

June 25, 2020



TOWN OF SAUGUS

2020 Special Town Meeting Warrant

Essex, ss.

To the Constable of the Town of Saugus

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Saugus, qualified to vote in Town affairs for the Special Town Meeting to convene on July 13, 2020 at 7:30 PM by means of audio/video ZOOM conferencing platform (<https://zoom.us>). The Town Meeting shall be held remotely by the means requested by the Town Moderator in the attached letter as follows;

Town Meeting Members will attend, participate and vote by logging into a web page portal, with unique credentials that will be issued to each Town Meeting Member before the meeting.

Registered voters residing in the Town of Saugus who wish to participate in the remote Town Meeting shall submit a request to participate to the Town Clerk not less than 48 hours prior to the Town Meeting. Upon receipt of the request and verification of the requestor's voter registration status, the clerk shall provide to the requestor instructions for participating in the remote Town Meeting.

Article 1. To hear and act on reports of Committees.

Article 2. To see if the Town will vote, notwithstanding Massachusetts General Law Chapter 39 Section 10 requesting a Special Act of the Massachusetts Legislature that would allow the Saugus Town meeting to adopt a process to introduce non-binding resolutions in accordance with the language and procedural guidelines described below:

To add a new section 214.00 to the Town of Saugus Bylaws in subcategory 200 of "Government of Town Meeting" that will be titled "Resolutions".

Any Town Meeting Member may propose a non-binding resolution, within 48 hours written or electronic notice to the Saugus Town Clerk not counting weekends and holidays. The Saugus Town Clerk will promptly notify the Moderator upon receipt of said resolution and forward said resolution to Town Meeting Members.

Resolutions may not seek appropriate funds, propose zoning or general bylaw changes or have any binding effect on the operations of town government.

Resolutions will not be considered as actions of the Town Meeting as defined by MGL Ch39 S10 but rather statements of opinion in accordance with past practice. Resolutions will be acted upon during the next Town Meeting or with a Town Meeting that is temporarily adjourned, whichever comes first. A majority vote of the quorum will be required to adopt a resolution. (Peter Manooogian Town meeting Member Precinct 10).

Article 3. To see if the Town will vote to petition the Massachusetts Legislature to amend the Saugus Town Charter as follow:

Notwithstanding any Massachusetts General Law relative to Special Employee Status or any Massachusetts Ethics Commission Advisory Opinion ARTICLE 2 SECTION 6 "Multiple Officers" of the Charter of the Town of Saugus is hereby amended as follows:

By striking the first sentence that reads “*A member of the board of selectmen, or of the school committee, or of the finance committee shall, during the term for which he was elected or appointed, be ineligible either by election or appointment to hold any other town office.*”

And replacing it with: **Upon adoption by the Saugus Town Meeting no member of the Board of Selectmen, School Committee, Finance Committee, or Town Meeting shall hold any compensated town office, position or employment for which a salary or emolument is payable from the town treasury nor be eligible to enter into a contractual relationship for goods and services with the Town of Saugus until one year following the date on which such former member’s service on the Board of Selectmen, School Committee, Finance Committee, or Town Meeting has terminated.** (Peter Manoogian, Town Meeting Member Precinct 10).

Article 4. To see if the Town will vote to name the Department of Public Works building located at 515 Main Street:

JOSEPH ATTUBATO BUILDING
SAUGUS DEPARTMENT OF PUBLIC WORKS
There will be no cost to the town for a sign and plaque. (Robert Davis).

Article 5. To see if the Town will vote to request that the Governor of Massachusetts restate the Regional Saugus River Floodgate Project.

This project, which was determined to adequately and properly comply with the Massachusetts Environmental Policy Act on February 20, 1990 as Executive Office of Environmental Affairs Project #6497 will protect 5,000 coastal residential and commercial building in Saugus, Revere, Lynn and Malden and will also restore portions of the Estuary Marshes.

