

# MOTIONS – 2025 ANNUAL TOWN MEETING

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## MOTION UNDER ARTICLE 2 2025 ANNUAL TOWN MEETING

Move to table the subject matter of Article 2.

Select Board

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## MOTION UNDER ARTICLE 3 2025 ANNUAL TOWN MEETING

Move to table the subject matter of Article 3.

Select Board

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## MOTION UNDER ARTICLE 4 2025 ANNUAL TOWN MEETING

Move that the Town vote to amend the FY 2025-35 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended, by making these changes:

### General Fund

#### **FY25: +\$143,000 net change**

- \$ 50,000 Salem and Main Street Traffic Signal Improvements
- \$ 33,000 Vehicle Lift Replacement
- \$ 60,000 Firewall Upgrade

#### **FY26: +\$388,000 net change**

- \$150,000 Design for Artificial Turf at Parker MS
- \$100,000 Salem Street Crosswalk Improvements
- \$ 25,000 Engineering Plotter
- \$113,000 Increase Road paving

#### **FY27: -\$23,000 net change**

- \$200,000 Facilities Master Plan
- \$283,000 Main St Fire Station Elevator Replacement
- \$ 85,000 BM Food Service Line (will be paid by school lunch revolving fund)
- \$ 85,000 Barrows Food Service Line (will be paid by school lunch revolving fund)
- \$ 52,000 Food Service Van (will be paid by school lunch revolving fund)
- \$120,000 Cemetery Dump Truck out 2 years
- \$120,000 Highway Dump Truck out 1 yr
- \$ 50,000 Forest Street Crosswalk Improvement Design Work
- \$ 275,000 Sander Truck out 1 yr

\$ 181,000 Increase Road Paving

### **Enterprise Funds – Water**

**FY25: +\$0**

**FY26: +\$0**

**FY27: +\$0**

### **Enterprise Funds – Sewer**

**FY25: +\$0**

**FY26: +\$0**

**FY27: +\$0**

### **Enterprise Funds – Storm Water**

**FY25: +\$0**

**FY26: +\$0**

**FY27: +\$0**

Select Board

## **MOTION UNDER ARTICLE 5 2025 ANNUAL TOWN MEETING**

Move that the Town vote to amend the Town's Operating Budget for the Fiscal Year commencing July 1, 2024, as adopted under Article 12 of the Annual Town Meeting of April 25, 2024 and amended under Article 4 of the Subsequent Town Meeting of November 12, 2024; and vote to transfer from available funds or otherwise provide a sum or sums of money to be added to the amounts appropriated under said Article, as amended, for the operation of the Town and its government:

### **General Fund – Wages and Expenses**

<b><u>Account Line</u></b>	<b><u>Description</u></b>	<b><u>Decrease</u></b>	<b><u>Increase</u></b>
B99 – Benefits	Health Insurance +\$200,000 Unemployment +\$ 30,000 Disability retirement salary moved to benefits +\$104,000		\$334,000

C-99- Capital	See Article 4 (FY2025 category)		\$143,000
F99- FINCOM Reserves	Election Workers/Expense +\$60,000 Traffic Signal Repairs +\$20,000		\$80,000
E99 – Regional Vocational Education	Minuteman Regional	\$45,000	
H91 Public Services Wages	Attrition Savings	\$75,000	
H92- Public Services Expense	Veteran’s Aid	\$50,000	
I91 Finance Wages	Open-position savings	\$40,000	
I92 Finance Expense	Assessing Bridge to MUNIS for Hero Exemptions		\$6,000
J91 – Public Safety Wages	Fire Retirements - Vacation Buyouts -\$100,000 Fire Overtime -\$25,000		\$125,000
J92 – Public Safety Expenses	Health - Rodent Control		\$35,000
K91 – Public Works Wages	Attrition savings	\$75,000	
K-93 Snow & Ice	Snow & Ice Expenses		\$275,000
K-94 Street Lights	Street Light Expenses -\$25,000	\$25,000	
	<b>Subtotals</b>	<b>\$310,000</b>	<b>998,000</b>
	<b>Net Operating Expenses</b>		<b>\$688,000</b>
	<b>From Free Cash</b>		<b>\$688,000</b>

Finance Committee

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**MOTION UNDER ARTICLE 6  
2025 ANNUAL TOWN MEETING**

Move to table the subject matter of Article 6.

