

ANNUAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

May 1, 2014

Presentation given by each Precinct Chair with Precinct meeting results

Finance Committee Report: No Report

Bylaw Committee Report: No Report

John Arena, Board of Selectmen moved to adjourn the 2014 Annual Town Meeting *sine die* at 10:37 PM with 156 Town Meeting Members in attendance.

Motion Carried

A true copy Attest:



Laura A Gemme
Town Clerk

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

April 28, 2014

The meeting was called to order by the Moderator, Alan E Foulds, at 9:02 PM, there being a quorum present.

The Warrant was partially read by the Town Clerk, Laura Gemme, when on motion by John Arena, Board of Selectmen, it was voted to dispense with further reading of the Warrant.

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

Finance Committee Report: No report

Bylaw Committee Report: No report

On motion made by John Halsey, Board of Selectmen Article 1 was tabled

ARTICLE 2: To choose all other necessary Town Officers and Special Committees and determine what instructions shall be given Town Officers and Special Committees, and to see what sum the Town will raise by borrowing or transfer from available funds, or otherwise, and appropriate 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.

Finance Committee Report: No report

Bylaw Committee Report: No report

On motion made by Kevin Sexton, Board of Selectmen Article 2 was tabled

ARTICLE 3: Motion made by John Arena, Board of Selectmen that the Town vote to amend the FY 2014-23 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended by adding:

General Fund

FY14:

\$ 485,000 School schematic design (Early Childhood Center project)

Background: The following amendments are proposed to the FY2014 - FY2023 Capital Improvements Program (CIP) as previously approved at Annual Town Meeting in April 2013 and amended at both Subsequent Town Meeting in November 2013 and Special Town Meeting in February 2014. These amendments need to be included in the CIP in order for Town Meeting to consider funding them under Article 4 later at this Special Town Meeting. The blue pages showing these Capital Improvement Plans are included in this Warrant Report.

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

April 28, 2014

General Fund

FY14: +\$485,000

- ◆ \$485,000 School schematic design (Early Childhood Center project)

FY15:

- ◆ No changes made

FY16 to FY23:

- ◆ No changes made

Finance Committee Report - given by Barry Berman:

The Finance Committee recommends all of the proposed amendments to the FY 2014 - 2023 Capital Improvements Program by a vote of 6-0-0 at their meeting on April 9, 2014. Placing items in the Capital Improvement Program is a prerequisite but in itself does not authorize spending funds towards these items.

Bylaw Committee Report:

No report

Presentation given by:

- Bob LeLacheur – See Attached

Motion Carried

ARTICLE 4:

Motion made by John Arena, Board of Selectmen that the Town raise by borrowing or transfer from available funds, or otherwise, and appropriate the sum of \$485,000 for the purpose of School schematic design for an Early Education Center Building Project, 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 the Town Manager; and to see if the Town will authorize the School Committee, Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants to be used to defray the cost of all, or any part of, said improvements; and to authorize the School Committee 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.

Background:

Over the last two and ½ years, the Reading Public Schools has been researching and identifying potential space options to address the programmatic changes that have occurred at the Pre-Kindergarten-5 level since 2005. The programmatic changes include an increase in the number of students who participate in tuition-based full day kindergarten, an increase in the number of special education programs in the district, and an increase in the RISE Preschool enrollment. These programmatic changes have resulted in a deficit of classroom space at each elementary school.

In September, 2012, the Reading School Committee voted to support publicly funded full day kindergarten for all students' once additional classroom space became available. The support for full day kindergarten is based on solid research that students who participate in full day kindergarten programs show an increase in mathematics and literacy skills, a decrease in social and emotional issues, and a decrease in achievement gaps and special education referrals from their peers. In addition, there is growing support for publicly funded full day kindergarten for all students, locally, at the state level, and at the national level. Currently, 242 communities in Massachusetts support publicly funded full day kindergarten.

During the last two and half years, several different options have been reviewed by both the Reading School Committee and a nineteen member Early Childhood Working Group, consisting of parents, educators, town officials, and community members. These options have included, but are not limited to: renting additional space, purchasing and renovating an existing building, building additions to the five elementary schools, adding modular classrooms to the five elementary schools, adding space to the two

SPECIAL TOWN MEETING

Reading Memorial High School Performing Arts Center

April 28, 2014

middle schools and moving Grade 5 to the middle schools, and building either one larger early childhood center or two smaller early childhood centers. Several sites were examined by the working group as possible locations for building an early childhood center including Parker, Coolidge, Killam, Woburn Street (St. Agnes School), RMLD property (Ash Street), different recreational parks, two locations on Haverhill Street, town owned property on Oakland Road, the old Water Treatment Plant site, and the Fine and Performing Arts Center side parking lot at Reading Memorial High School. After a thorough analysis of each of the options, the Early Childhood Working Group recommended two to the Reading School Committee: building a pre-k and kindergarten early childhood center or building a pre-K and kindergarten early childhood center with the Reading Public Schools Administration Offices. Both options were recommended by the working group to be built on the Fine and Performing Arts parking lot at Reading Memorial High School.

On March 24, the Reading School Committee voted to request \$485,000 for a design study for an early childhood center option for pre-kindergarten and kindergarten students on the Fine and Performing Arts parking lot at Reading Memorial High School. On April 9, the Board of Selectmen voted to request a Special Town Meeting on April 28th for the purpose of funding the design study through the issuance of debt, rather than the use of cash reserves.

Need for Space

Since 2005, when the fifth elementary school was built, there have been several programmatic changes at the preschool and elementary school level which have resulted in a classroom space deficit at each of our schools. They are as follows:

1. **Increased parent demand for full day kindergarten**-Since the 2005-06 school year the percentage of students who are in tuition-based full day kindergarten has increased from 32% to 72% (currently projected for 2014-15 school year). This change has resulted in an increase in the use of classrooms for full day kindergarten from five in 2005-06 to twelve for the 2014-15 school year.
2. **Increased need for special education programs at the elementary level and the corresponding need for additional special education space**-Since the 2005-06 school year, the number of classrooms dedicated to special education programs at our elementary schools has increased from one to six. Having strong special education programs in our schools is important so that our students who have learning disabilities can attend the Reading Public Schools with their peers. In addition, this decreases the number of students who are in out of district placements which affects the annual operating budget.

In addition to the increase in program need, we also are in need of additional special education learning center space. Recently, the Reading Public Schools had its Coordinated Program Review by the Department of Elementary and Secondary Education (DESE) and were cited for the lack of space for special education students. Each school should have two classrooms dedicated for learning centers and two classrooms dedicated to program space (K-2 and 3-5). In our elementary schools, on average, there are two spaces dedicated for learning centers and programs, instead of four.

3. **Increased demand for Preschool**-The RISE Preschool is an integrated preschool experience for general education and special education students who are three and four years old. School districts are required by statute to provide special education services to any student who qualifies, beginning at age 3. In addition, schools with integrated programs must maintain **at least** a minimum of 51% general education students and 49% special education students in every classroom. Ideally, it would be a benefit to both general education and special education students to have a much higher percentage of general education students in every classroom so that all students can benefit from a strong inclusionary experience.

In 2005-06, the RISE Preschool consisted of four classrooms with 82 students (46 general education and 36 special education). Currently, RISE requires seven classrooms for its 112 students (66 general education and 46 special education). In 2011-12, an additional classroom was created by taking a therapy room and converting it into classroom space. In 2012-13, an additional two preschool classrooms were added using available space at Wood End. For the 2014-15 school year, we have a waiting list of 25 students because there is not sufficient classroom space. This has both an educational impact and a financial impact for the Reading Public Schools. Educationally, it is ideal that students attend the RISE Program because they begin their public schooling earlier with an aligned curriculum and dual certified teachers with Master's Degrees. From a financial standpoint, since the students on the waiting list are general education students, and would be paying tuition, the lost revenue due to the lack of preschool space is \$144,000.

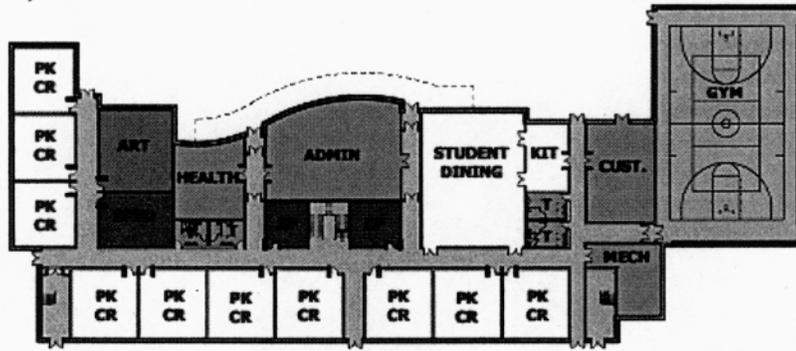
4. **Decrease in the number of dedicated art and music classrooms**-Because of the increased need for classroom space for full day kindergarten, preschool and special education programs, other educational programs have suffered. When the fifth elementary school was completed, there was a commitment at the time to have one dedicated art classroom and one dedicated music classroom at each elementary school. Unfortunately, there has been a decrease in art and music classrooms at the elementary level from ten in 2005-06 to seven currently.
5. **No additional classroom space for enrollment "bubbles"**-Because we have a deficit of classroom space at our elementary schools, we do not have any additional classroom space to accommodate short-term enrollment increases. At times, there is an incoming grade that requires more classroom space than is available. If classroom space is not available, the result is an increase in class size for that grade level.

Early Childhood Center

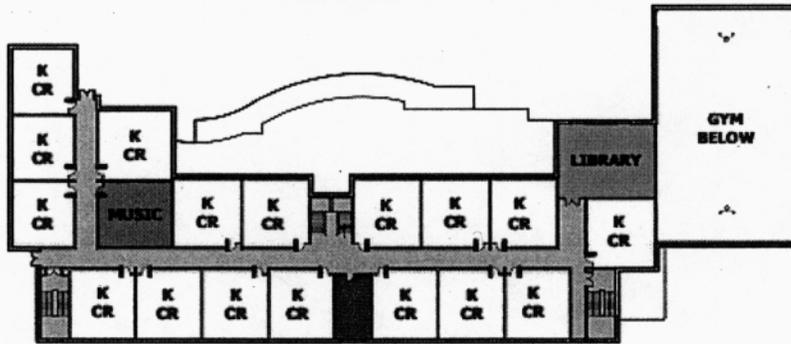
The conceptual proposal for the early childhood center includes the necessary educational space to provide publicly funded full day kindergarten for every student (approximately 323 students) and an integrated RISE Preschool program for up to 150 students. The current conceptual drawings (see below) include 17 kindergarten classrooms, 10 preschool classrooms, 1 cafeteria, 1 library, 1 art room, 1 music room, special education space, and a full size gymnasium, which will serve as community space during non-school hours. During the schematic design phase, these plans will be further developed into schematic drawings to give the community a more detailed picture and more developed cost estimate of the project.

If the early childhood center is built, the classroom space that will become available at each elementary school will be used for separate art and music classrooms, additional special education space to address learning center and program needs, additional capacity to address enrollment "bubbles", and future programmatic needs that do not currently exist.

Early Childhood Learning Center Reading Public Schools
 Feasibility Study



FIRST FLOOR



SECOND FLOOR

PLAN
A

67,802 SF
 OVERALL

35,333 SF
 FIRST FLOOR

3 Space Summary: Early Childhood Learning Center

March 24, 2014

AI3 architects, LLC

The Fine and Performing Arts parking lot at RMHS (see below) was chosen over several other sites using a matrix developed by the architect, AI3, and the Early Childhood Working Group. The matrix included 26 different evaluation criteria including:

- Education
 - Adequate Program and Classroom Space
 - Optimize educational resources (staffing and materials)
 - Allows for Innovative 21st Century Environment
 - Outdoor Play Space and educational opportunities
 - Increase educational opportunities for all Pre-Kindergarten-Kindergarten Age children
 - Relieve program space at other levels (i.e. elementary and high school)
 - Avoids disruption to current educational settings
 - Can be executed in a timely fashion
- Parents
 - Improvement to current or future learning environments
 - More convenient
 - Improves early childhood education
- Community
 - Provides additional indoor recreational space
 - Provides outdoor space
 - Provides other community benefits

**Reading Memorial High School
Performing Arts Center**

April 28, 2014

- Represents sustainable design options
- Represents good community wide planning
- Site
 - Convenient for parents, teachers, and students
 - Capable of supporting adequate parking
 - Located in an area where abutters will be supported
 - Convenient for walkers
 - Capable of adequate bus and car circulation
 - Acceptable to local Town Departments
 - Minimize traffic impacts

The option below, also known as "Option 2", had the highest score based on the categories above.

Early Childhood Learning Center
Reading Public Schools

PARKING SUMMARY
 265 new parking
 141 replaced
 124 New School Parking

OPTION 2

Construction Cost:
 \$26,239,037

- North Parking (44) \$309,301*
- West Parking (66) \$367,709*
- Oakland Rd. Parking (103) \$1,489,600*
- Play Area & Play Surface \$75,665*
- Play Area Site work \$258,857*

*Includes Mark-Ups

4 | Option 2 Site Plan Rendering

March 24, 2014

OPTION 2

Parking Analysis:
 141 Displaced
 265 New
 124 New School Spaces

Ai3 architects, LLC

In the conceptual drawing above, additional parking has been added to offset the spaces lost due to the new building's location as well as the number of spots that would likely be required for staff and parents. This additional parking is created by adding to existing parking on site and the development of a new parking lot off of Oakland Road. At the request of town officials, additional parking does not include the use of the 96 available spaces on Oakland Road. These spaces will be used for overflow parking for community events and temporary parking for drop off/pickup.

Design Study

The estimated total cost of developing option 2 is 26.2 million dollars. This includes the development of additional parking sites and the renovation of the current RISE classroom space into classroom space for

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

April 28, 2014

Reading Memorial High School. The amount of funding requested at Town Meeting will be \$485,000 for the schematic design phase that will result in design that is 15% complete. This \$485,000 is broken down in the following manner:

Item	Cost
Design Fee-Schematic Design	\$315,000*
OPM	\$50,000
OPM-(1) Independent Cost Estimate, if required	\$25,000
Geo-technical Investigations	\$30,000
Site Survey	\$30,000
Traffic Study	\$15,000
Environmental and Agency Approvals	\$20,000
Total Budget for Schematic Design Funding	\$485,000

In this proposal, schematic design documentation would provide a scope for the project with advancement of conceptual floor plans and site plans. However, because it is only a 15% completion of plans, the development of a project budget would require inclusion of design and construction contingencies to produce a conservative estimate for Town Meeting 2014 that accounts for ever changing economic and bid environments, as well as potential

Unknown factors associated with the project development approvals or site conditions. If the project were to continue to move forward beyond the design study, this project would require a vote of Town Meeting (likely in November, 2014) to approve a debt exclusion override election that would likely occur in early winter, 2015, with a potential Summer, 2015 bidding period, construction starting in the Fall, 2015, and building occupancy for September, 2017.

In our conversations with the Massachusetts School Building Authority (MSBA) funding is not currently available for the construction of early childhood centers. In addition, MSBA ranks construction projects based upon need and because this project is caused primarily by programmatic changes and not enrollment changes or deteriorating building conditions; it is not likely to meet the priority threshold when compared to other projects in the Commonwealth.

Operational Costs of Early Childhood Center

One of the incentives that Massachusetts provides to encourage school districts to offer publicly funded full day kindergarten is the Chapter 70 funding formula. Currently, all of our students (except for a few students who attend full day kindergarten because it is required as part of their individualized education

SPECIAL TOWN MEETING

Reading Memorial High School Performing Arts Center

April 28, 2014

program) are counted as ½ day students in the Chapter 70 funding formula. If we are able to move to publicly funded full day kindergarten, each student would be counted as a full day student. In Reading, if we had 320 full day kindergarten students per year, the additional Chapter 70 funding per year would be approximately 1.1 million dollars. This amount would significantly offset the staff costs associated with full day kindergarten.

There will be additional operating costs associated with a new facility. Most staffing for RISE and full day Kindergarten already exist, however, we will need some additional full day kindergarten teachers and paraeducators, a school nurse, custodial services, food service employees, and some incremental increases in specialists (art, music, Physical Education, OT, PT, speech and language services). Since a Preschool Director position already exists, an additional administrator position will not be needed. Because the proposed Early Childhood Center is geographically located near the center of Reading, increased bussing costs will be at a minimum. Additional non-personnel costs would include utilities (natural gas, electric, water and sewer). Because all Preschool and Kindergarten classes would be in the same location, there would be an economy of scale with materials and supplies and some personnel costs, which will result in savings.

Next Steps

If funding for the design study is approved at Town Meeting, a School Building Committee will be developed for the sole purpose of overseeing design and construction of this project. The Reading School Committee voted at their March 24, 2014 School Committee Meeting to develop a School Building Committee with the following requirements:

A. Purpose

The ECECBC is charged with carrying out all phases of early childhood center building project including the Design Phases, Construction Phases for renovations, additions and/or construction of the new Early Childhood Education Center.

B. Powers and Duties of Committee

- Oversee and supervise the design and construction of the Early Childhood Education Center, including the designer selection process for the solicitation, evaluation and recommendation of a project designer, schematic design, design development, production of construction documents, public construction bidding, contract award recommendation and construction administration in compliance with the General Laws. All solicitations for designer services and invitations for bids for construction shall be coordinated with the designated procurement officer for the project to assure compliance with the applicable provisions of the General Laws. The Superintendent of Schools shall award and execute all designer services contracts and construction contracts.
- Review and report the financial requirements of all projects within its jurisdiction, or for which it may become responsible, and oversee the expenditure of funds in the course of execution of such projects.

C. Membership

- Superintendent of Schools
- One School Committee member
- School administrator responsible for procurement (MCPPO certified)
- School administrator responsible for building maintenance
- School principal
- One (1) teacher Associated with Early Childhood Education
- Three (3) community members with architecture, engineering and/or construction experience
- One "at-large" community member
- Town manager or designee
- Local budget official or member of local finance committee

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

April 28, 2014

- One (1) early childhood (Pre-kindergarten or Kindergarten) parent and One (1) RMHS Parent

D. Appointments

- School committee member to be appointed by the Chair of the School Committee
- School administrators, principal, teacher, and parents to be appointed by the Superintendent
- One community member appointed by the Board of Selectman
- One community member appointed by the School Committee
- One community member appointed by the Superintendent of Schools
- At large community member appointed by the School Committee
- Local budget official or member of local finance committee appointed by the Chair of the Finance Committee

E. Length of Term: Three (3) years

Once a School Building Committee is chosen, a procurement process will be put in place to hire an Owner's Project Manager and Architect.

Conclusion

There are several reasons to continue to move forward with this project. If this project is supported by the community it will do the following:

- Provide a comprehensive full day Kindergarten experience for all students
- Provide a solid educational foundation for all students in their early childhood years
- Provide the space necessary for a strong preschool program
- Create much needed instructional space at elementary schools and high school
- Continue to attract families to Reading
- Maintain strong property values for community

If approved at Town Meeting, the design funding will provide a set of schematic drawings and tighter cost estimates to inform Town Meeting and the Reading Community in the fall. Without this next step, enough information will not be available to make an informed decision on the full project.

Finance Committee Report - given by Barry Berman: The Finance Committee recommends the subject matter of Article 4 by a vote of 6-0-0 at their meeting on April 9, 2014. This debt financing will preserve the ability to roll the \$485,000 into a larger scope building project as a future exclusion or override.

Bylaw Committee Report: No report

Presentation given by:

- Charles Robinson - See Attached
- John Doherty - See Attached
- Scott Dunlap, Ai3 Architect LLC - See Attached
- Kevin Buckley, KBA - See Attached

Motion was made by Bill Brown, Precinct 8 to adjourn

Motion to Adjourn does not carry

Motion was made by Anne Landry, Precinct 5 to adjourn after discussion

Motion to Adjourn does not carry

Motion was made by Bill Brown, Precinct 8 for a Roll Call Vote

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

April 28, 2014

Motion for Roll Call Vote was not voted

Motion was made by Peter Brown, Precinct 8 to table Article 4 until May 1, 2014 for further discussion

Motion to table Carried

Motion made by Peter Brown, Precinct 8 to stand adjourned and to meet at 7:30 PM at the Reading Memorial High School Performing Arts Center, on Thursday, May 1, 2014.

Motion Carried

Meeting adjourned at 11:49 PM with 161 Town Meeting Members in attendance.

A true copy Attest:



Laura A Gemme
Town Clerk

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

May 01, 2014

The meeting was called to order by the Moderator, Alan E Foulds, at 7:36 PM, there being a quorum present. The Pledge of Allegiance to the Flag was recited by those in attendance.

