

Chapter 588. AN ACT RELATIVE TO THE CHARTER OF THE TOWN OF SUTTON.

Be it enacted, etc., as follows:

SECTION 1. Subsection (c) of section 2-7 of the charter of the town of Sutton which is on file in the office of the archivist of the commonwealth, as provided in section twelve of chapter forty-three B of the General Laws, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The board of selectmen shall include on the warrant for a regular town meeting the subject matter of all petitions which have been received by it sixty or more days prior to the date fixed by by-law for the town meeting to convene.

SECTION 2. Subsection (o) of section 8-5 of said charter is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- The reports shall be available at least seven days before the spring, fall or any special town meeting is scheduled to convene.

SECTION 3. This act shall take effect upon its passage.

Approved December 8, 1989.

Chapter 589. AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO GRANT AN EASEMENT OVER CERTAIN LAND LOCATED IN THE TOWN OF SOUTHBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The deputy commissioner of the division of capital planning and operations is hereby authorized, subject to the provisions of sections forty E to forty J, inclusive, of chapter seven of the General Laws, to convey by deed approved as to form by the attorney general, a permanent easement granted solely for passage and access purposes over certain land controlled by the metropolitan district commission and located in the town of Southborough to John F. Toomey, or successor and assign subject to the provisions of section two and to such additional terms and conditions as the deputy commissioner may prescribe, in consultation with the metropolitan district commission.

Said easement consists of ten thousand seven hundred and six square feet, more or less, on the Northeast side of Framingham road and shown as Parcel B on a plan by Cullinan Engineering Company, Inc., entitled "Plan of Property, Southboro, Massachusetts", and dated November 4, 1987, bounded and described as follows:

Beginning at a point on the northeasterly sideline of the Framingham Road at

the most southerly corner of the Parcel to be described; said point being northwesterly by a curve to the left having a radius of 1,030.0 feet, an arc distance of 571.76 feet from a Worcester County Highway Bound opposite Station 71+54.70 of the 1928 county layout of said Framingham Road:

Thence in a northwesterly direction along the northeasterly sideline of said Framingham Road by a curve to the left having a radius of 1,030.00 feet, an arc distance of 140.16 feet to a point:

Thence N33°-17'-16"E, a distance of 10.58 feet to a Granite Bound on the southerly sideline of a discontinued Town Road;

Thence N21°-50'-58"E, a distance of 16.50 feet to the centerline of said discontinued Town Road;

Thence along the centerline of said discontinued Town Road the following three (3) courses:

- (1). S 69°-12'-13"E, a distance of 108.44 feet to a point;
- (2). S 81°-24'-00"E, a distance of 64.71 feet to a point;
- (3). N 84°-49'-36"E, a distance of 81.54 feet to a point;

Thence S 63°-45'-04"W, along other land now or formerly of the commonwealth of Massachusetts metropolitan district commission, a distance of 170.63 to a point of beginning.

SECTION 2. The recipient of said easement shall assume the costs of appraisals, surveys, and other expenses as deemed necessary by the deputy commissioner for the granting of this easement.

Approved December 8, 1989.

Chapter 590. AN ACT PROTECTING MASSACHUSETTS FARMING OPERATIONS.

Be it enacted, etc., as follows:

Section 3 of chapter 40A of the General Laws, as appearing in the 1988 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

No zoning ordinance or by-law shall regulate or restrict the use of materials, or methods of construction of structures regulated by the state building code, nor shall any such ordinance or by-law prohibit, unreasonably regulate or require a special permit for the use of land for the primary purpose of agriculture, horticulture, floriculture, or viticulture; nor prohibit, or unreasonably regulate, or require a special permit for the use, expansion, or reconstruction of existing structures thereon for the primary purpose of agriculture, horticulture, floriculture, or viticulture, including those facilities for the sale of produce, and wine and dairy