

COMMONWEALTH OF MASSACHUSETTS


Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, on September 4, 2014 notified and warned the inhabitants of the Town of Reading, qualified to vote in Town elections and Town affairs, to meet at the place and at the time specified by posting attested copies of this Town Meeting Warrant in the following public places within the Town of Reading:

Precinct 1 J. Warren Killam School, 333 Charles Street
Precinct 2 Reading Police Station, 15 Union Street
Precinct 3 Reading Municipal Light Department, 230 Ash Street
Precinct 4 Joshua Eaton School, 365 Summer Avenue
Precinct 5 Reading Library, Local History Room, 64 Middlesex Avenue
Precinct 6 Barrows School, 16 Edgemont Avenue
Precinct 7 Birch Meadow School, 27 Arthur B Lord Drive
Precinct 8 Wood End School, 85 Sunset Rock Lane
 Town Hall, 16 Lowell Street

The date of posting being not less than fourteen (14) days prior to September 29, 2014, the date set for Town Meeting in this Warrant.

I also caused a posting of this Warrant to be published on the Town of Reading website on September 4, 2014.


John Segalla, Constable

A true copy Attest:



Laura Gemme, Town Clerk

TOWN WARRANT



COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To any of the Constables of the Town of Reading, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Reading, qualified to vote in Town elections and Town affairs, to meet at the Reading Memorial High School Performing Arts Center, 62 Oakland Road, in said Reading, on Monday, September 29, 2014, at seven-thirty o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with the provisions of the Reading Home Rule Charter.

ARTICLE 1 To hear and act on the reports of the Board of Selectmen, Town Accountant, Treasurer-Collector, Board of Assessors, Director of Public Works, Town Clerk, Tree Warden, Board of Health, School Committee, Contributory Retirement Board, Library Trustees, Municipal Light Board, Finance Committee, Cemetery Trustees, Community Planning & Development Commission, Town Manager and any other Official, Board or Special Committee.

Board of Selectmen

ARTICLE 2 To choose all other necessary Town Officers and Special Committees and determine what instructions shall be given Town Officers and Special Committees, and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, for the purpose of funding Town Officers and Special Committees to carry out the instructions given to them, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 3 To see if the Town will vote to amend the FY2015 - FY24 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 4 To see if the Town will vote to authorize the Board of Selectmen to sell, exchange, or dispose of various items of Town tangible property, upon such terms and conditions as they may determine; or take any other action with respect thereto.

Board of Selectmen

ARTICLE 5 To see if the Town will vote to amend the votes taken under Article 9 of the November 8, 2010 Subsequent Town Meeting and Article 16 of the April 25, 2011 Annual Town Meeting to reduce the amounts authorized thereby for Green School Repairs by \$326,722 and \$110,607 respectively; or take any other action with respect thereto.

Board of Selectmen

ARTICLE 6 To see if the Town will vote to transfer the sum of \$69,172.79, to be added to the amounts appropriated under Article 8 of the November 12, 2013 Subsequent Town Meeting and Article 10 of the April 28, 2014 Annual Town Meeting for the purpose of making roadway, pedestrian and similar improvements to West Street, beginning from the Woburn City Line and extending in the northerly direction to just north of its intersection with Willow Street, including paying the costs of easements, consulting services, audits, plans, documents, cost estimates, bidding services and all related expenses incidental thereto and necessary in connection therewith, from the following available funds:

- ◆ \$65.71 to be transferred from the unexpended proceeds of the Town's bonds, dated January 1, 2005, which were issued for the construction of the Barrows pursuant to the vote taken under Article 5 of the December 10, 1998 Special Town Meeting;
- ◆ \$47,193.63 to be transferred from the unexpended proceeds of the Town's bonds, dated March 22, 2012, which were issued for Green School Repairs pursuant to the vote taken under Article 16 of the April 25, 2011 Annual Town Meeting; and
- ◆ \$21,913.45 to be transferred from the unexpended proceeds of the Town's bonds, dated February 1, 2009 which were issued for the purpose of Technology Improvements pursuant to the vote taken under Article 19 of the April 23, 2007 Annual town Meeting;

and to authorize the Town Manager to take any action necessary or appropriate to carry out this project; provided, however, that this vote shall not take effect until the Town Manager determines, in his sole discretion, that sufficient funds have been authorized to complete the project in a satisfactory manner; or take any other action with respect thereto.

