

TOWN OF WEST NEWBURY
COMMONWEALTH OF MASSACHUSETTS
WARRANT -- ANNUAL TOWN MEETING
MONDAY, APRIL 24, 2023 @ 7:00pm

Essex, ss.

To any of the Constables of the Town of West Newbury:

In the name of the Commonwealth, you are hereby required to notify and warn all the inhabitants of the Town of West Newbury, who are qualified to vote in the elections and Town affairs, to meet in the Town Annex, located at 379 Main Street, at 7:00 p.m. on Monday, April 24, 2023, to act upon or take any other action relative to all but the first of the following articles.

Also, to meet in the Annex at 379 Main Street on Monday, May 1, 2023 to act on Article 1, which calls for the election of Town Officials. Polls will be open at 7:00 a.m. and will close at 8:00 p.m.

GENERAL GOVERNMENT MATTERS

ARTICLE 1: To give their votes to the election of the following offices:

Term Position Seat(s):

- Three Years Selectman (1)
- Three Years School Committee (1)
- Three Years Assessor (1)
- Five Years Planning Board (1)
- Three Years Board of Health (1)
- Three Years Water Commissioner (1)
- Two Years Water Commissioner (1)
- Three Years Constable (1)
- Three Years Library Trustees (3)
- Three Years Park & Recreation Commissioner (1)
- Two Years Park & Recreation Commissioner (1)

By request of the Select Board.

ARTICLE 2: To hear and act upon the reports of Town officers and committees, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 3: To see if the Town will vote to transfer and/or appropriate the sum of \$200,000.00 from the School Stabilization Fund to pay a portion of the Town share of debt services associated with the building of the new Middle/High School, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 4: To determine what sums of money the Town will raise and appropriate for defraying the expenses of the Town for ensuing fiscal year and for the payment of Town debt, or take any other action relative thereto. *By request of the Select Board.*

WATER ENTERPRISE FUND

ARTICLE 5: In accordance with the provisions of Chapter 38 of the Acts of 1936, to see what instructions, rules, and regulations the Town may wish to impose on the Board of Water Commissioners, or take any other action relative thereto. *By request of the Board of Water Commissioners.*

ARTICLE 6: To see if the Town will vote to appropriate, in anticipation of Water Department revenues, the sum of \$1,060,171.00 of which \$318,848.00 for salaries and wages, which include \$1,700.00 for Water Commissioners' Stipends; \$52,191.00 for insurances; \$445,027.00 for expenses; \$167,913.00 for debt services; \$20,000.00 for extraordinary and unforeseen expenses; and \$56,192.00 for indirect costs, or take any other action relative thereto. *By request of the Board of Water Commissioners.*

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow the sum of \$2,700,000.00, or any other sum, to pay a portion of the costs of replacing water mains on or near Church Street and Prospect Street, including the payment of costs incidental or related thereto; or take any other action relative thereto. *By request of the Board of Water Commissioners.*

ANNUAL APPROPRIATIONS

ARTICLE 8: To see if the Town will vote to transfer and/or appropriate the sum of \$10,364.00 from the Septic Loan Revolving Account for the repayment of debt service, or take any other action relative thereto. *By request of the Board of Health.*

ARTICLE 9: To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$67,514.00 for the Pension Liability Stabilization Fund, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 10: To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$6,868.00 for contribution to the Other Post-Employment Benefits (OPEB) Stabilization Fund, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 11: To see if the Town will vote to appropriate \$90,000 from the PEG Access and Cable Related Fund for the purposes of funding its FY 2024 cable-related expenses pursuant to the provisions of M.G.L Chapter 44, Section 53F³/₄; or take any other action relative thereto. *By request of the Cable Advisory Committee.*

ARTICLE 12: To see if the Town, in accordance with Massachusetts General Laws Chapter 44, Section 53E½, and Section XL of the By-laws of the Town of West Newbury, will fix the maximum amounts that may be spent during the fiscal year beginning on July 1, 2023 for the revolving funds established in town bylaws, as set forth below for certain departments, boards, committees, agencies or officers, with such expenditure limits to be applicable for each fiscal year until such time as Town Meeting votes, prior to July 1 for the ensuing fiscal year, to revise the same; or take any other action relative thereto:

▪ Section 5.1 Summer Recreation Revolving Fund	\$ 75,000.00
▪ Section 5.2 GAR Library Fines and Penalties Revolving Fund	\$ 10,000.00
▪ Section 5.3 Police Vehicle Revolving Fund	\$ 20,000.00
▪ Section 5.4 Pipestave/Mill Pond Care and Maintenance Revolving Fund	\$ 5,000.00
▪ Section 5.5 Electric Vehicle Charging Stations Revolving Fund	\$ 10,000.00
▪ Section 5.6 Curbside Collection of Trash, Recycling and Food Waste Revolving Fund	\$ 50,000.00

By request of the Select Board.