ARTICLE 4: On motion made by John Arena, Board of Selectmen Article 4 was taken off the table from adjourned Town Meeting on April 28, 2014

ARTICLE 4: On motion made by Dan Ensminger, Board of Selectmen Article 4 was tabled

ARTICLE 3: Motion made by Dan Ensminger, Board of Selectmen to reconsider Article 3

Pursuant to Section 2.2.4.1 of the document entitled "Conduct of Town Meeting" which was included at the back of the 4/28/2014 Annual Town Meeting warrant report, I am filing written notice of my intention to move reconsideration of Article 3 of the Special Town Meeting of 4/28/2014 at the 5/1/2014 adjourned session of said Special Town Meeting. This request is made within the allotted 24 hours of the adjournment of the 4/28/2014 session in which Article 3 was passed.

My intention is to create a vehicle for Town Meeting to reconsider its addition of \$485K to the FY14 Capital Plan for the School schematic design FY14, should Article 4 not prevail. Therefore I will move reconsideration of Article 3 at the outset of the 5/1/2014 session, then immediately move to lay this motion on the table until Article 4 is dispensed with.

ARTICLE 3: On motion made by Dan Ensminger, Board of Selectmen reconsideration of Article 3 was tabled

ARTICLE 4: On motion made by Dan Ensminger, Board of Selectmen Article 4 was taken from the table

ARTICLE 4: Motion made by Hal Croft, School Committee to Indefinitely Postpone Article 4

After discussion a motion was made by Paul Sylvester, Precinct 3 to move the question to Indefinitely Postpone Article 4

2/3 Vote Required
109 Voted in the affirmative
25 Voted in the negative
151 Town Meeting Members in Attendance

Motion to Move the Question Carried

2/3 Vote Required
135 Voted in the affirmative
255

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

May 01, 2014

3 Voted in the negative
151 Town Meeting Members in Attendance

Motion to Indefinitely Postpone Carried

ARTICLE 3: On motion made by Dan Enslinger, Board of Selectmen Article 3 was taken from the table

ARTICLE 3: Motion made by Dan Enslinger, Board of Selectmen to reconsider Article 3

Pursuant to Section 2.2.4.1 of the document entitled "Conduct of Town Meeting" which was included at the back of the 4/28/2014 Annual Town Meeting warrant report, I am filing written notice of my intention to move reconsideration of Article 3 of the Special Town Meeting of 4/28/2014 at the 5/1/2014 adjourned session of said Special Town Meeting. This request is made within the allotted 24 hours of the adjournment of the 4/28/2014 session in which Article 3 was passed.

My intention is to create a vehicle for Town Meeting to reconsider its addition of \$485K to the FY14 Capital Plan for the School schematic design FY14, should Article 4 not prevail. Therefore I will move reconsideration of Article 3 at the outset of the 5/1/2014 session, then immediately move to lay this motion on the table until Article 4 is dispensed with.

Motion to Reconsider Carried

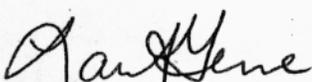
ARTICLE 3: Motion made by Dan Enslinger, Board of Selectmen to Indefinitely Postpone Article 3

Motion to Indefinitely Postpone Carried

John Arena, Board of Selectmen moved to adjourn the 2014 Special Town Meeting *sine die* at 8:21 PM with 151 Town Meeting Members in attendance.

Motion Carried

A true copy Attest:


Laura A Gemme
Town Clerk

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

The meeting was called to order by the Moderator, Alan E Foulds, at 7:34 PM, there being a quorum present. The Pledge of Allegiance to the Flag was recited by those in attendance.

The Warrant was partially read by the Town Clerk, Laura Gemme, when on motion by John Arena, Board of Selectmen, it was voted to dispense with further reading of the Warrant.

ARTICLE 1: On motion made by John Arena, Board of Selectmen it was vote 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.

Reports given:

**Permanent Building Committee
Stephen Crook, Bylaw Committee**

At last winter's Special Town Meeting an instructional motion was made instructing the Bylaw Committee to look at generating a bylaw creating a Permanent Building Committee.

The Bylaw has been working on this over the summer, and has a draft in place, though not complete yet, that has been circulated to the Town Manager and Superintendent of Schools for their comments.

Our anticipation now is to bring it before the January 5th, 2015 Special Town Meeting. Originally we were shooting for the November Subsequent Town Meeting, but, given all the zoning changes going on, we felt it was best to wait until January.

**Charter Commission Report
Alan Foulds, Charter Review Committee**

Last year this body created a Charter Review Committee for the purposes of reviewing our town charter. A similar study was undertaken about ten years ago.

We are proceeding through the document, and, to date, we have recommended some changes. A running document of proposed changes can be found at the town website.

It is our plan to complete our work this calendar year and bring our changes to a special town meeting in January, so that the proposed changes – if approved by town meeting - will appear on the April ballot.

When the committee was created, the end date for the committee was at the upcoming subsequent town meeting in November, unless that body votes to extend the period.

It is the committee's intention to ask for an extension until April. The committee will ask for that extension through an instructional motion in November.

**Zoning Advisory Committee
Marsie West, ad hoc Zoning Advisory Committee**
See Attached

Finance Committee Report: No report

Bylaw Committee Report: No report

Motion made by John Arena, Board of Selectmen and Article 1 was tabled

SPECIAL TOWN MEETING

Reading Memorial High School
Performing Arts Center

September 29, 2014

ARTICLE 2: Motion made by Dan Ensminger, Board of Selectman and Article 2 was tabled

ARTICLE 3: Motion made by John Halsey, Board of Selectmen to see if the Town will vote to amend the FY2015 - FY24 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended.

General Fund

FY15: +\$946,000 in two parts

\$266,000 requested in September as follows:

\$150,000 DPW Snow Holder #c3 (replacing 2008 item)
\$75,000 School Technology (moved up from FY16)
+\$33,000 School Facilities - Joshua Eaton roof (phase I) increase from \$392,000 to \$425,000
+\$27,000 Town Technology - \$15,000 for Audience Response Systems (hand held polling devices) and
\$12,000 Cemetery online system modules (moved up from FY16)
+\$6,000 Town Facilities - Police Station move \$30,000 from flooring to \$36,000 HVAC work
\$0 School Facilities - masonry repairs move \$18,000 from Parker to RMHS
(\$25,000) Community Services - Elder/Human Services van reduced from \$39,000 due to grant received

\$680,000 requested in November as follows:

\$400,000 School Facilities - Joshua Eaton roof Phase II
(increased from \$392,000 and moved up from FY16)
\$100,000 School Facilities - Parker MS multipurpose room repairs
\$80,000 DPW Fuel Management System
\$50,000 Town Facilities - Town Hall generator (moved up from FY16 and incr. from \$20,000)
\$50,000 DPW Pickup Truck #2 (moved up from FY16)

FY16: - \$1,162,400 (-\$549,000 advanced to FY15; \$-40,000 deleted; -\$573,400 deferred)

\$220,000 DPW Truck #8 (moved up from FY18)
\$72,000 DPW Truck #24 (moved up from FY18)
\$37,000 Community Services/Recreation - Joshua Eaton backstop (moved up from FY17)
\$34,000 DPW Pickup #2 (moved up from FY20 and reduced by \$11,000)
\$20,000 School Facilities - Birch Meadow HVAC (moved up from FY17 and increased by \$4,000)
+\$8,000 School Facilities - Barrows and Killam HVAC increased to \$15k each
+\$800 DPW Pickup (increased to \$32,000)
\$0 DPW Cold facility/cemetery garage work moved out one year due to increased project scope and cost
(shown as debt)
(\$12,000) Town Technology - Cemetery online system modules (moved up to FY15)
(\$17,500) DPW SKAG 52" Mower (moved out to FY18)
(\$20,000) Town Facilities: Town Hall generator (moved up to FY15)
(\$26,800) DPW Hwy Int Compr (moved out to FY18)
(\$32,400) DPW Bobcat Loader (moved out to FY19 and increased by \$400)
(\$40,000) DPW Lebot Roller (moved out to FY18)
(\$40,000) DPW Mobark Chipper (deleted)
(\$41,500) Fire Passenger Car#1 (moved out to FY17)
(\$50,000) DPW Pickup #2 (moved up to FY15)
(\$72,000) DPW Truck #24 (moved out to FY18, reduced by \$8,000 to \$64,000)
(\$75,000) School Technology (moved up to FY15)
(\$115,000) DPW Truck #10 (moved out to FY18)

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

(\$120,000) DPW Woodsman Chipper (moved out to FY17)
(\$392,000) School Facilities – Joshua Eaton roof Phase II (moved up to FY15)
(\$500,000) RMHS turf field moved out two years as maintenance has improved status

FY17+

Various changes made

Water Enterprise Fund

FY15: \$120,000

\$2.5 million Water Main Improvements (shown as future debt expenses)
\$120,000 Larch Lane water main project (moved up from FY16)

Finance Committee Report - given by Paula Perry: The Finance Committee recommends the proposed amendments to the FY 2015-2024 Capital Improvements Program by a vote of 8-0-0 at their meeting on September 3, 2014. Placing items in the Capital Improvement Program is a prerequisite but in itself does not authorize spending funds towards these items.

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article

Presentation given by:

- Bob LeLacheur – See Attached

Motion Carried

ARTICLE 4: Motion made by Kevin Sexton, Board of Selectmen that the Town vote to authorize the Board of Selectmen to sell, exchange, or dispose of, a 1998 Leeboy Pavement Spreader upon such terms and conditions as they may determine; or take any other action with respect thereto.

Background: The Department of Public Works purchased a new pavement spreader earlier this summer, as was funded in the FY15 capital plan. In retrospect, they should have previously requested that Town Meeting declare the old 1998 Leeboy Pavement Spreader as surplus and then traded it in with that purchase. Instead, they received a FINCOM Reserve fund transfer of \$9,500 to complete the outright purchase for cash only. After Town Meeting declares this item as surplus, DPW believes it will recoup the \$9,500 in an outright sale. Those funds will flow to cash reserves.

Finance Committee Report - given by Karen Herrick: The Finance Committee recommends this Article by a vote of 8-0-0 at their meeting on September 3, 2014

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article

Presentation given by:

- Bob LeLacheur – See Attached

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

Motion Carried

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

Background: Town Meeting authorized debt for the projects listed above, but the total amount authorized was not needed in full and therefore never borrowed. The figures above represent the difference between what was authorized and what was issued. Removing this surplus authorization is a simple housekeeping issue that is important for bond rating agencies. In contrast, the next Article represents debt that was authorized and borrowed, but not needed to complete various projects.

Finance Committee Report - given by Paul McNeice: The Finance Committee recommends this Article by a vote of 8-0-0 at their meeting on September 3, 2014. This is a financial housekeeping issue only.

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Bob LeLacheur – See Attached

Motion Carried

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

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

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

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

Background: These sums were borrowed for the listed projects and remain as surplus to the completed projects. Under Massachusetts General Laws these surplus funds may be transferred to other 'like' projects. The term 'like' in this instance refers to the legal maximum term that debt may be issued for the various purposes, or 15 years in this case. Typically Reading likes to issue debt that is shorter than allowed in order to save significant interest costs.

The State has asked for bids for the West Street project but they are not yet due. This Article simply adds a bit of a cushion to the \$1.3 million already authorized for this project by Town Meeting. Any future surplus or deficit in this project will come back to Town Meeting once they are identified for certain.

Finance Committee Report - given by Craig Merry: The Finance Committee recommends this Article by a vote of 8-0-0 at their meeting on September 3, 2014.

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Bob LeLacheur – See Attached

After some discussion a vote was taken:

2/3 Vote Required
 133 Voted in the affirmative
 2 Voted in the negative
 143 Town Meeting Members in Attendance

Motion Carried

ARTICLE 7: Motion made by Dan Ensminger, Board of Selectmen that the Town vote to raise by borrowing pursuant to MGL Chapter 44, Section 7 and Section 8 and appropriate the sum of two million five hundred twelve thousand dollars (\$2,512,000) for the purpose of making water system improvements including the costs of engineering services, audits, designs, plans, contracts, specifications, equipment, inspection fees, cost estimates, bidding services, contingencies and all related expenses incidental thereto and necessary in connection therewith, said sum to be expended by and under the direction of the Town Manager; and to authorize the Board of Selectmen, Town Manager, or any other agency of the Town, to apply for a grant or grants, to be used to defray the cost of all, or any part of, said water system improvements; and to authorize the Town Manager to enter into any and all contracts and loan agreements as may be necessary to carry out the purposes of this Article; and to authorize the Treasurer-Collector, with the approval of the Board of Selectmen, to borrow pursuant to said loan; or take any other action with respect thereto.

Background: The Town has previously identified and shown Town Meeting a plan for a significant amount of capital improvements needed for our Water infrastructure, to be done over the next 25+ years. Below is a recap of this capital work that is planned:

	Current Cost	Debt Payments
Phase 1	\$7.512 mil	FY15-FY25
Phase 2	\$5.0 mil	FY23-

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

Phase 3	\$7.5 mil	FY25-
Phase 4	\$15.0 mil	TBA

Phase 1 has two parts – the first has already been bid out, but the second will be bid this winter. Below are the actual and estimated costs for these two parts:

Phase 1	Low Bid	Estimate	TOTAL
Part Number R1	\$3,456,983		
Part Number R2		\$4.0 million +/-	
			\$7.5 million +/-

Town Meeting has previously approved the first \$5.0 million of water main debt towards these long-term capital needs. This Article requests an additional authorization of \$2.512 million. The total of \$7.512 million is expected to cover the entire Phase 1 project.

The financing explains why the apparently odd amount of \$2.512 million of additional debt authorization is requested. The Town has borrowed \$4.012 million from the MWRA at zero interest cost for ten years (the maximum amount allowed). This leaves an authorization of \$0.988 million on the books. Adding \$2.512 million will bring the total unissued authorization to \$3.5 million, which we will look to borrow in the public markets this winter, when we also borrow for the Library and West Street projects.

This large zero interest loan from the MWRA allows the second part of Phase 1 to be started sooner than previously planned, with debt payments due beginning in the FY16 budget.

Finance Committee Report - given by Marc Moll: The Finance Committee recommends this Article by a vote of 8-0-0 at their meeting on September 3, 2014.

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Bob LeLacheur – See Attached

After some discussion a vote was taken:

2/3 Vote Required
Declared by Moderator
143 Town Meeting Members in Attendance

Motion Carried

ARTICLE 8: Motion made by Mark Dockser, Finance Committee that the Town vote to amend the Town's Operating Budget for the Fiscal Year commencing July 1, 2014, as adopted under Article 14 of the Annual Town Meeting of April 28, 2014; and that the Town vote to transfer sums of money from available funds to be added to the amounts appropriated under said Article for the operation of the Town and its government, as shown below; or take any other action with respect thereto.

General Fund – Wages and Expenses

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

<u>Account Line</u>	<u>Description</u>	<u>Decrease</u>	<u>Increase</u>
B99 - Benefits	(\$25,000) Worker Compensation Insurance Premiums	\$25,000	
C99 - Capital	\$150,000 DPW Snow Holder \$ 75,000 School Technology \$ 33,000 School Fac: J. Eaton roof Phase1 \$ 27,000 Town Technology: Audience Response and Cemetery systems \$ 6,000 Town Fac: - Police HVAC project (\$ 25,000) Elder/Human Services van		\$266,000
D99 - Debt Service	(\$350,000) for the West Street roadway project	\$350,000	
E99 - Vocational Education	\$80,000 for Essex North Shore Agricultural		\$80,000
F99 - FINCOM Reserves	\$9,500 spent on DPW capital purchase pre-trade-in		\$9,500
G92 - Admin. Service expenses	\$100,000 legal expenses \$15,000 Property Casualty Insurance Premiums		\$115,000
K92 - DPW expenses	\$18,000 Traffic Controls due to lightning strikes \$7,000 Highway Supplies (emergency stone)		\$25,000
	Subtotals	\$375,000	\$495,500
	Net Operating Expenses		\$120,500
	From Tax Levy, State Aid and Other Local Receipts		\$120,500
	\$77,417 State Aid		
	\$43,083 Excise taxes		

Enterprise Funds - Wages and Expenses

<u>Account Line</u>	<u>Description</u>	<u>Decrease</u>	<u>Increase</u>
W99 - Water	\$120,000 Larch Lane water main project (moved up from FY16) -\$120,000 Water main debt service (no interest loans plus borrow only \$4.012 million versus \$5 million for FY15 repayments)		
	Subtotals	\$0	\$0
	From Operating Transfers and Available Funds (Water Reserves)		\$0

Finance Committee Report - given by Peter Lydecker: The Finance Committee recommends all but two items listed in this Article (not including the \$75,000 School Technology nor the \$7,000 in DPW stone for which there was insufficient information) by a vote of 8-0-0 at their meeting on September 3, 2014. Subsequently at their meeting on September 10, 2014 more information was provided and FINCOM voted 8-0-0 to recommend both the School Technology and DPW stone funding.

Bylaw Committee Report: No report

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Bob LeLacheur – See Attached

Motion Carried

ARTICLE 9: Motion made by Jeff Hansen, Community Planning and Development it was voted to see if the Town will vote to amend the Zoning Bylaw by deleting Section 1 thereof in its entirety and replacing it with the following:

Marsie West, Board of Selectmen moved to dispense of the reading of Article 9

Motion to dispense of reading Carried

1.0 AUTHORITY AND PURPOSE

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

or take any other action with respect thereto.

Background: Over the past year the Zoning Advisory Committee (ZAC) has been working on the Comprehensive Update to the Zoning Bylaw. The zoning update has been conducted with the assistance of

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

a specialized zoning consultant, extensive public participation as well as input from the Community Planning and Development Commission (CPDC) and Town Staff. Article 9 is recommended by the ZAC.

Section 1 identifies the Authority and Purpose of the Zoning Bylaw. Article 9 deletes the existing Section 1 and inserts a new updated Section 1. The new Section 1, Authority and Purpose, has been updated to be consistent with State Statute, Massachusetts General Law Chapter 40A and Chapter 40R. In addition, the purposes included in Section 1 have been updated to be more comprehensive and better reflect Town goals and land use plans that have been adopted.

Below is a side-by-side view of the proposed changes to Section 1

Existing	Proposed
<p>1.0 PURPOSE</p> <p>1.1 The purposes of this Zoning Bylaw include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a To promote the health, safety and general welfare of the inhabitants of the Town of Reading; b To lessen congestion in the streets; c To conserve health; d To secure safety from fire, flood panic, congestion and other dangers; e To provide adequate light and air; f To prevent over-crowding of land; g To avoid undue concentration of population; h To encourage housing for persons of all income levels; i To facilitate the adequate provisions of transportation, water, water supply, drainage, sewerage, schools, parks, open space and other public requirements; j To conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment; k To encourage the most appropriate use of land throughout the Town of Reading, including consideration of the recommendations of comprehensive plans adopted by Town Meeting; and l To preserve natural conditions and historic sites and to enhance beauty and amenities. 	<p>1.0 AUTHORITY AND PURPOSE</p> <p>1.1 This Bylaw shall be known and may be cited as the "Zoning Bylaw of the Town of Reading, Massachusetts"</p> <p>1.2 The Zoning Bylaw is adopted pursuant to Chapter 40A and Chapter 40R of the General Laws of the Commonwealth of Massachusetts.</p> <p>1.3 The purposes of the Zoning Bylaw include:</p> <ul style="list-style-type: none"> a) To promote the public health, safety, welfare, and convenience of residents and property owners within the Town of Reading; b) To secure safety from fire, flood, panic, congestion and other dangers; c) To conserve the value of land and buildings, including the conservation of natural resources and the prevention of blight and pollution of the environment; d) To encourage compatible development and appropriate use of the land and resources throughout the Town of Reading, including consideration of comprehensive plans adopted by the Town of Reading; e) To encourage an orderly expansion of the tax base by utilization, development, and redevelopment of land; f) To encourage increased housing production, including housing for persons of varying income levels and individual needs; g) To facilitate the adequate provision of

SPECIAL TOWN MEETING

Reading Memorial High School
Performing Arts Center

September 29, 2014

	<p>transportation, water, water supply, drainage, sewerage, schools, parks, open space and other public infrastructure;</p> <p>h) To preserve natural conditions and historic sites and to enhance beauty and amenities;</p> <p>i) To establish a fair and reasonable set of standards for evaluating each development proposal impartially;</p> <p>j) To provide adequate light and air; and</p> <p>k) To encourage smart growth in the Town of Reading.</p>
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Finance Committee Report: No report

Bylaw Committee Report - given by Stephen Crook: The Bylaw Committee recommends this Article by a vote of 5-0-0 at their meeting on September 4, 2014.

CPDC Report - given by Jeff Hansen: On September 15, 2014 the CPDC convened to hold a public hearing on the proposed Article 9, to replace the current Section 1 "Purpose" of the Zoning Bylaw with a new Section 1 "Authority and Purpose". The new Section 1, "Authority and Purpose", has been updated to be consistent with State Statute, and Massachusetts General Law Chapter 40A and Chapter 40R. In addition, the purposes have been updated to be more comprehensive and better reflect Town goals and land use plans that have been adopted.

All documents were made available on the website and at Town Hall. The CPDC held a public hearing to provide an opportunity for comment and to determine whether the provisions of the proposed Article 9 shall be adopted by the Town.