Board of Selectmen

ARTICLE 7 To see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money for the purpose of making water main improvements, including paying the costs of easements, 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 to see if the Town will authorize the Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants, to be used to defray the cost of all, or any part of, said water main improvements; and to authorize the Town Manager to enter into any and all contracts and agreements as may be necessary to carry out the purposes of this Article, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 8 To see if the Town will vote to amend the Town's Operating Budget for the Fiscal Year commencing July 1, 2014, as adopted under Article 14 of the Annual Town Meeting of April 28, 2014; and to see if the Town will vote to raise and appropriate, borrow, transfer from available funds, or otherwise provide a sum or sums of money to be added to the amounts appropriated under said Article for the operation of the Town and its government, or take any other action with respect thereto.

Finance Committee

ARTICLE 9: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 1 thereof in its entirety and replacing it with the following:

1.0 AUTHORITY AND PURPOSE

- 1.1 This Bylaw shall be known and may be cited as the "Zoning Bylaw of the Town of Reading, Massachusetts"
- 1.2 The Zoning Bylaw is adopted pursuant to Chapter 40A and Chapter 40R of the General Laws of the Commonwealth of Massachusetts.
- 1.3 The purposes of the Zoning Bylaw include:
 - a) To promote the public health, safety, welfare, and convenience of residents and property owners within the Town of Reading;
 - b) To secure safety from fire, flood, panic, congestion and other dangers;
 - c) To conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment;
 - d) To encourage compatible development and appropriate use of the land and resources throughout the Town of Reading, including consideration of comprehensive plans adopted by the Town of Reading;
 - e) To encourage an orderly expansion of the tax base by utilization, development, and redevelopment of land;
 - f) To encourage increased housing production, including housing for persons of varying income levels and individual needs;
 - g) To facilitate the adequate provision of transportation, water, water supply, drainage, sewerage, schools, parks, open space and other public infrastructure;
 - h) To preserve natural conditions and historic sites and to enhance beauty and amenities;
 - i) To establish a fair and reasonable set of standards for evaluating each development proposal impartially;
 - j) To provide adequate light and air; and
 - k) To encourage smart growth in the Town of Reading.

Or take any other action with respect thereto.

Community Planning & Development Commission

ARTICLE 10: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 3 thereof in its entirety and replacing it with the following:

3.0 ESTABLISHMENT OF DISTRICTS

3.1 Districts

The Town is hereby divided into the following zoning districts as shown on the Reading Zoning Map:

<u>Type</u>	<u>Full Name</u>	<u>Short Name</u>
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Residence	Single Family 15 District	S-15
Residence	Single Family 20 District	S-20
Residence	Single Family 40 District	S-40
Residence	Apartment 40 District	A-40
Residence	Apartment 80 District	A-80
Business	Business A District	Bus A
Business	Business B District	Bus B
Business	Business C District	Bus C
Industrial	Industrial	Ind
Overlay	Flood Plain District	F
Overlay	Municipal Building Reuse District	MR
Overlay	National Flood Insurance Flood Management District	NF
Overlay	Aquifer Protection District	AQ
Overlay	Planned Unit Development	PUD
Overlay	Planned Residential Development	PRD
Overlay	Gateway Smart Growth District	GSGD
Overlay	Downtown Smart Growth District	DSGD

3.2 Zoning Map

Districts are shown, defined and bounded on a map, dated April 8, 2013 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 June 4, 2010, which are appended to the Reading Zoning Map as Exhibit 1; and
- The map entitled "Aquifer Protection Overlay District Map, Town of Reading" dated September, 1985 consisting of 1 panel which is appended to the Reading Zoning Map as Exhibit 2.

The Reading Zoning Map shall be kept on file and current by the Town Engineer, who shall supply copies to the Town Clerk, the Town Planner, the Building Inspector, the Board of Appeals and the CPDC.

