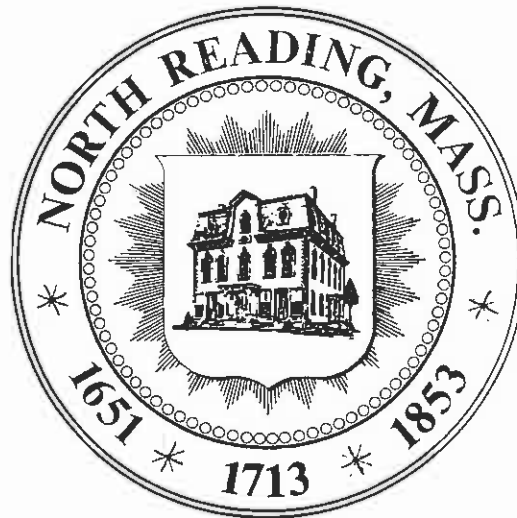


**TOWN OF NORTH READING
MASSACHUSETTS**

**OCTOBER
TOWN MEETING WARRANT**

AND

REPORT OF THE FINANCE COMMITTEE



MONDAY, OCTOBER 6, 2014

7:00 P.M.

Daniel H. Shay Performing Arts Center, North Reading High School, Park Street
Please bring this book with you to the Town Meeting.

PROCEDURE FOR TOWN MEETING

1. Moderator presides, using Roberts Rules of Order, except as provided by the General Laws, the Charter and By-Laws.
2. Articles in the warrant are considered in the order in which they appear, but voters may move to consider them out of order. (This takes a 4/5 vote of the Town Meeting.)
3. In order for an article to be considered by Town Meeting, it must be moved and seconded. The article is then open for debate by all in attendance.
4. To speak at Town Meeting, stand and say Mr. Moderator. After being recognized by the Moderator, state name and address before making any remarks.
5. Debate may be ended by a voter's "Move the question."
6. Amendments to original motion must be presented in writing to the Moderator. Upon being seconded and discussed, the Moderator calls for a vote. If passed, the original motion, as amended, is then voted.
7. Reconsideration of a vote is permitted only once and only at that session of Town Meeting.

The above information was prepared by the North Reading League of Women Voters.

A CITIZEN'S CHECKLIST FOR TOWN MEETING

To be considered on each vote:

1. **IS IT NECESSARY?** Or is it something that is not really needed or perhaps already being provided by a private or public group?
2. **CAN WE AFFORD IT?** Remember, there is no limit to what we would like, but there is a limit to what we can afford.
3. **WHAT WILL IT ULTIMATELY COST?** Many proposals are like icebergs - only a small fraction of the total cost is apparent on the surface.
4. **HOW WILL IT AFFECT BASIC LIBERTIES?** If it imposes unreasonable or illegal restraints on your life or that of others it should be vigorously opposed.
5. **IS IT IN THE BALANCED BEST INTEREST OF ALL?** If it is designed to benefit a small group of special interests, while taking unfair advantage of others, work for its defeat.
6. **IS IT A "FOOT IN THE DOOR" PROPOSITION?** Compromising a little now may bring an oppressive burden later, either in more regulations or more taxes or a combination of both.
7. **DOES IT PLACE TOO MUCH POWER IN THE HANDS OF ONE INDIVIDUAL OR GROUP?** Once the decisive power is granted to a non-elected public official or a commission as a municipal authority, the private citizen lose effective control.
8. **IS ITS APPEAL BASED ON EMOTIONAL PROPAGANDA OR FACTS?** The further a proposition gets away from facts, the more critical one should be.

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Italicized information is explanatory in nature.*

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Report of the Finance Committee October 2014 Town Meeting

We are pleased to report that 2014 revenue was above budget, an outcome of the town's conservative budget development process and fortunate receipts. Local receipts were favorable to the budget plan by more than \$1 million, and both motor vehicle excise and licenses & permits revenue were quite strong (though, moving forward, these are recognized as sensitive to economic conditions).

Other revenue arrived close to budget, including real estate taxes—which represents approximately two-thirds of our income—and state receipts. State receipts were essentially flat over FY2013, despite nearly a 6 percent increase in state revenue per the June 2014 Department of Revenue (DOR) blue book.

The annual free cash certification by the Massachusetts DOR was not available by warrant printing; these funds will be helpful for established town needs. Most specifically, Articles 3, 4, and 5 provide worthy investment opportunities: the Capital Improvement Stabilization Fund, Stabilization Fund, and Other Post-Employment Benefits Liability Trust Fund (OPEB trust fund), respectively.

The Capital Improvement Planning Committee recommended that the Town make certain fiscal commitments in order to provide a reliable source of funds for needed capital, including annual appropriations from the operating budget and a dedicated amount from Free Cash. Such a plan, to be funded via Article 3, will allow us to become less dependent on borrowing for short-lived items and maintain a manageable and stable debt service requirement.

- Our Stabilization Fund, Article 4, has a balance of \$2.04 million—or 4 percent of our 2014 budget compared to the 5 percent goal—almost \$500,000 away from target. Transfers to this fund are typically voted in June Town Meeting.

- North Reading has yet to establish a long-range plan to fund Article 5, as our OPEB liability is currently funded through the annual town budget. Our long-term liability (approximately \$67 million, KMS Actuaries, December 2013) is highly leveraged by model assumptions as shown in the KMS report, including variations up and down by about 20 percent. We are among many Massachusetts towns in this difficult situation, and there is growing awareness in state government that a coordinated approach needs leadership at the state level. The Finance Committee looks forward to participating in our town's plan development in the near future.

Our Reserve Fund is under authorization of the Finance Committee, with the purpose of meeting unforeseen expenses. Fiscal year (FY) 2014 spending detail is below; there has been no FY2015 spending to date.

Date	Budget area	Description	Amount	Balance
7/1/13	Reserve Fund	Appropriation		\$125,000.00
1/14/14	Town Administrator	Administrator Search	\$(20,000.00)	\$105,000.00
5/6/14	Town Counsel	Legal Expenses	\$ (1,500.00)	\$103,500.00
6/11/14	Town Counsel	Legal Expenses	\$(21,500.00)	\$ 82,000.00

Here is a summary of our Town's savings, investment, and budget contingency funds at warrant printing:

Capital Improvement Stabilization Fund	\$276,830
Stabilization Fund	\$2,035,280
OPEB Trust Fund	\$167,505
Reserve Fund	\$110,000

We welcome Michael P. Gilleberto, our new Town Administrator, and his guidance in our town's financial management. We also acknowledge the outstanding contributions of Finance Director Elizabeth Pavao and School Director of Finance & Operations Michael Connelly to enable our committee's oversight and approval functions. Lastly, we will miss departing Superintendent Kathleen Willis' warmth, planning, and leadership.

Respectfully submitted,
 Abby Hurlbut, Chair
 Dan Pulver, Vice-Chair
 Richard Johnson, Clerk
 Joseph Duffy
 Donald Kelliher
 Jonathan Koppelman
 John Veneziano
 Alan Wolpin

COMMONWEALTH OF MASSACHUSETTS

TOWN OF NORTH READING

TOWN MEETING

OCTOBER 6, 2014

7:00 P.M.

Middlesex, SS.

To either of the Constables of the Town of North Reading in the County of Middlesex, GREETINGS.