The September 15, 2014 public hearing was opened at approximately 7:40 p.m. A presentation was made by the Town Planner and discussion followed. All comments received at the hearing were included as part of the record of the hearing. The public hearing was closed that same evening on September 15, 2014 CPDC voted 4-0-0 to recommend the proposed zoning amendment to Town Meeting.

Board of Selectmen Report: Although the Board does not usually take a position on Zoning Articles, in the case of the ad hoc Zoning Advisory Committee Selectman Marsie West is serving as the ZAC Chair, and the Board wants to ensure that Town Meeting understands that they are in full support of this year-long Zoning project. The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:
• Jean Delios – See Attached

After some discussion a vote was taken:

2/3 Vote Required
83 Voted in the affirmative
55 Voted in the negative
143 Town Meeting Members in Attendance

Motion Does Not Carry

SPECIAL TOWN MEETING

Reading Memorial High School
Performing Arts Center

September 29, 2014

Motion made by John Arena, Board of Selectmen take Articles 11 and 12 out of order

Motion Carried

ARTICLE 11: Motion made by Jeff Hansen, Community Planning and Development that the Town vote to amend the Zoning Bylaw by deleting Section 4.5 thereof in its entirety; or to take any other action with respect thereto.

Background: Over the past year the Zoning Advisory Committee (ZAC) has been working on the Comprehensive Update to the Zoning Bylaw. The zoning update has been conducted with the assistance of a specialized zoning consultant, extensive public participation as well as input from the Community Planning and Development Commission (CPDC) and Town Staff. Article 11 is recommended by the ZAC.

Section 4.5 identifies a Wetlands Protection District. Article 11 deletes Section 4.5, Wetlands Protection District, of the Zoning Bylaw.

The Wetlands Protection District was established to help protect wetland areas within Reading. However, after review of the Wetlands Protection District Regulations, the ZAC, CPDC as well as the Conservation Commission determined that the district regulations were superseded by the State Wetlands Protection Act as well as Reading's Local Wetland Protection Bylaw contained within the Section 7.1 of the General Bylaw. Therefore in an overall effort to streamline, clarify and simplify the Reading Zoning Bylaw, the ZAC has recommended Section 4.5 be deleted. Below is a letter dated August 19, 2014 from the Chair of the Conservation Commission indicating the Commission's support of the deletion.

Below is the entire Section 4.5 to be deleted.

~~**4.5 Wetlands Protection District**~~

~~**4.5.1 Reserved**~~

~~**4.5.2 Uses Permitted in a Wetlands Protection District**~~

~~The Wetlands Protection District shall be considered as overlying other districts established by this Bylaw. Any uses permitted in the portion of the districts so overlaid shall be permitted except that no new building or structure shall be erected or constructed, and no dumping or filling or relocation of earth materials shall be permitted other than as specified in paragraph 4.5.2.7, 8 and 9, below, if approved by the Conservation Commission under the provision of General Laws, Chapter 131, Section 40 and Town of Reading General Bylaw, Section 5.7.~~

~~**4.5.2.1** Uses directly related to the conservation of water, plants and wildlife.~~

~~**4.5.2.2** Outdoor recreation activities and facilities, including unpaved play areas, nature study, boating, fishing and hunting where otherwise legally permitted.~~

~~**4.5.2.3** Wildlife management areas, landings, foot, bicycle and/or horse paths and bridges, provided such uses do not affect the natural flow pattern of any water course.~~

~~**4.5.2.4** Grazing and farming, including truck gardening and harvesting of crops.~~

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

~~4.5.2.5 — Forestry and Nurseries~~

~~4.5.2.6 — Small accessory non-residential structures of less than one hundred (100) square feet of floor area used in connection with recreation or the growing, harvesting, storage or sale of crops raised on the premises.~~

~~4.5.2.7 — Creation of ponds with a total water surface area at normal elevation not in excess of forty thousand (40,000) square feet.~~

~~4.5.2.8 — Removal of silt and other accumulated debris from a watercourse which tends to interfere with the natural flow patterns of the watercourse.~~

~~4.5.2.9 — Driveways or streets including utilities, drainage, pavements, curbs, sidewalks and other related facilities approved under the Rules and Regulations Governing the Subdivision of Land adopted by the Community Planning and Development Commission, across a stream, brook, channel or other watercourse where access is needed to service portions of a lot not otherwise accessible or where alternative means of access are impractical.~~

~~**4.5.3 — Uses Permitted in Wetlands Protection District (W) or Flood Plain District (F) on a Special Permit**~~

~~The following uses shall be permitted in the district by Special Permit:~~

~~4.5.3.1 — Any use in a Business or Industrial District where a portion of the lot is within the Wetlands Protection District (W) or Flood Plain District (F).~~

~~**4.5.4 — Lot Area Allowance**~~

~~A lot with a dwelling existing thereon at the time of the adoption of this Bylaw shall not be deemed a non-conforming lot because any portion of it lies within the Wetlands Protection District (W) or Flood Plain District (F), provided that the dwelling itself does not lie within said District.~~

~~**4.5.5 — Determination of Flooding and Suitability**~~

~~If any land in the Wetlands Protection District (W) or Flood Plain District (F) is proven to the satisfaction of the Board of Appeals as being in fact neither subject to flooding nor unsuitable because of drainage conditions for a use or structure which would otherwise be prohibited by this section, and the Board of Appeals determines that the use of such land for such use or structure will not interfere with the general purposes for which the District has been established, and will not be detrimental to the public health, safety and/or welfare, the Board of Appeals may grant a Special Permit for such use or structure which will comply in all respects with all other provisions of the Underlying District or Districts within which the land is located provided that any and all necessary permits, orders or approvals required by local, State or Federal law are obtained, The Board of Appeals shall refer each question to the Community Planning and Development Commission, Conservation Commission and Board of Health and shall not act until these agencies have reported recommendations or forty five (45) days have elapsed after referral and no report has been received.~~

Finance Committee Report: No report

Bylaw Committee Report - given by Stephen Crook: The Bylaw Committee recommends this Article by a vote of 5-0-0 at their meeting on September 4, 2014.

CPDC Report - given by Jeff Hansen: On September 15, 2014 the CPDC convened to hold a public hearing on the proposed Article 11, to delete Section 4.5 "Wetlands Protection District". Review of the Wetlands Protection District Regulations by the ZAC, CPDC as well as the Conservation Commission

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

determined that the district regulations were superseded by the State Wetlands Protection Act as well as Reading's Local Wetland Protection Bylaw contained within the Section 7.1 of the General Bylaw. Therefore Article 11 seeks to delete Section 4.5 of the Zoning Bylaw.

All documents were made available on the website and at Town Hall. The CPDC held a public hearing to provide an opportunity for comment and to determine whether the provisions of the proposed Article 11 shall be adopted by the Town.

The September 15, 2014 public hearing was opened at approximately 8:00 p.m. A presentation was made by the Town Planner and discussion followed. All comments received at the hearing were included as part of the record of the hearing. The public hearing was closed that same evening on September 15, 2014 CPDC voted 4-0-0 to recommend the proposed zoning amendment to Town Meeting.

Conservation Committee Report: At a public meeting held August 13, 2014, the Reading Conservation Commission voted to approve the deletion of the Wetlands Overlay District in the zoning bylaw as recommended by the Zoning Advisory Committee and CPDC and supports this Article in the upcoming September (Special) Town Warrant.

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Jean Delios – See Attached

After some discussion a vote was taken:

2/3 Vote Required
Declared by Moderator
143 Town Meeting Members in Attendance

Motion Carried

ARTICLE 12: Motion made by Jeff Hansen, Community Planning and Development that the Town vote to amend the Zoning Bylaw by deleting Section 4.6 thereof in its entirety; or to take any other action with respect thereto.

Background: Over the past year the Zoning Advisory Committee (ZAC) has been working on the Comprehensive Update to the Zoning Bylaw. The zoning update has been conducted with the assistance of a specialized zoning consultant, extensive public participation as well as input from the Community Planning and Development Commission (CPDC) and Town Staff. Article 12 is recommended by the ZAC.

Section 4.6, Mixed Use Overlay District, has been deleted in Article 12. The Mixed Use Overlay District was initially adopted in 2005 with the goal to permit mixed commercial and residential uses that would otherwise not be allowed in the underlying zoning district. However, the regulations contained in the Mixed Use Overlay District were challenging to developers and as a result, no projects have been constructed under the Mixed Use Overlay District. In 2009, the Town adopted the Downtown Smart Growth District under Massachusetts General Law Chapter 40R. This overlay district also allows for mixed use developments and also contains design guidelines. The regulations for the Downtown Smart Growth District reflect modern and current planning and land use principals therefore rendering the Mixed Use Overlay District obsolete.

Below is the entire Section 4.6 to be deleted.

4.6 Mixed Use Overlay District

4.6.1 Purpose

The Mixed Use Overlay District allows by Special Permit from the CPDC an alternative pattern of land development to the pattern normally permitted in the underlying Zoning District. It is intended to create mixed commercial, residential, and open space areas consistent with the character and identity of the Town and in conformance with the objectives of the Town of Reading 2005 Master Plan.

4.6.2 Authority

The CPDC shall be the Special Permit Granting Authority for Mixed Use developments. The CPDC may vary the dimensional and parking requirements of Section 4.6 if it determines such change will result in an improved design of the development. The authority of the CPDC to vary the dimensional and parking requirements shall continue subsequent to occupancy upon the change of use of any of the commercial areas and upon application for such change by the applicant.

4.6.3 Permitted Uses

Only the following types of uses shall be permitted in Mixed Use developments. These uses may be commingled into a single structure or structures or may be located in separate structures on the site.

Residential

Multifamily Dwellings

Retail

Retail Store
Restaurant

Governmental Uses

Utilities
Cell Towers
Post Office

Commercial / Office

Business and Professional Office
Research Facility
Personal Service Shop (Example, Travel Agency, Lawyer, Beauty Salon, Bank)
Private Recreation
Parking Garages

No less than 20% of the total number of residential units shall be affordable to households at or below 80% of the median household income for the Boston Metropolitan Area as determined by the most recent calculation of the United States Department of Housing and Urban Development. The table listed below shall dictate the number of affordable units that must be provided for any project.

In determining the total number of affordable housing units required to be constructed under this section, calculation of a fractional unit of .5 or more shall be regarded as a whole unit. The applicant, in its discretion, may pay a fee as an alternative to the construction of an affordable unit as provided in the following table:

SPECIAL TOWN MEETING

Reading Memorial High School
Performing Arts Center

September 29, 2014

Projects with up to 0.8 FAR
Total Number of Units and/or Contributions:

One Unit	\$48,000 or 1 unit
Two Units	\$96,000 or 1 unit
Three Units	\$144,000 or 1 unit
Four Units	\$192,000 or 1 unit
Five Units	1 unit
Six Units	1 unit plus \$48,000 or 2 units
Seven Units	1 unit plus \$96,000 or 2 units
Etc.	

Greater than 0.8 FAR but less than 1.0 FAR
Total Number of Units and/or Contributions:

One Unit	\$60,000
Two Units	\$120,000
Three Units	\$180,000
Four Units	1 unit
Five Units	1 unit plus \$60,000, or 2 units
Six Units	1 unit plus \$120,000, or 2 units
Seven Units	1 unit plus \$180,000, or 2 units
Etc.	

All Contributions shall be made to the Affordable Housing Trust Fund. The affordable units must be subject to Use Restrictions to ensure that the units remain available as affordable units in perpetuity, exclusively to persons with qualifying incomes. The units must be sold or rented on a fair and open basis and the applicant shall provide for CPDC approval an affirmative fair marketing plan for the affordable units. The minimum square footage of living area for any of the residential units within the Mixed Use Overlay District shall be no less than 550 square feet and the maximum area shall not exceed 1100 square feet. The average size shall be 800 square feet (plus or minus 25 square feet). Residential Units shall be developed under the Local Initiative Program of the Massachusetts Department of Housing and Community Development or another subsidy program that allows the housing to count towards the affordable housing requirements of Chapter 40B of the Massachusetts General Law.

4.6.4 Parking Facility

Section 4.6.8 of this Bylaw applies with respect to the CPDC's consideration of the grant of a Special Permit for the Mixed Use Overlay development.

4.6.5 Dimensional Requirements

The dimensional requirements below shall apply.

4.6.5.1 Minimum Contiguous Area of the Mixed Use Development

Minimum contiguous lot area of the Mixed Use development shall be 10,000 square feet. The site of any new principal structure shall conform to Section 5.2.1 of the Zoning Bylaw.

4.6.5.2 Minimum Lot Frontage

Minimum lot frontage shall be 40 feet.

4.6.5.3 Maximum Front Yard

The maximum front yard shall be 20 feet, and there is no minimum front yard.

4.6.5.4 — Minimum Rear Yard

~~Minimum rear yard shall be 15 feet and there is no minimum side yard. There shall also be at least 15 feet separation between any 2 structures in the development on the same lot and the areas behind and between all structures shall be clear and accessible to the Town's fire suppression vehicles.~~

4.6.5.5 — Maximum Height

~~Maximum height shall be 42 feet.~~

4.6.5.6 — Maximum Lot Coverage

~~Maximum lot coverage shall be 40%.~~

4.6.5.7 — Minimum Landscaping

~~Minimum landscaping shall be 25% of lot area. The applicant shall submit a landscaping plan for approval.~~

4.6.5.8 — Maximum Floor Area

~~Maximum floor area ratio shall be 0.8, except as otherwise provided in Section 4.6.3.~~

4.6.6 — Mixed Use Developments

~~The mixture of uses allowed shall not be constrained in any way, however, residential units are prohibited from the front of the 1st floor and parking garages are prohibited from the front of the lot.~~

~~In all Mixed Use developments adequate off-street parking shall be provided. The CPDC and the Applicant shall have as a goal for the purposes of defining adequate off-street parking, making the most efficient use of the parking facilities to be provided and minimizing the area of land to be paved for this purpose. In implementing this goal the CPDC may consider complementary or shared use of parking areas by activities having different peak demand times, and the Applicant may be required to locate adjacent uses in such a manner as will facilitate the complementary use of such parking areas. Implementation of such complementary use of parking areas may result in the CPDC reducing and/or waiving parking requirements.~~

4.6.6.1 — Parking Locations

~~Parking may be provided at ground level, underground or in a parking garage. Parking garages can be free standing or as part of buildings dedicated to other permitted uses. Parking spaces must be assigned to specific uses (including shared uses) at the time of the submission of the Final Plan.~~

4.6.6.2 — Parking at Buildings

~~Parking shall be primarily located at the rear or at the side of buildings.~~

4.6.6.3 — Curb Cuts

~~One curb cut providing access to the development from any public way may be required. Additional curb cuts may be required as deemed necessary by the permitting authority. A development having frontage on 2 or more streets may be permitted additional curb cuts if deemed necessary by the CPDC. Whenever possible there shall be shared curb cuts with adjacent developments.~~

4.6.6.4 — Parking Requirements are:

~~Residential~~

~~550 — 700 sq. ft. = 1 space per unit~~

~~701 — 1100 sq. ft. = 2 spaces per unit~~

- Commercial/Office
3.5 spaces per 1,000 sq. ft.
- Retail
1.5 spaces per 1,000 sq. ft.
- Garages
To be determined by the CPDC
- Municipal Uses
Exempt

~~4.6.6.5 Granting of Relief from Parking Regulations~~

~~In those instances where the Applicant has made a concerted effort to provide all the required number of parking spaces and is unable to do so, the CPDC may allow the applicant to pay an impact fee of \$20,000 for each parking space not provided. The money shall be deposited into a separate account and may only be used for short or long term parking solutions for the Town in the Mixed Use Overlay District.~~

~~4.6.7 Application~~

~~Any person who desires a Special Permit for a Mixed Use development shall submit 14 copies of the application in such form as the CPDC may require which shall include the following:~~

~~4.6.7.1 Development Statement~~

~~A Development Statement shall consist of a petition, a list of the parties in interest with respect to the site, a list of the development team and a written statement describing the major aspects of the proposed development.~~

~~4.6.7.2 Development Plans~~

~~Development plans bearing the seal of a Massachusetts Registered Architect, Registered Civil Engineer or similar professional as appropriate and consisting of:~~

- ~~a Site plans and specifications showing all site improvements and meeting the requirements set forth for a Site Plan under Section 4.3.3~~
- ~~b Site perspective, sections, elevations 1/8 inch = 1 foot~~
- ~~c Detailed plans for disposal of sanitary sewage and surface drainage; and~~
- ~~d Detailed plans for landscaping.~~

~~4.6.7.3 Additional information as the CPDC may determine.~~

~~4.6.8 CPDC Board Findings~~

~~A special permit shall be issued under this Section if the CPDC finds that the development is in harmony with the purpose, and intent of this Section and that it contains a compatible mix of uses sufficiently advantageous to the Town to render it appropriate to depart from the requirements of the applicable zoning district in which the development is located.~~

~~4.6.9 Amendments~~

~~After issuance of a special permit, the applicant may seek amendments to the approved plan. Minor amendments may be made by a majority vote of the CPDC without a public hearing. The CPDC shall make a finding whether a requested amendment is deemed to be major or minor. A major amendment shall require the filing of an amended special permit application and public hearing.~~

~~4.6.10 Existing Structures~~

~~4.6.10.1 Change in Use~~

SPECIAL TOWN MEETING

**Reading Memorial High School
Preferring Arts Center**

September 29, 2014

~~A special permit may be granted to legally existing nonconforming structures, as of the date of the passage of this Bylaw, applying for a change of use in the Mixed Use Overlay District provided that parking for the existing uses meet the requirements of the underlying Zoning District and parking for and new uses meets the requirements of Section 4.6.6.4 CPDC may grant relief from these parking requirements in accordance with Section 4.6.6.5.~~

4.6.10.2 Additions

~~A special permit may be granted to legally existing nonconforming structures, as of the date of the passage of this Bylaw, applying for a change of use and an addition to the structure provided that the footprint of the building structure remains unchanged or is no greater than the original footprint (lot coverage) including addition, and the FAR of 0.8 is not exceeded except as provided in Section 4.6.3 Parking for existing uses shall meet the requirements of the underlying Zoning District and parking for new uses shall meet the requirements of Section 4.6.6.4 CPDC may grant relief from such parking requirements in accordance with Section 4.6.6.5.~~

Finance Committee Report: No report

Bylaw Committee Report - given by Stephen Crook: The Bylaw Committee recommends this Article by a vote of 5-0-0 at their meeting on September 4, 2014.

CPDC Report - given by Jeff Hansen: On September 15, 2014 the CPDC convened to hold a public hearing on the proposed Article 12, to delete Section 4.6 "Mixed Use Overlay District". The current regulations contained in the Mixed Use Overlay District are challenging to developers and as a result, no projects have been constructed under the Mixed Use Overlay District. In 2009, the Town adopted the Downtown Smart Growth District under Massachusetts General Law Chapter 40R. The regulations for the Downtown Smart Growth District reflect modern and current planning and land use principals therefore rendering the Mixed Use Overlay District obsolete. Article 12 seeks to delete Section 4.6 of the Zoning Bylaw.

All documents were made available on the website and at Town Hall. The CPDC held a public hearing to provide an opportunity for comment and to determine whether the provisions of the proposed Article 12 shall be adopted by the Town.

The September 15, 2014 public hearing was opened at approximately 8:10 p.m. A presentation was made by the Town Planner and discussion followed. All comments received at the hearing were included as part of the record of the hearing. The public hearing was closed that same evening on September 15, 2014 CPDC voted 4-0-0 to recommend the proposed zoning amendment to Town Meeting.

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Jean Delios – See Attached

After some discussion a vote was taken:

2/3 Vote Required
Declared by Moderator
143 Town Meeting Members in Attendance

Motion Carried

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

ARTICLE 10: Motion made by Jeff Hansen, Community Planning and Development that the Town vote to amend the Zoning Bylaw by deleting Section 3 thereof in its entirety and replacing it with the following:

John Arena, Board of Selectmen moved to dispense of the reading of Article 10

Motion to Dispense Reading of Article Carried

3.0 ESTABLISHMENT OF DISTRICTS

3.1 Districts

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

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

3.2 Zoning Map

Districts are shown, defined and bounded on a map, dated April 8, 2013 and entitled "Reading Zoning Map," as amended, consisting of an index map and 61 detailed maps, prepared, signed and approved by the Community Planning and Development Commission (CPDC), which constitutes a part of the Zoning Bylaw.

Appended to the Reading Zoning Map and incorporated therein are:

- The "Flood Insurance Rate Map, Massachusetts Middlesex County, Massachusetts" consisting of 7 panels, dated June 4, 2010, which are appended to the Reading Zoning Map as Exhibit 1; and
- The map entitled "Aquifer Protection Overlay District Map, Town of Reading" dated September, 1985 consisting of 1 panel which is appended to the Reading Zoning Map as Exhibit 2.

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

3.3 Boundaries of Districts

Boundaries of zoning districts shall be interpreted as follows:

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

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

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

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

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

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

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

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

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

3.4 Lots in Two Districts

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

or take any other action with respect thereto.