ARTICLE 13: To see if the Town will vote to allocate and/or reserve from the Community Preservation Fund annual revenues, the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in the Fiscal Year beginning July 1, 2023, with each item to be considered a separate appropriation:

- Appropriate \$30,452.00 from FY 2024 estimated revenues for Committee Administrative Expenses.
- Reserve \$60,904.00 from FY 2024 estimated revenues for Community Housing Reserve.
- Reserve \$60,904.00 from FY 2024 estimated revenues for Historic Resources Reserve.
- Reserve \$60,904.00 from FY 2024 estimated revenues for Open Space & Recreation Reserve.
- Reserve \$395,873.00 from FY 2024 estimated revenues for Budgeted Reserve.

or take any other action relative thereto.

By request of the Community Preservation Committee.

 ADDITIONAL APPROPRIATIONS

ARTICLE 14: To see if the Town will vote to appropriate and transfer the sum of \$705,000.00 from the Community Preservation Act fund pursuant to G.L. c.44B for the purpose of acquiring, for open space, conservation and passive recreation purposes, certain parcels of land containing a total of 32 acres, more or less, which parcels are located on Poor House Lane, shown on Assessors’ Map R14 as Parcels 30 and 30F, and also shown as Lots 2A and 2B on a plan entitled “Definitive Plan, Poor House Lane”, dated January 7, 1983, prepared by Cammett and Kutensky Engineering, Inc., recorded with

the Southern Essex District Registry of Deeds in Plan Book 177, Plan 37, and costs incidental or related thereto, and to authorize the Select Board to acquire said land by purchase, gift and/or eminent domain on such terms as the Select Board deems appropriate, which land shall be held under the care, custody and control of the Conservation Commission for the foregoing purposes pursuant to G.L. c. 40, §8C; and further to authorize the Select Board, the Conservation Commission, and/or their designee to apply for, accept and expend funds from the Commonwealth of Massachusetts or other public or private sources to defray all or a portion of the costs of acquisition, including, but not limited to, grants and/or reimbursements from the Commonwealth under G.L. c. 132A, §11 (the so-called LAND Grants), and/or any other federal, state or other grants or reimbursement programs in any way connected with the scope of this article, including but not limited to funds contributed by Essex County Greenbelt Association, and to enter into any and all agreements and execute any and all documents necessary or convenient to effectuate the foregoing; provided, however, that the funds appropriated by this vote shall not be expended unless the Town receives grants, gifts or other contributions of no less than \$355,000.00 for this purpose; and, further, to authorize the Select Board to convey a conservation restriction on said land to Essex County Greenbelt Association or any other qualified organization in accordance with G.L. c. 184 §§31-33, as required by G.L. c. 44B, §12(a); or take any other action relative thereto. *By request of the Community Preservation Committee.*

ARTICLE 15: To see if the Town will vote to transfer and/or appropriate from Community Preservation Act funds, Community Housing Reserve, the sum of \$172,178.00 into the West Newbury Affordable Housing Trust, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 16: To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$172,000.00 to fund the replacement of a sidewalk snow-clearing vehicle for use by the Department of Public Works (DPW), or take any other action relative thereto. *By request of the DPW Director.*

ARTICLE 17: To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$117,000.00 to fund the replacement of a Fire Pick-up Truck, including all safety equipment, or take any other action relative thereto. *By request of the Board of Fire Engineers.*

ARTICLE 18: To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$59,500.00 to fund the planning and design efforts to address pedestrian safety concerns on Route 113 (Main Street), including but not limited to the Page/Pipestave/Route 113 intersection and crosswalk, or take any other action relative thereto. *By request of the Select Board.*

ARTICLE 19: To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$15,000.00 to fund the restoration of Field 6 at Pipestave Hill, or take any other action relative thereto. *By request of the Parks & Recreation Commission.*

ARTICLE 20: To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$8,300.00 to fund the purchase and installation of security cameras at the Page School, or take any other action relative thereto. *By request of the DPW Director.*

ARTICLE 21: To see if the Town will vote to transfer and/or appropriate from available funds the sum of \$4,150.00 to fund the maintenance, clean up, and repair of the Town-owned cemeteries, or take any other action relative thereto. *By request of the Historical Commission.*