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the Daniel H. Shay Performing Arts Center, North Reading High School, Park Street in said North Reading, on **MONDAY, the SIXTH DAY OF OCTOBER, 2014** at seven o'clock in the evening, then and there to act on the following articles:

Article 1 Hear and Act on Reports of Town Officers and Committees

To hear and act upon the reports of Town Officers and Committees.

Sponsor: Board of Selectmen

Description...

This is a customary article which provides for Officers and Committees so instructed to report to Town Meeting their progress or recommendations.

Recommendations ...

Selectmen: Recommended.

Finance Committee: No action required.

Article 2 Prior Year Bills

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from any available source of funds, a sum of money to pay prior year bills; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

This article provides for payment of prior fiscal year bills which were not submitted prior to the fiscal year ending on June 30, 2014. At this time there are no known prior year bills outstanding. Requires 4/5 vote.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 3 Transfer Funds to Capital Improvement Stabilization Fund

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available source of funds a sum of money to be added to the Capital Improvement Stabilization Fund established under Article 5 of the October 2007 Town Meeting; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The Board of Selectmen proposes to transfer surplus funds, if any, to the Town's Capital Improvement Stabilization Fund. The intended use of the fund is being expanded to include capital purchases and debt financing. The current balance in the account is \$276,830.00. An amount of \$500,000.00 is proposed to be added to the Fund from certified Free Cash.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 4 Appropriate Money to Stabilization Fund

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available source of funds a sum of money to be added to the Stabilization Fund; or what it will do in relation thereto.

Sponsor: Finance Committee

Description...

The Board of Selectmen proposes to transfer surplus funds, if any, to the Town's Stabilization Fund. The Stabilization Fund may be used for any lawful purpose, however, it represents the Town's rainy day fund for unexpected emergencies. The current balance in the account is \$2,035,280.00.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 5 Transfer Funds to Other Post Employment Benefits Liability Trust Fund

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available source of funds a sum of money to be added to the Other Post Employment Benefits Liability Trust Fund established under Article 36 of the June 3, 2013 Town Meeting; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The Board of Selectmen proposes to transfer surplus funds, if any, to supplement a reserve account to pay for future health and pension costs for retirees. The current balance in this account is \$167,505.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 6 Amend FY 2015 Operating Budget

To see if the Town will vote to amend the FY2015 Operating Budget voted under Article 13 of the June 2, 2014 Annual Town Meeting as follows or otherwise amend said vote and to raise by taxation and appropriate, appropriate and transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available funds or borrow a sum of money for such purposes; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The Town seeks to raise and appropriate and/or transfer from available funds sums of money to be added to the FY2015 operating budget adopted at the June town meeting. The proposed transfers, include but are not limited to the following budgets: Legal Services and Community Planning Expenses.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 7 Appropriate Funds for Improvements to Town Hall and Other Municipal Buildings

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available source of funds or borrow in accordance with any applicable State Statute a sum of money to construct, reconstruct or make improvements to Town Hall and other municipal buildings and including all incidental and related costs or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

This proposed article seeks funds to make improvements to various municipal buildings on a non-capital nature, including, but not limited to repairs to Town Hall, Senior Center, DPW garage and Fire Station. Improvements are for safety, security and to prevent building deterioration for a total cost of \$50,000.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 8 Fund Renovation to Room 14 – Town Hall

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available funds, or borrow in accordance with any applicable State Statute the sum of money for the renovation of Room 14 in Town Hall; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The proposed article seeks funds to make improvements to the main public meeting room in Town Hall.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 9 Appropriate Funds for Settlement Agreement

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available funds, or borrow in accordance with any applicable State Statute the sum of \$50,000 to fund the May 7, 2014 settlement agreement in the matter of Linda M. Smith and Smith Sons Plumbing & Heating, Inc. v. Town of North Reading et al. Middlesex Superior Court C.A. No. MICV2012-0600; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The proposed article seeks to fund a settlement agreement between the Board of Selectmen and private property owners concerning access to land located off of Elm Street.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 10 Acquisition, Appropriation, and Special Act: Map 14, Parcel 148 and Map 7, Parcel 2 - J.T. Berry Property

To see if the Town will vote to: authorize the Board of Selectmen to acquire from the Commonwealth of Massachusetts, by gift, purchase, or otherwise, all or portions of the parcels of land located at 102 Lowell Road and 104 Lowell Road, which parcels are shown on Assessors Map 14 as Lot 148 and on Assessors Map 7 as Lot 2, respectively, for general municipal purposes and for the purpose of conveyance; authorize the Board of Selectmen to submit a petition to the General Court for a special act to authorize and direct the Division of Capital Asset Management and Maintenance, and/or other appropriate agency of the Commonwealth, to convey said parcels of land to the Town, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of the petition;

amendments which shall be within the scope of the general public objectives of the petition; authorize the Board of Selectmen to convey the fee to or lesser interests in such parcels or portion or portions thereof on such terms, and for such consideration, as the Board of Selectmen deems appropriate; raise and appropriate, transfer from available funds, and/or borrow a sum of money for the foregoing acquisition and costs related thereto, which funds may be borrowed from the Commonwealth and repaid over a term of up to ten years from amounts otherwise payable by the Commonwealth to the Town each fiscal year; and, further, authorize the Selectmen to enter into any and all agreements with and/or seek other approvals from the Commonwealth and/or other parties as may be necessary or convenient to accomplish the foregoing acquisition, borrowing, and/or disposition; or to take any other action relative thereto.

Sponsor: Board of Selectmen

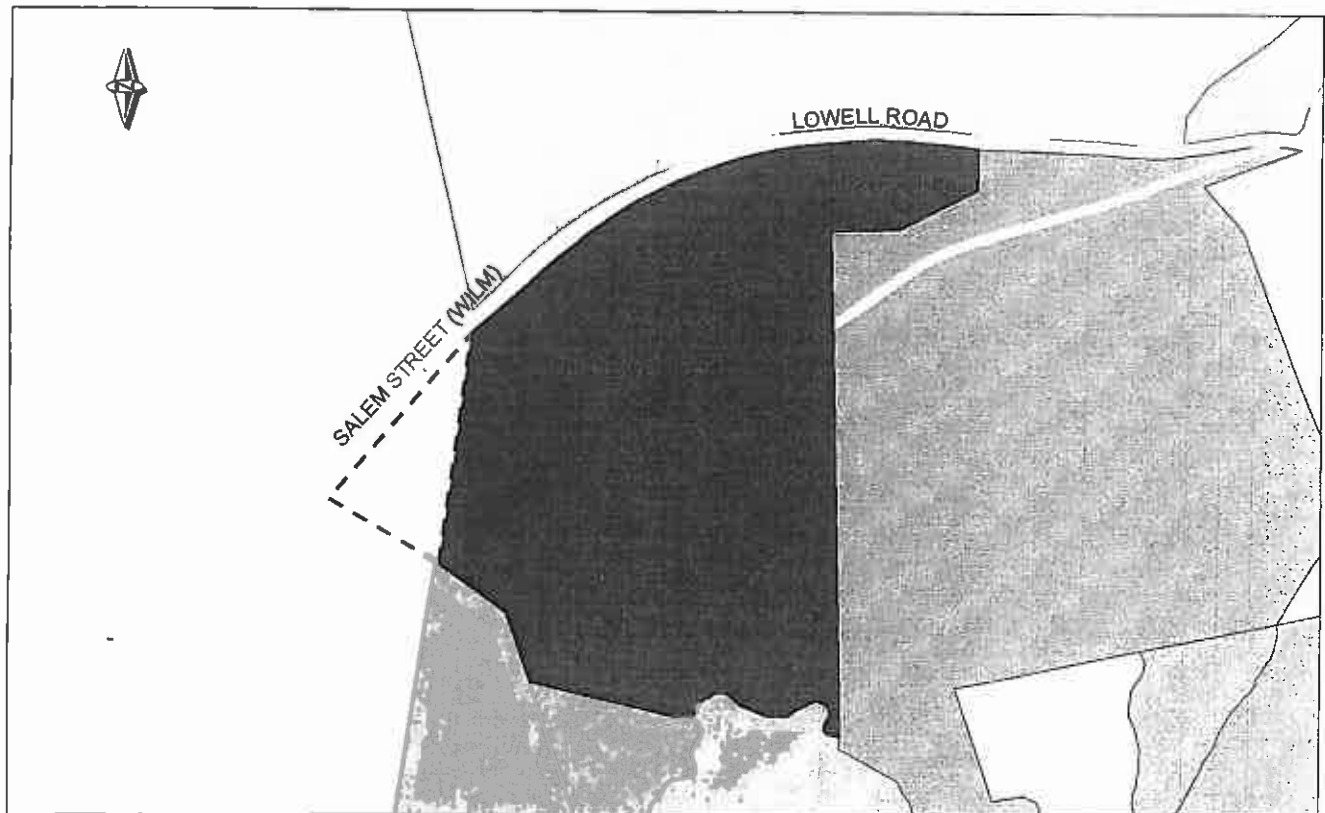
Description...