Select Board

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## MOTION UNDER ARTICLE 7 2025 ANNUAL TOWN MEETING

Move that the Town ratify the vote taken under Article 5 of this Town Meeting to amend the Fiscal Year 2025 Operating Budget by appropriating Two Hundred Thousand Dollars (\$200,000) from the General Fund, and to transfer Eighty Five Thousand Dollars (\$85,000) from the Water Enterprise Fund, Twenty Five Thousand Dollars (\$25,000) from the Sewer Enterprise Fund, and Ten Thousand and Five Hundred Dollars (\$10,500) from the Storm Water Enterprise Fund for the purpose of funding the Other Post-Employment Benefit Liability Trust Funds.

Select Board

## MOTION UNDER ARTICLE 8 2025 ANNUAL TOWN MEETING

Move that the Town vote to (1) establish the limit on the total amount that may be expended from each revolving fund established by Article 6.5 of the Town of Reading General Bylaw pursuant to Section 53E $\frac{1}{2}$  of Chapter 44 of the *Massachusetts General Laws* for the fiscal year beginning July 1, 2025, as follows;

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Conservation Commission Consulting Fees	Conservation Commission	Fees as provided for in Reading General Bylaws Section 5.7, Wetlands Protection	Consulting and engineering services for the review of designs and engineering work for the protection of wetlands.	\$25,000	Available for expenditure next year
Inspection Revolving Fund	Town Manager	Building, Plumbing, Wiring, Gas and other permits for the projects listed in the Article.	Legal, oversight and inspection, plan review, initial property appraisals and appeals, Public Services planning and general management, curb, sidewalks and pedestrian safety improvements, records archiving and other project related costs.	\$250,000	Available for expenditure next year

Public Health Clinics and Services	Board of Health	Clinic fees, charges and third-party reimbursements	Materials and costs associated with clinics and public health programs	\$25,000	Available for expenditure next year
Library Fines and Fees	Library Director and Trustees	Charges for lost or damaged Library materials and fees from printing, faxing or similar supplementary fee-based services.	Acquire Library materials to replace lost or damaged items, and for the maintenance, upkeep and supplies for supplementary fee-based services	\$15,000	Available for expenditure next year
Mattera Cabin Operating	Facilities Director	Rental Fees	Utilities and all other maintenance and operating expenses	\$10,000	Available for expenditure next year
Town Forest	Director of Public Works upon the recommendation of the Town Forest Committee	Sale of timber; fees for use of the Town Forest	Planning and Improvements to the Town Forest	\$10,000	Available for expenditure next year
Community Gardens at Mattera Cabin	Conservation Administrator	Rental and user fees	Utilities and all other maintenance and operating expenses, and project supplies and equipment	\$10,000	Available for expenditure next year
Solid Waste Revolving Fund	Director of Public Works upon the recommendation of the Town Manager	Lease of second barrels and overflow bags,	Offset the cost of curbside trash & recycling collection, disposal of solid waste, replacement totes, and any other costs associated with the administration of the trash and recycling program	\$250,000	Available for expenditure next year

(2) amend Section 6.5.2 of the General Bylaw, establishing the Inspection Revolving Fund, as shown below, with the deletions being struck through and additions being in bold:

#### 6.5.2 Inspection Revolving Fund

Funds held in the Inspection Revolving Fund shall be used for legal costs, oversight and inspection, plan review, property appraisals and appeals, public services general management, pedestrian safety improvements, records archiving, and other costs related to building, plumbing, wiring, gas, and other permits required for large construction projects and shall be expended by the Town Manager. Receipts credited to this fund shall include building, plumbing, wiring, gas and other permit fees for Johnson Woods, Eaton Lakeview (23-25 Lakeview Avenue and 128 Eaton Street), 258 Main Street, 6-16 Chute

Street (Green Tomato), ~~25 Haven Street (Rite Aid), 413 Main Street (McDonald's), 431 Main Street (Chase Bank),~~ **346-348 Main Street**, and 459 Main Street (128 Tire) developments.