3.3 Boundaries of Districts

Boundaries of zoning districts shall be interpreted as follows:

3.3.1 Any boundary indicated on the Reading Zoning Map as being within a street or railroad right of way shall be interpreted to be along the center line of such street or right of way.

3.3.2 Any boundary indicated on the Reading Zoning Map as being approximately parallel to a street or railroad right of way, with a single dimension noted, shall be interpreted to be parallel to, and located the noted distance from, the center line of such street or right of way.

3.3.3 Any boundary indicated on the Reading Zoning Map as being approximately parallel to the bank of a river, stream, lake, pond or other surface water body or watercourse, together with a single noted dimension, shall be interpreted to be parallel to, and located the noted distance from:

- The elevation, at the bank of a lake, pond or similar surface water body, where vegetation changes from predominately terrestrial to aquatic; or
- The elevation, along the bank of a river, stream or similar watercourse, where the annual high water has left a definite mark in the channel.

3.3.4 Any boundary indicated on the Reading Zoning Map together with two or more dimensions shall be interpreted to be located so as to be consistent with such dimensions.

3.3.5 Any boundary indicated on the Reading Zoning Map as approximately following property lines in existence at the time of the establishment of such boundary shall be interpreted to be along such property lines.

3.3.6 Any boundary of an Overlay District that is indicated on the Reading Zoning Map as a contour shall be interpreted to be along the noted contour, based on mean sea level lines.

3.3.7 Any boundary of an Overlay District that it indicated on the Reading Zoning Map as terminating at the end of drainage structures or other features, or extensions thereof, shall be interpreted to terminate at such location.

3.3.8 All other boundaries shall be as indicated on the Reading Zoning Map.

3.4 **Lots in Two Districts**

3.4.1 Where a district boundary line divides any lot existing at the time of the line's adoption, any provision of the Zoning Bylaw applicable to a district in which the lot has frontage on a street may be extended so as to be applicable to the portion of the lot that is not more than thirty (30) feet from the district boundary line; provided, however, that this provision shall not apply to any lot used for multi-family housing.

Or take any other action with respect thereto.

Community Planning & Development Commission

ARTICLE 11: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 4.5 thereof in its entirety, or to take any other action with respect thereto.

Community Planning and Development Committee

ARTICLE 12: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 4.6 thereof in its entirety, or to take any other action with respect thereto.

Community Planning and Development Committee

ARTICLE 13: To see if the Town will vote to amend the Zoning Bylaw by deleting Section 4.13 thereof in its entirety and replacing it with the following:

4.13 Special Requirements for Registered Medical Marijuana Dispensaries

4.13.1 Purpose

This section is intended to promote the purposes of the Zoning Bylaw, as set forth in Section 1.3, by:

- a) Providing for the establishment of Registered Medical Marijuana Dispensaries in appropriate places and under strict conditions, in accordance with the passage of Initiative Petition 11-11 (Question #3 on the November, 2012 state ballot);
- b) Minimizing the impacts of Registered Medical Marijuana Dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Dispensaries; and
- c) Regulating the siting, design, placement, security, safety, monitoring, modification, and removal of Registered Medical Marijuana Dispensaries.

4.13.2 Applicability

4.13.2.1 The commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana is prohibited unless permitted as a Registered Medical Marijuana Dispensary under this Section.

4.13.2.2 No Registered Medical Marijuana Dispensary shall be established except in compliance with the provisions of this Section.

4.13.2.3 Nothing in this Bylaw shall be construed to supersede state laws governing the sale and distribution of narcotic drugs.

4.13.2.4 If any provision of this Section or its application to any person or circumstance shall be held invalid for any reason, such invalidity shall be construed as narrowly as possible, and the balance of the Section shall be deemed to be amended to the minimum extent necessary to allow it to be given effect or to be applied to persons or circumstances other than those to which it was held invalid, so as substantially to provide residents and property owners of the Town of Reading the benefits of such provision and to promote the purposes of the Zoning Bylaw as set forth in Section 1.3.

4.13.3 Definitions

Debilitating Medical Condition – Cancer, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, and multiple sclerosis (MS), when such diseases are debilitating, and other debilitating conditions as determined in writing by a qualifying patient's certifying physician.

Marijuana – All parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt,

derivative, mixture, or preparation of the plant, its seeds or resin.