This article would authorize the Board of Selectmen to acquire the former JT Berry Center property from the Commonwealth of Massachusetts for potential purposes of promoting commercial development.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.



Article 11 Accept MGL Chapter 43D – Expedited Permitting Law

To see if the Town will vote to accept the provisions of Chapter 43D of the Massachusetts General Laws as amended pursuant to Section 11 of Chapter 205 of the Acts of 2006, and to approve the filing of a formal proposal with the Interagency Permitting Board for the designation of land at 102 Lowell Road (Map 14, Parcel 148) as a Priority Development Site; or what it will do in relation thereto.

Sponsor: Board of Selectmen

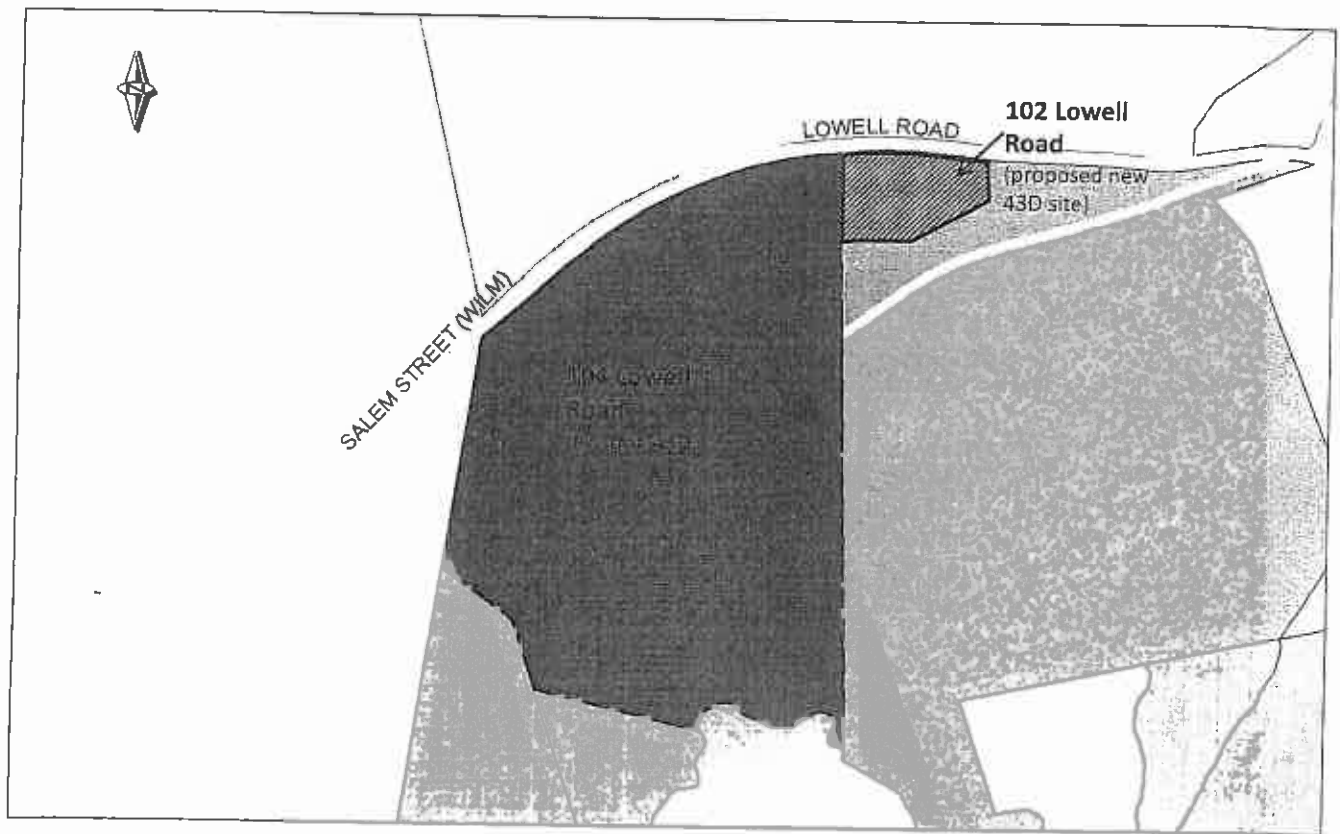
Description...

The 43 Expedited Permitting Law allows communities within the Commonwealth to designate a parcel of land which is zoned industrial or commercial to be eligible for expedited permitting. This designation would extend the existing expedited permitting designation to a portion of the JT Berry Property not currently afforded this designation. Expedited permitting is an assurance to a potential developer that the Town will approve or deny required local permits within 6 months. This is generally the standard time frame for permitting and receipt of most local permits. Expedited permitting does not eliminate any local permitting requirements.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.



Article 12 Appropriate Funds for Real Estate Marketing Consultant for J.T. Berry Property

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, appropriate by transfer from any available funds, and/or borrow in accordance with any applicable State Statute, a sum of money to retain a consultant for the purpose of assisting the Board of Selectmen in marketing the former J.T. Berry Property for redevelopment; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

This article seeks funds to hire a consultant to assist the Town in marketing a portion of the former J.T. Berry Property for redevelopment.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 13 Amend Code- Zoning By-Laws – Registered Marijuana Dispensary

To see if the Town will vote to amend the Town's Zoning Bylaw, Chapter 200 of the Town Code, as follows:

1. In §200-23, General Provisions, A., line 1, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
2. In §200-23, General Provisions, A., line 3, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
3. In §200-23, General Provisions, A., line 4, by deleting the word "and" after "§200-24B", inserting a comma immediately following "§200-24B," and inserting ", and §200-25.1 immediately following "§200-25B".
4. In §200-23, General Provisions, B., line 1, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
5. In §200-23, General Provisions, C. (1), line 1, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
6. In §200-23, General Provisions, C. (2), line 4, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
7. In §200-23, General Provisions, D. (1), line 1, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
8. In §200-23, General Provisions, G., line 2, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
9. In §200-23, General Provisions, H., line 3, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
10. In §200-23, General Provisions, I. (1), line 2, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".

