

**Minutes for Special Town Meeting  
Monday, May 7, 2007**

To either of the Constables of the Town of Stoneham in the County of Middlesex, GREETING:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Stoneham qualified to vote in elections and Town affairs to meet in the **Town Hall, 35 Central Street**, on

**Monday, May 7, 2007**

at 8:00 o'clock in the evening to act on the following Articles of this Warrant:

Tellers were appointed to check the names of voters entering the Town Hall and the checklist showed 474 voters were inside the meeting.

Moderator Michael Rotondi called the Special Town Meeting to order at 10:35PM.

**Kathleen Sullivan 91 Spring Street made a motion to Adjourn the Special Town Meeting until Thursday, May 10, 2007 at 8:00PM. Motion Passed per Moderator. Meeting Adjourned at 10:36PM.**

**Special Town Meeting reconvened on Thursday, May 10, 2007 following the dissolution of the Annual Town Meeting. Tellers were appointed to check the names of voters entering the Town Hall and the checklist showed 352 voters inside the meeting. Moderator Rotondi called the meeting to order at 10:45 PM.**

**Article 1.** To see if the Town of Stoneham will vote to amend Section 6.7 SIGNS of the Town of Stoneham Zoning By-Laws by amending or adding the following sections:

*Section 6.7.5 Prohibited Signs:*

(b) Off-premise signs and billboards, except for non-commercial signs and signage permitted pursuant to Sections 6.7.6 (e) and 6.7.8.

*Section 6.7.6 Permitted Signs:*

(e) Off-Premise and Billboard Signs are permitted by Special Permit in the Commercial I and Commercial III Zoning District, subject to the procedures and requirements in Section 6.7.8.

*Section 6.7.8 Off-Premise and Billboard Sign – Procedures:*

Section 6.7.8.1 Applications: Off-Premise and Billboard Signs shall be permitted in the Commercial I and Commercial III Zoning Districts only by grant of a Special Permit issued

by the Planning Board. Any person desiring a Special Permit under this section shall submit a Special Permit application to the Planning Board together with a filing fee of \$1,000.00 and ten (10) copies of the application materials as outlined below:

- (a) Site Plan and area maps identifying the following features:
  - i. Location of any existing buildings, parking spaces and traffic circulation pattern on the subject parcel;
  - ii. Proximity of nearest residentially used and residentially zoned property utilizing current aerial photographs and Stoneham Assessors Maps;
  - iii. Specific location of proposed Off-Premise or Billboard Sign; and,
  - iv. Details of proposed buffer/landscaping area around signage including species and caliper of trees and/or shrubbery.
- (b) Off-Premise or Billboard Sign details shall include the following information:
  - i. Detailed dimensions and area of any proposed single or multi-faced sign;
  - ii. Detail sheet of any proposed support structure specifying dimensions and construction type. Upon request by the Planning Board or the Building Inspector, the Applicant shall provide a structural analysis of the support structure stamped by a licensed structural engineer; and,
  - iii. Lighting proposal, including cut sheets of all proposed lighting fixtures to be either attached to the sign, structure or affixed to the ground;
- (c) Additional Requirements:
  - i. Authorization from the property owner (i.e., lease, etc.) granting permission to install proposed signage;
  - ii. Authorization, as necessary, from the Commonwealth of Massachusetts and/or the Federal Government; and,
  - iii. Any additional information as may be required by the Planning Board to assist the Board in determining whether the application complies with the intent and requirements of this Section 6.7.8.

Section 6.7.8.2 Dimensional Restrictions and Design Guidelines: All signage proposals shall be designed in compliance with the following requirements:

1. Signage shall be permitted in the Commercial 1 and Commercial III Zoning Districts only, provided, however, that said signage shall be located no further than 50' from any interstate layout;
2. Signage shall not have excessive lighting nor shall it have any mechanical or moving parts which would, in the opinion of the Board, have the effect of causing a hazard to motorists. This shall not preclude an applicant from

proposing signage which allows for more than one advertisement to be displayed, such as a so-called “tri-vision” sign, at the discretion of the Planning Board;

3. Signage shall not create a visual impediment or impact to any abutting or adjacent residentially zoned or used property;
4. No portable signs shall be permitted. All signage must be permanently affixed to a main support structure;
5. There shall be no more than one Off-Premises or Billboard Sign permitted for every 1500 linear feet of Commercial I and Commercial III frontage which directly abuts an interstate layout. This calculation shall be based on the current Zoning Map and such calculation shall be submitted by the Applicant to the Planning Board as part of the application materials;
6. An Off-Premises or Billboard sign may be double sided. An individual sign or sign face shall not exceed 672 square feet in total area and shall not exceed 14 feet in height x 48 feet in width.
7. An Off-Premises or Billboard sign may be mounted on a pedestal or other support structure which may not exceed 40 feet in height. The height of such structure shall be calculated from the base of the support structure or sign, whichever is affixed to the ground (exclusive of structural footings), to the highest point of the support structure;
8. Signage lighting or other illumination related to the proposed sign shall not project, glare or negatively impact abutting properties and shall not shine onto abutting roadways;
9. The Applicant shall provide a 10’ wide landscaped buffer around the base of the support structure to minimize any visual impacts.