To communicate this request, the Saugus Town Meeting wishes for the Moderator to work with the Town Clerk to assure that an official copy of this resolution be mailed to Senator Markey, Senator Warren, Representative Moulton, Senator Creighton, Representative Wong and Representative Vincent. (Pater Manoogian, Town Meeting Member Precinct 10),

Article 6. To see if the Town will vote to amend Article XXI – Business Highway Sustainable Development Zoning District (BHSD), Section 21.12 Design Standards of the zoning by-laws, to include a provision in Section D, Parking and Driveway Design Standards to state: “All driveway entries that ingress and egress via Route 1 are highly encouraged to include an acceleration line, deceleration lane, auxiliary lane or other similar design option in collaboration with MassDOT for the purpose of improving vehicular safety, traffic flow, and efficiency”. (Joe Vecchione, Town Meeting Member Precinct 2)

Article 7. To see if the Town will vote to amend Article XXI – Business Highway Sustainable Development Zoning District (BHSD), Section 21.12 Design Standards of the zoning by-laws, to include a provision in the Section B, Building Design Standards to state “Building proposals shall include a mix uses, with the gross floor area of commercial uses (as permitted in Section 21.9) not to be less than 30% of the total gross square footage of the building”. This provision will also add language to Section 21.1: Purpose and Intent after “commercial uses” to state: “...of not less than 30% commercial use as permitted in Section 21.9 of the by-law”. (Joe Vecchione, Town meeting Member Precinct 2)

Article 8. To see if the Town will vote to amend Article XXI – Business Highway Sustainable Development Zoning District (BHSD), Section 21.9: Uses of the zoning by-laws, to modify Section 5, Access to State: “No uses within the BHSD Zoning District including the BH and BHR shall have *direct or indirect vehicular access other than by Route 1 and Route 99* to any residential zoning district or neighborhood, except for emergency vehicle access.” The term “Indirect Vehicular Access” shall be defined in Article II – Definitions as followed: “Indirect Vehicular Access – Vehicular access to or from roads not directly referenced in the zoning by-laws that can be accessed physically or via right-of-way to roads in a zoning district. (Joe Vecchione, Town meeting Member Precinct 2)

Article 9. To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to raise and appropriate by borrowing or otherwise a sum of money for

the purpose of funding the repaving of various roads in Precinct 2 including the portion of roadway between 14-29 Summit Avenue, the portion of roadway between 5-24 Bayview Road, Sapphire Road, Ruby Road, and the portion of roadway between 7-30 Beacham Avenue. (Joe Vecchione, Town Meeting Member Precinct 2).

Article 10. To see if the Town will vote to form a committee to study the feasibility of location a new Saugus Fire Station on the west side of Route One. The study will review potential sites, determine the necessary personnel and equipment requirements and the estimated costs. The committee will report its findings to each special town meeting with a final report to the May 2021 annual town meeting. The composition of the committee will include the two co-makers of this article, the Town Manager or his designate, the Saugus Fire Chief or his designate, and a Town Meeting Member from Precinct 7. (Robert Long, Town Meeting Member Precinct 9; William Cross, Town Meeting Member Precinct 8)

Article 11. To see if the Town will vote, pursuant to Massachusetts General Law C.82 to accept Sapphire Road (526.72 linear feet) as shown on a plan of land entitled "Easement for Sapphire Road", prepared by Carter & Towers Eng.Corp. dated April 9, 1980 recorded in Plan Book 162 Plan 2. (Christopher Riley Town Meeting Member Precinct 2).

Article 12. To see if the Town will vote, pursuant to Massachusetts General Law C.82 to accept Bay View Road (592.82 linear feet) as shown on a plan of land entitled "Easement for Bay View Road", prepared by Carter & Towers Eng.Corp. dated April 10, 1980 recorded in Plan Book 162 Plan 4. (Christopher Riley Town Meeting Member Precinct 2).

Article 13. To see if the Town will vote, pursuant to Massachusetts General Law C.82 to accept ruby Road (380 linear feet) as shown on a plan of land entitled "Easement for Ruby Road", prepared by Carter & Towers Eng.Corp. dated April 9, 1980 recorded in Plan Book 161 Plan 98. (Christopher Riley Town Meeting Member Precinct 2).

Article 14. To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$4500.00 to be used for the repair of the front entrance steps at the American Legion Building at 44 Taylor Street. (Christopher Riley Town Meeting Member Precinct 2).

Article 15. To see if the Town will vote to raise and appropriate or transfer from available funds a sum not to exceed \$40,000.00 for the purpose of hiring a consultant to provide a classification and compensation study for all (union and non-union) town employees, or take any other action relative thereto. The purpose of the study shall be to determine the fair and equitable total compensation for all town employees based on market conditions. AS such, the study shall include, minimally, analysis and recommendations for salaries and employee benefits. (Christopher Riley Town Meeting Member Precinct 2).