Marijuana for Medical Use – Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions.

Qualifying Patient – A Massachusetts resident 18 years of age or older who has been diagnosed by a Massachusetts licensed certifying physician as having a debilitating medical condition, or a Massachusetts resident under 18 years of age who has been diagnosed by two Massachusetts licensed certifying physicians, at least one of whom is a board-certified pediatrician or board-certified pediatric subspecialist, as having a debilitating medical condition that is also a life-limiting illness, subject to 105 CMR 725.010(J).

Registered Medical Marijuana Dispensary – A not-for-profit entity registered under 105 CMR 725.100 that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. Unless otherwise specified, the term refers to the sites of dispensing, cultivation and preparation of marijuana.

4.13.4 Eligible Locations for Registered Medical Marijuana Dispensaries.

4.13.4.1 Registered Medical Marijuana Dispensaries may be allowed by Special Permit from the Reading Community Planning and Development Commission in the Industrial Zoning District (Ind) in accordance with the requirements of this Section.

4.13.5 General Requirements and Conditions for all Registered Medical Marijuana Dispensaries.

4.13.5.1 A Registered Medical Marijuana Dispensary shall be in compliance with all applicable provisions of the regulations of the Massachusetts Department of Public Health for the Implementation of an Act for the Humanitarian Medical Use of Marijuana, set forth in 105 CMR 725.000.

4.13.5.2 All Registered Medical Marijuana Dispensaries shall be contained entirely within a Building.

4.13.5.3 A Registered Medical Marijuana Dispensary shall have a Gross Floor Area of at least 2,500 square feet, but not more than 10,000 square feet.

4.13.5.4 The hours of operation of Registered Medical Marijuana Dispensaries shall be set by the CPDC, but in no event shall such Dispensaries be open and/or operating between the hours of 9:00 PM and 8:00 AM.

4.13.5.5 No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Registered Medical Marijuana Dispensary.

4.13.5.6 No Registered Medical Marijuana Dispensary shall be located inside a Building

containing Residential Dwelling Units, including transient housing such as motels and dormitories, or inside a movable or mobile Structure such as a van or truck.

4.13.6 Special Permit Requirements

4.13.6.1 A Registered Medical Marijuana Dispensary shall be allowed by Special Permit from the CPDC in accordance with G.L. c.40A, §9, and the requirements set forth in this Section.

4.13.6.2 A Special Permit for a Registered Medical Marijuana Dispensary shall be limited to one or more of the following uses as may be authorized by the CPDC:

- a) Cultivation of Marijuana for Medical Use (horticulture) except where Chapter 40A Section 3 applies, in which case a Special Permit shall not be required;
- b) Processing and packaging of Marijuana for Medical Use, including marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products; and
- c) Retail sale or distribution of Marijuana for Medical Use to Qualifying Patients.

4.13.6.3 Special Permit applications for a Registered Medical Marijuana Dispensary shall demonstrate compliance with and include the information required by the regulations set forth at 105 CMR 725.000.

4.13.6.4 Mandatory Findings. The CPDC may issue a Special Permit for a Registered Medical Marijuana Dispensary only if it finds that:

- a) The Dispensary is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c.40A, §11;
- b) The Dispensary is fully permitted by all applicable agencies of the Commonwealth of Massachusetts and is in compliance with the regulations set forth at 105 CMR 725.000; and
- c) The Applicant has demonstrated compliance with Sections 4.13.5 and 4.13.6.

4.13.6.5 Annual Reporting. Each holder of a Special Permit for a Registered Medical Marijuana Dispensary permitted under the Zoning Bylaw shall, as a condition of its Special Permit, file an annual report to and appear before the CPDC and the Town Clerk no later than January 31 of each year, providing a copy of all current applicable state licenses for the Dispensary and/or its owners and demonstrate continued compliance with the conditions of the Special Permit.

4.13.6.6 A Special Permit granted under this Section shall have a term limited to the duration of the Applicant's ownership of the premises as a Registered Medical Marijuana Dispensary. A special permit may be transferred only with the approval of the CPDC in the form of an amendment to the Special Permit with all information required in this Section.