Section 6.7.8.3 Criteria for Approval: The Planning Board shall not approve any applications for a Special Permit under Section 6.7.8 unless it finds that all of the following conditions are met or are incorporated into any Special Permit decision:

1. The specific site is an appropriate location for the proposed sign and the design and layout complies with the standards set forth in these procedures and requirements;
2. The proposed sign will not adversely affect the abutting neighborhood or have the effect of causing a hazard to motorists;
3. Any Special Permit decision shall require compliance with Section 6.7.7.2 “Certificate of Insurance”;
4. Any Special Permit decision shall require compliance with Section 6.7.7.3 “Location of sign; inclusion of permit number on sign”;

5. Any Special Permit decision shall require compliance with Section 6.7.7.5 “Maintenance; inspection”;
6. All permits are subject to any necessary approvals and conditions issued by the State of Massachusetts or Federal Government; and,
7. The Planning Board, in granting the special permit, shall attach such additional conditions and safeguards as it deems necessary.

Section 6.7.8.4 Sign Maintenance: If a sign permitted under Section 6.7.8 is abandoned or is in disrepair for a period of ninety (90) days, it shall be cause for its removal. The Building Inspector shall notify the owner and/or manager of the sign and property owner in writing, specifying a forty-five (45) day period to remove or repair said sign otherwise upon expiration of the forty-five (45) day period the sign permit shall be revoked. If the sign has not been removed or repaired within the time period to the satisfaction of the Building Inspector, the Building Inspector shall cause the sign to be removed forthwith. All expenses for the removal shall be borne by the sign owner and/or property owner as determined by the Building Inspector.

If the Building Inspector determines that a sign is an immediate threat to public safety, irrespective of any stays granted to the sign and/or property owner, the Building Inspector may cause any sign, abandoned or not, and any portion of its support structure if deemed part of the public threat, to be immediately removed, and/or the threatened public area cordoned off. All expenses for protecting the public, including the removal of said sign or stabilization of the public safety threat, shall be borne by the sign owner and/or property owner as determined by the Building Inspector. A sign which is not abandoned may be returned to its original position, but only after repairs have been made and the public safety threat abated, to the satisfaction of the Building Inspector.

Section 6.7.8.5 Surety: The Applicant shall provide a financial surety to the Town which will cover the cost of the removal of any sign which is found to be abandoned or is in disrepair, as determined under Section 6.7.8.4. The Applicant shall deposit with the Town Accountant a surety in the amount of which shall be determined by the Planning Board at the time of the application. Upon removal of the sign by the Town (if required), any remaining funds shall be returned to the Applicant.

### Commercial I and Commercial III

Sign Type Allowed	Permit Required	Max. Sign Area	Max. Height Ft.	Front Setback	Side Setback	Max. Number	Comment
Off-Premise & Billboard Signage - Permitted in Commercial I and	Y* *Permitted by Special Permit	672 SF per sign face - Not to exceed 14'x48'	40' support structure	NA	NA	See Section 6.7.8	See Section 6.7.8 for additional restrictions and guidelines

Commercial III District		per sign face					
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This article shall be conditioned upon and subject to a Development Agreement being entered into by the Town through its Board of Selectmen and Town Administrator prior to Town Meeting.

Or to act in any other manner in relation thereto.

**Board of Selectmen**

**Article 1.** **Voted** that the subject matter of Article 31 be indefinitely postponed.

**Motion to Indefinitely Postpone  
Indefinitely Postponed**

**Article 2.** To see if the Town will vote to petition the State Legislature to enact a special act for the Town of Stoneham to establish and maintain a special account known as the Capital Improvement Trust Fund. The Town of Stoneham may appropriate to the fund by vote at an annual or special town meeting in any year an amount not to exceed 10 per cent of the amount raised in the preceding year by taxation of real estate and tangible personal property. Appropriations under this section shall not increase the aggregate amount of the fund to an amount exceeding 10 per cent of the equalized valuation of the Town as defined in Section 1 of Chapter 44 of the General Laws. Monies in the fund may be appropriated at an annual or special town meeting for capital purposes only by a two-thirds (2/3) vote of town meeting. Capital purchase shall mean the purchase of any item with a cost of at least \$10,000 and a life expectancy of 3 or more years. Any interest earned on the fund shall be added to and become part of the fund.

