

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Officer's Return, Reading:

By virtue of this Warrant, I, on March 4, 2011 notified and warned the inhabitants of the Town of Reading, qualified to vote on 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 Peter Sanborn Place, 50 Bay State Road
- Precinct 3 Reading Police Station, 15 Union Street
- Precinct 4 Joshua Eaton School, 365 Summer Avenue
- Precinct 5 Town Hall, 16 Lowell Street
- Precinct 6 Austin Preparatory School, 101 Willow Street
- Precinct 7 Reading Library, Local History Room, 64 Middlesex Avenue
- Precinct 8 Wood End School, 85 Sunset Rock Lane

The date of posting being not less than fourteen (14) days prior to April 5, 2011, the date set for the Local Election in this Warrant.

I also caused a posting of notice of this Warrant to be published on the Town of Reading website on March 4, 2011.

Alan W Ulrich, Constable

A true copy Attest:

Laura Gemme, Town Clerk

**TOWN WARRANT
(SEAL)
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 the Local Elections and Town affairs, to meet in the following place designated for the eight precincts in said Town, namely:

Precincts 1, 2, 3, 4, 5, 6, 7 and 8
Reading Memorial High School, Hawkes Field House, Oakland Road

TUESDAY, the FIFTH DAY OF APRIL, A.D., 2011
from 7:00 a.m. to 8:00 p.m. to act on the following Articles, viz:

ARTICLE 1 To elect by ballot the following Town Officers:

A Moderator for one year;
Two members of the Board of Selectmen for three years;
One member of the Board of Assessors for three years;
Two members of the Board of Library Trustees for three years;
One member of the Municipal Light Board for three years;
Two members of the School Committee for three years; and
Sixty Eight Town Meeting Members shall be elected to represent each of the following precincts:

Precinct 1 Eight members for three years;
Precinct 2 Eight members for three years;
One member two years;
Precinct 3 Eight members for three years;
Two members two years;
Precinct 4 Eight members for three years;
Precinct 5 Eight members for three years;
Precinct 6 Eight members for three years;
One member two years;
Precinct 7 Eight members for three years; and
Precinct 8 Eight members for three years.

To vote on the following two questions:

Question 1:

Shall the Town of Reading approve the amendments to Article 4 of the Reading Home Rule Charter, proposed by the November 8, 2010 Subsequent Town Meeting, which are summarized below:

Article 4 – Appointed Boards and Committees

Section 4-10 (a) This section will be deleted to eliminate the Land Bank Committee.

Section 4-10 (b) This section is relettered as Section 4-10 (a).

Section 4-10 (c) This section is relettered as Section 4-10 (b).

Yes _____ No _____

Question 2:

Shall the Town of Reading approve the amendments to Article 2 of the Reading Home Rule Charter, proposed by the November 8, 2010 Subsequent Town Meeting, which are summarized below:

Article 2 – Representative Town Meeting

Section 2-15: Referendum Procedure This amendment clarifies the process for filing a referendum petition to submit an affirmative vote of the Town Meeting to the voters in the form of a ballot question, and establishes the form of the petition to be circulated for signatures. The amendment requires that the ballot question be set forth at the top of each petition form and be identical to the ballot question that will appear on the official ballot. Circulators may make additional copies of the petition form but each copy must be an exact duplicate. The petition form must have language advising voters that it may not be altered in any way, and that no extraneous markings may appear on the petition form or the signatures on that petition form may be invalidated. Extraneous markings do not include signatures and addresses. The petition form must also include language advising that only the signatures of registered voters will be valid, that the petition form should not be signed more than once, and that they may authorize another person to write their name and address on the petition form if they are physically unable to do so. The back of each petition form shall instruct voters to read the signer information on the front before signing. In addition to certifying signatures, the amendment authorizes the Board of Registrar of Voters to examine the petition forms for alterations and extraneous markings.

In addition, the separate paragraphs of Section 2-15 have been given lettered subsections.

Yes _____ No _____

and to meet at the Reading Memorial High School, 62 Oakland Road, in said Reading on

MONDAY, the TWENTY-FIFTH DAY OF APRIL A.D., 2011

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 2 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 3 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 4 To see if the Town will vote to amend the FY 2011 - FY 2020 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 5 To see if the Town will vote to amend one or more of the votes taken under Article 12 of the Warrant of the Annual Town Meeting of April 26, 2010 as amended under Article 4 of the warrant of the Subsequent Town Meeting of November 10, 2010; and to see what sum the Town will vote to appropriate by borrowing or transfer from available funds, or otherwise, as the result of any such amended votes for the operation of the Town and its government, or take any other action with respect thereto.

Finance Committee

ARTICLE 6 To see if the Town will vote to authorize the payment during Fiscal Year 2011 of bills remaining unpaid for previous fiscal years for goods and services actually rendered to the Town, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 7 To see what sum the Town will vote to appropriate by borrowing, whether in anticipation of reimbursement from the State under Chapter 44, Section 6, Massachusetts General Laws, or pursuant to any other enabling authority or from the tax levy, or transfer from available funds, or otherwise, for highway projects in accordance with Chapter 90, Massachusetts General Laws, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 8 To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, permanent and temporary construction easements upon and over a portion of certain properties located at Woburn Street, Sunnyside Avenue, Washington Street, Prescott Street and Fairview Avenue, as shown on a plan entitled "Massachusetts Department of Transportation, Highway Division, Safe Routes to School, Parker Middle School, Woburn Street-Washington Street-Sunnyside Avenue, Preliminary Right of Way in the City of Reading, Middlesex County, 25/75% Submission, November 3, 2010" a copy of which is on file in the Town Clerk's Office, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, for the purpose of constructing and maintaining sidewalks; and, further, to see if the Town will

vote to raise, appropriate, transfer from available funds, accept gifts or borrow a sum of money for this purpose and any expenses related thereto, and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out this acquisition, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 9 To see if the Town will vote to accept the following roads as public ways pursuant to M.G.L. c.82, in accordance with the layouts adopted by the Board of Selectmen and on file with the Office of the Town Clerk:

- Pondview Lane

and to authorize the Board of Selectmen to accept deeds of easement and for the fee in said roads; and to authorize the Board of Selectmen to purchase, or take such ways in fee or rights of easement by eminent domain under the provisions of M.G.L. c.79; or to acquire said lands in fee or rights of easement therein by purchase, gift or otherwise, and to assess betterments therefore pursuant to M.G.L. c.80; and to see what sum the Town will raise by borrowing, or from the tax levy, or transfer from available funds, or otherwise, and appropriate for the acquisition of said lands or easements therein or for payment of any eminent domain damages and for the construction of said ways, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 10 To see if the Town will vote to authorize the Board of Selectmen to sell, or exchange, or dispose of, upon such terms and conditions as they may determine, various items of Town tangible property, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 11 To see if the Town will vote to approve the FY 2012 – FY 2021 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 12 To see if the Town will vote to approve the preliminary design for the renovation and expansion of the Reading Public Library design as shown on the architectural schematics included in the background materials, or take any other action with respect thereto.

Library Board of Trustees

Article 13 To see if the Town will vote to authorize the Board of Selectmen to enter into a lease of the existing indoor ice skating rink known as the Burbank Ice Arena, and the parking areas and accompanying land, all known as 51 Symonds Way, Reading, Massachusetts, and shown as lot 54 and a part of Lot 56 on Reading Assessors' Map 41, to a non-profit organization, organized under the laws of the Commonwealth of Massachusetts, and that has been determined by the Internal Revenue Service to be an organization qualified under Section 501(c)(3) of the Internal Revenue Code, and that has at least ten years of experience in the operation of a skating rink, for the purpose of operating an ice skating rink, with usage preference for the residents of the Town, for an initial term of ten (10)

years, with up to two options to extend the lease term for up to ten years each; with the net income from the rinks operations, after deducting (a) operational, maintenance and repair costs and expenses, and (b) the funding of a cash reserve fund to cover capital replacements and contingencies, to be paid to the Town of Reading, Massachusetts, such rental payments to the Town to be made no less frequently than annually and upon such other lease terms and conditions as the Board of Selectmen deem appropriate; or take any action in relation thereto.

Board of Selectmen

ARTICLE 14 To see if the Town will vote to authorize revolving funds for certain Town Departments under Massachusetts General Laws, Chapter 44, Section 53E ½ for the fiscal year beginning July 1, 2011 with the receipts, as specified, credited to each fund, the purposes, as listed, for which each fund may be spent, the maximum amount that may be spent from each fund for the fiscal year, and the disposition of the balance of each fund at fiscal year end.

Revolving Account	Spending Authority	Revenue Source	Allowed Expenses	Expenditure Limits	Year End Balance
Conservation Commission Consulting Fees	Conservation Commission	Fees as provided for in Reading General Bylaws Section 5.7, Wetlands Protection	Consulting and engineering services for the review of designs and engineering work for the protection of wetlands.	\$25,000	Available for expenditure next year
Inspection Revolving Fund	Town Manager	Building Plumbing, Wiring, Gas and other permits for the Oaktree, Addison-Wesley/Pearson and Johnson Woods developments	Legal, oversight and inspection, plan review, initial property appraisals and appeals, Community Services general management, curb sidewalks and pedestrian safety improvements, records archiving and other project related costs.	\$200,000	Available for expenditure next year
Public Health Clinics and Services	Board of Health	Clinic Fees and third party reimbursements	Vaccines, materials for screening clinics and clinical supply costs, medical equipment and supplies, immunizations, educational materials	\$25,000	Available for expenditure next year
Library Materials	Library Director and	Charges for lost or damaged Library	Acquire Library materials to replace	\$15,000	Available for expenditure

Replacement	Trustees	materials	lost or damaged items		next year
Mattera Cabin Operating	Recreation Administrator	Rental Fees	Utilities and all other maintenance and operating expenses	\$10,000	Available for expenditure next year

or take any other action with respect thereto.

Board of Selectmen

ARTICLE 15 To see if the Town will vote pursuant to Massachusetts General Laws Chapter 30B, Section 12 to authorize the School Committee to enter into a contract or contracts including all extensions renewals and options for school bus transportation for a period greater than three years but not exceeding 5 years upon such terms and conditions determined by the School Committee, or take any other action with respect thereto.

School Committee

ARTICLE 16 To see if the Town will vote to supplement debt authorized under Article 9 of the 2010 Subsequent Town Meeting for the so called "Green Repair" program and if so, to see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate for the purpose of making improvements including but not limited to repairing and/or replacing roofs and/or windows at the Killam School and/or Birch Meadow School, including the costs of consulting services, audits, plans, documents, cost estimates, bidding services, and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the School Committee and/or the Superintendent of Schools; and to see if the Town will authorize the School Committee, Board of Selectmen, Superintendent of Schools, Town Manager, or any other agency of the Town, to apply for a grant from the Massachusetts School Building Authority or any other source of funding, to be used to defray the cost of all, or any part of such improvements; and to authorize the School Committee and/or the Superintendent of Schools and/or 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.

School Committee

ARTICLE 17 To see if the Town will vote accept the supplemental annual allowance of \$9,000 for widow(er)s of disability retirees as provided in section 101 of Chapter 32 of the Massachusetts General Laws, or take any other action with respect thereto.

Contributory Retirement Board

ARTICLE 18 To see if the Town will vote to delete Section 5.15 – Storing or Handling of Crude Petroleum or any Crude Petroleum Products, of the Reading General Bylaw, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 19 To see if the Town will vote to amend Section 5.13 – "Demolition of Structures of Potentially Historical Significance" of the Reading General Bylaw, by deleting

the term “twelve (12) months” from Section 5.13.3.6 thereof, and inserting in its place “six (6) months” so that section reads in its entirety: (note – ~~cross-through~~ represents language to be eliminated and **bold** represents new language)

5.13.3.6 If the Commission determines that the demolition of the Potentially Significant Structure would be detrimental to the historical or architectural heritage or resources of the Town, such structure shall be considered a Preferably Preserved Historic Structure. The Commission shall so advise the applicant and the Building Inspector, and a Demolition Permit may be delayed up to ~~twelve (12)~~ **six (6)** months after the conclusion of the hearing during which time alternatives to demolition shall be considered. The Commission shall offer the owner information about options other than demolition, such as resources in the preservation field, the Massachusetts Historical Commission, the Town Planner, and other interested parties that General Bylaws 69 Amended through March 2010 might provide assistance in preservation, funding and/or adaptive reuse.

or take any other action with respect thereto.

Board of Selectmen

ARTICLE 20 To see if the Town will vote to delete in its entirety, Section 5.16 of the Reading General Bylaw, and insert in its place the following new Section 5.16,

5.16 Outdoor Loudspeakers and Public Address Systems

No commercial establishment (except for restaurants as noted below) shall install or operate any outdoor loudspeaker or public address system on its premises except for the sole purpose of direct communication with a customer to assist that customer or to conduct a specific business transaction at the commercial establishment, as for example at a drive-up window of a fast food or banking establishment, or at self-service gasoline pumps. Any such loudspeaker or public address system shall be operated only during the regular business hours of the establishment. The owner of the establishment shall at all times ensure that the volume of sound produced outdoors by such loudspeaker or public address system shall be such as not to be audible from any portion of a public way or residential property.

Restaurants, except drive-through food establishments, may provide outdoor loudspeakers for the purpose of providing music for their patrons while dining, provided that such music is not audible from any portion of a public way or abutting property. Any such loudspeaker shall be operated only during the regular business hours of the establishment.

or take any other action with respect thereto:

Board of Selectmen

ARTICLE 21 To see if the Town will vote to amend the General Bylaws of the Town of Reading by deleting Section 5.2.4, and by adding a new section 5.19 as follows:

5.19 Snow and Ice Removal

5.19.1 Residences. The owner or occupant of any residentially zoned land abutting a paved sidewalk that has been designated by the Board of Selectmen as a walking route in the Town shall cause all snow and ice to be removed from said sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within eight hours between sunrise and sunset

after such snow and ice have come upon the sidewalk. At a minimum, only so much of said sidewalk that meets the Americans with Disabilities Act (ADA) requirements for a minimum cleared width of thirty six inches (36') shall be required. Violations of this section shall be punishable by a fine of \$25 per day that the snow and ice are not so removed. The provisions of this bylaw may be enforced through the non-criminal disposition method as provided in M.G.L. c. 40, § 21D and Section 5.11 of this Bylaw. For the purpose of non-criminal disposition, the following shall be enforcing persons: Police Officers.

The Board of Selectmen is authorized to exempt citizens from the requirements of this section upon petition showing demonstrable extreme hardship due to a combination of health and financial duress.

5.19.2 Apartments / Condominiums. The owner of any residential property utilized for apartment house or multi unit condominium use that abuts a paved sidewalk in the Town shall cause all snow and ice to be removed from the entire width of such sidewalk by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within the first three hours between sunrise and sunset after such snow and ice have come upon such sidewalk. Violations of this section shall be punishable by a fine of \$25 per day that the snow and ice are not so removed. The provisions of this bylaw may be enforced through the non-criminal disposition method as provided in M.G.L. c. 40, § 21D and Section 5.11 of this Bylaw. For the purpose of non-criminal disposition, the following shall be enforcing persons: Police Officers.

5.19.3 Businesses. The owner or occupant of any land abutting upon a paved sidewalk of a public way in this Town, which said property is zoned or used for business purposes shall cause all snow and ice to be removed from the entire width of such sidewalk. Such snow and ice shall be so removed by plowing, shoveling, scraping or otherwise so as not to damage such sidewalk, and within the first three hours between sunrise and sunset after such snow and ice has come upon such sidewalk. Violations of this section shall be punishable by a fine of \$25 per day that the snow and ice are not so removed. The provisions of this bylaw may be enforced through the non-criminal disposition method as provided in M.G.L. c. 40, § 21D and Section 5.11 of this Bylaw. For the purpose of non-criminal disposition, the following shall be enforcing persons: Police Officers.

5.19.4 In addition to the remedies provided above, the Board of Selectmen may, in its discretion, after due notice to the owner of the real property and an opportunity to be heard, perform or otherwise cause the clearing or treating of snow and/or ice to be performed and recover from said owner the expense therefore which shall not exceed \$500.00 per occurrence. Such expense shall constitute a municipal charge lien against the real property as provided in M.G.L. c. 40, § 58.

5.19.5 No person shall move or remove snow or ice from private lands upon any public street, sidewalk or common land of the Town in such a manner as to obstruct or impede the free passage of vehicular or pedestrian traffic upon the street, sidewalk or common land of the Town, unless he has first obtained a permit therefore issued by the Director of Public Works. No person shall lay, throw, place, or cause to be placed any ice or snow on any portion of any street, sidewalk, or common land within the Town.

or take any other action with respect thereto.

Board of Selectmen

ARTICLE 22 To see if the Town will vote to amend the Reading Home Rule Charter as follows: (note – ~~cross-through~~ represents language to be eliminated and **bold** represents new language)

by removing “Board of Assessors” in the first paragraph of Section 3.1 so that the paragraph reads as follows:

Section 3-1: General Provisions

The offices to be filled by the voters shall be the Board of Selectmen, School Committee, ~~Board of Assessors~~, Board of Library Trustees, Municipal Light Board, Moderator, Vocational School Representative and such members of regional authorities or districts as may be established by statute, interlocal agreement or otherwise,

to re-number Section 3.6 as Section 4-10, and to amend the language in the new Section 4-10 to read as follows:

Section ~~3-6~~ **4-10**: Board of Assessors

There shall be a Board of Assessors consisting of three (3) members ~~elected~~ **appointed** for three (3) year terms so arranged that one (1) term shall expire each year. **The terms of the members of the Board of Assessors shall expire on the first day of July.**

Members of the Board of Assessors shall be appointed by an Appointment Committee chaired by the Moderator, consisting of the Moderator who shall have one vote, the Chairman of the Board of Selectmen who shall have one vote, and the Chairman of the Finance Committee who shall have one vote. Any vacancy on the board shall be filled by the Appointment Committee.

The Board of Assessors ~~may appoint property appraisers and~~ shall have all the powers and duties given to Boards of Assessors by the Law of the Commonwealth not inconsistent with this Charter,

to renumber the present Section 4.10 as Section 4.11,

or take any other action with respect thereto.

Board of Selectmen

ARTICLE 23 To see if the Town will vote to amend Section 4.3.3 of the Town of Reading Zoning By-Laws as follows: (note – ~~cross-through~~ represents language to be eliminated and **bold** represents new language)

4.3.3. SITE PLAN REVIEW

4.3.3.1. Applicability. The following types of activities and uses require site plan review by the CPDC: **Routine maintenance or replacement in-kind is exempt.**

- a. ***Any exterior construction, or alteration or expansion of more than five hundred (500) gross square feet of an institutional, commercial, industrial, or multi-family structure with four or more dwelling units;***
~~Construction, exterior alteration or exterior expansion of, or change of use within an institutional, commercial, industrial, or multi-family structure with four or more dwelling units;~~
- b. ~~Construction or expansion of a parking lot for an institutional, commercial, industrial, or multi-family structure or purpose.~~
- b. ***A change of use within an institutional, commercial, industrial, or multi-family structure;***
- c. ***Interior renovations over two thousand (2,000) gross square feet;***
- d. ***Construction or expansion of a parking lot for an institutional, commercial, industrial, or multi-family structure or purpose.***

4.3.3.2. Procedures. Applicants for site plan approval shall submit twelve (12) copies of the site plan to the CPDC for review, and within three (3) days thereafter request a determination from the Town Planner on completeness of application. The Town Planner shall make a determination of completeness within thirty (30) days of receipt of such application. The CPDC shall review and act upon the site plan, with such conditions as may be deemed appropriate, within sixty (60) days of its determination of completeness, and notify the applicant of its decision. The decision of the CPDC approving site plan review, shall be a majority of the commission and shall be in writing. No building permit or certificate of occupancy shall be issued by the Building Inspector without the written approval of the site plan by the CPDC, or unless 60 days lapse from the date of a determination of completeness of the site plan without action by the CPDC.

4.3.3.3. Requirements:

4.3.3.3.1. Where the CPDC serves as the special permit granting authority for proposed work, it shall consolidate its site plan review and special permit procedures.

4.3.3.3.2. The applicant may request, and the CPDC may grant by majority vote, an extension of the time limits set forth herein.

4.3.3.3.3. No deviation from an approved site plan shall be permitted without modification thereof approved by CPDC.

4.3.3.4. Preparation of Plans. Applicants are invited to submit a pre-application sketch of the proposed project to the CPDC and to schedule a comment period at a regular meeting of the CPDC. Site plans shall be submitted on 24-inch by 36-inch sheets, or larger if necessary for clarity. Plans shall be prepared by a registered professional engineer, registered land surveyor, architect or landscape architect, as appropriate. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal.

4.3.3.5. Contents of Plan. The contents of the site plan are as follows:

- 4.3.3.5.1. Five (5) separate plans prepared at a scale of one (1) inch equals twenty (20) feet or forty (40) feet or such suitable scale as may be approved by the CPDC. The plans are as follows:
- a. Site layout, which shall contain the boundaries of the lot(s) in the proposed development, proposed structures, drives, parking, fences, walls, walks, outdoor lighting, loading facilities, and areas for snow storage after plowing. The first sheet in this plan shall be a locus plan, at a scale acceptable to the CPDC, showing the entire project and its relation to existing areas, buildings and roads for a distance of one thousand (1,000) feet from the project boundaries or such other distance as may be approved or required by the staff.
 - b. Topography and drainage plan, which shall contain the existing and proposed final topography at two-foot intervals and plans for handling storm water drainage, including resource area delineation.
 - c. Utility plan which shall include all facilities for refuse and sewerage disposal or storage of all wastes, the location of all hydrants, fire alarm and fire fighting facilities on and adjacent to the site, all proposed recreational facilities and open space areas, and all wetlands including flood plain areas.
 - d. Architectural plans, which shall include the floor plans and architectural elevations of all proposed buildings and a color rendering or photographs of similar structures.
 - e. Landscaping plan, showing the limits of work, existing tree lines, and all proposed landscape features and improvements including screening, planting areas with size and type of stock for shrub or tree, and including proposed erosion control measures.
- 4.3.3.5.2. The site plan shall be accompanied by a written statement indicating the estimated time required to complete the proposed project and any and all phases thereof.
- 4.3.3.5.3. A written summary of the contemplated projects shall be submitted with the site plan indicating, where appropriate, the number of dwelling units to be built and the acreage in residential use, the evidence of compliance with parking and off-street loading requirements, the forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof, identification of all land that will become common or public land, and any other evidence necessary to indicate compliance with this By-Law.
- 4.3.3.5.4. The site plan shall be accompanied by drainage calculations by a registered professional engineer. Storm drainage design must conform to the Town of Reading subdivision regulations and Department of Environmental Protection storm water regulations.
- 4.3.3.5.5. The CPDC may require a narrative statement detailing the impact of the proposed use on municipal services and the environment, lighting, traffic,

hazardous materials storage, trash, hours of operation and construction impacts.

4.3.3.5.6. Certification that the proposal is in compliance with the provisions, if applicable, of the Americans with Disabilities Act and the Massachusetts Architectural Barriers Board.

4.3.3.5.7. All plans submitted shall be in digital format as well as prints as approved by the Town Engineer. Number of prints submitted shall be determined by the Town Planner.

4.3.3.6. Approval. Site plan approval shall be granted upon determination by the CPDC that the plan meets the following objectives. The CPDC may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and storm water drainage consistent with the functional requirements of the CPDC's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the site plan, after considering the qualities of the specific location, the proposed land use, the design of building form, the grading, egress points, and other aspects of the development, so as to:

- a. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of storm water flow from the site, soil erosion, and the threat of air and water pollution;
- b. Maximize pedestrian and vehicular safety both on the site and approach/egression from it;
- c. Minimize obstruction of scenic views from publicly accessible locations;
- d. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned through the use of landscaping and fencing;
- e. Minimize glare from headlights and lighting intrusion;
- f. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, as viewed from public ways and places;
- g. Minimize contamination of groundwater from on-site wastewater disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances;
- h. Ensure compliance with the provisions of the Zoning By-Law;
- i. Maximize property enhancement through use of landscaping and other site amenities;
- j. Minimize environmental impacts to adjacent properties through hours of operation, deliveries, noise, rubbish removal and storage.

4.3.3.7. Lapse. Site plan approval shall lapse after two (2) years from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the CPDC upon the written request of the applicant.

4.3.3.8. Regulations. The CPDC may adopt and from time to time amend reasonable regulations for the administration of these site plan guidelines.

4.3.3.9. Fee. The CPDC may adopt reasonable administrative fees and technical review fees for site plan review at levels necessary to cover costs. The CPDC may also require the applicant to fund professional review of the filing.

4.3.3.10. Appeal. The appeal of any decision of the CPDC hereunder shall be made in accordance with the provisions of Mass. Gen. L. Ch. 40A. §17.

4.3.3.11. ~~Exemptions:~~

~~Site plan review shall not be required for the following:~~

- ~~a. The construction is solely for the maintenance or repair of the existing structure;~~
- ~~b. The construction, expansion or alteration of a building or structure does not exceed three hundred (300) gross square feet, or such alteration involves only interior renovation of less than one thousand (1,000) gross square feet;~~
- ~~c. The construction, expansion or alteration only involves the modification of internal electrical, plumbing or mechanical systems.~~

4.3.3.12.1. Waiver of Site Plan:

4.3.3.11. Minor Site Plan Review:

The Community Planning and Development Commission *or the Town Planner by administrative approval* may waive *grant approval for a minor site plan review* with or without conditions *provided the proposed construction, expansion or alteration will not result in any adverse impact in the areas described in Sections 4.3.3.5 or 4.3.3.6 and for any of the following reasons provided however that the property has not been approved for a minor site plan review within the last three (3) years; the requirement for site plan review for any of the following three reasons:*

- a. The construction, expansion or alteration only involves the interior renovation of an existing space *such as plumbing, electrical, furniture, fixtures, mechanical systems, or interior changes to comply with the current building code such as handicap accessibility.* and the proposed changes will not result in an adverse impact in the areas described in Sections 4.3.3.5 or 4.3.3.6.
- b. The proposed change in use is in the same use category and will not result in an adverse impact in the areas described in Sections 4.3.3.5 or 4.3.3.6.
- c. The property has undergone *been developed according to a full* site plan review and approval within the past five years. and the proposed

~~changes will not result in an adverse impact in the areas described in Sections 4.3.3.5 or 4.3.3.6.~~

If the Community Planning and Development Commission or *Town Planner* does not act within ~~60~~ 30 days of receiving a complete ~~waiver~~ **Minor Site Plan Review Project** request, the waiver shall be deemed granted.