Article 16. To see if the Town will vote to rezone Lot A-238 on Old Assessor's Map 3015 (new Assessor 5G-14-12) from its current zone of B-1 (Business-Neighborhood) to R-4 (Multi-Density Apartment). The address of said parcel is 224 Lincoln Avenue, Saugus, MA. (Nelson C. Chang).

Article 17. To see if the Town will vote to raise and appropriate or transfer from available funds in the sum of \$10,000 for a wage study to be conducted on all full time employees of the Town of Saugus. The results of this study will be reported to Town Meeting by a newly formed committee. This committee will consist of one (1) member appointed by the Town Manager, Board of Selectmen, Town Meeting, the Public Employee's committee on Health insurance and the make of this Article. (William E. Cross, Town Meeting Member, Precinct 8)

Article 18. To see of Town Meeting will vote to authorize the Board of Selectmen to petition the Legislature to enact legislation in the following form:

The Town of Saugus may, subject to approval of the Commissioner of Revenue designate a place on its municipal tax bills, or the motor vehicle excise tax bills, or mail with such tax bills a separate form whereby taxpayers of the town can voluntarily check off, donate, and pledge an amount of money which shall increase the amount already due and which shall be paid over to the Saugus Emergency Relief Fund, as well as additional donations by businesses or organizations that would like to contribute to this fund. The purpose of this Emergency Relief Fund is for the support of

Saugus residents in need of immediate assistance during a state of emergency, as declared by the Commonwealth of Massachusetts, to include, rent, food, prescriptions, utilities, transportation, heating and oil assistance; such recipient's status as residents of Saugus and their need will be determined by the Board of Public Welfare. Such legislation is to be effective immediately; provided that the Legislature may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition; or take any other action that is required in the matter. (Board of Selectmen)

Article 19. To see if the Town will vote to amend the zoning by-laws of the Town of Saugus by adding the following:

Amend: Article XXI - BUSINESS HIGHWAY SUBSTANTIAL DEVELOPMENT
ZONING DISTRICT

Section 21.11 PARKING

By deleting the entire section under 21.11 Parking

By adding the following new section under 21.11 Parking

All parking spaces shall be 9 feet wide by 18 feet long, except for required Handicapped Spaces. Shared parking and "small or compact car spaces" will not be allowed.

The following Table of Use provides mandatory parking requirements for certain uses. No Special Permit granting authority may decrease the requirements of this section. All other parking requirements shall be the same as listed in Article VIII-OF Street Parking and Loading Regulations in the Saugus Zoning By-Law. For all other uses not specifically mentioned, the number of parking spaces shall be determined by the closest similar use, as determined by the Building Inspector.

TABLE OF USE

Studio / 1 Bedroom: (1.5 spaces) per unit.

All other Residential Units: (2 spaces) per unit.

Motels, Hotels: (1 space) per unit for each guest room or dwelling unit.

Meeting, Banquet or Restaurant area(s): (1 space) per 100 square feet of gross floor area.

Retail Business and Service Establishments:

(1 space) per 300 s.f. of gross floor area (1st floor).

(1 space) per 400 s.f. of gross floor area (all other floor, except basement area).

Theaters: (1 space) for each four seats.

(1 space) for each 100 s.f. of auditorium area, if there are not fixed seats.

Parking requirements for two (2) or more buildings or uses may be provided in combined parking facilities on the same lot of the proposed development. (Michael Serino)

Article 20. To see if the Town will vote to amend the zoning by-laws of the Town of Saugus by adding the following:

Amend: Article XXI - BUSINESS HIGHWAY SUBSTANTIAL DEVELOPMENT
ZONING DISTRICT

Section 21.10 DIMENSIONAL and DENSITY
REGULATIONS

By deleting the following section under 21.10 G. Minimum Coverage

3. Minimum of 10% of the lot(s) shall be reserved and maintained as open space.

By adding the following section under 21.10 G. Minimum Coverage:

3. All properties proposed for development or re-development are required to contain a minimum percentage of open space as follows:
- Tracts of developable land, from (40,000 sq. ft.) to three (3) acres:
A minimum of twenty five percent (25%) of the lot(s) shall be reserved and maintained as open space.
 - Tracts of developable land, greater than three (3) acres, to six (6) acres:
A minimum of thirty percent (30%) of the lot(s) shall be reserved and maintained as open space.
 - Tracts of developable land, greater than six (6) acres, to twenty (20) acres:
A minimum of thirty five percent (35%) of the lot(s) shall be reserved and maintained as open space.
 - Tracts of developable land, greater than twenty (20) acres:
A minimum of forty percent (40%) of the lot(s) shall be reserved and maintained as open space.

