, prepared by Howard Stein Hudson and recorded at the Middlesex North Registry of Deeds in Plan Book 249, at Plan 54; a copy of said easement exhibit plan and the associated Easement Agreement is attached to this warrant; or act in relation thereto.

SUBMITTED BY: Town Manager

ARTICLE 25. To see if the Town will vote to authorize the Select Board to acquire the following land parcels and/or rights in land parcels, known and identified as Charles Way, for the purpose of completing work on an approved subdivision roadway with the intent of eventual approval of such roadway as a public way.

Total # Parcels Area (Square Feet)

In Fee

Permanent Easement 66,000 SF

Temporary Easements

And further to authorize the Select Board to acquire such permanent easement through any and all means available under the General Laws of the Commonwealth including without limitation by donation, purchase and/or eminent domain. The subject parcel is identified as Charles Way on a Definitive Subdivision Plan entitled Longley Estates IV located in Chelmsford MA, dated July 20, 1984, with revisions through September 14, 1984, prepared by Richard F. Kaminski and Associates, Inc.; or act in relation thereto.

**SUBMITTED BY: Select Board
Two-Thirds Vote**

ARTICLE 26. To see if the Town will vote to a.) accept as a town way Nabnasset Drive, as laid out by the Board of Selectmen and shown by reports and plans duly filed in the office of the Town Clerk, 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; b.) authorize the Board of Selectmen to acquire any and all temporary and/or permanent easements, and any property in fee simple, with the trees thereon, by purchase, eminent domain, gift or otherwise, for the purpose of securing traffic safety and road improvements; c.) raise and appropriate, transfer and appropriate from the Stabilization Fund, and/or 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 a result of any such taking; and d.) authorize the Select Board to negotiate and execute all necessary and proper contracts and agreements thereto; or act in relation thereto.

**SUBMITTED BY: Select Board
DPW Director**

Hereof fail not and make return of this warrant with your doings at the time and place of said meeting.

Given under our hands this 12th day of September, 2022.

SELECT BOARD OF THE TOWN OF CHELMSFORD



Virginia E. Crocker Timmins, Chairman



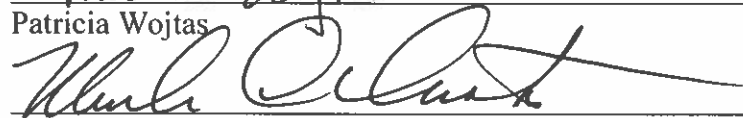
Kenneth M. Lefebvre, Vice Chair



George R. Dixon, Jr., Clerk



Patricia Wojtas



Mark C. Carota

**NOTICE OF PROPOSED DATES
AND TIMES FOR CONTINUED SESSIONS OF THE
ANNUAL TOWN MEETING**

The Select Board shall propose the following dates and times for continued sessions of the Town Meeting of October 17, 2022 to be held at the Senior Center, 75 Groton Road, North Chelmsford:

Thursday, October 20, 2022 at 7:30 p.m.

Monday, October 24, 2022 at 7:30 p.m.

Thursday, October 27, 2022 at 7:30 p.m.

If additional continued sessions are necessary, they shall take place on the Monday and Thursday of the next consecutive week until the meetings are concluded.

Pursuant to Town of Chelmsford Code Chapter 154-9, these dates and times are proposed and are subject to change by vote of the Town Meeting Representatives.

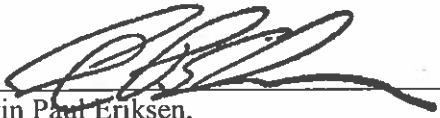
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

September 14, 2022

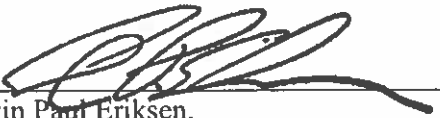
Pursuant to the within warrant, I have notified and warned the Inhabitants of the Town of Chelmsford by posting up attested copies of same at the following places, to wit: Town Offices Building, 50 Billerica Road; North Chelmsford Fire Station, 35 Princeton Street; Senior Center, 75 Groton Road; East Chelmsford Fire Station, 115 Riverneck Road; Byam Elementary School, 25 Maple Road; Westlands School, 171 Dalton Road; West Chelmsford Fire Station, 260 Old Westford Road; McCarthy Middle School, 250 North Road; and South Row Elementary School, 250 Boston Road.