4.13.7 Abandonment or Discontinuance of Use

4.13.7.1 Notwithstanding the provisions of the Zoning Bylaw generally applicable to Special Permits, a Special Permit for a Registered Medical Marijuana Dispensary shall lapse if not exercised within one year of its issuance.

4.13.7.2 The owner of a Registered Medical Marijuana Dispensary shall be required to remove all material, plants equipment and other paraphernalia:

- a) prior to surrendering its state issued licenses or permits; or
- b) within six months of ceasing operations; whichever comes first.

Or take any other action with respect thereto.

Community Planning & Development Commission

ARTICLE 14 To see if the Town will vote to authorize and request the Finance Committee, pursuant to section 3.3.2.3 of the General Bylaws, to investigate at once the books, accounts, records and management of the Reading Municipal Light Department; to employ such expert and other assistance as it may deem advisable for that purpose; to make a report on its investigation setting forth its findings and recommendations, and to transmit such report to the Town Meeting prior to November 10, 2014;

Or take any other action with respect thereto.

Board of Selectmen

ARTICLE 15 To see if the Town will vote to amend Section 3.3.2 (Finance Committee) of the Town of Reading Bylaws as follows: (note – cross-through represents language to be eliminated and **bold** represents new language):

3.3.2 Finance Committee

3.3.2.3 Investigation

The Finance Committee, or its duly authorized agents, ~~shall have authority~~ at any time **may**, and **promptly** upon the petition of one hundred (100) inhabitants of the Town or a vote of Town Meeting, ~~to shall~~ investigate ~~at once~~ the books, accounts, records ~~and~~ **or** management of any **Town Board, Committee, Commission or Department.** ~~official body;~~ **The Finance Committee may call upon the assistance of any Town official, or employee and may** ~~to~~ employ such expert ~~and~~ **or** other assistance as it may deem advisable for that purpose. ~~;~~ ~~and~~ The books, records and accounts of any **Town Board, Committee, Commission or Department** ~~department and office of the Town~~ shall be open to the inspection of the Finance Committee, **its agents, assistants or employees upon request** ~~and any person employed by it for that purpose.~~ The Committee shall have no power to incur any expenses payable by the Town without authority for such expenses having first been obtained from the **Finance Committee Appointment Committee Moderator**, and such expenses shall be paid from the Finance Committee Reserve Fund.

The Finance Committee shall make a report on every **such** investigation, setting forth its findings and recommendations, and shall transmit **each** such report~~(s)~~ to Town Meeting **and to the Board of Selectmen.**

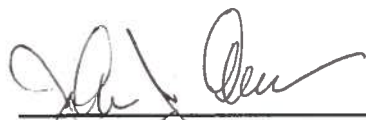
or to take any other action with respect thereto.

Board of Selectmen

and you are directed to serve this Warrant by posting an attested copy thereof in at least one (1) public place in each precinct of the Town not less than fourteen (14) days prior to September 29, 2014, or providing in a manner such as electronic submission, holding for pickup or mailing, an attested copy of said Warrant to each Town Meeting Member.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for said meeting.


Given under our hands this 2nd day of September, 2014.



John Arena, Chairman



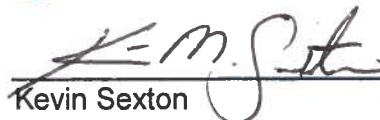
Marsie K. West, Vice Chairman



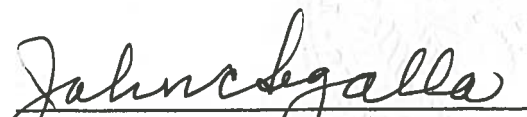
Daniel Ensminger, Secretary



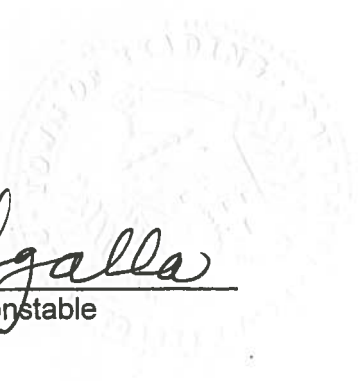
John Halsey



Kevin Sexton



John Segalla, Constable



SELECTMEN OF READING