And (3) establish a new Elder and Human Services Revolving Fund pursuant to Section 53E½ of Chapter 44 of the Massachusetts General Laws, effective July 1, 2025, by taking the following actions:

(a) adding a new Section 6.5.9 to the General Bylaws to read as follows:

**6.5.9 Elder and Human Services Revolving Fund**

Funds held in the Elder and Human Services Revolving Fund shall be used for Elder and Human Services programming, including the acquisition of materials and equipment for such programming, and shall be expended by the Elder and Human Services Administrator. Receipts credited to this fund shall include user and rental fees from the Elder and Human Services programming.

and

(b) set a limit of \$15,000 on the total amount that may be expended from the new Elder and Human Services Revolving Fund pursuant to Section 53E½ of Chapter 44 of the Massachusetts General Laws for the fiscal year beginning July 1, 2025.

Select Board

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## **MOTION UNDER ARTICLE 9 2025 ANNUAL TOWN MEETING**

Move that the Town vote to accept G.L. c. 59, § 5, clause 22I, which authorizes an annual increase in the amount of the exemption granted to certain veterans under G.L. c. 59, § 5, clauses 22, 22A, 22B, 22C, 22E, and 22F by the percentage increase in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for the previous year as determined by the Commissioner of Revenue, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

Select Board

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## **MOTION UNDER ARTICLE 10 2025 ANNUAL TOWN MEETING**

Move that the Town vote to accept G.L. c. 59, § 5, clause 22J, which authorizes an annual increase in the amount of the exemption granted under G.L. c. 59, § 5, clauses 22, 22A, 22B, 22C, 22E, and 22F by 100% of the personal exemption amount, subject to the conditions in Clause 22J, to be effective for applicable exemptions granted for any fiscal year beginning on or after July 1, 2025.

Select Board

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## **MOTION UNDER ARTICLE 11 2025 ANNUAL TOWN MEETING**

See BUDGET MOTIONS handout.

Finance Committee

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## **MOTION UNDER ARTICLE 12 2025 ANNUAL TOWN MEETING**

Move that the Town vote to authorize the Select Board to acquire by purchase, gift, eminent domain or otherwise, for general municipal purposes, a portion of 170 Ash Street, Reading (Assessor's Parcel Map 17, Lot 85), totaling approximately 261 square feet, and shown as "PARCEL A" on a plan entitled "Approval Not Required Plan of Land, McDonald's USA, LLC, 413 Main Street, Lot 64 & 85, Map 17, Town of Reading, Middlesex County, Commonwealth of Massachusetts," by Control Point Associates, Inc, which plan is available at the Town Clerk's office, on such terms and conditions as the Select Board deems proper.

Select Board

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## **MOTION UNDER ARTICLE 13 2025 ANNUAL TOWN MEETING**

Move that the Town vote to appropriate One Million, Four Hundred Thousand dollars (\$1,400,000) to pay the costs of infrastructure improvements for the High Street and Haven Street Infrastructure Project, including replacement of roadways, sidewalks, and related improvements, including all costs incidental and related thereto, with said sum to be expended under the direction of the Town Manager and to come from the following sources:

- a) Transfer the sum of Two Hundred Thirty-Four Thousand, Seven Hundred Twenty-Six Dollars and Eighteen Cents (\$234,726.18) from the Smart Growth Stabilization Fund;
- b) Transfer the sum of Four Hundred Thousand Dollars (\$400,000) from the Sustainability Account;
- c) Transfer the sum of Three Hundred Thirteen Thousand, Nine Hundred Forty-Four Dollars and Thirty-Five Cents (\$313,944.35) from the remaining funds from the West Street Roadway Improvement Project borrowing authorized under Article 8 of the November 12, 2013 Subsequent Town Meeting and Article 10 of the April 28, 2014 Annual Town Meeting, which are no longer needed to complete that project; and
- d) Transfer the sum of Four Hundred Fifty-One Thousand, Three Hundred Twenty-Nine Dollars and Forty-Seven Cents (\$451,329.47) from Downtown Watermain Improvements borrowing authorized under Article 9 of the November 9, 2020 Subsequent Town Meeting, which are no longer needed to complete that project.