BY-LAWS – OTHERS

ARTICLE 22: To see if the Town will vote to amend the West Newbury Zoning By-law by revising Section 5G (Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay District) for the purpose of replacing the existing Overlay District with locational criteria for the installation of Large-Scale Ground-Mounted Solar Photovoltaic Installations, and other minor amendments to dimensional requirements, design standards and environmental standards, with the proposed bylaw on file and available for viewing in the Town Clerk’s office; and by eliminating the Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay District from Section 3.A.1, and by revising Section 3.B.1 to note map revision date, by adding Section 4.C.3 (Large-Scale Ground-Mounted Solar Photovoltaic Installations), subject to and consistent with the requirements of Section 5.G; and further to authorize the Town Clerk’s office to make any non-substantive, ministerial changes to numbering and formatting to ensure consistency with the remainder of the By-law, or take any other action relative thereto. *By request of the Planning Board.*

ARTICLE 23: To see if the Town will vote to recodify, amend and renumber the Town of West Newbury Zoning By-law, including all internal citations therein a copy of which is on file with the Town of West Newbury Town Clerk and is updated through May 14, 2022 (the “Existing Zoning By-law”), as set forth below and as depicted in the proposed revised Zoning By-law or on file with the Town Clerk (the “Revised Zoning By-law”):

1. Delete the Table of Contents in the Existing Zoning By-law and replace it with the Table of Contents as contained in the Revised Zoning By-law;
2. Delete Section 1 of the Existing Zoning By-law and replace it with Section 1 contained in the Revised Zoning By-law;
3. Recodify, renumber and amend Section 2 of the Existing Zoning By-law by deleting that Section and replacing it with Section 2 as contained in the Revised Zoning By-law;
4. Recodify, renumber and amend Section 3 of the Existing Zoning By-law by deleting that Section and replacing it with Section 3 as contained in the Revised Zoning By-law;
5. Amend Section 4.A. (Non-conforming Uses) of the Existing Zoning By-law to read Non-Conforming Uses and Structures;
6. Recodify, renumber and amend Sections 4.A, 4.A.1, 4.A.2, 4.A.3 and 4.A.4 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 7.1, 7.1.1, 7.1.2, 7.1.3 and 7.1.4 as contained in the Revised Zoning By-law; Recodify, renumber and amend Sections 4.B and 4.B.1 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 4.1 and 4.1.1 as contained in the Revised Zoning By-law; Recodify, renumber and amend Sections 4.C, 4.C.1 and 4.C.2 of the Existing Zoning By-

- law by deleting that Section and replacing it with Sections 4.2, 4.2.1 and 4.2.2 as contained in the Revised Zoning By-law; Recodify, renumber and amend Sections 4.D and 4.D.1 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 9.2 and 9.2.1 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 4.E of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.9 as contained in the Revised Zoning By-law;
7. Recodify, renumber and amend Section 5.A. (Residence A, B and C Districts) of the Existing Zoning By-law by deleting that Section and replacing it with Section 4.3, (Uses Permitted in Residential A, B and C Districts), as contained in the Revised Zoning By-law; Recodify, renumber and amend Sections 5.A.1, 5.A.2, 5.A.3 and 5.A.4 of the Existing Zoning Bylaw by deleting that Section and replacing it with Sections 4.3.1, 4.3.2, 4.3.3 and 4.3.4 as contained in the Revised Zoning By-law; Recodify, renumber and amend Sections 5.B, 5.B.1 and 5.B.2 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 4.4, 4.4.1 and 4.4.2 as contained in the Revised Zoning By-law; Recodify, renumber and amend Sections 5.C, 5.C.1, and 5.C.2 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 4.5, 4.5.1 and 4.5.2 as contained in the Revised Zoning By-law;
 8. Recodify, renumber and amend Section 5.D (Floodplain Overlay District) of the Existing Zoning By-law by deleting that Section and replacing it with Section 8.1 (Floodplain Overlay District) as contained in the Revised Zoning By-law;
 9. Recodify, renumber and amend Section 5.D.17 (Uses) of the Existing Zoning By-law by deleting that Section and replacing it with Section 8.1.17 (Permitted Uses) as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 5.E of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.6 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 5.F of the Existing Zoning By-law by deleting that section and replacing it with Section 6.1 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 5.G of the Existing Zoning By-law by deleting that Section and replacing it with Section 8.3 as contained in the Revised Zoning By-law;
 10. Recodify, renumber and amend Section 6 (Intensity of Use) of the Existing Zoning By-law by deleting that Section and replacing it with Section 5 (Dimensional Requirements) as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 6.B of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.1 as contained in the Revised Zoning By-law;
 11. Recodify, renumber and amend Section 7 (Conditions for Use) of the Existing Zoning By-law by deleting that Section and replacing it with Section 6.2 (Performance Standards) as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 7.B (Off-Street Parking and Loading) of the Existing Zoning By-law by deleting that Section and replacing it with Section 6.3 (Parking and Loading Spaces) as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 7.C of the Existing Zoning By-law by deleting that Section and replacing it with Section 6.4 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section