11. In §200-23, General Provisions, I. (1), line 4, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
12. In §200-23, General Provisions, J. (1), line 2, by inserting "; or by a Special Permit decision for Registered Marijuana Dispensaries issued by the Board of Selectmen," immediately following "or any other municipal officer or board".
13. In §200-23, General Provisions, J. (2), line 2, by inserting ", Board of Selectmen" immediately following "Zoning Board of Appeals".
14. By inserting a new §200-25.1, Board of Selectmen, which reads as follows:

"§200-25.1 Board of Selectmen. In addition to the powers enumerated in §5 of the Code of the Town of North Reading, the Board of Selectmen shall also be the Special Permit Granting Authority for Registered Marijuana Dispensaries".
15. By adding to §200-28, Special Permits, a new Section B.1., (immediately following Section B), that would provide as follows:

"B.1. Board of Selectmen as Special Permit Granting Authority. The Board of Selectmen shall have the power, upon written application, to grant special permits for the following use: Registered Marijuana Dispensaries."
16. By allowing for any non-substantive changes to the numbering of affected sections of the Zoning Bylaw, including but not limited to §200-28, Special Permits, C-I.
17. By adding to §200-40 Industrial/Office (I/O) District, under D., Uses Permitted by Special Permit, following "513390 - Communication services, not elsewhere classified," the following: "In addition, the following use is permitted by Special Permit: Registered Marijuana Dispensary."
18. By deleting in its entirety Article XXIV, MEDICAL MARIJUANA TREATMENT CENTERS, and replacing it with a new Article XXIV, REGISTERED MARIJUANA DISPENSARIES, that would provide as follows:

ARTICLE XXIV
Registered Marijuana Dispensaries

§ 200-137. Purpose.

The purpose of this article is to provide for the placement of registered marijuana dispensaries in accordance with Chapter 369 of the Acts of 2012, An Act for the Humanitarian Use of Marijuana for Medical Purposes, and 105 CMR 725.000: Implementation of an Act for the Humanitarian Medical Use of Marijuana; to minimize the adverse impacts of registered marijuana dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with said registered marijuana dispensaries; and to regulate the siting, design, placement, security, safety, monitoring, modification, and removal of registered marijuana dispensaries.

§ 200-138. Authority.

The special permit granting authority is empowered to review and take action on special permit applications for registered marijuana dispensaries consistent with the procedures established in subsection §200-143 of this article. The special permit granting authority may deny, grant, or grant with conditions all such applications.

§ 200-139. Definitions.

Terms used herein not defined within this article shall be as defined in 105 CMR 725.004.

MARIJUANA — The same substance defined as “marihuana” under MGL c. 94C, and in Chapter 107 of the Code of North Reading.

REGISTERED MARIJUANA DISPENSARY (RMD) — A not-for-profit entity, as defined by Massachusetts law only, registered under this article, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. These facilities shall be located inside a structure or building.

§ 200-140. Applicability.

- A. The commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited unless permitted as a registered marijuana dispensary under this Article XXIV.
- B. No registered marijuana dispensary shall be established except in compliance with the provisions of this Article XXIV.
- C. Nothing in this article shall be construed to supersede federal or state laws governing the sale and distribution of narcotic drugs.
- D. If any provision of this Article XXIV or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Article XXIV, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Article XXIV are severable.

§ 200-141. Eligible locations.

- A. A registered marijuana dispensary may be allowed by special permit granted by the special permit granting authority, provided it meets the requirements in this Article XXIV and is:
 - (1) Located entirely within the Industrial Office (IO) Zoning District;
 - (2) In a stand-alone, single-use building or structure;
 - (3) At least 1,000 feet from any school, park or playground.
 - (4) At least 500 feet from any residential zoning district, including the Berry Center Residential Smart Growth Overlay District; church, temple or similar place of worship; child-care facility; library; or any other facility where children commonly congregate not listed above, including but not limited to dance schools, gymnastics schools, facilities offering tutoring or school instruction, and commercial establishments that host children's parties. The distances referred to in this subsection are measured in a straight line from the nearest point of the property line of the protected uses identified above to the nearest point of the property line of the proposed registered marijuana dispensary.
- B. The commencement of one or more of the above uses (i.e., schools, child care, and the like) within 500 feet of a proposed RMD location, or the creation of a new residential zoning district within 1,000 feet of a proposed RMD location, during the review of a special permit application for an RMD (beginning on the date of submittal), following the issuance of a special permit, or following the commencement of the RMD use shall not

invalidate the RMD use, the special permit issued therefor, or the authority to renew any unexpired or unrevoked special permit.

- C. A registered marijuana dispensary shall not be located in a building that contains any medical doctor offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
- D. No registered marijuana dispensary shall be located inside a building containing a dwelling unit, multifamily dwelling or any other residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck or a mobile home.

§ 200-142. General regulations.

- A. All registered marijuana dispensaries shall be contained within a building or structure.
- B. No registered marijuana dispensary shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet.
- C. The hours of operation of registered marijuana dispensaries shall be set by the special permit granting authority, but in no event shall said facilities be open for business to qualified patients and caregivers, as authorized by 105 CMR 725.000, between the hours of 8:00 p.m. and 8:00 a.m.
- D. No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a registered marijuana dispensary, except for teaching and demonstration purposes as provided by 105 CMR 725.105(N)(8). The term "premises" includes all buildings, accessory structures, parking lots or parking areas, walks and/or other immediate surroundings located on the same lot/parcel as the registered marijuana dispensary.
- E. All registered marijuana dispensaries shall be ventilated in such a manner that no pesticides, insecticides or other chemicals or products used in cultivation or processing are dispersed into the outside atmosphere, and so that no odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the registered marijuana dispensary or at any adjoining use or property.
- F. Registered marijuana dispensaries shall provide the North Reading Police Department, Building Commissioner and the special permit granting authority with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the RMD.
- G. Drive-through windows are prohibited. All transactions with customers are to be handled internally.
- H. All publicly accessible entrances shall be visible from a public way.
- I. No person under the age of 18 shall be permitted on the premises of the registered

marijuana dispensary unless he or she is accompanied by a parent or legal guardian, or unless he or she is a qualifying patient, as defined by 105 CMR 725.004.

J. Pursuant to 105 CMR 725.105, Operational Requirements for Registered Marijuana Dispensaries, Section (P), Access to the Department, Emergency Responders, and Law Enforcement, "authorized law enforcement personnel" shall mean the North Reading Chief of Police or his designee.

K. Signage:

- (1) All signage associated with the registered marijuana dispensary shall comply with 105 CMR 725.000 and Article XIV, Signs.
- (2) For every publicly accessible entrance there shall be at least one sign that includes the following language: "Registration card issued by the MA Department of Public Health required." The required text shall be a minimum of two inches in height.
- (3) Temporary signs, as defined in Article XIV, Signs, shall be prohibited.