3a. Open Space requirements shall include all setbacks and areas of common land, excluding: any structures, streets, driveways, parking lots, loading and trash areas.
(Michael Serino)

Article 21. To see if the Town will vote to amend the zoning by-laws of the Town of Saugus by adding the following:

Amend: Article XXI - BUSINESS HIGHWAY SUSTAINABLE DEVELOPMENT
ZONING DISTRICT

Section 21.10 DIMENSIONAL and DENSITY
REGULATIONS

By deleting the following section under 21.10 H. Density:

1. Residential = 30 units per acre

By adding the following section under 21.10 H. Density:

2. Residential = 20 units per acre

(Michael Serino)

Article 22. To see if the Town will vote to amend the zoning by-laws of the Town of Saugus by adding the following:

Amend: Article XXI - BUSINESS HIGHWAY SUSTAINABLE DEVELOPMENT
ZONING DISTRICT

Section 21.10 DIMENSIONAL and DENSITY
REGULATIONS

By deleting the entire section 21.10 D.

Additional Setback requirement within the Business Highway Residential (BHR) District.

By adding the following new section 21.10 D.

Additional Setback requirements within the Business Highway Residential (BHR) and the Business Highway (BH) Zoning Districts.

1. Setbacks:

- a. All setbacks including front, side and rear shall not contain any structures, including accessory structures, parking lots, parking structures, outdoor loading and trash storage areas.
- b. A 50 foot setback shall be created from any yard side that abuts an existing residential district zone. This setback shall not contain roadways, driveways or access ways (except for emergency access).
- c. Side and rear setbacks areas shall be heavily landscaped and planted with year round opaque planted screens, such as evergreen or pine tree plantings. In certain circumstances the use

of berms could be encouraged. Opaque fencing, walls or solid barriers should only be considered under certain circumstances and if approved should be screened by opaque plantings.

2. Additional Setback Requirements:

In addition buildings, driveways, parking areas, loading areas, outdoor activity areas, light sources, trash areas and other potential nuisances shall be located and designed in such a manner as to minimize adverse impacts on abutting property, including existing residential districts.

By deleting section 21.10 C. Setbacks 5.

For any building(s) side(s) in the BH sub-district that border(s) an existing residential district the side yard setback shall be 20 feet. Except that the rear building setback abutting an existing residential district shall be 50 feet.

By deleting section 21.10 C. Setbacks 6.

When rear or side yard setbacks about a residential district, a screening area consisting of evergreen plantings and trees and/or opaque fencing shall be required within the setback.
(Michael Serino)

Article 23. To see if the Town will vote to amend the zoning by-laws of the Town of Saugus by adding the following:

Amend: Article XXI - BUSINESS HIGHWAY SUBSTANTIAL DEVELOPMENT
ZONING DISTRICT
Section 21.9 USES

By adding the following section under 21.9 USES: 4. Within the Business Highway sub-district (BH), uses shall be regulated as follows:

5. All properties proposed for development or redevelopment are required to contain a minimum percentage of commercial use(s) as follows:

- Tracts of developable land, from (40,000 sq. ft.) to three (3) acres:
Shall include a minimum commercial use(s) of twenty percent (20%), of the total gross floor area(s) of the entire final structure(s) in the proposed development..

- Tracts of developable land, greater than three (3) acres, to six (6) acres:
Shall include a minimum commercial use(s) of twenty-five percent (25%), of the total gross floor area(s) of the entire final structures in the proposed development.

- Tracts of developable land, greater than six (6) acres, to twenty (20) acres:
Shall include a minimum commercial use(s) of thirty percent (30%), of the total gross floor area(s) of the entire final structure(s) in the proposed development.