- 7.C.2.I.2 of the Existing Zoning By-law by deleting that Section and replacing it with Section 6.4.3 as contained in Revised Zoning By-law; Recodify Section 7.D of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.8 as contained in the Revised Zoning By-law; Recodify Section 7.E of the Existing Zoning By-law as Section 9.7 of the Revised Zoning By-law;
12. Recodify, renumber and amend Sections 8, 8.A.1 and 8.A.2 of the Existing Zoning By-law by deleting that Section and replacing it with Sections 11, 11.1 and 11.2 as contained in the Revised Zoning By-law; Recodify, renumber and amend Section 8.B of the Existing Zoning By-law by deleting that Section and replacing it with as Section 11.3 as contained in the Revised Zoning By-law; Recodify, renumber and amend Sections 8.C, 8.D and 8.E of the Existing Zoning By-law by deleting that Section and replacing it with Sections 11.4, 11.5 and 1.5 as contained in the Revised Zoning By-law;
 13. Recodify, renumber and amend the remainder of Section 9 (Personal Wireless Service Facilities) of the Existing Zoning By-law by deleting that Section and replacing it with Section 9.5 (Wireless Communication Facilities) as contained in the Revised Zoning By-law;
 14. Recodify, renumber and amend Section 10 of the Existing Zoning By-law by deleting that Section and replacing it with Section 8.2 as contained in the Revised Zoning By-law;
 15. Recodify, renumber and amend Section 11 of the Existing Zoning By-law by deleting that Section and replacing it with as Section 9.4 as contained in the Revised Zoning By-law;
 16. Recodify, renumber and amend Section 12 of the Existing Zoning By-law by deleting that Section and replacing it with as Section 9.3 as contained in the Revised Zoning By-law;
 17. Recodify, renumber and amend Section 13-19 of the Existing Zoning By-law, by deleting that Section and replacing it with as Section 10 as contained in the Revised Zoning By-law;
 18. Recodify Appendix A (Zoning District Map) and Appendix B (Overlay District Map(s)) of the Existing Zoning By-law as Appendix A (Zoning District Map) and Appendix B (Overlay District Map(s)) of the Revised Zoning By-law; Recodify and amend Appendix One of the Existing Zoning By-law as Appendix C of the Revised Zoning By-law; Recodify Appendix Two of the Existing Zoning By-law as Appendix D of the Revised Zoning By-law.
 19. Authorize the Town Clerk to correct any scrivener's errors and to renumber any Section or internal Section references in the Revised Zoning By-law consistent with this Article;
- or take any other action relative thereto.

By request of the Planning Board.

You are hereby directed to serve this warrant by posting attested copies thereof at least 14 days before the date of the Annual Town Meeting, as provided within the Town Bylaws.

LOCATIONS TO POST WARRANT:


1910 Town Office Building
G.A.R. Memorial Library
Public Safety Building
Laurel Grange
Post Office
Town Hall

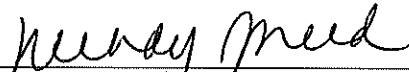
Hereof fail not to make due return of this warrant with your doings thereon at the time and place of holding said meeting.

Given under our hands this 7th day of April, 2023.

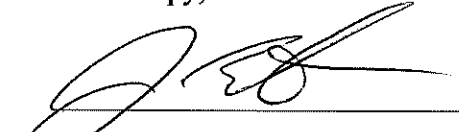
BOARD OF SELECTMEN


David W. Archibald, Chair


Richard G. Parker


Wendy J. Reed

A true copy, attested:


James RW Blatchford, Town Clerk

Pursuant to the above warrant to me directed, I hereby notify and warn all the inhabitants of the Town of West Newbury who are qualified to vote to meet at said time and place.

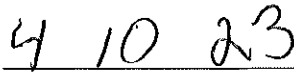

Constable, Brian Richard

4-10-23
Date of Posting

Pursuant to the above warrant to me directed, I have notified and warned all the inhabitants of the Town of West Newbury who are qualified to vote to meet at said time and place.



Constable, Brian Richard



Date of Posting