§ 200-143. Special permit requirements and procedures.

- A. A registered marijuana dispensary shall only be allowed by special permit from the North Reading Board of Selectmen in accordance with MGL c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
- B. A special permit for a registered marijuana dispensary shall be limited to one or more of the following uses that shall be prescribed by the special permit granting authority:
 - (1) Cultivation of marijuana for medical use (horticulture);
 - (2) 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;
 - (3) Retail sale or distribution of marijuana for medical use to qualifying patients.
- C. In addition to the application requirements set forth in Article IV, §200-28, Special permits, a special permit application for a registered marijuana dispensary shall include the following:
 - (1) The name and address of each owner and/or executive of the registered marijuana dispensary;
 - (2) Copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the registered marijuana dispensary;
 - (3) Evidence of the applicant's right to use the site for the registered marijuana dispensary, such as a deed, or lease;
 - (4) If the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
 - (5) A certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the Town and certified by the Town Assessor;

- (6) Proposed security measures for the registered marijuana dispensary, including lighting, fencing, gates and alarms, and the like, to ensure the safety of persons and to protect the premises from theft;
- (7) Proposed emergency procedures; policies and procedures for patient or personal caregiver home delivery; policies and procedures for the transfer, acquisition, or sale of marijuana; proposed waste disposal procedures and any waivers from the Department of Public Health regulations approved by the Department of Public Health for the registered marijuana dispensary.
- (8) A proposed exterior sign package, which may be included as a condition of issuance of the special permit.

D. Within seven days of receipt of an application, the special permit granting authority shall provide copies of the application and related materials to the Police Department, Fire Department, Board of Health, Community Planning Commission, Engineering Department, Conservation Commission, School Department and Building Department for comment. The special permit granting authority shall not take action on the application prior to receipt of comments from the departments, or before 35 days have passed, whichever comes first. Failure to comment within 35 days shall be deemed lack of opposition.

§ 200-144. Mandatory findings.

The special permit granting authority shall not issue a special permit for a registered marijuana dispensary unless it finds that:

- A. The registered marijuana dispensary is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in MGL c. 40A, §11;
- B. The registered marijuana dispensary demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations;
- C. The applicant has satisfied all of the conditions and requirements of this Article XXIV; and
- D. The registered marijuana dispensary provides adequate security for patients and staff, including in drop-off, pick-up and waiting areas.

§ 200-145. Further criteria.

In addition to any criteria required by 105 CMR 725.000, as such may be amended from time to time, the following criteria shall be required for issuance of a special permit under this Article XXIV: No permit shall be granted hereunder to any applicant, principal officer, agent, owner or manager of the registered marijuana dispensary who has been convicted of a felony in the Commonwealth of Massachusetts. The application shall include proof of the foregoing by sworn statement and including submission to a CORI check from the Chief of Police for each of the aforementioned individuals. The Chief of Police shall report to the special permit granting authority prior to the close of the public hearing whether or not the applicant complies with this criterion.

§ 200-146. Special permit conditions.

The special permit granting authority may impose conditions reasonably appropriate to improve site design, traffic flow, and public safety; protect water quality, air quality, and significant environmental resources; preserve the character of the surrounding area and otherwise serve the purpose of this article. In addition to any specific conditions applicable to the applicant's registered marijuana dispensary, the special permit granting authority may include the following conditions in any special permit granted under this bylaw:

- A. A special permit granted under this Article XXIV shall have a term limited to the duration of the applicant's ownership of the premises as a registered marijuana dispensary. A special permit may be transferred only with the approval of the special permit granting authority in the form of an amendment to the special permit with all information required in this Article XXIV.
- B. The special permit granting authority shall require the applicant to post a bond at the time of application for a building permit to cover costs for the removal of the registered marijuana dispensary in the event the Town must remove the facility. The value of the bond shall be based upon the cost to completely remove all material, plants, equipment and other paraphernalia and properly clean the facility at prevailing wages. The value of the bond shall be developed based upon the applicant providing the special permit granting authority with three written bids to meet the noted requirements. An incentive factor of 1.5 shall be applied to all bonds to ensure compliance and adequate funds for the Town to complete removal and cleaning at prevailing wages.
- C. The applicant shall file a copy of any incident report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer and the special permit granting authority within 24 hours of creation by the registered marijuana dispensary. Such reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.
- D. The applicant shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by the Department of Public Health or the Division of Administrative Law Appeals, as applicable, regarding the registered marijuana dispensary with the Zoning Enforcement Officer and special permit granting authority within 48 hours of receipt by the registered marijuana dispensary.
- E. The special permit shall lapse upon the expiration or termination of the applicant's registration by the Department of Public Health.
- F. The permit holder shall notify the Zoning Enforcement Officer and special permit granting authority, in writing, within 48 hours of the cessation of operation of the registered marijuana dispensary or the expiration or termination of the permit holder's registration with the Department of Public Health.

§ 200-147. Annual reporting.

Each registered marijuana dispensary permitted under this Article XXIV shall, as a condition of its special permit, file an annual report to and appear before the special permit granting authority no later than January 31 of each year, providing a copy of all current applicable state licenses for the registered marijuana dispensary and/or its owners and/or executives, and demonstrate continued compliance with the conditions of the special permit

§ 200-148. Abandonment or discontinuance of use.

- A. A special permit granted for a registered marijuana dispensary shall lapse if not exercised within one year of issuance.
- B. A registered marijuana dispensary shall be required to remove all material, plants equipment and other paraphernalia:
 - (1) Prior to surrendering its state-issued licenses or permits; or
 - (2) Within six months of ceasing operations, whichever comes first

§ 200-149. Site plan review.

Registered marijuana dispensaries are subject to § 200-95, Site plan review.

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of North Reading; or what it will do in relation thereto.

Sponsor: Community Planning Commission

Description...

The proposed bylaw would replace the current temporary moratorium on Registered Marijuana Dispensaries (RMD's), which expires on October 31, 2014, with a bylaw that regulates their siting and review. The proposed bylaw allows RMD's as a Special Permit use in the Industrial Office Zoning District, designates the Board of Selectmen as the Special Permit Granting Authority for RMD's, and establishes mandatory setbacks for RMD's from particular uses, such as places of worship, schools, parks, playgrounds, and other facilities where children commonly congregate. The proposed bylaw also regulates the size, hours of operation, and process of approval, among other provisions.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 14 Amend Code – Add General By-Law – Special Occupational License – Medical Marijuana Dispensary Agents

To see if the Town will amend its General By-Laws by inserting the following Article III to Chapter 104 relative to licensing of registered marijuana dispensaries in Town,

Chapter 104

LICENSES AND PERMITS

Article III

Registered Marijuana Dispensary (RMD) Licenses

§ 104-11 Purpose.

The purpose of this bylaw is to protect the public safety and minimize any possible adverse public safety and health consequences that could result from the establishment of

registered marijuana dispensaries ("RMD") within the Town pursuant to Chapter 369 of the Acts of 2012, "An Act for the Humanitarian Medical Use of Marijuana" (the "Act") and 105 CMR 725.000, while acknowledging the Act's intent to make medical marijuana available to qualifying patients on a lawful basis.

§ 104-12. License required.