- Tracts of developable land, greater than twenty (20) acres:
Shall include a minimum commercial use(s) of thirty-five percent (35%), of the total gross floor area(s) of the entire final structures(s) in the proposed development.
(Michael Serino)

Article 24. To see if the Town will vote to amend the zoning by-laws of the Town of Saugus by adding the following:

Amend: Article XXI - BUSINESS HIGHWAY SUBSTANTIAL DEVELOPMENT
ZONING DISTRICT
Section 21.9 USES

By adding the following section under 21.9 USES: B. Within the Business Highway Residential sub-district (BHR), uses shall be regulated as follows:

4. All properties proposed for development or re-development are required to contain a minimum percentage of commercial uses(s) as follows:

- Tracts of developable land, from (40,000 sq. ft.) to three (3) acres: Shall include a minimum commercial use(s) of twenty percent (20%), of the total gross floor area(s) of the entire final structure(s) in the proposed development.
- Tracts of developable land, greater than three (3) acres, to six (6) acres: Shall include a minimum commercial use(s) of twenty five percent (25%), of the total gross floor area(s) of the entire final structure(s) in the proposed development.
- Tracts of developable land, greater than six (6) acres, to twenty (20) acres: Shall include a minimum commercial use(s) of thirty percent (30%), of the total gross floor area(s) of the entire final structure(s) in the proposed development.
- Tracts of developable land, greater than twenty (20) acres: Shall include a minimum commercial use(s) of thirty five percent (35%), of the total gross floor area(s) of the entire final structures(s) in the proposed development. (Michael Serino)

Article 25. To have Town Meeting review the town owned property at the old water tower site on Summit Ave as a possible recreational area for the neighborhood as a “tot Lot” or just benches with what ever other facilities can be placed there. It is a vacant area. There are no other areas without crossing a major road within a reasonable distance. (Peter Rossetti, Town Meeting Member Precinct 2)

Article 26. To have Town Meeting direct Town Counsel to investigate the creation of a fund that would allow developers to voluntarily contribute towards town projects. This would be like “linkage” in Boston. This is a off shoot of the YMCA project from a few years ago. It was suggested that the Y extend the sidewalk in front of their property to the Lynnfells Parkway along the south side if Main St. There was a tremendous amount of ledge that would have to be removed to complete the project. It was not realistic to think the Y could afford to do the project; however, they could contribute to the project. Other projects in the area could also make voluntary donations, until an amount was accumulated to complete this or other projects in the town. I believe this will require Town Meeting Action and possibly State legislation action. (Peter Rossetti, Town Meeting Member Precinct 2)

Article 27. To see if the Saugus town Meeting will vote to create a five-person study committee that will investigate the potential use for the Ballard School including, but not limited to, the use for Veterans Housing under the VASH Program or other programs that offer state or federal subsidies.

Said Committee will research and report on opportunities for public/private or public/non-profit to partner with the Town and/or the Saugus Housing Authority. Said committee shall engage the Saugus Housing Authority and/or its Executive Director as part of its research as well as the Saugus Veterans agent.

Said committee shall consist of two Precinct 10 Town Meeting Members to be appointed by the Moderator within 14 days of adoption of this article, one resident neighbor who resides on Richard, Greenwood or Dudley Street to be selected by the tow appointed Town Meeting Members, one Selectmen to be appointed by the Chairman of the Board of Selectmen and the Town manager or his designee.

In the event the Moderator fails to make appointments as herein described, the five Precinct 10 town meeting members shall appoint two from said delegation.

All meetings will be public and abutters of the Ballard School shall receive written notice of meetings. There shall be no less than one public hearing to receive input.

This committee will report to the next annual or special town meeting, whichever comes first. A final report, with recommendations, will be issued no later than October 15th, 2020. (Peter Manoogian, Town Meeting Member Precinct 10)

Article 28. To see if the Saugus Town Meeting will vote to revise its affirmative vote of Article 2 which was voted on March 9, 2020 to include language requested by the Massachusetts General Court so that the vote would read as follows:

Notwithstanding any general or special law to the contrary, Kevin Nichols may continue to serve in the position of Saugus Police Department patrolman until the age of 70, or until the date of his retirement or non-reappointment whichever occurs first. [No further deductions shall be made from the regular compensation of Kevin Nichols under chapter 32 of the General Laws for any service subsequent to his reaching the age of 65 in connection with his service to the Town for retirement or pension purposes, and upon retirement, he shall receive a retirement allowance equal to that which he was entitled upon reaching age 65.