Or do anything in relation thereto.

**Board of Selectmen**

**Article 2.** **Voted** that the Town petition the State Legislature to enact a special act for the Town of Stoneham to establish and maintain a special account known as the Capital Improvement Trust Fund. The Town of Stoneham may appropriate to the fund by vote at an annual or special town meeting in any year an amount not to exceed 10 per cent of the amount raised in the preceding year by taxation of real estate and tangible personal property. Appropriations under this section shall not increase the aggregate amount of the fund to an amount exceeding 10 per cent of the equalized valuation of the Town as defined in Section 1 of Chapter 44 of the General Laws. Monies in the fund may be appropriated at an annual or special town meeting for capital purposes only by a two-thirds (2/3) vote of town meeting. Capital purchase shall mean the purchase of any item with a cost of at least \$10,000 and a life expectancy of 3 or more years. Any interest earned on the fund shall be added to and become part of the fund.

**Majority Vote Required  
Passes Unanimous**

**\*sent to Senator Tisei & Representatives Casey & Natale on May 21, 2007**

**Article 3.** To see if the Town will vote to authorize the transfer of the care, custody, management and control of the below referenced Town owned parcels of land (“property”) behind Brookbridge Road, which are no longer needed for their current purpose(s), to the Board of Selectmen and/or Town Administrator for the purpose of the sale of said property and further to authorize the Board of Selectmen and/or Town Administrator to sell said property in accordance with the applicable provisions of Massachusetts General Laws, including Section 3 of Chapter 40:

1. Parcel 303 on Town of Stoneham Assessors’ Map 7 – 3,125 S.F., Rectangular shaped parcel 125’ x 25’ directly behind #16 Brookbridge Road.
2. Parcel 305 on Town of Stoneham Assessors’ Map 7 – 3,125 S.F., Rectangular shaped parcel 125’ x 25’ directly behind #18 Brookbridge Road.
3. Parcel 307 on Town of Stoneham Assessors’ Map 7 – 3,286 S.F., Rectangular shaped parcel 25’ wide by approximately 131’ long. The parcel is directly behind #20 Brookbridge Road.

Or do anything in relation thereto.

**Board of Selectmen**

**Article 3.** Voted that the subject matter of Article #3 be indefinitely postponed.

**Motion to Indefinitely Postpone  
Indefinitely Postponed**

**Article 4.** To see if the Town will vote to authorize the transfer of the care, custody, management and control of the below referenced Town owned property, which is no longer needed for its current purpose, to the Board of Selectmen and/or Town Administrator for the purpose of the sale of said property and further to authorize the Board of Selectmen and/or Town Administrator to sell said property in accordance with the applicable provisions of Massachusetts General Laws, including Section 3 of Chapter 40:

A thirteen (13) acre parcel of land with access from Sabino Road and Brookbridge Road, located between Hall Road, Crystal Drive and Brookbridge Road, and further bounded by the Town of Wakefield line and property of the Town of Wakefield located in the Town of Stoneham. Said parcel of land is shown on the Stoneham Board of Assessors’ Map 1 as Parcel 27.

Or do anything in relation thereto.

**Board of Selectmen**

**Article 4.** **Voted** that the subject matter of Article #4 be indefinitely postponed.

**Motion to Indefinitely Postpone  
Indefinitely Postponed**

**Article 5.** To see if the Town will vote to authorize the transfer of the care, custody, management and control of the below referenced Town owned property, which is no longer needed for its current purpose, to the Board of Selectmen and/or Town Administrator for the purpose of the sale of said property and further to authorize the Board of Selectmen and/or Town Administrator to sell said property in accordance with the applicable provisions of Massachusetts General Laws, including Section 3 of Chapter 40:

All or a portion of a six (6) acre parcel being the northeast portion of the Lindenwood Cemetery, shown on the Stoneham Board of Assessors' Map 22 as Parcel 88, with access from Richardson Road and Butler Avenue, and located between the Unicorn Golf Course, Country Club Road and Butler Avenue.

Or do anything in relation thereto.

**Board of Selectmen**

**Article 5.** **Voted** that the subject matter of Article #5 be indefinitely postponed.

**Motion to Indefinitely Postpone  
Indefinitely Postponed**

**Article 6.** To see if the Town will vote to authorize the Town Administrator to lease or rent the existing one (1) story block building located at Recreation Park at the end of Dale Court in the Town of Stoneham, and to authorize such other actions, including meeting any legal requirements, to effectuate this purpose.

Or do anything in relation thereto.