Select Board

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## MOTION UNDER ARTICLE 14 2025 ANNUAL TOWN MEETING

Move that the Town vote to appropriate One Million, Five Hundred Thousand Dollars (\$1,500,000) to pay the costs of designing, engineering, constructing and equipping new pickleball courts at 0 E. of Haverhill Street (Assessor's Parcel Map 35, Lot 133) otherwise known as the Zanni Parcel located off Symonds Way, and further; to meet this appropriation, authorize the Treasurer, with the approval of the Select Board, to borrow said funds under M.G.L. Chapter 44, or pursuant to any other enabling authority; said funds to be expended under the direction of the Town Manager.

Select Board

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## MOTION UNDER ARTICLE 15 2025 ANNUAL TOWN MEETING

Move that the Town vote to appropriate the sum of one million five hundred thousand dollars (\$1,500,000) for the purpose of making lead mitigation improvements to the water supply and distribution system, including the costs of consulting services, audits, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Town Manager; and, for the purpose of meeting such appropriation, the Town Treasurer, with the approval of the Select Board, is authorized to borrow said sum in accordance with M.G.L. c. 44, §8(5), or any other enabling authority; that the Select Board, Town Manager, or any other agency or official of the Town, is authorized to apply for a grant or grants, to be used to defray the cost of all, or any part of, said project; and that Town Manager is authorized to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article.

Select Board

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## MOTION UNDER ARTICLE 16 2025 ANNUAL TOWN MEETING

Move that the Town vote to amend Section 10.1 of the Zoning Bylaw, the Floodplain Overlay District, including updates to incorporate revised FEMA Flood Insurance Rate Maps (FIRMs) in Sections 3.2 and 10.1.2 of the Zoning Bylaw, to comply with FEMA's Standards and Regulations, including permit requirements and related definitions, by inserting text shown in ***bold and italicized*** text and deleting text identified with strikethroughs, and authorizing the Town Clerk to make clerical edits only to ensure that newly inserted or modified headings are appropriately bolded in the official copy of the bylaw, as follows:

### 3.2 Zoning Map

Districts are shown, defined and bounded on a map, dated November 14, 2024 and entitled "Reading Zoning Map," as amended, consisting of an index map and 61 detailed maps,

prepared, signed and approved by the Community Planning and Development Commission (CPDC), which constitutes a part of the Zoning Bylaw.

Appended to the Reading Zoning Map and incorporated therein are:

- The "Flood Insurance Rate Map, Massachusetts Middlesex County, Massachusetts" consisting of 7 panels, dated **July 8, 2025** ~~June 4, 2010~~, which are appended to the Reading Zoning Map as Exhibit 1; and

## 10.1 Floodplain Overlay District

### 10.1.1 Statement of Purpose

The purposes of the Floodplain Overlay District are to:

- 1 Ensure public safety through reducing the threats to life and personal injury;
- 2 Eliminate new hazards to emergency response officials;
- 3 Prevent the occurrence of public emergencies resulting from water quality, contamination and pollution due to flooding;
- 4 Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding;
- 5 Eliminate costs associated with the response and cleanup of flooding conditions;
- 6 Reduce damage to public and private property resulting from flooding waters.

### 10.1.2 Boundaries of Floodplain Overlay District

The Floodplain District is established as an overlay district. The Floodplain **Overlay** District includes all ~~s~~Special ~~f~~Flood ~~h~~Hazard ~~a~~Areas within the Town of Reading designated as Zone A, and AE, **AH, AO, A99, V or VE** on the Middlesex County Flood Insurance Rate Map (FIRM) **dated July 8, 2025** issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program.