- A. No person or corporation shall operate a RMD within the Town unless licensed to do so by the Board of Selectmen ("Board").
- B. A RMD license shall be valid for a term of one year from the date of issuance by the Board.
- C. Each day of operation without a valid Town RMD license shall constitute a separate offense.
- D. A RMD license granted under this bylaw shall be subject to the RMD's compliance with all applicable Massachusetts and Town laws, by-laws, regulations, and codes, including, but not limited to, 105 CMR 725.000, the Town's Zoning bylaws, and any Town regulations adopted pursuant to this bylaw.

§ 104-13. Regulations.

The Board may issue regulations for the implementation of this bylaw in consultation with the Chief of Police and/or other Town departments, officials or boards, as necessary.

§ 104-14. Applications for new or renewed RMD licenses.

- A. The Board shall specify the process and forms to be used by applicants for new and renewed RMD licenses.
- B. The Board or its designee(s) may inspect a RMD and affiliated vehicles prior to the issuance of a RMD license or any license renewal.
- C. All areas of a RMD and all RMD records may be subject to inspection consistent with applicable law. The Board may, to the extent permitted under applicable law (including any Town regulations promulgated hereunder), consider whether a license applicant is a suitable and responsible license candidate and other aspects of the application as may be necessary to implement the purposes of this bylaw.
- D. An applicant's noncompliance with applicable Massachusetts and Town laws, bylaws, regulations, and codes, including, but not limited to, 105 CMR 725.00, the Town's Zoning bylaws, and any Town regulations adopted pursuant to this bylaw, may be cause for denial of an application for a new or renewed RMD license.

§ 104-15. Implementation

This bylaw shall not be implemented in a manner that conflicts or interferes with the Act or with 105 CMR 725.000.

§ 104-16. Severability

If any clause, sentence, paragraph or section of this bylaw or the application thereof shall for any reason be adjudged by a court to be invalid, such judgment shall not affect, impair or invalidate the remainder of this bylaw or its application.

and further that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of North Reading; or what it will do in relation thereto.

Sponsor: Police Department

Description...

This article seeks to establish a local by-law, pursuant to state statute and in conjunction with a Town zoning by-law entitled "Medical Marijuana Dispensaries", that would authorize the Board of Selectmen to issue licenses to agents for Registered Marijuana Dispensaries.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 15 Amend Code – General By-Laws – Chapter 104, Article II, Fingerprinting of Applicants

To see if the Town will vote to amend its General By-Laws, Chapter 104, Article 2 entitled "Fingerprinting of Applicants Criminal History Checks" by adding additional occupational licenses to Section 104-3 that will require national fingerprint-based criminal history checks:

H. Registered Marijuana Dispensary Licensee.

I. Registered Marijuana Dispensary License Executives, as defined by 105 CMR 725.000

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of North Reading; or what it will do in relation thereto.

Sponsor: Board of Selectmen

Description...

The proposed article seeks to include the Registered Marijuana Dispensary licenses proposed in Article 15, to be issued by the Board of Selectmen, into the by-law approved at the October 1, 2012 Town Meeting. If approved, applicants for these licenses must submit to being fingerprinted in order to obtain a license from the Board of Selectmen.

Recommendations ...

Selectmen: Recommended.

Finance Committee: Recommendation to be made at Town Meeting.

Article 16 Appropriate Funds for Interpretive Display of Native American Artifacts Recovered from the J.T. Berry Property

To see if the Town will vote to raise by taxation and appropriate, or appropriate by transfer from unexpended funds remaining in Warrant Articles of previous years, or appropriate by transfer from any available funds, and/or borrow in accordance with any applicable State Statute the sum \$25,000 to design and install an interpretive display in the Flint Memorial Library, with an accompanying information pamphlet, and all costs incidental and/or related thereto; or what it will do in relation hereto.

Sponsor: Historical Commission

Description...

The proposed article seeks funds to install an interpretive display of native American artifacts discovered at the J.T. Berry property in the mid-2000's at the Flint Memorial Library.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 17 Amend Code – General By-Laws – Chapter 191-10, Water – Violations and Penalties

To see if the Town will vote to amend the Code of the Town of North Reading General By-laws 191-10. Violations and Penalties as follows:

CHANGE the existing 191-10B "The enforcing persons shall be any police officer of the town"

TO READ 191-10B "The enforcing persons of the by laws and rules and regulations under Chapter 191, Water shall be any police officer of the town and the Director of the Department of Public Works, its employees, officers, or agents under the provisions of Chapter 1, General Provisions, section 1-5 B, Non criminal disposition, of the General Bylaws of the Town of North Reading."

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of North Reading; or what it will do in relation thereto.

Sponsor: Department of Public Works

Description...

This article seeks to expand the enforcing persons for this by-law to include the DPW Director and DPW employees.

Recommendations ...

Selectmen: Recommended.

Finance Committee: No action required.

Article 18 Amend Code – Add General By-Law – Sex Offender Residency

To see if the Town will vote to amend the Town General By-Laws by inserting a new General By-Law as follows:

Chapter 145 SEX OFFENDERS

ARTICLE I Residency Restrictions

§ 145-1. Purpose; intent.

A. The public purpose of this by-law is to ensure and protect public safety in the Town of North Reading for its residents and children and improve the health, safety and welfare of the residents of North Reading by creating safe and secure areas around elderly housing locations and where children regularly congregate wherein individuals finally classified as Level 3 sex offenders by the Sex Offender Registry Board are prohibited from establishing a permanent residence.

B. After careful consideration, the Town finds that this by-law is narrowly tailored to limit, to the fullest extent possible, the opportunity for Level 3 registered sex offenders to approach or otherwise come into contact with children and senior citizens and that the health and safety of these populations is a compelling governmental interest that the Town seeks to protect.

C. This by-law is intended to create a civil nonpunitive regulatory scheme to promote public safety throughout Town and protect children and the elderly to the greatest extent possible. This by-law is intended to impose reasonable safety precautions and to mitigate the potential risk of harm to children and the elderly in Town.

§ 145-2. Definitions

The following definitions shall apply to this by-law unless the context clearly indicates a different meaning:

CHILDREN — Any persons under eighteen (18) years of age.

DAY-CARE CENTER — Any establishment, whether public or private, which provides care for children and is registered and licensed pursuant to the laws of the Commonwealth of Massachusetts by the Department of Early Education and Care.

ELDERLY — Any persons over fifty-five (55) years of age.

ELDERLY HOUSING FACILITY — Any building or buildings on the same lot containing four (4) or more dwelling units restricted to occupancy by households having one or more members fifty-five (55) years of age or older.

ESTABLISH A PERMANENT RESIDENCE — To set up a home, dwelling place or abode where a person sleeps, which may include more than one location, and may be mobile or transitory, or by means of purchasing real property or entering into a lease or rental agreement for real property.

PARK — Any public land located within the Town of North Reading designated for active or passive recreational or athletic use by the Town of North Reading, including playgrounds.

PERMANENT RESIDENCE — A place where the person lives, abides, lodges, or resides for fourteen (14) or more consecutive days.

SCHOOL — Any public, religious or private educational facility that provides educational services to children in nursery through 12th grade.

SCHOOL BUS STOP — Any location in the Town of North Reading designated by a public or private school to pick up or drop off children for the purposes of educational transportation.

SEX OFFENDER — Shall have the same meaning as provided for in MGL c. 6, § 178C.