Signed:

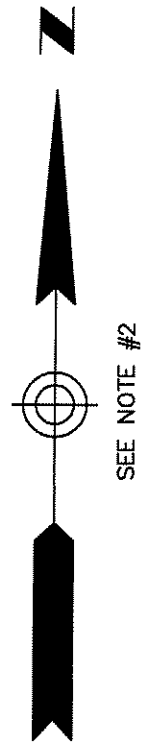


Edwin Paul Eriksen,
Constable

A True Copy Attest,



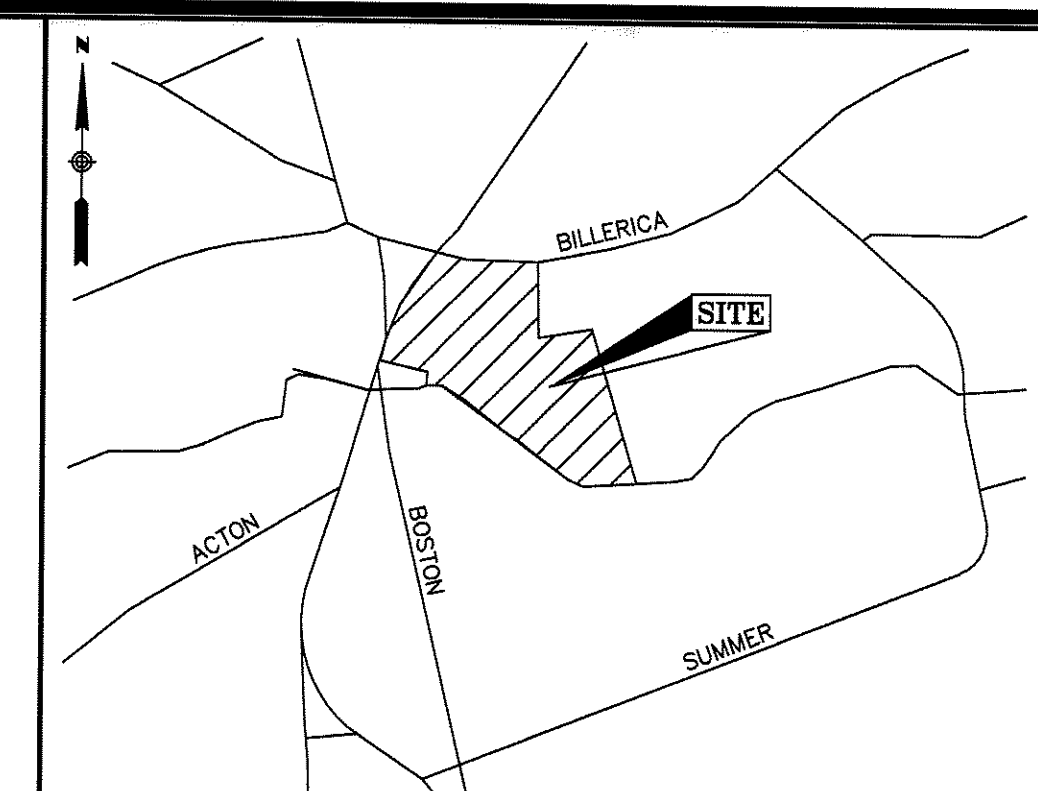
Edwin Paul Eriksen,
Constable



SEE NOTE #2

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED CHELMSFORD PLANNING BOARD

Handwritten signatures and initials in blue ink.



LOCUS MAP (N.T.S.)

CERTIFICATION:

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS FOR RECORDING AT THE REGISTRY OF DEEDS. THIS PLAN ALSO DOES NOT MAKE ANY DETERMINATION AS TO ZONING