~~The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Reading are panel numbers 25017C0292E, 25017C0294E, 25017C0303E, 25017C0311E, 25017C0312E, 25017C0313E and 25017C0314E that go into effect on June 4, 2010. The exact boundaries of the District may~~ **shall** be defined by the ~~100-~~**1%-chance** base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated ~~June 4, 2010~~**July 8, 2025**. The FIRM and FIS report are incorporated herein by reference and are on file with the **Town Clerk, Planning Board/Division, Building Commissioner, Conservation Commission, and** Town Engineer.

### 10.1.3 Definitions

~~**Area Of Special Flood Hazard:** is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE or V.~~

**Base Flood:** means the flood having a one percent chance of being equaled or exceeded in any given year.

**Development:** means any manmade change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, **or Storage of equipment or materials.**

**District:** means ~~f~~Floodplain **Overlay** ~~d~~District.

**Federal Emergency Management Agency (FEMA):** administers the National Flood Insurance Program. FEMA provides a nationwide flood hazard area mapping study program for communities as well as regulatory standards for development in the flood hazard areas.

**Flood Boundary And Floodway Map:** means an official map of a community issued by FEMA that depicts, based on detailed analyses, the boundaries of the 100-year and 500 year floods and the 100-year floodway. (For maps done in 1987 and later, the floodway designation is included on the FIRM.)

**Flood Hazard Boundary Map (FHBM):** means an official map of a community issued by FEMA *the Federal Insurance Administrator*, where the boundaries of the flood and related erosion areas having special hazards have been designated as Zone A or E.

**Flood Insurance Rate Map (FIRM):** means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

**Flood Insurance Study:** means an examination, evaluation, and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of flood-related erosion hazards.

**Floodway:** means the channel of a *the* river, *creek*, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation *more than a designated height*.

**Functionally Dependent Use:** *means a use which cannot achieve its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities and port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.*

**Highest Adjacent Grade:** *means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.*

**Historic Structure:** *means any structure that is:*

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;*
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;*
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or*
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.*

**Lowest Floor:** means the lowest floor of the lowest enclosed area (including basement or cellar). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, PROVIDED that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of NFIP Regulations §60.3.

**Manufactured Home:** means a structure, transportable in one or more Sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

**Manufactured Home Park Or Subdivision:** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**New Construction:** means ~~for floodplain management purposes,~~ structures for which the "start of construction" commenced on or after the effective date of a ~~the first~~ floodplain management **code, regulation, ordinance, or standard** adopted by a ~~community~~ **the authority having jurisdiction, including any subsequent improvements to such structures. New Construction includes work determined to be Substantial Improvement.** For the purpose of determining insurance rates, NEW CONSTRUCTION means structures for which the "start of construction" (as evidenced by issuance of a building permit) commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later.

**One-Hundred-Year Flood:** - see Base Flood

**Recreational Vehicle: means a vehicle which is:**

- a. **Built on a single chassis;**
- b. **400sf or less when measured at the largest horizontal projection;**
- c. **Designed to be self-propelled or permanently towable by a light duty truck; and**
- d. **Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.**

**Regulatory Floodway:** - see Floodway.

**Special Flood Hazard Area:** means **the land** area ~~having special flood and/or~~ **subject to** flood related ~~erosion~~ hazards, and shown on an **FIRM, FHBM or FIRM** ~~other flood hazard map~~ as Zone A, **AE, AO, A1-30, AE, A99, AR, AO, AH, V, VO, VE, or V1-30, VE.**

**Start of Construction: The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.**

***Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]***

***Storage: A standalone storage container; storage of commercial building materials, equipment, or vehicles.***

***Structure:*** means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. ~~STRUCTURE, for insurance coverage purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration, or repair, but does not include building materials or supplies intended for use in such construction, alteration, or repair, unless such materials or supplies are within an enclosed building on the premises.~~

***Substantial Damage:*** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

***Substantial Improvement:*** means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

***Substantial Repair of a Foundation: When work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be Substantial Repair of a Foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR.***

***Variance: means a grant of relief by a community from the terms of a flood plain management regulation.***

***Violation: means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, or other certifications, or other evidence of compliance required in §60.3 is presumed to be in Violation until such time as that documentation is provided.***

**Zone A:** means the 100-year floodplain area where the base flood elevation (BFE) has not been determined. To determine the BFE, use the best available Federal, State, local or other data.