4.3.3.12.1. Waiver of Loading Zone Space Requirements:

The Community Planning and Development Commission may waive the requirements of 6.1.1.3 as to the number of loading zone spaces, provided there is no adverse impact in the areas described in Section 4.3.3.6., or take any other action with respect thereto.

4.3.3.12.2. Waiver of Parking, Loading Space and Related Design Requirements in the Business C District.

Upon the applicant's request and submission of supporting documentation, the community Planning and Development Commission may waive or reduce the requirements under Section 6.1.1.3 and Section 6.1.2, provided there is no adverse impact in the areas described in Section 4.3.3.6.

or take any other action with respect thereto.

Community Planning and
Development Commission

ARTICLE 24 To see if the Town will vote to approve an Affordable Housing Trust Fund Allocation Plan pursuant to Chapter 140 of the Acts of 2001 entitled "AN ACT AUTHORIZING THE TOWN OF READING TO ESTABLISH AN AFFORDABLE HOUSING TRUST FUND", or take any other action with respect thereto.

Board of Selectmen

ARTICLE 25 To see if the Town will vote to sell at public auction the southwesterly section of Lot 28-202 (Pearl and Audubon) of the Board of Assessors' map together with the former public way known as Pearl Street, said auction to be held on or before December 31, 2011, or take any other action with respect thereto.

By Petition

ARTICLE 26 To see if the Town will vote to authorize the Board of Selectmen to sell or dispose of, upon such terms and conditions as they may determine, the following real estate properties as shown on the Board of Assessors' Map, 38-54 Birch Road, 8-11 Fairmount Road, 33-37 Main Street, 23-62 Torre Street, 27-210 Locust Street, 17-215 Green Street, 32-13 off Parkman Road, 23-70 Bay State Road and 21-147 Kingston Street, or take any other action with respect thereto.

By Petition

ARTICLE 27 To see if the Town will vote to sell at public auction Lot 9-3 (Lothrop Road) of the Board of Assessors' Map, said auction to be held on or before December 31, 2011, or take any other action with respect thereto.

By Petition

ARTICLE 28 To see if the Town will vote to determine how much money the Town will appropriate by borrowing, or from the tax levy, or transfer from available funds, or otherwise, for the operation of the Town and its government for Fiscal Year 2012- beginning July 1, 2011, or take any other action with respect thereto.

Finance Committee

ARTICLE 29 To see if the Town will vote to appropriate funds from the tax levy, or transfer from available funds or otherwise to the Employee Sick Leave Buy-back and Vacation Leave Buyback Stabilization Fund, or take any other action with respect thereto.

Board of Selectmen

ARTICLE 30 To see if the Town will vote, pursuant to Section 2-6 of the Reading Home Rule Charter, to declare the seats of certain Town Meeting Members to be vacant and remove certain described persons from their position as Town Meeting Members for failure to take the oath of office within 30 days following the notice of election or for failure to attend one half or more of the Town Meeting sessions during the previous year, or take any other action with respect thereto:

Precinct 2

Lizabeth Ann Malinski
Gerard McDonald
John B. Sullivan
Kim Marie Sullivan
Richard J. Moore
Robert R. Morelli
Brooks E. Rice
Joseph T. Connearney Sr.
Wei E. Lam
George A. Snow

Precinct 3

David A. Craven
Anthony D'Arezzo

Precinct 5

Susan A. Giacalone

Precinct 6

Jacquelyn A. Mandell
Allison M. Piper
Steven L. Cool
Rick D'Angelo
Chad R. Smith

Precinct 7

Mario A. Jarrin Hurtado
Nancy B. Matheson

Precinct 8

Patricia Beckman
William O. Finch
Donald J. Golini
Robert I. Nordstrand

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 April 5, 2011, the date set for the Election in said Warrant, 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 1st day of March, 2011.

James E. Bonazoli, Chairman

Camille W. Anthony, Vice Chairman

Richard W. Schubert, Secretary

Stephen A. Goldy

Ben Tafoya

SELECTMEN OF READING

Alan W Ulrich, Constable