Background: Over the past year the Zoning Advisory Committee (ZAC) has been working on the Comprehensive Update to the Zoning Bylaw. The zoning update has been conducted with the assistance of a specialized zoning consultant, extensive public participation as well as input from the Community Planning and Development Commission (CPDC) and Town Staff. Article 10 is recommended by the ZAC.

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

Section 3 identifies the zoning districts. Article 10 deletes the existing Section 3 and inserts a new updated Section 3. The new Section 3, Establishment of Districts, has been updated and streamlined as part of the overall Comprehensive Update to the Zoning Bylaw. The changes include deletion of two overlay districts and clarifying regulations pertaining to lot boundaries and lots in two districts. In addition, the changes will update the zoning map reference to the Federal insurance Rate Maps (FIRM) to ensure the correct FIRM Map Dates are properly identified as an Exhibit to the zoning map.

The two overlay districts being deleted include the Wetlands Protection District Overlay and the Mixed Use Overlay. The Wetlands Protection District Overlay has been determined to be obsolete as the State Wetland Protection Act and Local Wetland Protection Bylaw supersedes the requirements contained in the Wetlands Protection District Overlay. The Conservation Commission has reviewed the proposed deletion and at a meeting on August 13, 2014 voted to support the deletion of the Wetlands Protection District Overlay.

The Mixed Use Overlay District was initially adopted in 2005 with the goal of permitting mixed commercial and residential uses that would otherwise not be allowed in the underlying zoning district. However, the regulations contained in the Mixed Use Overlay District were challenging to developers and as a result, no projects have been constructed under the Mixed Use Overlay District. In 2009, the Town adopted the Downtown Smart Growth District under Massachusetts General Law Chapter 40R. This overlay district allows for mixed use developments and also contains design guidelines. The regulations for the Downtown Smart Growth District reflect modern and current planning and land use principals therefore rendering the Mixed Use Overlay District obsolete.

Below is a side-by-side view of the proposed changes to Section 3.

Zoning Bylaw Update – Section 3

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P

014

Existing			Proposed		
ESTABLISHMENT OF DISTRICTS			3.0 3.0 ESTABLISHMENT OF DISTRICTS		
3.1 Districts			3.1 Districts		
Type	Full Name	Short Name	The Town is hereby divided into the following zoning districts as shown on the Reading Zoning Map:		
Residence	Single Family 15 District	S-15	Type	Full Name	Short Name
Residence	Single Family 20 District	S-20	Residence	Single Family 15 District	
Residence	Single Family 40 District	S-40	S-15		
Residence	Apartment 40 District	A-40	Residence	Single Family 20 District	S-20
Residence	Apartment 80 District	A-80	Residence	Single Family 40 District	S-40
Business	Business A District	Bus A	Residence	Apartment 40 District	A-40
Business	Business B District	Bus B	Residence	Apartment 80 District	A-80
Business	Business C District	Bus C	Business	Business A District	Bus A
Industrial	Industrial	Ind	Business	Business B District	Bus B
Overlay	Flood Plain District	F	Business	Business C District	Bus C
Overlay	Wetlands Protection District	W	Industrial	Industrial	Ind
Overlay	Municipal Building Reuse District	MR	Overlay	Flood Plain District	F
Overlay	National Flood Insurance Flood Management District	NF	Overlay	Municipal Building Reuse District	MR
Overlay	Aquifer Protection District	AQ	Overlay	National Flood Insurance Flood Management District	NF
Overlay	Planned Unit Development	PUD	Overlay	Aquifer Protection District	AQ
Overlay	Planned Residential Development	PRD	Overlay	Planned Unit Development	PUD
			Overlay	Planned Residential Development	PRD
			Overlay	Gateway Smart Growth District	GSGD
			Overlay	Downtown Smart Growth District	DSGD
3.2 Zoning Map			3.2 Zoning Map		
Districts are shown, defined and bounded on the map dated April 8, 2013 entitled "Reading Zoning Map", as amended, consisting of an index map and 61 detailed maps, prepared and signed approved by the Community Planning and Development Commission, which constitutes a part of these Zoning Bylaw.			Districts are shown, defined and bounded on a map, dated April 8, 2013 and entitled "Reading Zoning Map," as amended, consisting of an index map and 61 detailed maps, prepared, signed and approved by the Community Planning and Development Commission (CPDC), which constitutes a part of the Zoning Bylaw.		
The "Reading Zoning Map" map shall be kept on file and current by the Town Engineer who shall supply copies to the Town Clerk, the Town Planner, the Building Inspector, the Board of Appeals and the CPDC. The "Flood Insurance Rate Map, Town of Reading, Massachusetts Middlesex County" consisting of 7 panels, dated June 4, 2012 and They are to be appended to the "Reading Zoning Map" as Exhibits 1, 2, 3 and 4 the maps entitled "Flood Insurance Rate Map, Town of Reading, Massachusetts Middlesex County" with an effective date of July 2, 1981 consisting of Panel 1 of 4, Panel 2 of 4, Panel 3 of 4 and Panel 4 of 4; and Exhibit 5 the map entitled "Aquifer Protection Overlay District Map, Town of Reading" dated September, 1985 consisting of 1 panel are incorporated into and made a part of the "Reading Zoning Map".			Appended to the Reading Zoning Map and incorporated therein are:		
3.3 Boundaries of Districts			3.3 Boundaries of Districts		
3.3.1 Boundaries of zoning districts shall be interpreted as follows:			3.3 Boundaries of Districts		
3.3.1.1 Where a boundary is indicated within a street or railroad right of way, the boundary shall be the center line of such street or right of way.			Boundaries of zoning districts shall be interpreted as follows:		
Where a boundary is indicated approximately parallel to a street or railroad right of way, together with a single noted dimension, it shall be interpreted as parallel and located the noted distance from the center line of such street or right of way.			3.3.1 Any boundary indicated on the Reading Zoning Map as being within a street or railroad right of way shall be interpreted to be along the center line of such street or right of way.		
Where a boundary is indicated together with two or more dimensions, it shall be interpreted consistent with such dimensions.					

Where an un-dimensioned boundary apparently follows property lines in existence at the time of the establishment of such boundary, it shall be so interpreted.

All other boundaries shall be indicated upon the map.

3.3.1.2 Where a boundary of an Overlay District is indicated as a contour, the boundary shall be the noted contour based on the mean sea level lines, the end of drainage structures or other features, or extensions thereof, it shall be so interpreted.

Where a boundary is indicated as approximately parallel to a street line or bank of a water body or watercourse, together with a single noted dimension, it shall be interpreted as parallel and located the noted distance from such street line or the elevation, at the bank of a water body, where vegetation changes from predominately terrestrial to aquatic, and along the bank of a watercourse where the annual high water has left a definite mark in the channel.

3.4 Lots in Two Districts

3.4.1 Where a district boundary line divides a lot as existing at the time this Bylaw takes effect, and the major portion of said lot is in the less restricted district, the regulations relating to said less restricted district may extend to such portion of said lot as is not more than thirty (30) feet within the more restricted district. This provision shall not apply to any lot used for apartments.

3.5 Intent of Districts

- 3.5.1** Reserved
- 3.5.2** Reserved
- 3.5.3** Reserved
- 3.5.4** Reserved
- 3.5.5** Reserved
- 3.5.6** Reserved
- 3.5.7** Reserved
- 3.5.8** Reserved
- 3.5.9** Reserved

3.6 In addition to the purposes enumerated in Section 1.0, the purpose of the Floodplain District is to provide that land in the Town of Reading subject to seasonal or periodic flooding shall not be used for residence or other purposes in such a manner as to endanger the health or safety of the occupants thereof.

3.6.1 In addition to the purposes in Section 1.0, the purposes of the Wetlands Protection District are:

- a To provide that lands in the Town of Reading subject to seasonal or periodic flooding shall not be used for residence or other purposes in a manner as to endanger the health or safety of the occupants thereof, or the public generally or to burden the public with costs resulting from the unwise individual choices of land use;
- b To protect, preserve and maintain the water table and water recharge areas within the Town so as to preserve present and potential water supplies for the public health and safety of the Town and the Metropolitan Area; and
- c To assure the continuation of the natural flow pattern of the water courses within Reading and to preserve natural flood water storage areas so as to protect persons and property against the hazards of flood inundation.

3.6.2 In addition to the purposes enumerated in Section 1.0, the

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

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

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

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

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

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

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

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

3.4 Lots in Two Districts

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

SPECIAL TOWN MEETING

Re: ... 2014
Pre

<p>purpose of the Municipal Building Reuse District is to provide for the conversion of surplus municipal buildings and the land on which they are situated to private use, in a manner which encourages residential development and use, which is situated and which fosters flexibility and creativity of development for the public benefit.</p>	
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Finance Committee Report: No report

Bylaw Committee Report - given by Stephen Crook: The Bylaw Committee recommends this Article by a vote of 5-0-0 at their meeting on September 4, 2014.

CPDC Report - given by Jeff Hansen: On September 15, 2014 the CPDC convened to hold a public hearing on the proposed Article 10, to replace the current Section 3 "Establishment of Districts" with a new Section 3 "Establishment of Districts". The new Section 3, Establishment of Districts, has been updated and streamlined as part of the overall Comprehensive Update to the Zoning Bylaw. The changes include deletion of two overlay districts and clarifying regulations pertaining to lot boundaries and lots in two districts. In addition, the changes will update the zoning map reference to the Federal insurance Rate Maps (FIRM) to ensure the correct FIRM Map Dates are properly identified as an Exhibit to the zoning map.

All documents were made available on the website and at Town Hall. The CPDC held a public hearing to provide an opportunity for comment and to determine whether the provisions of the proposed Article 10 shall be adopted by the Town.

The September 15, 2014 public hearing was opened at approximately 7:50 p.m. A presentation was made by the Town Planner and discussion followed. All comments received at the hearing were included as part of the record of the hearing. The public hearing was closed that same evening on September 15, 2014 CPDC voted 4-0-0 to recommend the proposed zoning amendment to Town Meeting.

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

- Presentation given by:
- Jean Delios – See Attached

After some discussion a vote was taken:

2/3 Vote Required
 133 Voted in the affirmative
 4 Voted in the negative
 143 Town Meeting Members in Attendance

Motion Carried

Reading Memorial High School
Performing Arts Center

September 29, 2014

ARTICLE 13: Motion made by Jeff Hansen, Community Planning and Development that the Town vote to amend the Zoning Bylaw by deleting Section 4.13 thereof in its entirety and replacing it with the following:

John Arena, Board of Selectmen moved to dispense of the reading of Article 13

Motion to Dispense Reading of Article Carried

4.13 Special Requirements for Registered Medical Marijuana Dispensaries

4.13.1 Purpose

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

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

4.13.2 Applicability

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

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

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

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

4.13.3 Definitions

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

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

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

Qualifying Patient – A Massachusetts resident 18 years of age or older who has been diagnosed by a

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

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

4.13.4 Eligible Locations for Registered Medical Marijuana Dispensaries.

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

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

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

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

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

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

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

4.13.5.6 No Registered Medical Marijuana Dispensary shall be located inside a Building containing Residential Dwelling Units, including transient housing such as motels and dormitories, or inside a movable or mobile Structure such as a van or truck.

4.13.6 Special Permit Requirements

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

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

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

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

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

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

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

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

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

4.13.7 Abandonment or Discontinuance of Use

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

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

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

or take any other action with respect thereto.

Background: Chapter 369 of the Acts of 2012, "An Act for the Humanitarian Medical Use of Marijuana" (enacted as Question 3 on the November 2012 state ballot), to allow qualifying patients, who have been diagnosed with a debilitating medical condition, reasonable access to Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries. In November of 2012 Town Meeting approved an article to prohibit Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries from being sited in all zoning classifications in the Town of Reading. **Subsequently, the State Attorney General's Office determined that such a ban would conflict with the Act and the zoning article was disapproved.**

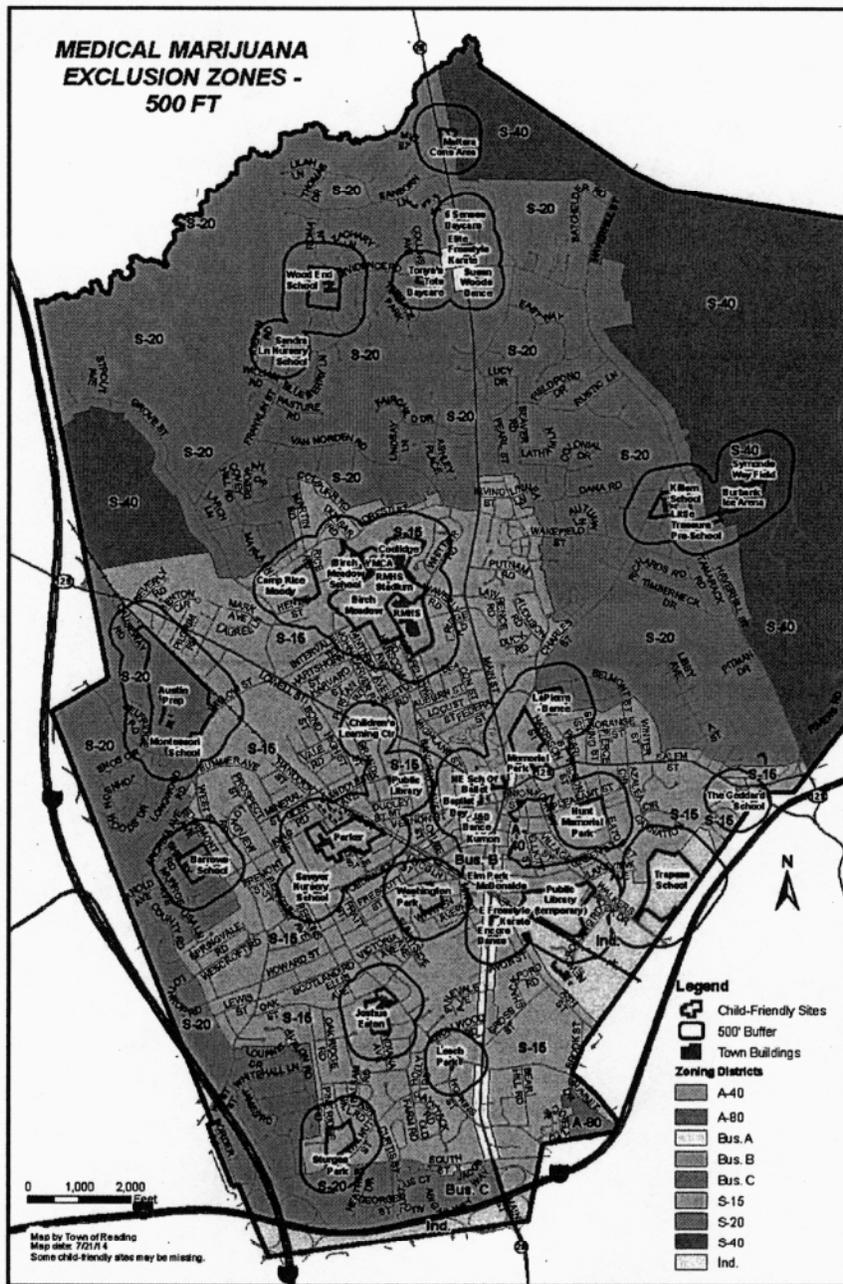
In the Spring of 2013 the State developed regulations governing how it will permit Medical Marijuana Treatment Centers. The Town determined that additional research and study was needed to develop zoning consistent with State regulations as well as the land use goals of the Town of Reading. At November Town Meeting in 2013, the Town adopted a temporary moratorium on Medical Marijuana Treatment Centers/Registered Marijuana Dispensaries which will expire on November 10, 2014.

Since November of 2013, as part of the Comprehensive Update of the Zoning Bylaw, Town Staff, a specialized zoning consultant, the Zoning Advisory Committee (ZAC) and the Community Planning and Development Commission (CPDC) have been engaged in a planning process to develop new zoning regulations. The Zoning Update project has resulted in new language for Registered Medical Marijuana Dispensaries included in Article 13, which is recommended by the ZAC.

SPECIAL TOWN MEETING

Reading Memorial High School
Preforiming Arts Center

September 29, 2014



The Zoning Update project has had a strong public participation component. Public forums have been held to gain input on regulating Registered Medical Marijuana Dispensaries. The zoning consultant including legal counsel has developed the draft language based on input and feedback from the ZAC, CPDC and the Community.

Registered Medical Marijuana Dispensaries are allowed to acquire, possess, cultivate, manufacture, deliver, and transport marijuana, including in food form. The proposed language will allow Registered Medical Marijuana Dispensaries by Special Permit in the Industrial District. The map provided on the previous page

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

illustrates the Industrial District as well as the required 500-foot buffer zone from areas where children commonly congregate per the State Department of Public Health (DPH) Regulations.

Finance Committee Report: No report

Bylaw Committee Report - given by Stephen Crook: The Bylaw Committee recommends this Article by a vote of 4-1-0 at their meeting on September 4, 2014. The minority opinion was based on three subsections of the proposed Bylaw being seen as unnecessary and/or inappropriate. Subsection 4.13.2.3 seems only to serve the purpose of inferring that medical marijuana is a "narcotic" drug and contributes nothing new to the relationship of the Bylaw to State law. Subsection 4.13.2.4 elaborates provisions already enacted in Zoning Bylaw 8.3 regarding invalidity and the elaborations are inexact and confusing. Subsection 4.13.6.5 has no precedent in Reading Zoning and seems pejorative in nature. Its regulatory effect is minimal to the point of being ineffectual.

CPDC Report - given by Jeff Hansen: On September 15, 2014 the CPDC convened to hold a public hearing on the proposed Article 13, to adopt Special Requirements for Registered Medical Marijuana Dispensaries. Article 13 seeks to replace Section 4.13 "Temporary Moratorium for Medical Marijuana Treatment Center/Registered Marijuana Dispensaries" with new language that regulates Registered Medical Marijuana Dispensaries by Special Permit.

All documents were made available on the website and at Town Hall. The CPDC held a public hearing to provide an opportunity for comment and to determine whether the provisions of the proposed Article 13 shall be adopted by the Town.

The September 15, 2014 public hearing was opened at approximately 7:30 p.m. A presentation was made by the Town Planner and discussion followed. All comments received at the hearing were included as part of the record of the hearing. The public hearing was closed that same evening on September 15, 2014 CPDC voted 4-0-0 to recommend the proposed zoning amendment to Town Meeting.

Reading Coalition Against Substance Abuse Report - given by Elaine Webb: At their meeting on August 28, 2014 the RCASA Board of Directors voted 17-0 in favor of this Article. The Board was appreciative of the voice they had in the Zoning Bylaws concerning the Special Requirements for Registered Medical Marijuana Dispensaries.

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Jean Delios - See Attached

Motion made by James Maughan, Precinct 4 to amend as follows:

Add "provided, however, that the cultivation of marijuana for medical use may be permitted in a locked, limited access area within the meaning of 105 CMR 725.004." to 4.13.5.2.

4.13.5.2 To read in its entirety:

All Registered Medical Marijuana Dispensaries shall be contained entirely within a Building; provided, however, that the cultivation of marijuana for medical use may be permitted in a locked, limited access area within the meaning of 105 CMR 725.004.

Motion to Amend Carried

SPECIAL TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

September 29, 2014

After some discussion a vote was taken:

2/3 Vote Required
123 Voted in the affirmative
5 Voted in the negative
143 Town Meeting Members in Attendance

Motion Carried as Amended

ARTICLE 14: Motion made by Marsie West, Board of Selectmen that the Town vote to authorize and request the Finance Committee, pursuant to section 3.3.2.3 of the General Bylaws, to investigate at once the books, accounts, records and management of the Reading Municipal Light Department; to employ such expert and other assistance as it may deem advisable for that purpose; to make a report on its investigation setting forth its findings and recommendations, and to transmit such report to the Town Meeting prior to November 10, 2014; or take any other action with respect thereto.

Background: The Finance Committee currently has the authority to investigate the books, accounts, records and management of both the Town Government and School Department – but not of the Reading Municipal Light Department. This is because RMLD does not present a budget or other financial Articles to Town Meeting for approval, and by Charter the FINCOM is advisory to Town Meeting. This Article both authorizes and requests the FINCOM to conduct a formal investigation of RMLD. FINCOM intends to expand such an investigation to the Town and Schools as well.

Finance Committee Report - given by Mark Dockser: The Finance Committee recommends this Article by a vote of 8-0-0 at their meeting on September 3, 2014. In light of recent public questions about procurement practices and procedures, the Finance Committee plans to review RMLD first as per this article, and then review these areas for the Town and the Schools. If this Article is approved, the Finance Committee would plan to deliver an interim report to Town Meeting in November.