DAVID P. PRINCE, P.L.S. REG. NO. 52328 WSP USA, Inc. AUGUST 3, 2021

NOTES

- 1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE LOT 84-344-10 AND LOT 84-344-11 WHICH ARE UNDER COMMON OWNERSHIP INTO LOTS 1, 2 AND 3 AS SHOWN HEREON.
2. THIS PLAN WAS PREPARED FROM AN ACTUAL ON THE GROUND FIELD SURVEY CONDUCTED BY WSP BETWEEN NOVEMBER 10 AND DECEMBER 3, 2016.
3. THE HORIZONTAL DATUM SHOWN HEREON REFERS TO MASSACHUSETTS STATE PLANE COORDINATE SYSTEM NAD83. THE VERTICAL DATUM SHOWN HEREON REFERS TO NAVD83. BOTH HORIZONTAL AND VERTICAL DATUMS ARE BASED ON GPS OBSERVATIONS MADE BY WSP IN NOVEMBER, 2016.
4. THE SURVEYED PROPERTY IS SUBJECT BUT NOT LIMITED TO THE INFORMATION SHOWN HEREON. ALL INFORMATION THAT MAY AFFECT THE QUALITY OF THE TITLE TO BOTH THE SUBJECT AND ADJOINING PARCELS SHOULD BE VERIFIED BY AN ACCURATE AND CURRENT TITLE REPORT. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT.

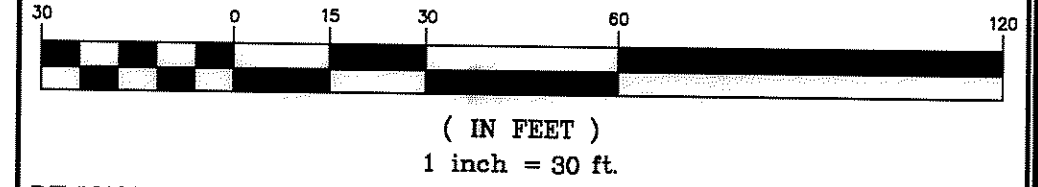
PLAN REFERENCES

- MIDDLESEX NORTH REGISTRY OF DEEDS
1. PLAN BOOK 237 PLAN 8
2. PLAN BOOK 221 PLAN 78
3. PLAN BOOK 218 PLAN 108
4. PLAN BOOK 213 PLAN 95
5. PLAN BOOK 184 PLAN 35
6. PLAN BOOK 124 PLAN 175
7. PLAN BOOK 124 PLAN 50
8. PLAN BOOK 116 PLAN 39
9. PLAN BOOK 98 PLAN 588
10. PLAN BOOK 79 PLAN 100
11. PLAN BOOK 54 PLAN 61
12. PLAN BOOK M PLAN 285
13. 1915 COUNTY LAYOUT - BILLERICA ROAD
14. 1916 COUNTY LAYOUT - BILLERICA ROAD
15. 1923 COUNTY LAYOUT - CENTRAL SQUARE

LEGEND

- IRON ROD FOUND
STONE BOUND WITH DRILL HOLE
ABUTTERS LOT LINE
PROPERTY LINE
FORMER PROPERTY LINE
NEW LOT LINE
EASEMENT
CHAIN LINK FENCE
EASEMENT-1
EASEMENT-2

GRAPHIC SCALE



REVISION

Table with 2 columns: DATE, DESCRIPTION

APPROVAL NOT REQUIRED SUBDIVISION PLAN 41-44 CENTRAL SQUARE & 1 BILLERICA ROAD CHELMSFORD, MASSACHUSETTS PREPARED FOR HOWARD STEIN HUDSON