SEX OFFENDER REGISTRY — The commonwealth's registry of sex offenders established and maintained pursuant to MGL c. 6, §§ 178C to 178P, inclusive.

§ 145-3. Prohibited acts.

A. It is unlawful for any sex offender who is finally classified as a Level 3 sex offender by the Sex Offender Registry Board, for as long as so classified, to establish a permanent residence within one thousand (1,000) feet of any elderly housing facility, school, day-care center, park or school bus stop, if, after written notice and a hearing before the Police Chief and/or his designee, the Police Chief and/or his designee determines that the Level 3 sex offender poses a risk to children and/or the elderly, and, therefore, residency should be limited in accordance with this section. At said hearing, the Police Chief may review all evidence presented by the Level 3 sex offender and review all available criminal justice information in making said determination. In accordance with this section, the Police Chief shall issue a written determination to said Level 3 sex offender within fourteen (14) days of such hearing.

B. To determine the minimum distance separations, the requirement shall be measured by following a straight line from the outer property line of the permanent residence to the nearest outer property line of an elderly housing facility, school, school bus stop, day-care center or park.

§ 145-4. Exceptions.

A person who is finally classified as a Level 3 sex offender by the Sex Offender Registry Board residing within one thousand (1,000) feet of an elderly housing facility, school, day-care center, park, school bus stop or playground, for as long as so classified, does not commit a violation of this by-law if any of the following apply:

A. The Level 3 sex offender established the permanent residence and reported and registered said residence, in accordance with the Sex Offender Registry Law and any applicable regulations of the Massachusetts Sex Offender Registry Board, prior to the effective date of this by-law.

B. The elderly housing facility, school, day-care center, park, or school bus stop was established after the Level 3 sex offender established his/her permanent residence and reported and registered the permanent residence pursuant to the Sex Offender Registry Law and any applicable regulations of the Massachusetts Sex Offender Registry Board.

C. The prohibition in § 145-3 above shall not be construed or enforced so as to prohibit a Level 3 sex offender from exercising his/her right to vote in any federal, state or municipal election, or from attending any religious service.

D. The Level 3 sex offender is required to serve a sentence at a jail, prison, juvenile facility, or other correctional institution or facility located within one thousand (1,000) feet of an elderly housing facility, school, day-care center, park, or school bus stop in the Town of North

Reading or is admitted to and/or subject to an order of commitment at a public or private facility for the care and treatment of mentally ill persons pursuant to MGL c. 123 located within one thousand (1,000) feet of an elderly housing facility, school, day-care center, park, or school bus stop in the Town of North Reading.

E. The finally classified Level 3 sex offender is a minor.

§ 145-5. Enforcement

A. The North Reading Police Chief and his designee at the North Reading Police Department shall be charged with the enforcement of this by-law.

B. A map depicting the prohibited areas shall be created by the Town and maintained by the North Reading Police Department. The Town and or the Police Department shall update the map yearly if necessary.

§ 145-6. Violations and penalties.

Violation of this by-law may be enforced through all lawful means in law by the Police Chief or his designee, including, but not limited to, enforcement by noncriminal disposition pursuant to MGL c. 40, § 21D. The penalties shall be as follows:

A. First offense: written notification by the Police Chief and/or his designee that the finally classified Level 3 sex offender has thirty (30) days to move, along with an opportunity for a hearing with the Police Chief and/or his designee.

B. Subsequent offense: This shall apply to any offender served or supplied with a notification of a first offense and an opportunity for a hearing that has failed to comply with all requirements of the notification within the thirty (30) day period: noncriminal fine of \$300 issued by the Police Chief and/or his designee and written notification to the finally classified Level 3 sex offender's landlord, parole officer and/or probation officer and the commonwealth's Sex Offender Registry Board that said person has violated this by-law. Following the first offense, each day a violation exists shall constitute a separate violation.

§ 145-7. When effective.

This article shall be effective following compliance with MGL c. 40, § 32.

and further, that non-substantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Code of North Reading; or what it will do in relation thereto.

Sponsor: Police Department

Description...

The public purpose of this By-law is to ensure and protect public safety in the Town of North Reading for its residents and children and improve the health, safety and welfare of the residents of North Reading by creating safe and secure areas around elderly housing locations and where children regularly congregate wherein individuals finally classified as Level 3 Sex Offenders by the Sex Offender Registry Board are prohibited from establishing a permanent residence.

After careful consideration, the Town finds that this By-law is narrowly tailored to limit, to the fullest extent possible, the opportunity for Level 3 Registered Sex Offenders to approach or otherwise come into contact with children and senior citizens and that the health and safety of these populations is a compelling governmental interest that the Town seeks to protect.

This By-law is intended to create a civil nonpunitive regulatory scheme to promote public safety throughout Town and protect children and the elderly to the greatest extent possible. This By-law is intended to impose reasonable safety precautions and to mitigate the potential risk of harm to children and the elderly in Town

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 19 Amend Code – Zoning Bylaws – Personal Wireless Service Facility

To see if the Town will vote to amend the Town's Zoning Bylaw, Chapter 200 of the Town Code, as follows:

1. In §200-46C, District regulations, line 1, delete "District Regulations" and insert "General regulations" in its place.
2. In §200-46 C(1)(a), delete the second sentence in its entirety and insert the following in its place: "Such installations shall require a special permit pursuant to Chapter 28 and a site plan review special permit pursuant to Chapter 95, unless subject to the Telecommunications Act of 1996, Section 704, 47 U.S.C. §332(c)(7), as amended by Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 ("TCA").
3. In §200-46C(1)(b), delete the first sentence in its entirety and insert the following in its place: "A personal wireless service facility involving construction of one or more ground or building (roof or side) mounts shall require a special permit pursuant to Chapter 28 and site plan approval pursuant to Chapter 95, unless exempted from local special permits by the TCA."
4. In §200-46D, Special permit regulations, line 1, delete "Special permit regulations" and insert "Performance standards" in its place.
5. In §200-46E, Application procedures, immediately following subsection (1), insert a new (1.1), which provides as follows: "(1.1) In the case of facilities for which an approval may not be denied under the TCA, as amended, a building permit application shall be made to the Building Inspector who shall refer the application to the Community Planning Commission for review and recommendations. To the extent feasible, such proposed facilities should comply with Subsection D, Performance standards."
6. In §200-46E, delete Subsection E(2)(f) in its entirety and insert in its place "Intentionally left blank."
7. In §200-46 E(2)(g)[1], line 1, delete "all" and insert "certain" in its place.
8. In §200-46E(2)(g)[2], line 3, delete "EAC" and insert "EA" in its place.

9. In §200-46F(3), line 3, insert "unless the facility may not be denied under the TCA, as amended." immediately following "full build-out."
10. In §200-46F(4), delete the last sentence in its entirety.
11. In §200-46F(4), line 6, insert ", unless such addition may not be denied under the TCA, as amended, in which case the provisions of Subsection E(1.1) shall be applicable." immediately following "site plan approval."
12. In §200-46G(1)(a), insert ", if such change substantially changes the physical dimensions of the existing tower or base station, as provided in the TCA, as amended;" immediately following "on the site."
13. In §200-46G(1)(b), insert ", if such change substantially changes the physical dimensions of the existing tower or base station, as provided in the TCA, as amended." immediately following "facility."
- In §200-46G(2), line 2, insert ", if such change substantially changes the physical dimensions of the existing tower or base station, as provided in the TCA, as amended." immediately following "original design filing."
14. In §200-46H, delete Subsection H(1) and (2) in their entirety.
15. In §200-46J, line 6, insert "; unless such reconstruction or replacement may not be denied under the TCA, as amended, in which case, the reconstruction or replacement shall be subject to Subsection E(1.1)." immediately following "the existing structure."
16. In §200-46J, line 11, insert "without obtaining a new special permit from the Community Planning Commission." immediately following "twenty (20) feet."

and further, that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of North Reading; or what it will do in relation thereto.

