

THE COMMONWEALTH OF MASSACHUSETTS

TOWN WARRANT

Worcester, SS.

TO EITHER OF THE CONSTABLES OF THE TOWN OF SUTTON IN THE COUNTY OF WORCESTER,

GREETINGS:

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of the Town of Sutton, qualified to vote in Town elections and in Town affairs, to assemble in **The Simonian Center for Early Learning, Boston Road**, in said **SUTTON** on

**MONDAY, THE FIFTHTEENTH DAY OF
OCTOBER, 2012**

At **7:30 o'clock in the evening**. Then and there to act on the following article(s) to wit:

ARTICLE 1

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to enter into a contract or contracts for a term in excess of three (3) years for the purchase of net metering credits upon such terms and conditions as the Board of Selectmen deem to be in the best interests of the Town; or to take any other action relative thereto.

ARTICLE 2

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will vote to amend the vote taken on Article 6 of the May 14, 2012 Annual Town Meeting to reflect the final Cherry Sheet as follows:

Increase raise and appropriate revenue from state aid	\$ 145,097
Decrease free cash appropriation	\$ 84,217
Increase school department expense appropriation	\$ 60,880

or to take any other action relative thereto.

ARTICLE 3

AUTHORITY: Elected Board

SPONSOR: Board of Selectmen

To see if the Town will raise and appropriate, transfer from available funds or borrow a sum of money and appropriate the same to various FY2013 appropriations, or to take any other action relative thereto.

ARTICLE 4

AUTHORITY: Multiple Member Body
SPONSOR: Planning Board

To see if the Town will vote to accept as a public way in the Town the roadways known as “Benoni Drive”, “Blueberry Meadow Drive”, “Cedar Hill Road”, “Strawberry Knoll Drive”, “Trilliam Run”, “Wildflower Drive”, as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled:

“Colonial Acres, Town of Sutton, MA” prepared by Kalkunte Engineering Corporation dated 11/11/1988 Rev. through 11/6/1989 as recorded at the Worcester District Registry of Deeds as Book 652 Plan 114,

a copy of which is on file with the Town Clerk, and further to authorize the Board of Selectmen to acquire, by gift, purchase, eminent domain or otherwise, interests in land sufficient to provide for the use and maintenance of said way as a public way, or act to do anything in relation thereto.

ARTICLE 5

AUTHORITY: Multiple Member Body
SPONSOR: Planning Board

To see if the Town will vote to authorize the Board of Selectmen to acquire by eminent domain for conservation purposes, the open space parcels shown as “Lot 107” and “Lot 108” on a plan of land entitled:

“Colonial Acres, Town of Sutton, MA” prepared by Kalkunte Engineering Corporation dated 11/11/1988 Rev. through 11/6/1989 as recorded at the Worcester District Registry of Deeds as Book 652 Plan 114,

a copy of which is on file with the Town Clerk , or act to do anything in relation thereto.

ARTICLE 6

AUTHORITY: Multiple Member Body
SPONSOR: Planning Board

To see if the Town will vote to accept as a public way in the Town the roadway known as “Skye Line Drive” as heretofore laid out by the Board of Selectmen and shown on a plan of land entitled:

“Skye Line Proposed Subdivision in Sutton, MA” prepared by Lavallee Brothers Inc., dated April 4, 1986 as recorded at the Worcester District Registry of Deeds as Book 565 Plan 89.

a copy of which is on file with the Town Clerk, and further to authorize the Board of Selectmen to acquire, by gift, purchase, eminent domain or otherwise, interests in land sufficient to provide for the use and maintenance of said way as a public way, or act to do anything in relation thereto.

ARTICLE 7

AUTHORITY: Multiple Member Body
SPONSOR: Planning Board

To see if the Town will vote authorize the Board of Selectmen to acquire by gift a “snow easement” over the area shown as “Proposed Private Way” on a plan entitled “Definitive Subdivision – Dean Farm Road Common Drive, Sutton , Massachusetts” dated January 20, 1997 Revised February 2, 1999 and recorded in the Worcester District Registry of Deeds Plan Book 826 Plan 122, or act to do anything in relation thereto.

ARTICLE 8

AUTHORITY: Multiple Member Body
SPONSOR: Planning Board

To see if the Town will vote to amend the Zoning Bylaw, Section VI.L. Accessory Apartments by deleting the strikethrough language and adding the italicized language as follows: or take any action in relation thereto;

L. Accessory Apartments

The intent of this section of the bylaw is to 1) increase the diversity of housing options for town residents in response to demographic changes, particularly the demand for housing for senior family members; 2) encourage better utilization of existing housing stock while maintaining the appearance and character of the town’s single family neighborhoods; and 3) eliminate the continued construction of illegal unregulated apartment units, and 4) create another potential source of affordable housing units.

An accessory apartment is a dwelling unit constructed within and/or added onto a single family dwelling ~~or attached garage~~ or *detached accessory structure. Accessory apartments must be a complete separate housekeeping unit that can be isolated from the original single family dwelling.*

The Board may waive strict compliance with any provision of this bylaw if it deems it in the public interest and determines that the intent of the bylaw has been maintained. Written record must be kept of such waivers including the reasons for them.

- a. ~~An accessory apartment shall only have no more than one bedroom~~ *Only one (1) bedroom is permitted in an accessory apartment.*
- b. Only one (1) accessory apartment shall be allowed per lot.
- c. ~~The owner(s) of the residence in which or for which the accessory apartment is created shall reside on the premises.~~ *The owner(s) of the property shall reside on the premises.*
- d. An accessory apartment shall be designed to maintain the appearance of the single family property of which it is a part, and shall be clearly subordinate to the single family dwelling.
- e. ~~Any exterior entrance to the apartment shall be located on the side or rear of the single family dwelling.~~
- f.e. ~~Any additions containing the apartment, in whole or in part, shall not increase the square footage of the original structure by more than 1,200 square feet, nor shall space in an existing structure converted to an accessory apartment exceed 1,200 square feet. The 1,200 square feet is the total~~

~~floor area of the accessory apartment with no area excluded other than unfinished basement space.~~

Accessory apartments shall not exceed 1,200 s.f. No floor area may be excluded from this calculation, other than unfinished attic or basement areas.

~~g.f.~~ No more than two (2) persons may occupy an accessory apartment.

~~h.g.~~ Board of Health must approve the addition of the unit before the permit can be granted.

~~i.h.~~ *An accessory apartment cannot be its own stand-alone structure; it must be a portion of the main dwelling or detached accessory structure such as a garage or barn.*

And you are directed to serve this Warrant, by posting copies attested by you in the following places:

**the store in Sutton Center
the Town Hall (Municipal Center)
each of the Post offices
the Senior Center, Hough Road
the Whittier's Farm Milk Store, Douglas Road
the store in Manchaug at the Four Corners
the elderly housing community center
the store in Heritage mall in Wilkinsonville
advertise on the local cable channel and notify newspapers of local circulation.**

In said SUTTON, at least SEVEN days before the holding of said meeting.

HEREOF FAIL NOT, and make due return of this Warrant with your doings thereon, to the Town Clerk of said Sutton on or before time holding the meeting.

Given under our hands this 4th day of October in the year Two Thousand and Eleven.

SUTTON BOARD OF SELECTMEN

Kevin Geraghty, Chair

Michael Chizy, Vice Chair

John Hebert, Clerk

Kenneth Stuart

Richard Hersom

POSTED:

DATE

CONSTABLE