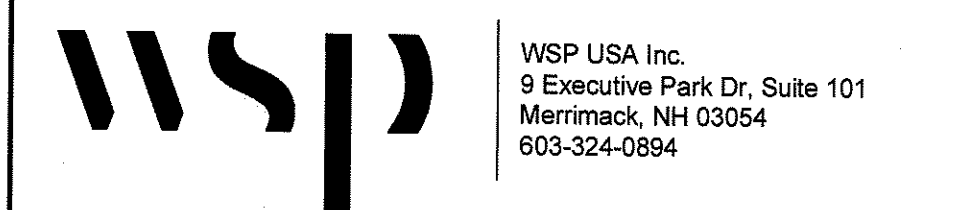
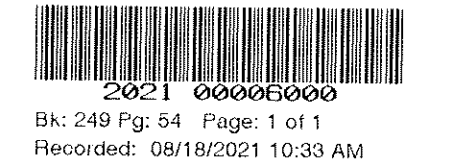
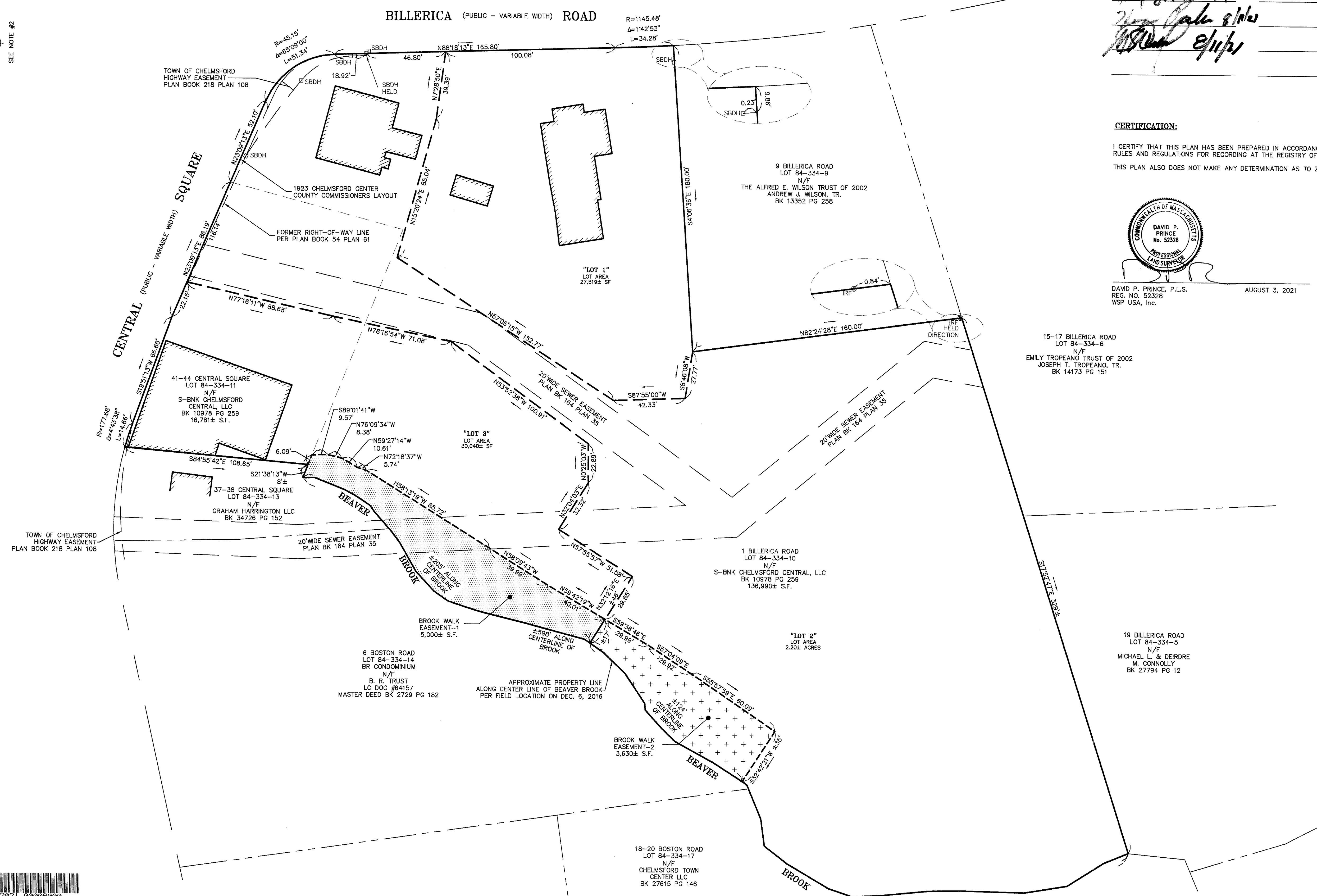


Table with 4 columns: Drawn By, Surveved By, Checked By, Book No., Date, Scale, Job No., Sheet No.



Bk: 249 Pg: 54 Page: 1 of 1 Recorded: 08/19/2021 10:33 AM

RECEIVED AND ENTERED MIDDLESEX NORTH REGISTRY OF DEEDS PLAN BOOK 249 PLAN 54 SHEET 1 OF 1 DATE: 8/18/2021

GRANT OF ACCESS AND WALKWAY EASEMENT

Odd Fellows Project, LLC, a Massachusetts Limited Liability Company, having a principal place of business located at 44 Central Square, Chelmsford MA, 01824 (the “Grantor”), for nominal consideration, the receipt and sufficiency of which are hereby acknowledged, grant with quitclaim covenants, to the Town of Chelmsford pursuant to Massachusetts General Laws Chapter 40, Section 8c as amended (the “Grantee”), its successors and assigns, employees, guests, agents and invitees, including, without limitation, the general public,

with **QUITCLAIM COVENANTS**, a perpetual right and easement to pass and repass by foot, or by non-motorized vehicle for access to, and travel within, and to construct all necessary infrastructure to allow a walking area near the area known as “Beaver Brook” over the area shown as “Brook Walk Easement-1 5000 +/- S.F.”(the "Easement Area") as shown on a plan entitled “Approval Not Required Subdivision Plan”, dated August 3, 2021 recorded at the Middlesex North Registry of Deeds at Plan Book 249 Page 54 (the “Easement Plan”). No public access shall be granted to the Easement Area unless and until the Town of Chelmsford constructs a walkway through the Easement Area.