Sponsor: Community Planning Commission

Description...

The purpose of the proposed changes is to update §200-46 so that it is consistent with the Telecommunications Act of 1996, including amendments made by §6409 of the Middle Class Tax Relief and Job Creation Act of 2012. If approved, the proposed changes will eliminate the requirement for applicants to obtain a new Special Permit from the Community Planning Commission for collocation and alteration of wireless communications equipment, unless the project meets certain size thresholds; such changes are consistent with changes to the Federal Communications Commission's permitting guidelines.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: Recommendation to be made at Town Meeting.

Article 20 File Special Legislation – Swan Pond Road Right-of-Way

To see if the Town will vote pursuant to G.L. c. 40, §§15, 15A to transfer from the Conservation Commission for conservation purposes to the Board of Selectmen for public way purposes, the care, custody, and control of a portion of the 37-acre parcel of land located at 55 Swan Pond Road and described in a deed recorded with the Middlesex South District Registry of Deeds in Book 19999, Page 367, which portion consists of the roadway known as Swan Pond Road and shown approximately on a plan entitled "Roadway Plan," on file with the Town Clerk, and to authorize the Board of Selectmen to petition the General Court for a special act authorizing the foregoing transfer and change in use under Article 97 of the Amendments to the Massachusetts Constitution, said transfer to become effective when the Conservation Commission determines that Swan Pond Road is not needed for conservation purposes and upon the enactment of the Article 97 legislation; or what it will do in relation thereto.

Sponsor: Board of Selectmen

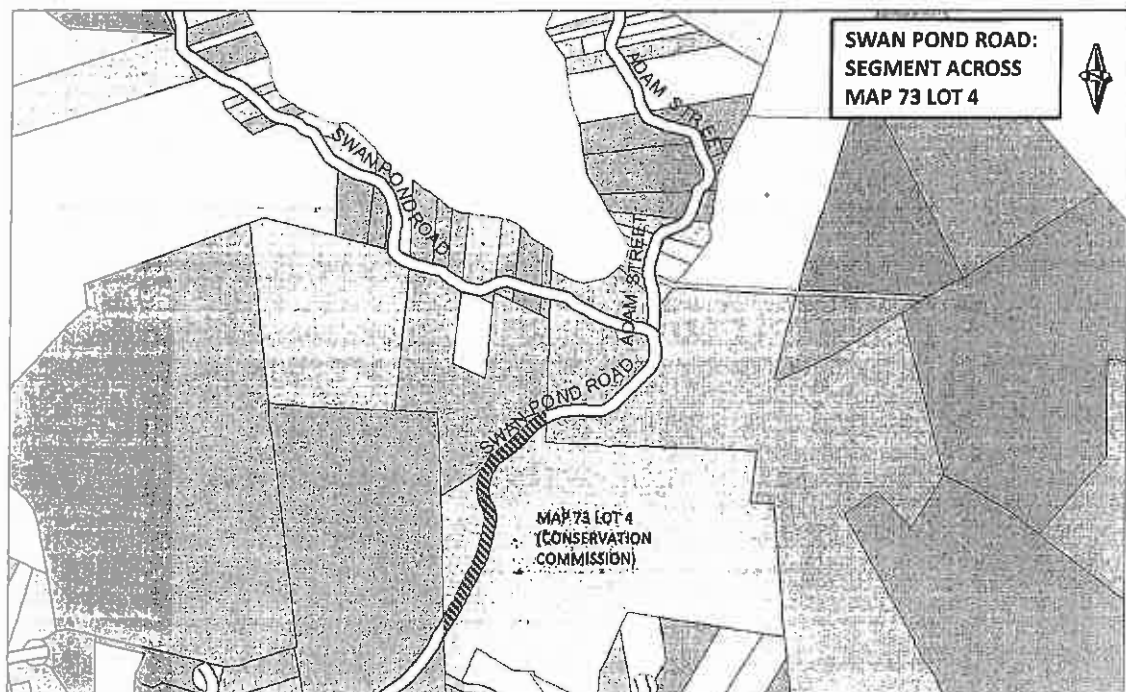
Description...

This article transfers a portion of Swan Pond Road from the Conservation Commission to the Board of Selectmen and allows the Town to file a petition with the state legislature to authorize the transfer and change in use (from conservation purposes to public way purposes). These actions are required before the Town may vote to accept this portion of Swan Pond Road as a public way, since the road is under the ownership of the Conservation Commission.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: No action required.



Article 21 Authorize Naming of Art Room at High School/Middle School

To see if the Town will vote to name an art room in the new High School/Middle School building in honor of Eleanor C. Dell, a former North Reading teacher; or what it will do in relation thereto.

Sponsor: School Committee

Description...

This article requests approval to name the art room of the new High School/Middle School after Eleanor C. Dell, a former North Reading teacher, for her distinguished service as an educator in the North Reading Public Schools.

Recommendations ...

Selectmen: Recommended.

Finance Committee: No action required.

Article 22 Citizens' Petition – Authorize Naming of New Middle School

To see if the Town will vote to name the new Middle School the Charles E. Jones Middle School in honor of retired Principal, Vice-Principal, and educator of 38 years; or what it will do in relation thereto.

Sponsor: On the Petition of Patrick Lee and Others

Description...

This article seeks to name the new Middle School after Charles E. Jones.

Recommendations ...

Selectmen: Recommendation to be made at Town Meeting.

Finance Committee: No action required.

And you are directed to serve this Warrant by posting up attested copies, fourteen days at least before the time of holding said meeting, in accordance with the Code of the Town of North Reading.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this eighth day of September in the year of our Lord two thousand and fourteen.

BOARD OF SELECTMEN

Robert J. Mauceri, Chairman
Michael A. Prisco, Vice Chairman
Stephen J. O'Leary, Clerk
Joseph C. Foti
Jeffrey R. Yull

A True Copy: Attest
John J. Firriello, Constable

TOWN OF NORTH READING

CITIZEN'S ACTIVITY RECORD

GOOD GOVERNMENT STARTS WITH YOU!

If you are interested in serving on a Town committee or board, please complete this form and return it to the Town Administrator's office, Town Hall, 235 North Street, North Reading, MA 01864.

I am interested in serving on the following boards and/or committees:

Name: _____

Date: _____

Address: _____

Home Phone: _____

Work Phone: _____

Mobile Phone: _____

E-Mail Address: _____

Occupation: _____

Education:

- ☐ High School
- ☐ Associate Degree
- ☐ Bachelor Degree
- ☐ Master Degree
- ☐ Beyond Master

Business Experience: _____

Volunteer Government/Community Experience: _____

Additional Information: _____

If no vacancies exist at the time, your application will be kept on file for future consideration for a period of three years. Please re-apply if your interest extends beyond that listed above. Thank you for volunteering to serve your community.