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Bob LeLacheur – See Attached
- Mark Dockser – See Attached

Motion made by Ronald D'Addario, Precinct 6 to table Article 14

Motion to Table Does Not Carry

Motion made by Stephen Crook, Precinct 2 to Move the Question of Article 14

2/3 Vote Required
103 Voted in the affirmative
8 Voted in the negative
143 Town Meeting Members in Attendance

Motion to Move the Question Carried

SPECIAL TOWN MEETING

Reading Memorial High School
Performing Arts Center

September 29, 2014

Motion made by Bill Brown, Precinct 8 to Indefinitely Postpone Article 14

After some discussion a counted vote was taken:

45 Voted in the affirmative
70 Voted in the negative
143 Town Meeting Members in Attendance

Motion to Indefinitely Postpone Does Not Carry

After some discussion a counted vote was taken:

65 Voted in the affirmative
48 Voted in the negative
143 Town Meeting Members in Attendance

Motion Carried

ARTICLE 15: Motion made by Marsie West, Board of Selectmen that the Town vote to amend Section 3.3.2 (Finance Committee) of the Town of Reading Bylaws as follows: (note – cross-through represents language to be eliminated and **bold** represents new language):

John Arena, Board of Selectmen moved to dispense of the reading of Article 13

Motion to Dispense Reading of Article Carried

3.3.2 Finance Committee

3.3.2.3 Investigation

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

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

or to take any other action with respect thereto.

Background: This Article would give the Finance Committee a broader oversight role over the Reading Municipal Light Department. Passage of this Article would preclude the need for a specific Article 14 in the future.

SPECIAL TOWN MEETING

Reading Memorial High School
Performing Arts Center

September 29, 2014

Finance Committee Report - given by Anne Landry: The Finance Committee recommends this Article by a vote of 8-0-0 at their meeting on September 3, 2014.

Bylaw Committee Report - given by Stephen Crook: The Bylaw Committee recommends this Article by a vote of 5-0-0 at their meeting on September 4, 2014.

Board of Selectmen Report: The Board of Selectmen at their meeting on September 2, 2014 voted 5-0-0 to support this Article.

Presentation given by:

- Bob LeLacheur – See Attached
- Mark Dockser – See Attached

Motion made by Bill Brown, Precinct 8 to replace the word "inhabitants" with "voters"

Motion Carried

Motion made by Elaine Webb, Precinct 1 to remove "the Board of Selectmen" and adding "the Chair of the relevant Board, Committee or Commission"

To read as follows:

The Finance Committee shall make a report on every such investigation, setting forth its findings and recommendations, and shall transmit each such report to Town Meeting and to the Chair of the relevant Board, Committee or Commission.

Motion Carried

After some discussion a vote was taken:

Motion Carried as Amended

John Arena, Board of Selectmen moved to adjourn the 2014 Special Town Meeting *sine die* at 11:23 PM with 143 Town Meeting Members in attendance.

Motion Carried

A true copy Attest:



Laura A Gemme
Town Clerk

SUBSEQUENT TOWN MEETING

Reading Memorial High School Performing Arts Center

November 10, 2014

The meeting was called to order by the Moderator, Alan E Foulds, at 7:38 PM, there being a quorum present. The Invocation was given by Philip Pacino, Precinct 5 followed by the Pledge of Allegiance to the Flag. A moment of silence was recognized for past Town Meeting Member Gerald Fiore.

The Warrant was partially read by the Town Clerk, Laura Gemme, when on motion by John Arena, Board of Selectmen, it was voted to dispense with further reading of the Warrant.

Motion made by John Arena, Board of Selectmen to dispense of the reading of all motions in their entirety.

Motion Carried

Motion made by Thomas Ryan, Precinct 1 to take Article 9 out of order and hear before Article 1.

Motion Does Not Carry

ARTICLE 1: Motion made by John Arena, Board of Selectmen 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.

Reports given:

Municipal Light Board Coleen O'Brien, General Manager

Frist, I would like to thank Town Meeting and Town Manager Bob LeLacheur for allowing RMLD to provide our Annual Report to the Town Meeting Members in digital format, reducing paper aligns with our goals of efficiency.

To successfully meet the challenges of the electric industry, RMLD is transitioning from being a reactive operation to a proactive planning operation. Over the past year, we have been conducting assessments and developing a strong six-year financial, power supply and rate plan, along with calling for short-term and long-term strategic plans.

Be Efficient, Get Greener, Go Paperless speaks to improving each of our internal and external business and engineering processes, our electrical system, and how we communicate to our customers. We are utilizing economic development tools to attract and retain customers, including new innovative programs for our customers that target energy rebates and opportunities to share savings when price signals during peak periods are high. Additionally, there are other projects, such as joint venturing on solar panel projects, distributed generation, electric vehicle charging stations, etc.

The flexibility of the electric system, through optimum physical design and proper maintenance, along with integrating the GIS (Geographic Information System) with our Customer Information System and Outage Management System will enable RMLD to efficiently communicate to our system, our customers, and to respond appropriately.

SUBSEQUENT TOWN MEETING

Reading Memorial High School Performing Arts Center

November 10, 2014

A holistic approach to connecting the system, our power supply, and our customers through the implementation of strategic planning will work to ensure we continue to provide one of the lowest rates in the state and the highest reliability to our customers.

We have completed and called for several major studies to define and prioritize major facets to develop the long-term strategic plans. For example, the Cost of Service Study performed at the end of last quarter resulted in unbundling the electric bill to show transparency between power supply and operating costs, and will also pave the way for the future rate trends, such as real-time pricing structures. RMLD will be awarding Organizational and Reliability Studies targeting efficiency and quality of service for a 20-year long-term plan. The Organizational Study will key in on organizational structure, associated work processes, business processing, staffing levels, career development and succession planning. The Reliability Study will focus on improving system reliability by assessing the current system, anticipated growth in system requirements, technology adoption profiles and investment decision making.

In just one year, we have made tremendous progress in transitioning toward the necessary future alignment for the utility industry.

We look forward to a very busy and productive FY 2015.

Reading Public Schools Dr. John Doherty, Superintendent

I Welcome

Mr. Moderator, Town Meeting Members, Board of Selectmen, Finance Committee Members, School Committee, Fellow Town Leaders and Department Heads, Building Principals, District Administrators, Members of the School Community, and Invited Guests. It is with great honor and privilege that I present to you the 2014 State of the Schools Address. One of the duties that I look forward to each year as Superintendent is to recognize and introduce to you the Reading Memorial High School Seniors who are receiving the Massachusetts Association of School Superintendents Award for Academic and Community Excellence. This year, I am proud to announce that I will be recognizing three award winners, each who have a strong three year cumulative academic average, participate in extracurricular and community service activities, and are currently in the top 5% of their graduating class. The mandate to only select a few students is always a difficult one given how many deserving candidates we have shining at Reading Memorial High School. It is with honor that I present this award to the following students:

Our first recipient serves in leadership positions as President of the National Honor Society and Captain of the Cross Country and Tennis Teams. She is currently taking Advanced Placement classes in Biology, Chemistry, and Statistics. Last year, she received the prestigious Williams College book award and is a National Merit Letter of Commendation. She has put in hundreds of hours of community service as a member of the Leo Club and volunteering at Winchester Hospital and Massachusetts General Hospital. This recipient has applied to several colleges and universities including Boston College, where she plans on majoring in nursing. It's with great pleasure tonight that I recognize Kate Mignosa. Kate, please come forward to receive the 2014 Superintendent's Award.

Tonight's second recipient has excelled in the performing arts as a member of the RMHS Drama Club, and as a co-director of two elementary school plays. She is co-President of the RMHS Choral Group, Fermata Nowhere. She has also earned Honorable Mention at the Boston Globe Scholastic Art Awards. Academically, this individual has received a National Merit Scholar letter of commendation and received the esteemed Princeton University Book Award last year. A member of the National Honor Society, this recipient is currently dual enrolled at Salem State University, and is currently taking Advanced Placement and College courses. She also, puts her learning and presentation skills to work this past summer as a Tour Guide at the State House. Next year, she plans on majoring in Journalism.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

It's a great honor to introduce to you, Becky Wandel! Becky, please come forward and accept the 2014 Superintendent's Award for Academic Excellence.

Our final recipient is a member of the National Honor Society and the Spanish National Honor Society. He is a participant in the RMHS Drama Club and was the student representative on last year's RMHS Principal Search Committee. Like the other two recipients of this award, this student is a National Merit Scholar. He is currently taking four AP classes this year including, BC Calculus, English, Computer Science, and Physics. He volunteers during the summer at Camp Sunshine, a summer camp program for children with serious illnesses. He has applied for early decision to the University of Pennsylvania where he would like to study psychology and computer science.

It is with great honor that I present the Superintendent's Award to Ryan Friedmann. Ryan, please come forward and accept the 2014 Superintendent's Award for Academic Excellence.

Congratulations Kate, Becky, and Ryan. Tonight's sharing of accomplishments does not stop with recognizing these three students who personify the educational journeys which our schools strive to inspire, teach, and support. The main objective of this annual Address is to report on the state of the schools—and without question, our school system could have no finer examples of its mission than these three outstanding students and many more like them. Schools across the country are experiencing educational challenges. Our district strives to meet these challenges with cutting edge curriculum, creative best practices and funding, cross staff collaboration and learning, and the tenacity which engages families, staff and community in preparing our students for their world and the challenges that they will face. Tonight, I will highlight some of our accomplishments from this past year, and share with you some areas that we are focusing on as we strive to become the best PreK-12 school district in our region.

II Accomplishments of District

To highlight our successes, we have distributed two documents this evening which capture the 2013-14 school year. The first focuses on the accomplishments of our entire PreK-12 district and the other, the RMHS School Profile, which is specific to our high school and is distributed to colleges and universities across the country. These accomplishments would not be possible without a dedicated and caring staff, strong leadership and a tireless effort from our administrators and directors, and the financial and volunteer support that we receive from our parents and our community. It is this spirit of collaboration, commitment and teamwork that helps contribute to the success of our school district.

III District

We have a lot to be proud of as a community and we need to take the time to celebrate those successes. Whether it is our RISE integrated pre-school which does an amazing job with our three and four year old students or our elementary schools which are committed to building strong communities of learners in literacy and mathematics, or our middle schools which have provided many powerful learning opportunities for students during a very challenging developmental stage in their lives, or our high school, which challenges our students so that they can be prepared for college or career opportunities, our district is a solid example of how we are working together to instill a joy of learning and inspire the innovative leaders of tomorrow.

This is evident with our latest graduating class of 2014, where 93% of the students are continuing on to post-secondary education, including 88% going on to a four year college or university. They have excelled in state and national exams such as Advanced Placement and SAT tests and once again, 100% of our graduating class passed the MCAS test requirement for graduation. In addition, Boston Magazine recently recognized Reading Memorial High School as one of the top 30 High Schools in Massachusetts.

Another area that we are proud of as a school district is our students' access to technology and through a series of funding sources and initiatives, including the Reading Education Foundation, Reading Cooperative Bank, and our PTO's, we have significantly increased the number of mobile devices and other technology

SUBSEQUENT TOWN MEETING

Reading Memorial High School Performing Arts Center

November 10, 2014

at all levels as a tool to support learning. We now have well over a 1200 mobile devices, iPads and laptops in our district. In addition, 50% of our middle school students and 90% of our high school students are part of a Bring Your Own Device initiative which helps us get closer to our goal of having a mobile learning device available for every student. We have also strengthened our STEAM offerings, that is Science, Technology, Engineering, Arts, and Mathematics, by increasing the number of engineering courses and robotics programs offered at our middle and high schools. Students at Reading Memorial High School now have the opportunity to take engineering each of their four years. Both of our middle schools have science Olympiad teams, and all of our schools have robotics teams. Reading Memorial High School has a very competitive Robotics Team which placed high in the First Robotics Regional Competition and competed in the National Competition.

Our co-curricular and extra-curricular programs continue to provide outstanding enriching experiences with high participation rates at all levels. Our extended day program at the elementary level now has well over 350 participants and our middle school after school programs are even more successful. Reading Memorial High School features 87 different clubs and athletic teams where over 85% of the students participate in 1 or more extra-curricular activities. This past year, 5 RMHS Varsity Teams won Middlesex League Championships and our Boys Hockey Team won the Division 1 State Championship. It is the third year in a row that a Reading Memorial High School sports team has won a state championship.

Our Fine and Performing Arts programs continue to excel with an outstanding elementary choral program, award winning middle school and high school choral and band programs, a gold medal winning marching band and color guard and an outstanding jazz band who last year was awarded the opportunity to play at the Hatch Shell in Boston. Several middle and high school students received Boston Globe Scholastic Art Awards. Each of our middle schools perform a musical annually and, last year, the RMHS drama club filled up this Fine and Performing Arts Center with six different types of shows including two musicals, two plays, a student written play festival, and two improv events. Reading can truly be proud of this commitment to the arts, and I encourage all of you to attend any of our student fine arts performances.

At the state, level, the Reading Public Schools is looked upon as a leader in best practices for several initiatives that focus on teaching and learning. This past year alone, our teachers, administrators, and students have presented at several national, state, and regional conferences. In addition, several school districts have visited our classrooms to see best practices in action. In the last 8 months, United States Secretary of Education Arne Duncan and Massachusetts Secretary of Education Matthew Malone have visited our school district to recognize and honor our district's commitment to excellence.

Our teachers and students are transitioning to the higher expectations and rigor of the new literacy and mathematics frameworks. In grades K-6, teachers are in the process of implementing a math program which focuses on the problem solving skills necessary so that more students will be taking advanced math courses in the future. Middle school and high school math teachers have been participating in professional development opportunities which change the way math is being taught in our classrooms. Our elementary and middle school teachers have also been focused on strengthening our student's ability to write, communicate, and process non-fiction material. Each of these initiatives will be raising the expectation level for all students and help prepare them for more challenging coursework and revised state assessments this year and in future years.

An integral part of our mission is for all of our students to participate in meaningful community service projects. Our service projects have such programs as our Veterans and Troops Overseas, Habitats for Humanity, the Reading Senior Center, Reading Cares, the Reading Food Pantry, Rosie's Place, Mission of Deeds, Animal Rescue Club, ALS, Cure for Alzheimer's, Cleft palates surgery for infants, the American Heart Association, Coats for Kids, and Project Bread.

We are also proud of the work that continues to be done in the Finance and Operations branch of our school district. Our staff takes great pride in maximizing every dollar our community invests in our

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

schools. In July of this year, the Center for American Progress updated a report that they first released in 2011 on a district by district analysis of educational productivity. This project develops a set of relatively simple productivity metrics in order to measure the academic achievement that a school district produces relative to its spending, while controlling for factors outside a district's control, such the cost of living and students living in poverty. I am pleased to announce that Reading has the fourth highest educational productivity rating in our Commonwealth. This strong measure is due to prioritizing our resources on the classroom and practicing strong fiscal management practices. I would like to recognize the work of our entire staff in committing to this practice and to thank our new Director of Finance and Operations Martha Sybert for continuing the strong fiscal practices that have become the norm in our school district.

Finally, I want to take a moment and recognize the efforts of our building principals and central office administrators, many of who are here this evening. This dedicated, hard-working group of individuals consistently goes well beyond their job description in leading our schools through some very challenging times. I want to welcome our two newest administrators to the district, our High School principal Adam Bakr and our Director of Student Services Carolyn Wilson. Both have provided visionary leadership and a new energy to their respective areas. Through their entry plans they have talked to hundreds of staff, parents, and community members who have given them an overview of the strengths of our Reading community as well as our hopes for the future.

IV Updates and Moving Forward

As I mentioned earlier, we have a lot to be proud of in our schools. However, there are also some areas that we need to address so that we can maintain the level of excellence that we have taken pride in over the last several years. Addressing these areas will be critical to the long term success of our school district.

Our most recent challenge has been our declining MCAS scores and the designation of the Joshua Eaton Elementary School as a level 3 school, and consequently, our district being designated as a Level 3 district, by the Department of Elementary and Secondary Education. Although this designation is based solely upon state assessment results, the process that we are now embarking upon will provide us with an opportunity to review every aspect of what we are doing at Joshua Eaton and in our district to effectively address the needs of all our students. To that end, I announced earlier today that I have designated Assistant Superintendent Craig Martin to lead a task force of parents, teachers, and administrators to oversee this important school improvement process. Although this is a significant challenge facing the Joshua Eaton school and our district, I want to unequivocally say that we will address this challenge successfully by tapping the collective efforts and talents of our entire district staff as well as our community.

Another challenge we currently facing is early childhood education. For the last three years, the Reading Public Schools has been working towards providing publicly funded full day kindergarten for all students, a program that is currently being offered in 242 other Massachusetts communities (already nearly 75% of the state) and is increasing annually. To reach this important goal, the Reading Public Schools has been actively researching solutions to address classroom space shortages for our growing Preschool, providing Full Day Kindergarten for all students, improving our Special Education Programs, and establishing dedicated art and music classrooms. As we discussed last spring at Town Meeting, we have reviewed several options over the past three years and at this point, none of the options have been feasible for our community. In response to the feedback that we received last spring, the School Committee has formed an Early Childhood Space Needs Working Group of elected and appointed officials, educators, parents and community members to review possible options using an open meeting process. This dedicated group of 21 individuals is committed to recommending a solution to our community that is educationally sound and fiscally responsible.

Another area of focus has been the behavioral health and safety of our students. We are seeing some positive trends in the latest Youth Risk Behavior Survey Data, where there is decreased use of alcohol and

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

marijuana among our high school students. Unfortunately, our data also indicates that there has been an increase in the use of opiates such as heroin, methamphetamines, and cocaine. We have also seen an increase in students doing harm to themselves, including attempting suicide. Although these increases are not isolated just to Reading, we are concerned that the numbers of incidents in Reading is higher than the state average. As a community, we have taken significant steps to address these increased concerns through World Café conversations, collaboration with the Reading Coalition Against Substance Abuse, and your support in previous budgets with programs and staffing that supports behavioral health. In addition, the Town of Reading and the Reading Public Schools have recently received three Federal grants, totaling 1.95 million dollars, to help address the overall behavioral health of our youth. The first grant continues the great work that RCASA Executive Director Erica McNamara, Outreach Coordinator Julianne DeAngelis and the rest of the Coalition have done over the last several years and expands it for at least the next five years. The second grant will allow the Reading Public Schools to train 584 school educators, school support staff, first responders, youth workers, and faith leaders in Youth Mental Health First Aid to identify, understand, and respond to signs of mental illnesses and substance use disorders in our youth. The third grant will implement a highly sustainable, multi-tiered system of supports to improve school climate and behavioral outcomes for all students. These three grants ensure that we will be able to move forward in creating structures, systems, and processes throughout our community to reach and engage all of our youth, particularly those youth who may be vulnerable to risky behaviors such as substance abuse or creating harm to themselves or others. These initiatives, combined with the work that we have done over the last several years in school safety with the Reading Police and Fire Departments, places our community as a leader in proactively addressing the overall safety of our children. As we all know, if students do not feel physically and psychologically safe in school, they will not learn, no matter what curriculum, technology, or teacher you put in front of them. I would like to thank the Reading Police and Fire Departments and the Reading Coalition Against Substance Abuse, under the leadership of Chief James Cormier, Chief Greg Burns, and RCASA Executive Director Erica McNamara, for the partnership that they have forged with the Reading Public Schools over the last several years and their leadership and efforts in creating safe and supportive environments for our children.

Finally, I would like to spend a few minutes focusing on school funding, past, present, and future. The visual behind me shows the ranking of per pupil expenditure of the Reading Public Schools since 2006. As you can see, our per pupil ranking compared to other communities has been in steady decline. One major driver of this decline is the revenue available to town and school budgets each year. It is well documented that our community has a revenue challenge as we become more and more reliant on cash reserves each year to fund our budgets. It is to our town's credit that through mutual respect and collaboration, town boards have stretched our dollars to provide the quality education and services, of which Reading is so proud.

However, there is another piece to the funding puzzle that is now getting more and more attention and that is the Chapter 70 Foundation Formula, which has had only a few minor adjustments since its creation in 1993. This formula is based on an outdated model that did not take into account future changes that have been made over the years in technology needs, increased learning time for students and different staffing needs. In addition, special education costs are grossly underfunded in the foundation formula. Health insurance costs are double the amount that are allocated in the formula, salary allowances in the foundation budget are well below actual salaries of staff, and increased resources to address the needs of high poverty, English Language Learners, and homeless students are not captured in the formula.

State government is finally listening and a task force has been created by legislative action to review the Chapter 70 funding formula. Hearings are being scheduled throughout the state and the task force has to report back to the legislature by next June. Although this will not affect the FY16 budget, there is promise that some positive change could be made. Please attend the hearings and have your voices be heard.

Our continuing decline in per pupil expenditure is beginning to have an effect on our school system, especially during the times of transition that we are currently facing. We are in the midst of tremendous

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

educational change in our state and in our country with a new set of curriculum frameworks, a new state testing system, and a new teacher evaluation system that is tied to student performance. During these times of transition, additional supports are needed to help our students, our teachers, and our administrators adjust to the higher expectations in a timely manner. It is also important to retain our best educators and compete for the highest quality candidates for those educators who leave our district.

While each district's per pupil spending might be impacted by varying needs, what is evident has been our inability to sustain what had been effective levels of services from year to year. What we are finding is that, in the last several years, we are losing ground, and finding it harder to compete with comparable communities. In this way, I believe that we are at a cross roads in our community.