**Zone A1-30 and Zone AE:** (for new and revised maps) mean the 100-year floodplain where the base flood elevation has been determined.

**Zone AH and Zone AO:** means the 100-year floodplain with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Zones B, C, and X:** are areas identified in the community Flood Insurance Study as areas of moderate or minimal flood hazard. Zone X replaces Zones B and C on new and revised maps.

#### **10.1.4 Reference to Existing Regulations**

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right, **Site Plan Review**, or by **Special Permit** must be in compliance with Section 9 of Chapter 40A of the General Laws Chapter 131, Section 40 of the Massachusetts General Law and with the following:

- Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes");
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);
- Town of Reading Zoning Bylaw; and
- Town of Reading Wetlands Protection Bylaw.

Any variances from the provisions and requirements of the above referenced State and local regulations may only be granted in accordance with the required variance procedures of such regulations.

##### **10.1.4.1 Variances from State and Local Floodplain Regulations**

***When an Applicant is requesting a Variance from the State Building Code Appeal Board the Town of Reading will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance request and will maintain this record in the Town files. The Town shall also issue a letter to the property owner regarding the potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of the Floodplain Administrator, that (i) the issuance of a variance to construct a Structure below the base flood level may result in increased premium rates for flood insurance and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions for the referenced development in the Floodplain Overlay District.***

***When an Applicant a requests a Variance from these local floodplain regulations they must meet the requirements set out by the applicable State***

**law and a local Variance may only be granted if: (i) good and sufficient cause and exceptional non-financial hardship exists; (ii) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud/victimization or the public, and (iii) the Variance is the minimum action necessary to afford relief.**

**10.1.5 Designation of community Floodplain Administrator**

**The Town of Reading hereby designated the position of Building Commissioner to be the official floodplain administrator for the Town.**

**10.1.6 Uses and Permits within the Floodplain Overlay District**

**The Town of Reading requires a permit for all proposed construction or other development in the Floodplain Overlay District, including New Construction or Substantial Improvement; placement of manufactured homes; placement of agricultural facilities; fences and sheds; storage facilities; or drilling, mining, paving, and any other development that might increase flooding or adversely impact flood risks to other properties.**

**All proposed construction requires the proponent to obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the Floodplain Overlay District. The proponent must acquire all necessary permits and must demonstrate that all necessary permits have been acquired.**

**10.1.6.15 Uses Permitted as of Right in the Floodplain Overlay District**

In the Floodplain Overlay District, no new building shall be erected and no premises shall be used except for one or more of the following uses:

- ~~10.1.5.1~~ Municipal recreation, public water supply, drainage or flood control use, orchard, truck garden, nursery, or similar open use of the land for the raising of agricultural or horticultural crops, for rifle, pistol and shotgun shooting on land of any established range.

**Subdivision proposals within the Floodplain Overlay District shall be reviewed to assure that such proposals minimize flood damage, that adequate drainage is provided, and that utilities and infrastructure are located and constricted to minimize flood damage.**

**In Zones A, A1-30, AH, AO, AE, VI-30, VE and V, all Recreational Vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.**

**10.1.6.2 Uses Permitted in the Floodplain Overlay District By Special Permit**

- ~~10.1.6.1~~ If authorized by the Board of Appeals, **Commercial golf course<sup>77</sup> or non-profit social, civic or recreational use (but not including any use the chief activity of which is one customarily conducted as a business); and buildings and sheds accessory to any use permitted in the district, may be allowed if authorized under a Special Permit by the Board of Appeals.**

- ~~10.1.6.2~~ If any land defined in the Bylaw as being in a Floodplain Overlay District is proven to be in fact neither subject to flooding nor unsuitable for human occupancy because of drainage and topographic conditions, and if the use of such land will not be

~~detrimental to the public health, safety and welfare, the Board of Appeals may permit buildings for human occupancy on such land in accordance with the requirements of the underlying district after the necessary proof has been presented to and reported on by the Community Planning and Development Commission and the Board of Health.~~

### **10.1.76.3 Uses Prohibited in the Floodplain Overlay District**

Dumping, filling or earth transfer or relocation operations are prohibited except for utility trenches, driveways, landscaping and accessory building foundations, or municipal or public facilities.