PUBLIC USE. The purpose of this Easement is to provide permanent and perpetual public access to the Town of Chelmsford for the installation and maintenance of a walkway within the Easement Area and, after its construction, public access thereto. Once the walkway is constructed by the Town of Chelmsford with the Easement Area this Easement also grants public access for passive and non-motorized recreational purposes such as, without limitation, walking, jogging, skiing, snowshoeing, and bicycling.

PROHIBITED USES. No loitering, fires, overnight camping, carrying and/or discharging of firearms, or any other general recreation activities shall be allowed within the Easement Area.

SUCCESSORS AND ASSIGNS. This Easement shall run with the land and be binding upon Grantor, their successors and assigns, and all those claiming title by, through or under Grantor.

Once construction commences by the Town of Chelmsford all Easement Areas shall be maintained by Grantee and all liability within the Easement Area shall be held by the Grantee.

No parking shall be allowed, and no structures or plantings will be allowed in the Easement Area that will interfere in any way with this Easement.

For Grantor's title see deed recorded with the Middlesex North District Registry of Deeds dated August 30, 2021 recorded in Book 36216, Page 48.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

WITNESS my hand and seal this _____ day of _____, 2022

Odd Fellows Project, LLC

By: Ali Zosherafatain, Manager, Odd Fellows
Project, LLC

COMMONWEALTH OF MASSACHUSETTS

_____, ss

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared Ali Zosherafatain, (name of document signer), proved to me through satisfactory evidence of identification, which was _____ (source of identification) to be the person whose name is signed on the preceding/attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

WITNESS my hand and seal this _____ day of _____, 2022
Odd Fellows Project, LLC

By: Houman Baiany, Manager, Odd Fellows
Project, LLC

COMMONWEALTH OF MASSACHUSETTS

_____, ss

On this _____ day of _____, 2022, before me, the undersigned notary public, personally appeared Houman Baiany (name of document signer), proved to me through satisfactory evidence of identification, which was _____ (source of identification) to be the person whose name is signed on the preceding/attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

APPROVAL AND ACCEPTANCE OF THE SELECTBOARD

We, the undersigned, being a majority of the Selectboard of the Town of Chelmsford, hereby certify that at a meeting duly held on _____, 2022, the Board of Selectmen voted to approve the foregoing Grant Easement to the Town of Chelmsford pursuant to M.G.L. c. 40, Section 8C this _____ day of _____, 20__.

SELECTBOARD

COMMONWEALTH OF MASSACHUSETTS

_____, ss

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared _____ (name of document signer), proved to me through satisfactory evidence of identification, which was _____ (source of identification) to be the person whose name is signed on the preceding/attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public

My Commission Expires:

SUBORDINATION OF MORTGAGE

I/we, Enterprise Bank and Trust Company, Present holder(s) of a mortgage on property located at 41-44 Central Square, Chelmsford, Massachusetts (“Premises”) from Odd Fellows Project, LLC to Enterprise Bank and Trust Company dated September 3, 2021 and recorded with the Middlesex North Registry of Deeds in Book 36216, Page 51, hereby approved of, and subordinate the Mortgage and the obligations secured thereby to the Grant of Trail Easement covering all/a portion of the Premises to be recorded, to the same extent as if the Grant of Trail Easement had been executed and recorded before the execution and recording of the Mortgage. In Witness Whereof, the said Enterprise Bank and Trust Company has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by _____ its _____ this _____ day of _____, 20__.

By:

_____, 20__

COMMONWEALTH OF MASSACHUSETTS

_____, ss

On this ____ day of _____, 2022, before me, the undersigned notary public, personally appeared _____ (name of document signer), proved to me through satisfactory evidence of identification, which was _____ (source of identification) to be the person whose name is signed on the preceding/attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public

My Commission Expires: