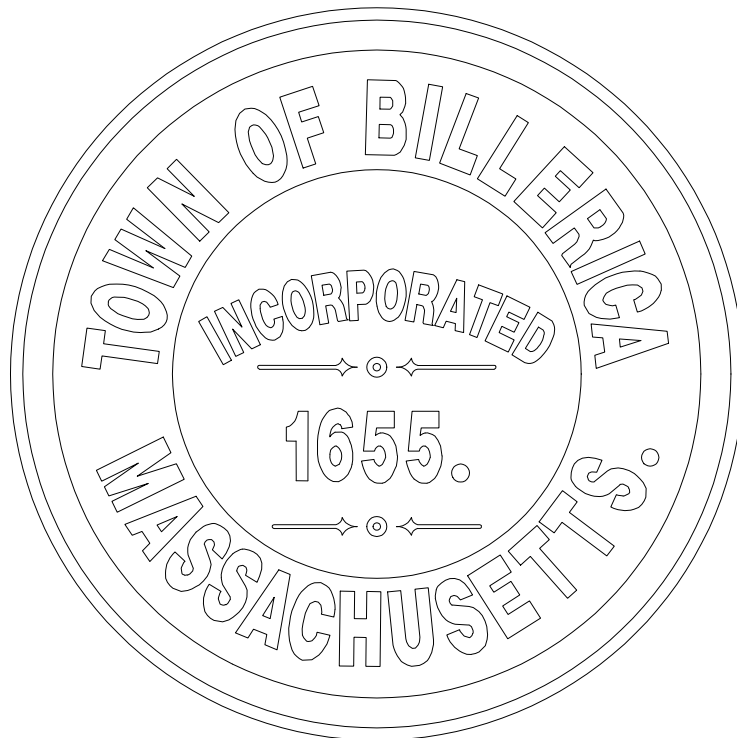


TOWN OF BILLERICA

FINAL WARRANT



SPECIAL TOWN MEETING

Tuesday, May 14, 2013 at 7:30 PM

At

Billerica Town Hall Auditorium

Article Number	Purpose	Value	Funding Source	Submitted by:	Finance Committee Recommendation
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1	Disposition of Town Land for the Purpose of Affordable Housing			Town Manager; authorized by BOS	
2	Amend Zoning By-Law			Petitioner	

FINAL
WARRANT
2013 SPECIAL TOWN MEETING

Middlesex, ss.
To Any Constable in the Town of Billerica

Greetings,

You are hereby authorized and requested to notify and warn the inhabitants of said Town of Billerica qualified by law to vote in Elections and Town Affairs, to meet at the Maurice A. Buck Memorial Auditorium, Town Hall, 365 Boston Road, Billerica, MA on Tuesday, May 14, 2013 at 7:30 PM and subsequent Thursdays and Tuesdays until all of the business in the Warrant shall have been acted upon, then and there to vote on the following articles:

ARTICLE 1 – DISPOSITION OF TOWN LAND FOR THE PURPOSE OF AFFORDABLE HOUSING

To see if the Town will vote that the parcel of Town owned land identified as Friendship Street and shown on the 2013 Billerica Assessors' Maps as Map 78, Block 76, Lot 0, be transferred to the Board of Selectmen for purposes of disposition to an entity or entities engaged in the development of affordable housing for sale or rental to persons of low or very low income within the meaning of the Housing Act of 1937, and qualifying for listing in the affordable housing inventory maintained by the Mass. Dept. of Housing and Community Development under G.L. Chapter 40B, with such transfer to be made subject to a permanent deed restriction, which may contain a reverter clause, permanently restricting the sale or resale price, or rental cost, of any home constructed on said parcel to no more than that considered affordable for persons of low income as defined by the U.S. Dept. of Housing & Urban Development and qualified for continued listing in the above affordable housing inventory; and to authorize the Board of Selectmen to make use of such other instrumentalities of the Town or other agencies as may be necessary to effect the purposes of this Article, and to enter into any agreements necessary to effect the transfer of such land in accordance with this Article; or act in relation thereto.

Submitted by the Town Manager; authorized by the Board of Selectmen

Finance Committee will make its recommendation about this article at Town Meeting.

Article 1 Explanation: The Board of Selectmen has voted to endorse the disposition of this property on Friendship Street for the purpose of building one affordable housing unit for sale. It is requesting that Town Meeting authorize the Board of Selectmen to dispose of the property for this purpose.