V In conclusion

Our district will continue to stay focused on the academic, social, emotional, and behavioral well-being of our students. Each of the initiatives that I have mentioned this evening takes time, resources, and support, but when accomplished, will improve our schools, prepare our students and establish Reading as an innovative leader in our region. While we are proud of the fact that we are a district that is on the forefront in many areas, we have many challenges that lie ahead, including educational space needs, funding for full day kindergarten, making the transition to a more rigorous curriculum and improving the social and emotional well-being of our students. The increasing accountability demands on public education and the needs of our students have increased significantly over the last five years and we need to identify additional resources and restructure some existing resources so that our teachers and administrators can continue to do the hard work necessary to improve student learning. We need resources to create more opportunities for teachers to collaboratively work together to share their work, and improve their practices, and to provide instructional coaching support so that teachers can see firsthand what it looks like in the classroom. As we begin to develop the FY16 budget, these are areas that we will prioritize.

VI I believe

That this is an exciting, but uncertain time in public education and we have an opportunity to make positive substantive changes that have not been made since Education Reform was introduced in 1993. It is difficult work, but we are up to the challenge of providing the best learning experiences for our students. I am proud of the work that our teachers and administrators do every day to improve teaching and learning in our district and I am excited by the enthusiasm and respectfulness of our students who arrive to school every day eager to learn. This is a testament to our parents and our community who value the importance of education and the role that it needs to play in a community. There is no question that a major indicator of the quality of life for everyone in a community can be measured by the quality of its schools and by a community's commitment to its children. In this way, the quality of a school district affects every single person in a community, and the Town of Reading is no exception. But I also believe this is one of our greatest strengths.

VII Thank you for your time this evening

In my 32nd year as an educator, my 28th year now in Reading, and a parent of children who attend the Reading Public Schools, one who graduated last year, I must say that I am so very proud to be a part of this community. I thank you for the privilege . . . and I look forward to working with you, as together, we continue to make Reading a place where all students can learn and succeed, a place where we develop the innovative leaders of tomorrow, and a place where our schools continue to provide the strong foundation for the future of this great community.

VIII Thank you very much.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

**Charter Review Committee
Alan Foulds, Committee Chair**

The work of the Charter Committee continues, and we are on schedule to present our findings for a vote at a special town meeting set for January. That will allow us to place any approved changes on the April ballot for town-wide approval.

We have held several meetings and two public forums. We plan to take a final vote on November 24, and send the document to the BOS for inclusion in the warrant.

A running document of proposed changes can be found at the town website.

**Permanent Building Committee
Stephen Crook, Bylaw Committee**

At last winter's Special Town Meeting an instructional motion was made instructing the Bylaw Committee to look into creating a Permanent Building Committee Bylaw.

The Bylaw Committee is currently at draft version two. This draft would create a five member permanent committee. When a building project is proposed, addition of several additional project specific members may be appointed by the sponsoring agency. The committee would be responsible for building projects in excess of 2 million dollars. This draft is currently being reviewed by Town Council.

The Bylaw Committee expects to meet again soon after the adjournment of this Town Meeting to finalize the proposed bylaw, and it is our plan to present the final version to the January 2015 Special Town Meeting.

**Finance Committee
Mark Dockser, Committee Chair**

At September Town Meeting, this body passed Article 14 requesting Finance Committee use its investigative powers to review procurement and specifically asset disposition activities and practices of RMLD and other town bodies, and to offer an interim report to this Town Meeting.

Since that time, Finance Committee established a subcommittee to determine how to review and investigate these activities. The subcommittee members have experience ranging from participation and management in general and forensic audits, as well as municipal finance.

The subcommittee has met in open meetings on multiple occasions, and interviewed Municipal CPA firms for their advice on how to scope and manage this type of investigation. Our focus is both on the activities that have taken place as well as how to prevent them from happening in the future.

We are proposing to review these matters in 3 phases:

1. Review the specific RMLD transactions related to the 3 trucks
2. Determine the scope of potential sales of surplus property for all Town Departments, the School Department and the RMLD
3. Perform limited compliance testing for select activities and compare against best practices. Based on the results, the chosen CPA firm would provide a recommendation to either stop testing or to expand the scope for additional testing based on risk assessment.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

In compliance with Chapter 30B regulations regarding procurement of services that can only be provided by CPA firms, we plan to interview and obtain quotes from at least 3 firms for this scope. We hope to accomplish this in the coming weeks. We will then ask the full Finance Committee for approval and then we will approach the Finance Committee Appointment Committee for funds for this activity.

We will move one phase at a time. Should we decide to perform all 3 phases, and provided that we do not need to expand testing due to any issues uncovered, we anticipate total costs not to exceed \$35,000. Thank you!

Motion made by John Arena, Board of Selectmen and Article 1 was tabled

Motion Carried

ARTICLE 2 Motion made by Marsie West, Board of Selectman and Article 2 was tabled

Motion Carried

ARTICLE 3 Motion made by Dan Ensminger, Board of Selectmen that the Town vote to amend the FY2015 - FY24 Capital Improvements Program as provided for in Section 7-7 of the Reading Home Rule Charter and as previously amended, as follows:

General Fund

FY15: \$44,000

+ \$30,000 School Facilities – engineering assessment of RMHS retaining wall
+ \$14,000 School Facilities - RMHS Water Heater (increased to \$54,000)
\$0 School Facilities – reclassify \$100,000 Parker MS multipurpose room repairs to be roof repairs in that area of the same building

FY16: \$142,000

\$100,000 Town Facilities: Fire Station lighting/security system
\$40,000 School Facilities: Coolidge phone system (moved up from FY17)
\$22,000 School Facilities: RMHS masonry work (\$20,000) School Facilities: Joshua Eaton Windows/Doors (deleted)

FY17+

Various changes made

Background: This Article is included in every Town Meeting Warrant. The Reading General Bylaw states (section 6.1.3) "... *No funds may be appropriated for any capital item unless such item is included in the Capital Improvements Program, and is scheduled for funding in the Fiscal Year in which the appropriation is to be made.*" Bond ratings agencies also want to ensure that changes to a long-term CIP are adequately described.

Previously authorized \$680,000 for November by September Special Town Meeting

\$400,000 School Facilities - Joshua Eaton roof Phase II (increased from \$392,000 and moved up from FY16)
\$100,000 School Facilities - Parker MS multipurpose room repairs

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

*\$80,000 DPW Fuel Management System
\$50,000 Town Facilities - Town Hall generator (moved up from FY16 and incr. from \$20,000)
\$50,000 DPW Pickup Truck #2 (moved up from FY16)*

Finance Committee Report - given by Paula Perry: The Finance Committee recommends the proposed amendments to the FY 2015 – FY 2024 Capital Improvements Program by a vote of 6-0-0 at their meeting on October 9, 2014. Placing items in the Capital Improvement Program is a prerequisite but in itself does not authorize spending funds towards these items.

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on October 14, 2014 voted 5-0-0 to support this Article

Presentation given by:
• Bob LeLacheur – See Attached

Motion Carried

ARTICLE 4 Motion made by Kevin Sexton, Board of Selectmen to Indefinitely Postpone Article 4

Motion to Indefinitely Postpone Carried

ARTICLE 5 Motion made by Mark Dockser, Finance Committee that the Town vote to amend the Town’s Operating Budget for the Fiscal Year commencing July 1, 2014, as adopted under Article 14 of the Annual Town Meeting of April 28, 2014 and amended by Article 8 of the Special Town Meeting of September 29, 2014; and that the Town vote to transfer sums of money from available funds to be added to the amounts appropriated under said Article for the operation of the Town and its government, as shown below:

General Fund – Wages and Expenses

<u>Account Line</u>	<u>Description</u>	<u>Decrease</u>	<u>Increase</u>
C99 – Capital	\$400,000 – School Fac: J. Eaton roof Phase 2 \$100,000 – School Fac: Parker MS roof repairs \$80,000 – DPW Fuel Management System \$50,000 – Town Fac: Town Hall generator \$50,000 – DPW Pickup Truck #2 \$30,000 – School Fac: RMHS retaining wall \$14,000 – additional for RMHS water heater		\$724,000
H91 – Community Services wages	Regional Housing Services Coordinator*		\$36,750
H92 – Community Services expenses	Regional Housing expenses*		\$10,000
	Subtotals	\$0	\$770,750

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 10, 2014

	Net Operating Expenses		\$770,750
	\$490,655 From Tax Levy, State Aid and Other Local Receipts (\$343,905 in additional New Growth property taxes; \$100,000 Excise taxes; *\$46,750 Regional partner payments for shared Housing Services		
	\$280,095 From Cash Reserves		

or take any other action with respect thereto.

Finance Committee Report - given by Mark Dockser: The Finance Committee recommends this Article by a vote of 6-0-0 at their meeting on October 9, 2014.

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on October 14, 2014 voted 5-0-0 to support this Article

Presentation given by:

- Bob LeLacheur – See Attached

Motion Carried

ARTICLE 6 Motion made by John Halsey, Board of Selectmen that the Town vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, a permanent easement over the parcel of land shown as "EASEMENT AREA = 108.3 SF" on a plan entitled " 'Easement For Construction & Maintenance Of Bus Shelter Located At 25 Walkers Brook Dr., Reading, MA' scale: 1" = 8', dated January 7, 2013 prepared by the Town of Reading, Massachusetts, Department of Public Works, Engineering Division", a copy of which plan is available for inspection at the Office of the Town Clerk. Said easement shall be for the purpose of authorizing the installation, maintenance, repair, operation, and use by members of the public of a bus stop waiting area and shelter on said parcel; or take any other action with respect thereto.

Background: Under Article 8 of the Special Town Meeting held in January 2013 the Board of Selectman received authorization to accept the conveyance of an easement for the construction and maintenance of a bus shelter located at 25 Walkers Brook Drive (current location of Stop & Shop). The bus shelter would service customers and employees of that location, and of nearby businesses.

Since that approval the Town applied for and received an Order of Conditions from the Conservation Commission in April of 2013 and purchased the bus shelter in anticipation of completing the project before the 2013 winter season.

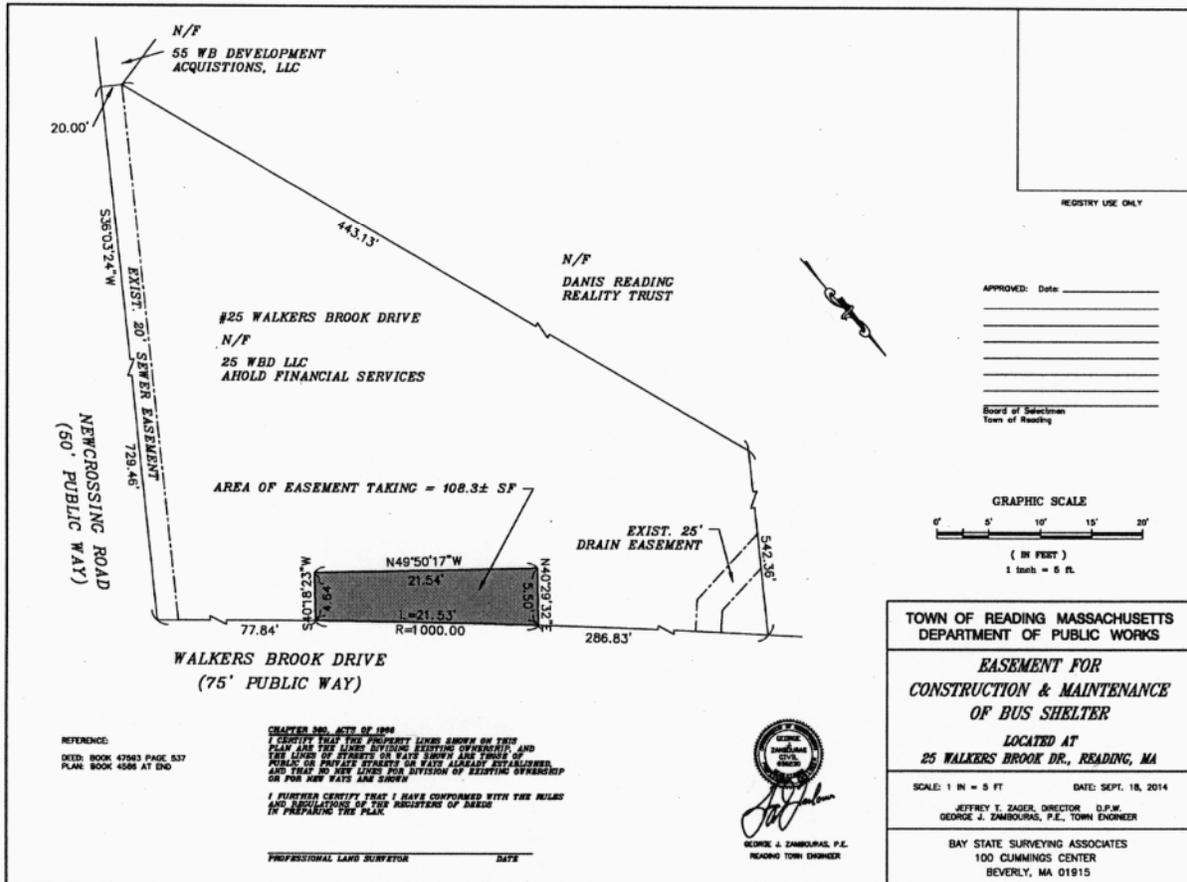
While the property owner (Royal Ahold) indicated an initial desire to offer a voluntary easement there have been substantial delays in the execution of the final easement document. This summer the Town advised that further action by Town Meeting would be taken if they did not execute the easement, and they did not respond.

In order to insure the Town can install the bus shelter next spring this Article further authorizes the Board of Selectman to take the same easement previously authorized by eminent domain.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforiming Arts Center**

November 10, 2014



Finance Committee Report: No report

Bylaw Committee Report: No report

Board of Selectmen Report: The Board of Selectmen at their meeting on October 14, 2014 voted 5-0-0 to support this Article

Presentation given by:
 • Bob LeLacheur – See Attached

After some discussion a vote was taken:

2/3 Vote Required
 148 Voted in the affirmative
 4 Voted in the negative
 159 Town Meeting Members in Attendance

Motion Carried

Motion made by John Arena, Board of Selectmen to take Article 9 out of order and hear after Article 6.

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 10, 2014

Motion Carried

ARTICLE 9 Motion made by Everett Blodgett, West Street Historic District Commission that the Town vote to amend the General Bylaws by:

- (a) Striking section 7.3.3 thereof in its entirety and inserting, in place thereof, the following:

7.3.3 District

The District shall consist of two areas as shown in Appendix A-1 and Appendix A-2.

- (b) Amending section 7.3.4.2 thereof by striking the words "one or two property owners from the District area" and inserting, in place thereof, the words "one or two owners of property located within a District area."
- (c) Amending the Appendix A thereof by re-designating it as Appendix A-1 and inserting the word "Area" at the end of the title thereof.
- (d) Inserting a new Appendix A-2, to be titled "Summer Avenue Historic District Area," and containing a map, titled "Summer Avenue Historic District Area," a copy of which is available for inspection in the Office of the Town Clerk.

or take any other action with respect thereto.

Background: As the sponsor of a Town Meeting Article that would create a Local Historic District on Summer Avenue, the West Street Historic District Commission would like to offer the following introductory information to you. Please feel free to contact a Commission member if you would like additional information, or you can visit the West Street Historic District Commission's page on the town website for further information, including a map and the Preliminary Report.

What is a Local Historic District?

A Local Historic District is a preservation tool, established and administered at the local level, to protect the distinctive characteristics of a neighborhood and to encourage new design that is compatible with the existing area and setting.

Other historic designations do not offer the level of protection of a Local Historic District. For example, a National Register designation offers NO protection to a property; and inclusion on the Town's inventory of historic structures cannot protect a structure, except to delay its demolition by 6 months. Of the 25 properties proposed to be included in the Summer Avenue LHD, there are 10 structures on the Town's Historical and Architectural Inventory, of which 5 that are recognized as National Register properties. A Local Historic District would give them the protection they deserve.

Under what authority is an LHD established?

Local Historic Districts are established under the Historic Districts Act (Massachusetts General Laws Chapter 40C), which empowers municipalities to adopt a bylaw and to create multiple Districts under the bylaw.

Reading passed the Local Historic District bylaw and created its first LHD, the West Street Historic District, in 2005. At that time, it was expected that other LHDs would be established over time to benefit and protect the unique character of additional neighborhoods. While there are a number of areas and neighborhoods to be considered as potential Local Historic Districts in Reading, the subject of this Town Meeting article is the proposed creation of a Summer Avenue Local Historic District.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

Who administers a Local Historic District after it is established?

A Local Historic District Commission (LHDC) reviews all applications by owners within the district and the Commission determines whether a Certificate of Non-Applicability, a Certificate of Appropriateness, or disapproval will be issued to indicate its decision of a proposed exterior alteration prior to work being done.

It is likely that Reading will have one Local Historic District Commission that will oversee both the West St and the Summer Ave LHDs.

What protection does an LHD offer to the properties within its boundary?

The design review process assures that changes to properties will not detract from the District's historic character. All exterior changes that are visible from a public way, including demolition, are subject to review by the LHDC, however there is a list of alterations for which the commission may issue a Certificate of Non-Applicability, including: paint color, roofing material color, mailboxes, flagpoles, window boxes, gutters, house numbers, storm windows, screens, shutters, window air conditioners, terraces, walks, driveways, and more. In addition, the LHD does not have any control over the use of the properties within the District.

What is the process for creating a new District?

(i) In a town that already has an LHD, the existing Local Historic District Commission is responsible for preparing a Preliminary Report for local and state review.

The West Street Historic District Commission submitted its Preliminary Report for the Summer Avenue Local Historic District to the State (Mass Historical Commission) and to the Town's planning commission (CPDC) on August 25, 2014.

(ii) The District Commission is also responsible for educating the property owners in the proposed District regarding the potential impact to them of the new guidelines and review process. In September, the Commission mailed information to homeowners and also held a public "Info Session" and Q&A at the Pleasant St/Senior Center.

(iii) A public hearing is required to be held 60 days or more after the submission of the Preliminary Report. That hearing is scheduled to be held October 27, 2014 at the Pleasant Street/Senior Center.

(iv) The next step is Town Meeting approval of the new Local Historic District. A 2/3 vote is required.



How does a Local Historic District benefit a community?

Local Historic Districts add value to a community because they offer protection to historic resources and settings.

The Town's 2005 Master Plan calls on the Historical Commission to, "protect buildings of historical significance and establish Local Historic Districts where appropriate, as part of the value the Town puts into its architectural heritage and character." This portion of Summer Avenue, containing several National Register properties, has long been a candidate to become a Local Historic District, and has been discussed by the related Commissions since 2007. Like many communities, Reading is vulnerable to state and

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

federal regulations which often override local zoning; the potential for loss under these conditions is persistent and growing, and it is important for the community to protect its own resources from external forces.

Finance Committee Report: No report

Bylaw Committee Report: The Bylaw Committee recommends this Article by a vote of 4-0-0 at their meeting on October 21, 2014

Community Planning and Development Report - given by Jeff Hansen: Please be advised that at a regularly scheduled meeting on November 3, 2014, the Community Planning and Development Commission (CPDC) reviewed the Preliminary Report for the Proposed Summer Avenue Local Historic District. On a motion duly made and seconded, the CPDC voted unanimously (4-0-0) to applaud the Summer Avenue Local Historic District Report and recommend the adoption of the Summer Avenue Local Historic District to Subsequent Town Meeting in November, 2014.

West Street Historic District Presentation - given by Everett Blodgett:

Thank you, Mr. Moderator. As chair of the West Street Historic District Commission, and representing the Summer Avenue Local Historic District Study Committee, I will be showing a brief Power Point presentation that will give you the basic information about the proposed District.

With the passage of a Local Historic District bylaw and establishment of the West St. Historic District almost 10 years ago, it was anticipated that other Districts would gradually be created to help protect the Town's character defining structures and neighborhoods.

As proposed, the Summer Avenue Local Historic District will recognize a residential neighborhood of prominent homes - most of which were built in the mid to late 1800's by well-to-do Boston based merchants, who desired to live outside the city and chose to reside in Reading.

The variety of homes that were built reflects the wealth and prominence of the original owners. Only a few contemporary houses have been built where larger lots were subdivided. Summer Avenue is considered an intact neighborhood where homes are well set back on deep lots that reflect an attractive tree lined streetscape worthy of the added recognition and protection that a Local Historic District can provide.

Over 120 cities and towns in Massachusetts have recognized the value of historic districts and have established one or more districts within their communities. All are formed under Mass. General Law, Chapter 40C.

Nearby communities that have local historic districts include: Andover, Melrose, Woburn, Lexington, Concord, and Swampscott.

With the establishment of the Summer Avenue Historic District, Reading will be able to offer greater preservation protection to additional properties.

This is a map of the proposed district. It starts at the corner of Summer Avenue and Woburn Street and ends at Glen Road, so that the district could include the home at 146 Summer Avenue, known as Wisteria Lodge.