### **10.1.7 Conditions for Approval for Uses Permitted in the Floodplain Overlay District**

~~10.1.87.1~~ Within the ~~f~~**Floodplain** ~~o~~**Overlay** ~~d~~**District**, no ~~n~~**New** ~~e~~**Construction**, ~~s~~**Substantial** ~~i~~**Improvement** or other land development shall be permitted unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood. ~~For the purposes of this Section, substantial improvement shall be taken to mean any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:~~

- ~~a~~ before the improvement is started, or
- ~~b~~ if the structure has been damaged and is being restored after the damage occurred.

~~10.1.87.2~~ For ~~n~~**New** ~~e~~**Construction**, ~~s~~**Substantial** ~~i~~**Improvements** of existing structures or other land development, the following conditions shall apply:

- ~~1~~ All new construction or improvement of non-residential structures shall either have the lowest floor, including basement, at or above the base flood elevation, or along with attendant utility and sanitary facilities, shall be flood proofed; i.e., designed so that below the established base flood elevation, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
- 12** Within Zones A and AE where base flood elevations are provided on the FIRM elevations shall be determined by using the flood profile contained in the Flood Insurance Study.
- 23** Within Zones A and AE, where the base flood elevation is not shown on the FIRM, the applicant shall obtain any existing base flood elevation data as a basis for the elevation and flood-proofing requirements of this Section and shall submit such base flood elevation data to the Board of Appeals at the time of making application for a special permit under this Section. When base flood data is not available, the base flood elevation shall be determined through hydrologic and hydraulic analyses performed by a registered professional engineer in accordance with standard engineering practices.
- ~~4~~ The structure will withstand the effects of flooding. The ground level around and extending 25 ft. outward from any building or structure in a Floodplain District shall be raised as necessary so that no part of the ground level area so defined, shall be below the elevation shown on the FIRM. Embankments subject to possible scouring by flood waters shall be properly stabilized and protected to prevent erosion by flood waters.
- 35** The containment of sewerage, safety of gas, electric, fuel, and other utilities from breaking, leaking, short circuiting, grounding, igniting, electrocuting or any other dangers due to flooding, will be adequately protected.

- 46** Safe vehicular and pedestrian movement to or over, and from the premises shall be provided on ways having a minimum profile elevation of no less than the base flood elevation.
- 57** Methods of drainage shall be adequate.
- 68** Other land in the Floodplain Overlay District shall be protected from impacts resulting from all work of development both approved and not approved on the premises.
- 79** Where watertight flood proofing of a structure is permitted, a registered professional engineer shall verify that the methods used will be adequate to withstand the flood depths, pressures and velocities, impact and uplift, and other factors associated with the base flood.
- 810** A registered professional engineer shall certify that the above minimum conditions listed in Sections 10.1.4 and 10.1.8 are satisfied in the design proposal.

### **10.1.89 Base Flood Elevation, Floodway Encroachments and Floodway Datae**

**10.1.89.1** ~~Floodway Data.~~ In Zones A, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

**10.1.8.2** *In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited, including fill, New Construction, Substantial Improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.*

~~10.1.9.2~~ ~~Base Flood Elevation Data.~~ Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A-zones.