**Board of Selectmen**

**Article 6.** **Voted** that the subject matter of Article #6 be indefinitely postponed.

**Motion to Indefinitely Postpone  
Indefinitely Postponed**

**Article 7.** To see if the Town will vote to authorize the lease of the Senior Center Barn and a portion of the real property, including a portion of the parking area, at the Stoneham Senior Center pursuant to the provision of Section 10(h) of the Town of Stoneham Selectmen-Administrator Act (Chapter 26 of the Acts and Resolves of 1981, as amended) and the applicable provisions of the Massachusetts General Laws. And further to petition the General Court for a special act authorizing the lease of said Senior Center Barn for a period in excess of ten (10) years with a limit of ninety-nine (99) years. And to authorize the Town Administrator to take any action necessary to carry out this vote.

Or to do anything in relation thereto.

**Board of Selectmen**

**Article 7.** **Voted** that the Town authorize the lease of the Senior Center Barn and a portion of the real property, including a portion of the parking area, at the Stoneham Senior Center pursuant to the provision of Section 10(h) of the Town of Stoneham Selectmen-Administrator Act (Chapter 26 of the Acts and Resolves of 1981, as amended) and the applicable provisions of the Massachusetts General Laws. And further to petition the General Court for a special act authorizing the lease of said Senior Center Barn for a period in excess of ten (10) years with a limit of ninety-nine (99) years. And to authorize the Town Administrator to take any action necessary to carry out this vote.

**Motion to Move the Question  
Question is Moved  
Majority Vote Required  
Passes Per Moderator**

**\*sent to Senator Tisei & Representatives Casey & Natale on May 21, 2007**

**Article 8.** To see if the Town will vote to appropriate the sum of Five Hundred Thousand Dollars (\$500,000) to fund the costs associated with the repair and/or replacement of the Stoneham Arena Roof; and to meet this appropriation the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to Five Hundred Thousand Dollars (\$500,000) under Chapter 44 of the Mass. General Laws or any other enabling authority; and the Town Administrator is authorized to take any action necessary to carry out this vote.

Or do anything in relation thereto.

**Board of Selectmen**

**Article 8.** **Voted** that the Town appropriate the sum of Five Hundred Thousand Dollars (\$500,000) to fund the costs associated with the repair and/or replacement of the Stoneham Arena Roof; and to meet this appropriation the Town Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to Five Hundred Thousand Dollars (\$500,000) under Chapter 44 of the Mass. General Laws or any other enabling authority; and the Town Administrator is authorized to take any action necessary to carry out this vote.

**2/3 Vote Required  
Passes Unanimous**

**Article 9.** To see if the Town will vote to appropriate the sum of Twenty-Six Thousand Eight Hundred Twenty-Nine Dollars (\$26,829) to fund the purchase of Firefighter Turnout Gear and Equipment; and to meet this appropriation, Twenty-Six Thousand Eight Hundred Twenty-Nine Dollars (\$26,829) to be transferred from unexpended proceeds of the Town's outstanding \$1,988,530 Bond Anticipation Notes dated May 25, 2007 (said sum representing excess proceeds not needed for the completion of the \$60,000 Fire Station Ventilation System project authorized by vote of the Town taken pursuant to Article 11 of the May 2, 2005 Annual Town Meeting); and that the vote of the Town taken pursuant to Article 17 of the May 1, 2006 Annual Town Meeting appropriating and authorizing Sixty Thousand Dollars (\$60,000) borrowing for the purchase of Firefighter Turnout Gear and Equipment is hereby rescinded.

Or do anything in relation thereto.

**Board of Selectmen**

**Article 9.** **Voted** that the Town appropriate the sum of Twenty-Six Thousand Eight Hundred Twenty-Nine Dollars (\$26,829) to fund the purchase of Firefighter Turnout Gear and Equipment; and to meet this appropriation, Twenty-Six Thousand Eight Hundred Twenty-Nine Dollars (\$26,829) to be transferred from unexpended proceeds of the Town's outstanding \$1,988,530 Bond Anticipation Notes dated May 25, 2007 (said sum representing excess proceeds not needed for the completion of the \$60,000 Fire Station Ventilation System project authorized by vote of the Town taken pursuant to Article 11 of the May 2, 2005 Annual Town Meeting); and that the vote of the Town taken pursuant to Article 17 of the May 1, 2006 Annual Town Meeting appropriating and authorizing Sixty Thousand Dollars (\$60,000) borrowing for the purchase of Firefighter Turnout Gear and Equipment is hereby rescinded.

**2/3 Vote Required  
Passes Unanimous**

**Motion to Dissolve.  
Meeting dissolved at 11:12 PM.**