SECTION 2. This act shall take effect upon its passage.
(Anthony Cogliano)

Saugus Board of Selectmen

Because I do not foresee any way to safely assemble our 50 member Town Meeting, and allow for public attendance at the same time while complying with state directives on public assemblies during the current health emergency, I am, hereby, requesting permission from the Saugus Board of Selectmen to hold the 2020 annual Town Meeting in an on-line format, using the ZOOM meeting platform, on the evening of Monday, June 29, 2020.

I have used this format in the past and know that it allows for all participants to see and hear all other participants. It also allows for the accurate taking of attendance to determine if a quorum is present, the ability to conduct a roll call vote and the ability for all Town Meeting members and registered voters in attendance to get the Moderators attention and be recognized to speak.

I spoke with Kevin Currie, from the town's Commission on Disability, who is also familiar with the ZOOM platform and didn't see any issues with using it for this purpose from an accessibility standpoint.

Registered voters residing in the Town of Saugus who wish to participate in the remote Town Meeting should submit a request to participate to the town clerk not less than 48 hours prior to the Town Meeting. Upon receipt of the request and verification of the requestor's voter registration status, the clerk shall provide to the requester instructions for participating in the remote Town Meeting.

At this meeting, Town Meeting members will first vote whether to commence business and take up votes using this remote format. If the Town Meeting members, by majority vote, opt to not utilize this format, the meeting will be adjourned to a date predetermined by the Board of Selectmen, when the body can fully assemble to conduct the town's business.

All votes will be taken in such a manner as to insure, to the moderator's satisfaction, that the votes of every member attending have been accurately accounted for and by roll-call vote, if requested by any member, as is our practice.

This meeting will be recorded and subsequently posted on the town's website for a period of 90 days.

All actions taken during this remote meeting will be ratified, validated and confirmed to the same extent as if the town meeting had been conducted in person and such actions will be within all other applicable laws.

While allowed by the recently passed state statute, I do not believe a reduced quorum will be required for this meeting.

Thank you, in advance, for your consideration on this request.

Sincerely,

Steve Doherty – Saugus Town Moderator

COMMONWEALTH OF MASSACHUSETTS TOWN OF SAUGUS

Essex, SS.

To the Constable of the Town of Saugus

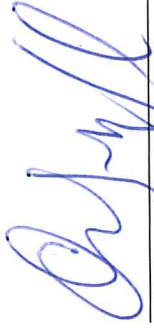
Greeting:

You are hereby directed to serve this warrant by posting attested copies thereof at the several voting precincts fourteen days, at least, before the time of holding such a 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 said meeting.

Given under hands and Town seal this 25th day of June 2020.

TOWN OF SAUGUS BOARD OF SELECTMEN



Anthony W. Cogliano, Sr., Chairmen



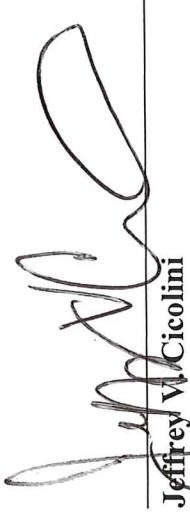
Corinne R. Riley, Vice Chairmen



Michael J. Serino



Debra C. Panetta



Jeffrey W. Cicolini

COMMONWEALTH OF MASSACHUSETTS

Attestation of Service

By Town Clerk

Essex, ss.

As Town Clerk of the Town of Saugus Massachusetts, I hereby certify that copies of this warrant were committed to the custody of the Town Constable for posting at the several precinct voting locations through the Town and that further, copies of the same were sent via first class United States mail, postage prepaid, to the fifty Town Meeting members at their last know residential addresses, and that further copies of said warrant were given by me to the nine members of the Finance Committee, five member of the School Committee, five members of the Board of Selectmen, Town Manager and Town Counsel of the Town of Saugus, Massachusetts at least fourteen days prior to said meeting. Under the pains and penalties of perjury, attest;

Date: June 29, 2020



Dennis Moschella, Constable



Ellen J. Schena, Town Clerk