**10.1.8.3** *In A Zones, in the absence of base flood elevation data and floodway data the building department will obtain, review and reasonable utilize base flood elevation and floodway data available from a Federal, State or other source as criteria for requiring New Construction, Substantial Improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating non-residential structures to or above base flood level, and for prohibiting encroachments in floodways.*

**10.1.8.4** *When proposing subdivisions or other development greater than 50 lots or 5 acres, whichever is less, the proponent must provide technical data to determine the base flood elevations for each developable parcel shown on the design plans.*

**10.1.9** **Abrogation and Greater Restriction**  
*These Floodplain Overlay District regulations shall take precedence over any less restrictive conflicting local laws, ordinances, or codes.*

**10.1.10** **Notifications and Submissions**

#### **10.1.10.1 Notification of Watercourse Alteration**

In a riverine situation, the ~~Conservation Commission~~ **floodplain administrator** shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, **especially upstream and downstream communities**
- **Boarding States, if affected**
  
- NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation  
~~251 Causeway Street, Suite 600-700~~  
Boston, MA 02114-2104
  
- NFIP Program Specialist  
Federal Emergency Management Agency, Region I  
~~99 High Street, 6th Floor~~  
Boston, MA 02110

and further, that the Zoning Map of the Town of Reading be amended to adopt the boundaries of the new overlay district as defined on the Middlesex County Flood Insurance Rate Map (FIRM) that goes into effect on **July 8, 2025** and as further defined by the Middlesex County Flood Insurance Study (FIS) report dated ~~June 4, 2010~~ **July 8, 2025**.

#### **10.1.10.2 Requirement to Submit New Technical Data**

***If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas the Town will, within six months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s) to:***

- ***NFIP State Coordinator***  
***Massachusetts Department of Conservation and Recreation***
  
- ***NFIP Program Specialist***  
***Federal Emergency Management Agency, Region I***

#### **10.1.11 Disclaimer of Liability**

***The degree of flood protection required by this bylaw is considered reasonable but does not imply total flood protection.***

#### **10.1.12 Severability**

***If any section, provision, or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the bylaw shall remain effective.***

Community Planning and Development Commission

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## **MOTION UNDER ARTICLE 17 2025 ANNUAL TOWN MEETING**

Move that the Town vote pursuant to G.L. c. 40, § 15A to transfer a drainage easement located across a certain parcel of land identified on the Town of Reading Assessor's Maps as Parcel 038.0-0000-0139.0, also known as Parcel B on a plan entitled "Compiled Plan of Land, Parcel "B"

Reading, Massachusetts,” drawn by Dana F. Perkins, Inc., Consulting Engineers and Land Surveyors, dated September 23, 1999 and recorded with the Middlesex South Registry of Deeds as Plan No. 1071 of 1999 in Book 30698, Page 578, to the Select Board for general municipal purposes, and to authorize the Select Board to partially release, relocate, or amend said Town-owned drainage easement in a manner acceptable to the Town and in a form acceptable to Town Counsel, and to take such other and further actions or execute such other and further documents as may be necessary to effectuate the purposes of this article.

Select Board

## MOTION UNDER ARTICLE 18 2025 ANNUAL TOWN MEETING

Move that the Town vote, pursuant to Section 2-6 of the Reading Home Rule Charter, to declare the seats of certain Town Meeting Members to be vacant and remove certain described persons from their position as Town Meeting Members for failure to take the oath of office within 30 days following the notice of election or for failure to attend one-half or more of the Town Meeting sessions during the previous year.

### Town Meeting Members Attendance 2025 Annual Town Meeting – Article 18

Total of 2 Town Meetings resulting in 4 evenings of attendance  
Listed below are those who attended 1 evening or less

Precinct	First Name	Middle	Last Name	Term	Number of Meetings Attended	Precinct Vote	Remove from List Remain in TM	Remain on List Remove from TM
3	John	D	Breslin	2026	1			
3	Amy		James	2027	0			
7	Kerry	Crehan	Dunnell	2027	1			
8	Christopher	D	Costa	2026	1			

118 Town Meeting Members had perfect attendance in 2024

Select Board

#### Brief Explanation of Article 18

The motion under Article 18 seeks to remove the individuals included on the above list from Town Meeting due to poor attendance or failure to take the oath of office within the time specified. While not required, it is the practice of Town Meeting to ask each Precinct whether an individual’s name should remain on the list. If an individual is removed from the list by Town

Meeting, then that individual will not be removed from Town Meeting if the motion under Article 18 passes. If Town Meeting elects not to remove an individual from the list, then the individual will be removed from Town Meeting if the motion under Article 18 passes.