ARTICLE 2 – TO AMEND ZONING BY-LAW

To see if the Town will vote to amend the Zoning By-Law by re-zoning from a Rural Residence Zone and Neighborhood Business Zone with an Elderly Housing Overlay District to a Rural Residence Zone and Neighborhood Business District Zone with a Townhouse Overlay a parcel of land located on Treble Cove Road/Bridge Street in said town, bounded and described as follows:

A Certain parcel of land in the Town of Billerica, in the County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on Treble Cove Road at the Southwesterly corner of the land; thence

Northerly	Along a curve turning to the left with an arc length of 420.98', with a radius of 650.00' to a point; thence
N 17°05'55" W	A distance of 421.91 feet to a point. Said last two courses by the easterly sideline of Treble Cove Road; thence
Northerly	Along a curve turning to the right with an arc length of 107.15', with a radius of 427.55' to a point; thence
Northerly	Along a curve turning to the left with an arc length of 169.53', with a radius of 278.89' to a point; thence
N 24°04'39" E	A distance of 721.88 feet to a point; thence
N 08°03'06" E	A distance of 111.56 feet to a point; thence
N 05°17'49" E	A distance of 92.73 feet to a point; thence
N 04°20'21" E	A distance of 122.06 feet to a point. Said last six courses by land now or formerly Alibrandi Realty Associates; thence
S 35°30'28" E	A distance of 554.92 feet to a point. Said last course by land now or formerly Patriot Property Group, LLC, Enterprise Bank and Trust Company and Gerald J. Levesque; thence
S 28°43'46" E	A distance of 268.48 feet to a point. by land now or formerly Boston Road Investors, LLC; thence
S 58°07'59" W	A distance of 544.50 feet to a point; thence
S 60°40'16" E	A distance of 330.00 feet to a point; thence
N 67°35'46" E	A distance of 371.35 feet to a point. Said last three courses by land now or formerly Town of Billerica; thence

S 20°44'58" E	A distance of 548.50 feet to a point; thence
S 00°27'31" E	A distance of 89.72 feet to a point; thence
S 26°05'43" E	A distance of 164.22 feet to a point; thence
S 14°04'28" E	A distance of 52.05 feet to a point; thence
S 20°28'43" E	A distance of 58.55 feet to a point. Said last five courses by land now or formerly Boston Road Investors, LLC; thence
S 11°54'31" E	A distance of 65.51 feet to a point. Said last course by land now or formerly Boston Road Investors, LLC and MacCormack Properties, LLC; thence
S 81°16'27" W	A distance of 344.85 feet to a point. Said last course by land now or formerly Carol A. Levesque and 25 Bridge Street Condominiums; thence
S 08°43'33" E	A distance of 143.76 feet to a point on the northerly sideline of Bridge Street. Said last course by land now or formerly 25 Bridge Street Condominiums; thence
Westerly	Along a curve turning to the left with an arc length of 118.18', with a radius of 999.52' to a point; thence
S 71°08'55" W	A distance of 115.53 feet to a point; thence
Westerly	Along a curve turning to the right with an arc length of 192.48', with a radius of 1200.00' to a point; thence
S 80°20'20" W	A distance of 155.00 feet to a point; thence
Westerly	Along a curve turning to the left with an arc length of 201.87', with a radius of 1800.00' to a point; thence
S 73°54'47" W	A distance of 26.09 feet to a point. Said last six courses by the northerly sideline of Bridge Street; thence
N 32°00'45" W	A distance of 100.79 feet to a point; thence
N 16°58'14" W	A distance of 138.71 feet to a point; thence
N 16°11'20" W	A distance of 17.86 feet to the point of beginning. Said last three courses by the easterly sideline of Treble Cove Road fork.

The above described parcel of land contains 1,577,921 square feet, or 36.22 acres, more or less and is more particularly shown on a plan entitled "Rezoning Plan of Land in Billerica, Mass., (Middlesex County), prepared for: The Gutierrez Company, scale: 1in.= 100ft., dated: April 19, 2013", prepared by: Noonan & McDowell, Inc., 25 Bridge Street, Suite 6, Billerica, MA, 01821-1023.

Submitted by James T. Dangora and Messrs. Brooks, Cowan, Melvin, Ferraro, Corsetti, Govertsen, Peterson, Bradley, Joy and Madames Jenkins, Abelli, McNamara, Bourgeois, Vogan, Russo, Crandall and Picardi.

Finance Committee will make its recommendation about this article at Town Meeting.