The Master Plan for the Town of Reading states "The character and identity of the community, preserved up to today, is potentially threatened by changes within the existing fabric; changes driven by forces outside the realm of the Town's influence and sustained by the regional housing crisis. The human-friendly balance among building size, lot size and natural elements that exists throughout the Town is put to test

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

by factors external to Reading, thus threatening the sense of distinctiveness maintained throughout the years."

Of the 25 properties included in the proposed district, 10 of them are on the Town's Historical and Architectural Inventory, and 5 are recognized as National Historic Register properties.

The National Register designation is just an honor and places no restrictions or protection on the property. Inclusion on the Town's Inventory means that the Historical Commission may impose a 6 month demolition delay, but that does not prevent demolition.

The overarching benefit of a local historic district is the protection of significant buildings from demolition or inappropriate alteration.

The Guidelines on establishing Local Historic Districts from the Massachusetts Historical Commission require specific actions for the implementation of a District. According to their guidelines, if a local historic district is already established in a community, then the commission which oversees it may act as the Study Committee. The WSHDC agreed to take on that task.

We identified the boundaries for the new district and submitted the Preliminary Report to the Massachusetts Historical Commission and the CPDC. The Report was reviewed by Mass Historical at its Oct. 8 meeting and voted to "encourage the Town of Reading to establish the Summer Avenue Local Historic District."

A survey was sent to property owners as well as an informational letter which was followed by a Q & A session that was held on September 17. The survey results and comments showed an overwhelming support for the establishment of the proposed district. On October 27, the Public Hearing was held. Over 120 people attended expressing their very positive support.

A favorable vote by Town Meeting will be followed by submission of the final report package to the Attorney General's Office for review.

The same Bylaw, 7.3, that was created for the West Street Historic District will be used for the Summer Avenue Historic District. That is the reason that we were able to move through the process so efficiently - we didn't have to reinvent the wheel.

Once a district is created, only exterior features visible from a public way are subject to review, not the use of the property.

Local Historic Districts do not prevent all changes from occurring. The intent is to guide appropriate changes and additions through a local decision making process. The purpose of a LHD is not to halt growth, but to allow for thoughtful consideration of change. It has been shown that Historic Districts enhance property values and instill pride in the neighborhood and the Town.

In conclusion, the Mass Historical Commission's guidelines for establishing Historic Districts states, "Local historic districts are about making sure our historic built environment remains a viable part of the community. That protection is accomplished through the local democratic process of town meeting."

Presentation given by:

- Everett Blodgett - See Attached

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 10, 2014

After some discussion a vote was taken:

2/3 Vote Required
144 Voted in the affirmative
4 Voted in the negative
159 Town Meeting Members in Attendance

Motion Carried

Motion made by John Arena, Board of Selectmen to take Article 10 out of order and hear after Article 9.

Motion Carried

ARTICLE 10 Motion made by John Arena, Board of Selectmen to Indefinitely Postpone Article 10

Motion to Indefinitely Postpone Carried

On motion by John Arena, Board of Selectmen, it was voted that this Subsequent Town Meeting stand adjourned to meet at 7:30 PM at the Reading Memorial High School Performing Arts Center, on Thursday, November 13, 2014.

Meeting adjourned at 9:23 PM with 159 Town Meeting Members in attendance.

A true copy Attest:



Laura A Gemme
Town Clerk

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 13, 2014

The meeting was called to order by the Moderator, Alan E Foulds, at 7:37 PM, there being a quorum present. The Pledge of Allegiance to the Flag was said by all present.

On motion made by John Arena, Board of Selectmen it was voted to dispense of the reading of all motions in their entirety.

Motion Carried

ARTICLE 7 Motion made by Jeff Hansen, Committee Planning and Development that the Town vote to amend the Reading Zoning Map, dated April 18, 2013, as amended, as referenced in Section 3.2 of the Reading Zoning Bylaw, to overlay the Planned Residential Development – General (PRD-G) Overlay District upon a certain portion of land located at 149 Van Norden Road (shown on Assessors Map 39 as Lot 212) containing 2.42 acres, more or less, which parcel is situated on the northerly side of Van Norden Road, such parcel being bounded and described as follows:

- | | |
|-----------|---|
| Northerly | by land formerly of C.P. Judd, one hundred ninety four and 48/100 (194.48) feet; |
| Easterly | by lot numbered 30 on the below referenced plan, five hundred fifty (550) feet, more or less; |
| Southerly | by Van Norden Road, as shown on the below referenced plan two hundred (200) feet, more or less; and |
| Westerly | by lot numbered 27 on the below referenced plan, five hundred eighty five (585) feet, more or less |

Being the same premises shown as Lots 28 and 29 on a plan entitled "Plan of Land owned by H.D. Van Norden; dated September 14, 1911", recorded at the Middlesex South District Registry of Deeds at the end of Book 3637. The premises are also shown as parcel 212 on Reading Assessors' Map 39.

or take any other action with respect thereto.

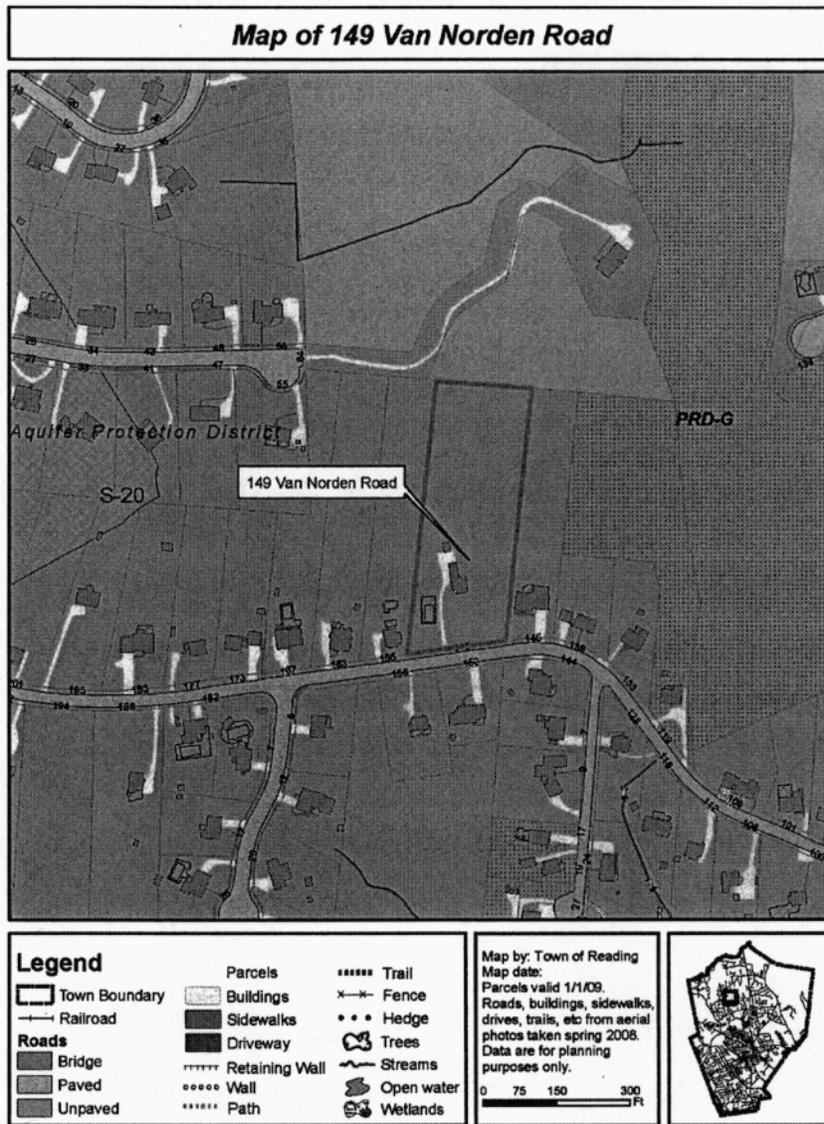
Background: In accordance with the Reading Zoning Bylaw, Section 4.10, the Planned Residential Development (PRD) District is an overlay district that may be applied to any existing residential zoning district as identified on the Reading Zoning Map. The purpose of the PRD is to allow (by Special Permit) high-quality residential development with variable densities, while preserving open space and natural features. This form of development also allows for reduced infrastructure that would otherwise be required under a traditional subdivision development.

This Article seeks to amend the Town of Reading Zoning Map to include 149 Van Norden Road as part of the Planned Residential Development Overlay District. The Owner of 149 Van Norden Road would use the PRD Overlay to split the lot and construct one (1) additional single family home to accommodate multi-generational family living. The map below identifies 149 Van Norden Road.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

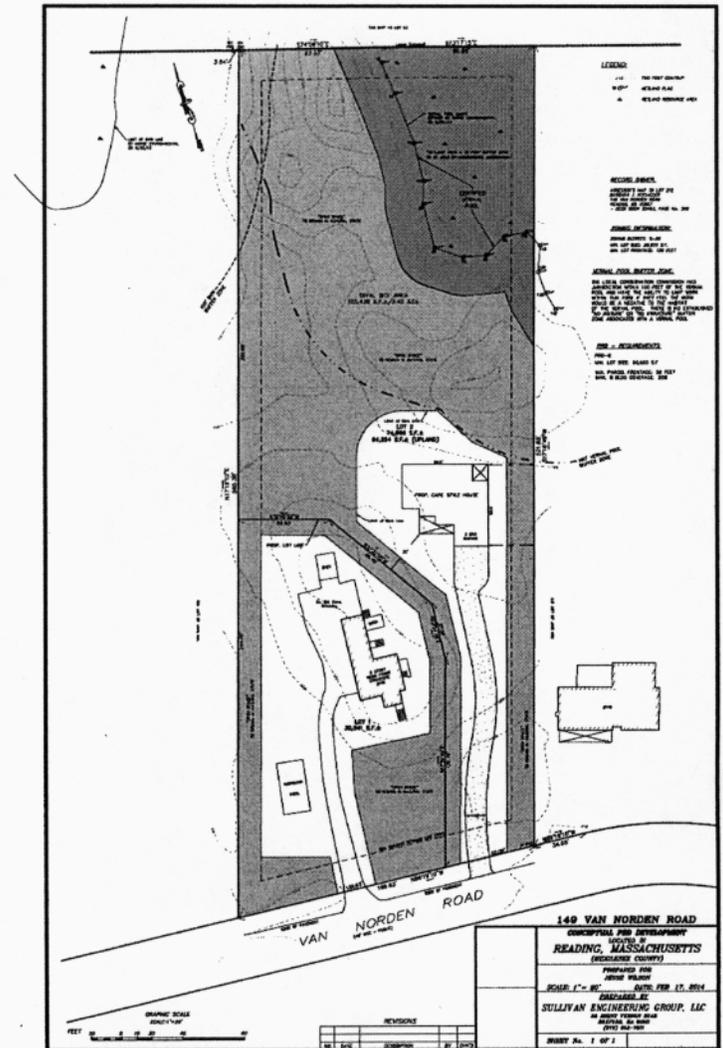
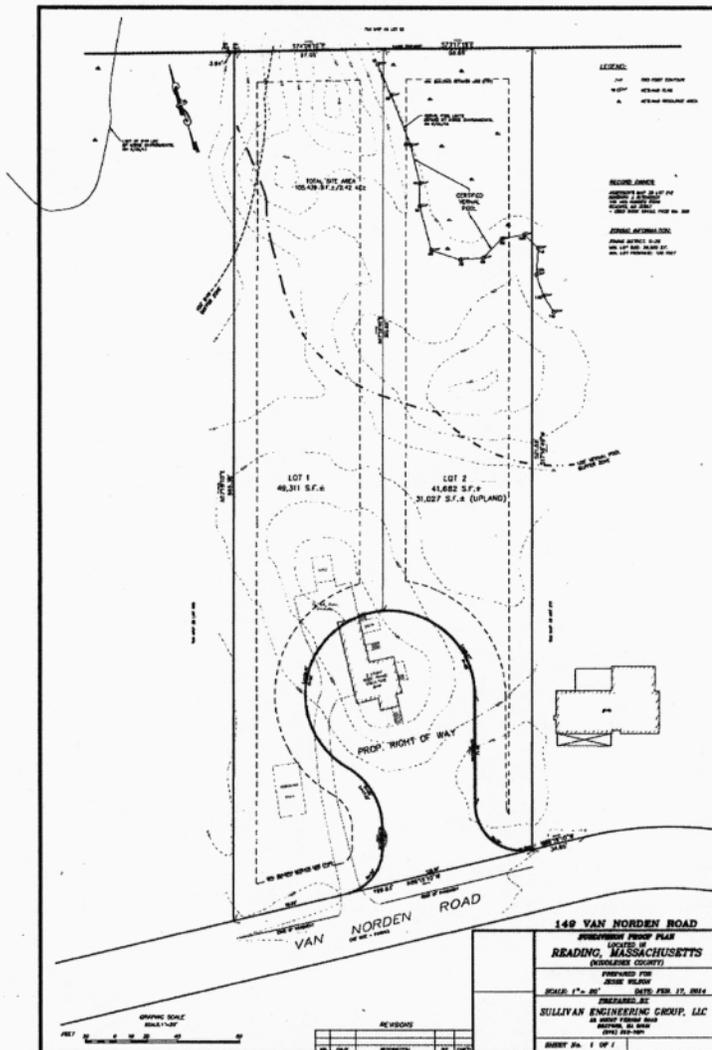
November 13, 2014



Under the Town of Reading’s Subdivision Rules and Regulations, today the Owner would be required to construct a new road that will meet Town Standards (please see map on the left hand side of the next page). To accommodate this new road, the existing home would need to be demolished and then two new homes would be constructed. However, under the PRD Overlay District, the existing home could be preserved and a new single family home constructed to the rear (map on the right hand side of the next page) on a new separate lot.

Reading Memorial High School
 Performing Arts Center

November 13, 2014



Plan using Reading's Subdivision Rules and Regulations

Plan using PRD Overlay District

Because the rear of the site is nearly all a wetland/Certified Vernal Pool, the PRD Plan would allow for the home to be located outside of 100-foot buffer zone. Under the Reading's Subdivision Requirements, the proposed homes would likely encroach in the buffer zone of this resource and would increase the amount of impact to the natural vegetation. Additionally, the PRD Overlay District requires 40% of the parcel be left as open space. There is no requirement under Reading's Subdivision Rules and Regulation to set aside open space.

Special Permit: In accordance with Section 4.10 of the Zoning Bylaw, the Owner/Applicant will be required to seek a Special Permit for use of the PRD Overlay District. The Special Permit will be sought through a Public Hearing process, including abutter notification with the Community Planning and Development Commission (CPDC). The CPDC, as the Special Permit Granting Authority, will have the discretion on the final approved plan. Although the Plan could change from what is shown (above, right hand side), the CPDC has review authority on the number of housing units and development density. Article 7 simply would amend the Zoning Map so that the Owner/Applicant could move forward with a Special permit Application to the CPDC under the PRD Overlay District.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 13, 2014

Finance Committee Report: No report

Bylaw Committee Report: The Bylaw Committee recommends this Article by a vote of 4-0-0 at their meeting on October 21, 2014

Community Planning & Development Commission Report: On August 11, 2014, the CPDC convened to hold a public hearing on the proposed Article 7, to amend the Reading Zoning Map to overlay the Planned Residential Development – General (PRD-G) Overlay District on a parcel of land addressed as 149 Van Norden Road.

All documents related to the proposed map change were made available at Town Hall. The CPDC held a public hearing to provide an opportunity for comment and to determine whether the provisions of the proposed Article 7 shall be adopted by the Town.

The August 11, 2014 public hearing was opened at approximately 7:30 p.m. A presentation was made by the Town Planner and discussion followed. All comments received at the hearing were included as part of the record of the hearing. The public hearing was closed that same evening on August 11, 2014 CPDC voted 4-0-0 to recommend the proposed zoning map change to Town Meeting.

Presentation given by:

- Jean Delios – See Attached

Motion made by Stephen Crook, Precinct 2 to move the question

2/3 Vote Required
128 Voted in the affirmative
10 Voted in the negative
145 Town Meeting Members in Attendance

Motion to move the question Carried

After some discussion a vote was taken:

2/3 Vote Required
134 Voted in the affirmative
5 Voted in the negative
145 Town Meeting Members in Attendance

Motion Carried

ARTICLE 8 Motion made by Jeff Hansen, Committee Planning and Development that the Town vote to amend the Zoning Bylaw by:

A. Deleting section 2.0 (Definitions) in its entirety and inserting, in place thereof, a new section 2.0 (Definitions), in accordance with the recommendation of the Community Planning and Development Commission;

B. Deleting section 7.0 (Administration) in its entirety and inserting, in place thereof, a new section 4.0 (Administration) in accordance with the recommendation of the Community Planning and Development Commission; and

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 13, 2014

- C. Deleting sections 4.0 (Use Regulations), 4.1 (Application of Use Regulations), 4.2 (General Requirements), 4.3 (Supplementary Requirements) and 4.13 (Special Requirements for Registered Medical Marijuana Dispensaries) in their entirety and inserting, in place thereof, a new section 5.0 (Use Regulations), in accordance with the recommendation of the Community Planning and Development Commission;
- D. Deleting section 5.0 (Intensity Regulations) in its entirety and inserting, in place thereof, a new section 6.0 (Intensity Regulations), in accordance with the recommendation of the Community Planning and Development Commission;
- E. Deleting section 6.3 (Nonconforming Uses and Structures) in its entirety and inserting, in place thereof, a new section 7.0 (Nonconforming Uses and Structures) in accordance with the recommendation of the Community Planning and Development Commission;
- F. Renumbering section 6.2 (Signs) as section 8.0 (Signs) and section 6.1 (Parking) as section 9.0 (Parking) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;
- G. Renumbering section 4.4 (Floodplain Overlay District) as section 10.1 (Floodplain Overlay District), section 4.7 (Municipal Building Reuse District) as section 10.2 (Municipal Building Reuse District), section 4.8 (Aquifer Protection District) as section 10.3 (Aquifer Protection District), section 4.11 (Gateway Smart Growth District (the "GSGD")) as section 10.4 (Gateway Smart Growth District (the "GSGD")), and section 4.12 (Downtown Smart Growth District (the "DSGD")) as section 10.5 (Downtown Smart Growth District (the "DSGD")) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;
- H. Renumbering section 4.9 (Planned Unit Development) as section 11.1 (Planned Unit Development) and section 4.10 (Planned Residential Development (PRD)) as section 11.2 (Planned Residential Development (PRD)) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;
- I. Deleting section 8 (Applicability) and section 9 (Adoption and Amendment) in their entirety and inserting, in place thereof, a new 12.0 (Applicability and Severability) in accordance with the recommendation of the Community Planning and Development Commission.

or take any other action with respect thereto.

Background: Approximately five years ago, the Town of Reading identified customer service as an organization-wide goal. The Town received feedback that customer service was excellent, however, a few complaints were also received that highlighted the need for changes to the Town's zoning and permitting requirements.

In response to the complaints, the Town made a commitment to improve organizational efficiency through clearer permitting requirements and reduced regulations while reinforcing standards for review and increasing transparency. The CPDC suggested immediate changes to the zoning bylaw as part of a Phase I update of the zoning bylaw. Phase I changes were adopted by Town Meeting in November of 2013.

Phase II, the Comprehensive Update to the Zoning Bylaw, included a \$75,000 Town Meeting appropriation to hire a zoning consultant. The Board of Selectmen appointed the Zoning Advisory Committee (ZAC) in September 2013 to work with the consultant and staff. The goal of the zoning bylaw update was to simplify, modernize, clarify and make changes to zoning and to make the permitting process more user-friendly.

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 13, 2014

The zoning update project has been designed to ensure that the bylaw is easy to use and understand by the public and for ease of administration by Town staff. With the assistance of a specialized zoning consultant, stakeholder interviews were conducted in which numerous comments were received that our zoning bylaws are difficult to use. The zoning consultant also performed a zoning diagnostic (technical review) that revealed problem areas including, but not limited to: (1) internal inconsistencies; (2) outdated and confusing language; and (3) conflicts with statutory and case law.

This zoning update has been conducted with the extensive public participation for over one year, as well as input primarily from the Zoning Board of Appeals (ZBA), the Community Planning and Development Commission (CPDC) and Town staff, but also from numerous other individual boards, committees and commissions.

The updated zoning bylaw is planned to be presented as Warrant Articles for a total of four Town Meetings, with November Subsequent Town Meeting the second of these sets of changes. Note that Article 8 of the November Town Meeting is the only set of changes to be presented in a single Article. While amendments are possible, Article 8 is recommended by the ZAC and Town Counsel as presented because they align together as the core fundamental changes to the local zoning bylaw.

Below is a review of the four Town Meetings that represent the final stages of the zoning bylaw project:

Special Town Meeting, September 29, 2014: Five (5) zoning articles; Four (4) were approved.

- Purpose (Section 1) – Not Adopted
- Establishment of Districts (Section 3) – Adopted
- Deletion of Wetlands Protection District (Section 4.5) – Adopted
- Deletion of Mixed Use Overlay District (Section 4.6) – Adopted
- Registered Medical Marijuana Dispensaries (Section 4.13) – Adopted

Subsequent Town Meeting, November 10, 2014: One (1) zoning article includes the core changes to the zoning bylaw and sections that logically belong together. This will be subject to a single up or down vote.

- **Where noted below in bold, the old zoning bylaw will be deleted and the new zoning bylaw will be inserted.**
- *As part of this article the remaining sections, shown in italics, will be renumbered only and put into the new bylaw format using the current wording.*
- *Use current wording - Purpose (Section 1)*
- **Delete Definitions (Old Section 2), Insert Definitions (New Section 2)**
- Establishment of Districts (Section 3) – adopted 9/29/14
- **Delete Administration (Old Section 7), Insert Administration (New Section 4)**
- **Delete Use Regulations (Old Section 4), Insert Use Regulations (New Section 5)**
- **Delete Intensity Regulations (Old Section 5), Insert Intensity Regulations (New Section 6)**
- **Delete Nonconforming Uses (Old Section 6.3) and Insert Nonconforming Uses and Structures (New Section 7)**
- *Use current wording – Sign Regulations (Old Section 6.2) Renumber (New Section 8)*
- *Use current wording – Parking (Old Section 6.1) Renumber (New Section 9)*
- *Use current wording – Overlay Districts (Old Section 4) Renumber (New section 10)*
- *Use current wording – Planned Development (Old Section 4.9, 4.10) Renumber (New Section 11)*
- **Delete Applicability (Old Section 8), Insert Applicability and Severability (New Section 12)**

Annual Town Meeting, April 28, 2015: Five (5) zoning articles anticipated:

- **Delete Purpose (Section 1) – new language to be proposed**

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 13, 2014

- **Delete Sign Regulations (Old Section 6.2), Insert Sign Regulations (New Section 8)**
- **Delete Parking (Old Section 6.1), Insert Parking (New Section 9)**
- **Delete Overlay Districts (Old Section 4), Insert Overlay Districts (New Section 10)**
- **Delete Planned Development (Old Section 4.9, 4.10), Insert Planned Development (New Section 11)**

Subsequent Town Meeting, November 9, 2015, One (1) zoning article anticipated:

- **Section 2 – centralize all definitions after Town Meeting has acted on all other zoning bylaw changes**

Summary

Two handouts related to Article 8 – separate from this Warrant Report - have been prepared and distributed to Town Meeting members:

- **Clean Copy of the proposed zoning bylaw** - If Town Meeting passes this Article as presented, this document will represent the new zoning bylaw. Any amendments made at Town Meeting would be supplemental. As a reminder, next April at Annual Town Meeting there will be more zoning work to do;
- **Detailed Translation Guide** – to assist with understanding the changes between the (**OLD**) current zoning bylaw and the (**NEW**) clean copy of the proposed zoning bylaw. If there are specific sections that Town Meeting members are interested in, this guide will help explain the public discussions and thought process behind any suggested changes. Next April a similar guide will be produced for the next set of zoning bylaw articles.

The following summary in the Warrant Report will provide a less-detailed overview of the changes that are before Subsequent Town Meeting under Article 8.

The first column describes the current (**OLD**) section of the bylaws that are under discussion, while the second column directs the reader to the proposed (**NEW**) location of these sections.

The third column describes the **STATUS** – the time frame for actions past and anticipated at the aforementioned group of four Town Meetings.

The final column **REVISIONS** briefly summarizes what is proposed to be changed. Again as a reminder, some of these proposed changes are scheduled for future Town Meetings in 2015 – as described above, *these future changes are shown in italics.*

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Purpose (Section 1)	Authority and Purpose (Section 1)	<p>Not Approved Special Town Meeting (9/29/14) Article 9</p> <hr style="border-top: 1px dashed black;"/> <p>Pending - future Annual Town Meeting (4/28/15)</p>	<p>• <i>Pending more community dialogue</i></p>

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 13, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Definitions (Section 2)	Definitions (Section 2)	<p>Pending - now Subsequent Town Meeting (11/10/14) Article 8 Core definitions updated</p> <hr/> <p>Pending - future November 2015 Town Meeting</p>	<ul style="list-style-type: none"> • More definitions and updated terms • Definitions are better organized and centralized • Contemporary definitions replace obsolete ones • Graphics have been added to clarify terms • Core definitions located in Section 2 • Definitions with limited applicability are in respective sections <hr/> <ul style="list-style-type: none"> • <i>Centralize all definitions once all Sections approved by Town Meeting</i>
Establishment of Districts (Section 3)	Establishment of Districts (Section 3)	Approved Special Town Meeting (9/29/14) Article 10	<ul style="list-style-type: none"> • Deleted Wetlands Protection and Mixed Use Overlay Districts • The Wetlands Protection District Overlay has become obsolete; replaced by the State Wetland Protection Act and the Local Wetland Protection Bylaw. The Conservation Commission voted to approve this change. • The Mixed Use Overlay district has never been used; replaced by the Downtown Smart Growth District. • The reference to the FIRM map was corrected. Clarified how to interpret zoning for lots in two districts.
Use Regulations (Section 4)	Use Regulations (Section 5)	<p>Approved (Partial)* Special Town Meeting (9/29/14) Article 13</p> <p>*NOTE: The updates related to regulating Registered Medical Marijuana Dispensaries were approved by 9/29/14 Town Meeting</p>	<ul style="list-style-type: none"> • Registered Medical Marijuana Dispensaries are zoned for the Industrial District (with input from RCASA and the RPD) and moved to the new Section 5

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 13, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Use Regulations (Section 4 – continued)	Use Regulations (Section 5)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify and Make Changes to new Section 5	<ul style="list-style-type: none"> • Reorganized over 100 pages of scattered provisions into a more easily understood set of requirements; • Two Tables of Uses have been developed. • Updated and clarified language for Adult Uses • Separated out uses by Special Permit to new subsection • Principal uses and their application have been evaluated to ensure the use meets the intent of each district. • Streamlined the special permit process designating CPDC as the board for both special permits and site plan review eliminating the need to apply to two separate boards. • Updated requirements for Accessory Uses. • Added a new Accessory Buildings and Structures section. • Clarified requirements and added new provisions for Accessory Apartments. • Carriage House regulations have been streamlined into the requirements for Accessory Apartments (with input from the Reading Historical Commission). • Uses and activities requiring Site Plan Review are reformatted for convenience and clarity. • No change to the Site Plan Review thresholds • Application requirements are handled in the regulations so that the zoning bylaw is streamlined. • Updated Section on Nursing Homes/Assisted Living Facilities <p>Note: Site Plan Review and Permit Process Changes– Moved to Administration (NEW Section 4)</p>
Floodplain Overlay District (Section 4.4)	Floodplain Overlay District (Section 10.1)	<p>Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes</p> <hr/> <p>Pending - future Annual Town Meeting (4/28/15)</p>	<ul style="list-style-type: none"> • No substantive changes made • Minor changes to clarify language.
Wetlands Protection District (Section 4.5)	DELETED	Approved Special Town Meeting (9/29/14) Article 11	<ul style="list-style-type: none"> • Removed – not needed
Mixed Use Overlay District (Section 4.6)	DELETED	Approved Special Town Meeting (9/29/14) Article 12	<ul style="list-style-type: none"> • Removed– not needed
Municipal Reuse District (Section 4.7)	Municipal Reuse District (Section 10.2)	<p>Pending- now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes</p> <hr/> <p>Pending - future Annual Town Meeting (4/28/15)</p>	<ul style="list-style-type: none"> • Change the Special Permit Granting Authority to the CPDC rather than the Zoning Board of Appeals.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 13, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Aquifer Protection District (Section 4.8)	Aquifer Protection District (Section 10.3)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Modify definition of Impervious Area to be more flexible</i> • <i>Update to allow for more streamlined review of Boundary Disputes by the Town Engineer.</i> • <i>Add provision for lots within two districts and provide more detail and clarity for recharge requirements for lots occupied by Single and Two-Family residences.</i>
Planned Unit Development (Section 4.9)	Planned Unit Development (Section 11.1)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Reorganize the section to ease administration and make the process user friendly.</i> • <i>Delete an "Alternative Procedure" for Application which was complex and challenging.</i> • <i>Clarify Parking and Signage requirements and make them consistent with other Sections of the bylaw.</i> • <i>Move "Allowed Uses" into a table rather than text.</i>
Planned Residential Development (Section 4.10)	Planned Residential Development (Section 11.2)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Update language to make requirements more user-friendly and easier to understand.</i> • <i>Clarify the allowed uses by reference to the Table of Uses. Reorganize sections.</i> • <i>Clarify the formula for residential density and open space restriction</i>
Gateway Smart Growth District (GSGD) (Section 4.11)	Gateway Smart Growth District (GSGD) (Section 10.4)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>No substantive changes made</i> • <i>Minor changes to clarify language or to be consistent with other Sections in bylaw</i>
Downtown Smart Growth District (DSGD) (Section 4.12)	Downtown Smart Growth District (DSGD) (Section 10.4)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>No substantive changes made</i> • <i>Minor changes to clarify language or to be consistent with other Sections in bylaw</i>
Intensity Regulations (Section 5)	Intensity Regulations (Section 6)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify	<ul style="list-style-type: none"> • <i>No Major Changes</i> • <i>Reorganized the dimensional controls to be more modern and easier to understand</i> • <i>Added landscaping standards</i>

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preferring Arts Center**

November 13, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
General Provisions (Section 6)	See Below	See Below	See Below
Parking (Section 6.1)	Off Street Parking and Loading (Section 9)	<p>Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes</p> <p>-----</p> <p>Pending - Future Annual Town Meeting (4/28/15)</p>	<ul style="list-style-type: none"> • <i>No substantive changes made.</i> • <i>Clarify parking provisions are and additional principal uses added into the parking table.</i> • <i>A more tailored set of parking and loading requirements based on the use and for clarification.</i>
Signs (Section 6.2)	Signs (Section 8)	<p>Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes</p> <p>-----</p> <p>Pending - future Annual Town Meeting (4/28/15)</p>	<ul style="list-style-type: none"> • <i>Modify and update the language, with provisions consolidated for greater clarity</i> • <i>Add tables where large amount of text made navigating difficult.</i> • <i>Include graphics/pictures to assist with identification of sign types</i>
Nonconforming (Section 6.3)	Nonconforming Uses and Structures (Section 7)	<p>Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u></p>	<ul style="list-style-type: none"> • <i>A nonconforming use such as a single family home in the downtown (Business B) can make modifications (like building a deck) without the need to go to the ZBA provided they meet the dimensional requirements.</i> • <i>Streamlined so that simple projects, routinely approved Special Permits from the ZBA, are subject to staff reviews only. Clarified vague language including what triggers a special permit.</i> • <i>New provision to protect underdeveloped lots (single and two family homes)</i>
Administration (Section 7)	Administration (Section 4)	<p>Pending- now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify</p>	<ul style="list-style-type: none"> • <i>Reorganized so that the administration of zoning, permitting and review processes are clearly stated up front</i> • <i>Administration is modified and updated.</i>
Applicability (Section 8) (including Invalidity and 9.0 Adoption and Amendment)	Applicability and Severability (Section 12)	<p>Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify</p>	<ul style="list-style-type: none"> • <i>Language was streamlined leaving only the severability language to be applied to the bylaw.</i>

Finance Committee Report: No report

Bylaw Committee Report: The Bylaw Committee report is Pending further review, and will be delivered to Town Meeting when the Article is presented

Board of Selectmen Report: The Board of Selectmen at their meeting on October 14, 2014 voted 5-0-0 to support this Article

Community Planning & Development Commission Report: On October 20, 2014 the CPDC convened to hold a public hearing on the proposed Article 8 amending the Zoning Bylaw.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 13, 2014

The public hearing was held to provide an opportunity for comment and to determine whether the provisions of the amended zoning bylaw shall be adopted by the Town. All documents, including the Public Hearing Draft Zoning Bylaw dated October 6, 2014, were made available on the project website and at Town Hall.

The October 20, 2014 CPDC public hearing was opened at approximately 7:50 PM. A presentation was made by the Town Planner and discussion followed.

Comments were received at the public hearing as well as in writing in advance of the public hearing. The public hearing was continued to October 23, 2014.

On October 23, 2014 the CPDC convened to review the updated Draft Zoning Bylaw, dated October 22, 2014, which reflected Town Counsel's changes as well as other changes made at the October 20, 2014 public hearing.

At the continued October 23, 2014 public hearing, the CPDC heard additional public comment and made final changes to the October 22, 2014 Public Hearing Draft Zoning Bylaw. The final changes include modifications Section 2.0 Definitions, Section 4.0 Administration, Section 5.3.1 Table of Uses for Business and Industrial Districts, Section 5.3.2 Table of Uses for Residential Districts, and Section 5.5.1 Accessory Buildings or Structures. All final changes are further detailed in the handout provided at Town Meeting.

All comments received at the public hearing were included as part of the record of the hearing. The public hearing was closed on October 23, 2014 and the CPDC voted 4-0-0 to recommend Article 8, as amended, to Town Meeting.

In summary, the draft zoning bylaw in the warrant, supplemented by the changes made on October 23rd, comprise CPDC's recommended new zoning bylaw which is before you as Article 8.

Zoning Board of Appeals Report: The Zoning Board of Appeals at their meeting on October 16, 2014 voted 4-1-0 to support this Article

Presentation given by:

- Jean Delios – See Attached

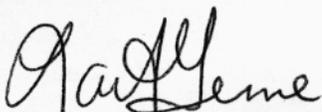
Motion made by Richard Schubert, Precinct 7 to Indefinitely Postpone Article 8

Motion to Indefinitely Postpone Article 8 was tabled until November 17, 2014

On motion by John Arena, Board of Selectmen, it was voted that this Subsequent Town Meeting stand adjourned to meet at 7:30 PM at the Reading Memorial High School Performing Arts Center, on Monday, November 17, 2014.

Meeting adjourned at 10:36 PM with 145 Town Meeting Members in attendance.

A true copy Attest:



Laura A Gemme

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 17, 2014

The meeting was called to order by the Moderator, Alan E Foulds, at 7:35 PM, there being a quorum present. The Pledge of Allegiance to the Flag was said by all present.

On motion made by John Arena, Board of Selectmen it was voted to dispense of the reading of all motions in their entirety.

Motion Carried

Motion to Indefinitely Postpone Article 8 was taken off the table.

After some discussion a motion was made by Greg Selvitelli, Precinct 6 to move the question

2/3 Vote Required
121 Voted in the affirmative
10 Voted in the negative
133 Town Meeting Members in Attendance

Motion to Move the Question Carried

After some discussion a vote was taken:

Counted Vote
63 Voted in the affirmative
66 Voted in the negative
133 Town Meeting Members in Attendance

Motion to Indefinitely Postpone Article 8 Does Not Carry

ARTICLE 8 Motion made by Jeff Hansen, Committee Planning and Development that the Town vote to amend the Zoning Bylaw by:

A. Deleting section 2.0 (Definitions) in its entirety and inserting, in place thereof, a new section 2.0 (Definitions), in accordance with the recommendation of the Community Planning and Development Commission;

B. Deleting section 7.0 (Administration) in its entirety and inserting, in place thereof, a new section 4.0 (Administration) in accordance with the recommendation of the Community Planning and Development Commission; and

C. Deleting sections 4.0 (Use Regulations), 4.1 (Application of Use Regulations), 4.2 (General Requirements), 4.3 (Supplementary Requirements) and 4.13 (Special Requirements for Registered Medical Marijuana Dispensaries) in their entirety and inserting, in place thereof, a new section 5.0 (Use Regulations), in accordance with the recommendation of the Community Planning and Development Commission;

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 17, 2014

- D. Deleting section 5.0 (Intensity Regulations) in its entirety and inserting, in place thereof, a new section 6.0 (Intensity Regulations), in accordance with the recommendation of the Community Planning and Development Commission;
- E. Deleting section 6.3 (Nonconforming Uses and Structures) in its entirety and inserting, in place thereof, a new section 7.0 (Nonconforming Uses and Structures) in accordance with the recommendation of the Community Planning and Development Commission;
- F. Renumbering section 6.2 (Signs) as section 8.0 (Signs) and section 6.1 (Parking) as section 9.0 (Parking) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;
- G. Renumbering section 4.4 (Floodplain Overlay District) as section 10.1 (Floodplain Overlay District), section 4.7 (Municipal Building Reuse District) as section 10.2 (Municipal Building Reuse District), section 4.8 (Aquifer Protection District) as section 10.3 (Aquifer Protection District), section 4.11 (Gateway Smart Growth District (the "GSGD")) as section 10.4 (Gateway Smart Growth District (the "GSGD")), and section 4.12 (Downtown Smart Growth District (the "DSGD")) as section 10.5 (Downtown Smart Growth District (the "DSGD")) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;
- H. Renumbering section 4.9 (Planned Unit Development) as section 11.1 (Planned Unit Development) and section 4.10 (Planned Residential Development (PRD)) as section 11.2 (Planned Residential Development (PRD)) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;
- I. Deleting section 8 (Applicability) and section 9 (Adoption and Amendment) in their entirety and inserting, in place thereof, a new 12.0 (Applicability and Severability) in accordance with the recommendation of the Community Planning and Development Commission.

or take any other action with respect thereto.

Background: Approximately five years ago, the Town of Reading identified customer service as an organization-wide goal. The Town received feedback that customer service was excellent, however, a few complaints were also received that highlighted the need for changes to the Town's zoning and permitting requirements.

In response to the complaints, the Town made a commitment to improve organizational efficiency through clearer permitting requirements and reduced regulations while reinforcing standards for review and increasing transparency. The CPDC suggested immediate changes to the zoning bylaw as part of a Phase I update of the zoning bylaw. Phase I changes were adopted by Town Meeting in November of 2013.

Phase II, the Comprehensive Update to the Zoning Bylaw, included a \$75,000 Town Meeting appropriation to hire a zoning consultant. The Board of Selectmen appointed the Zoning Advisory Committee (ZAC) in September 2013 to work with the consultant and staff. The goal of the zoning bylaw update was to simplify, modernize, clarify and make changes to zoning and to make the permitting process more user-friendly.

The zoning update project has been designed to ensure that the bylaw is easy to use and understand by the public and for ease of administration by Town staff. With the assistance of a specialized zoning consultant, stakeholder interviews were conducted in which numerous comments were received that our zoning bylaws are difficult to use. The zoning consultant also performed a zoning diagnostic (technical review) that revealed problem areas including, but not limited to: (1) internal inconsistencies; (2) outdated and confusing language; and (3) conflicts with statutory and case law.

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 17, 2014

This zoning update has been conducted with the extensive public participation for over one year, as well as input primarily from the Zoning Board of Appeals (ZBA), the Community Planning and Development Commission (CPDC) and Town staff, but also from numerous other individual boards, committees and commissions.

The updated zoning bylaw is planned to be presented as Warrant Articles for a total of four Town Meetings, with November Subsequent Town Meeting the second of these sets of changes. Note that Article 8 of the November Town Meeting is the only set of changes to be presented in a single Article. While amendments are possible, Article 8 is recommended by the ZAC and Town Counsel as presented because they align together as the core fundamental changes to the local zoning bylaw.

Below is a review of the four Town Meetings that represent the final stages of the zoning bylaw project:

Special Town Meeting, September 29, 2014: Five (5) zoning articles; Four (4) were approved.

- Purpose (Section 1) – Not Adopted
- Establishment of Districts (Section 3) – Adopted
- Deletion of Wetlands Protection District (Section 4.5) – Adopted
- Deletion of Mixed Use Overlay District (Section 4.6) – Adopted
- Registered Medical Marijuana Dispensaries (Section 4.13) – Adopted

Subsequent Town Meeting, November 10, 2014: One (1) zoning article includes the core changes to the zoning bylaw and sections that logically belong together. This will be subject to a single up or down vote.

- **Where noted below in bold, the old zoning bylaw will be deleted and the new zoning bylaw will be inserted.**
- *As part of this article the remaining sections, shown in italics, will be renumbered only and put into the new bylaw format using the current wording.*
- *Use current wording - Purpose (Section 1)*
- **Delete Definitions (Old Section 2), Insert Definitions (New Section 2)**
- Establishment of Districts (Section 3) – adopted 9/29/14
- **Delete Administration (Old Section 7), Insert Administration (New Section 4)**
- **Delete Use Regulations (Old Section 4), Insert Use Regulations (New Section 5)**
- **Delete Intensity Regulations (Old Section 5), Insert Intensity Regulations (New Section 6)**
- **Delete Nonconforming Uses (Old Section 6.3) and Insert Nonconforming Uses and Structures (New Section 7)**
- *Use current wording – Sign Regulations (Old Section 6.2) Renumber (New Section 8)*
- *Use current wording – Parking (Old Section 6.1) Renumber (New Section 9)*
- *Use current wording – Overlay Districts (Old Section 4) Renumber (New section 10)*
- *Use current wording – Planned Development (Old Section 4.9, 4.10) Renumber (New Section 11)*
- **Delete Applicability (Old Section 8), Insert Applicability and Severability (New Section 12)**

Annual Town Meeting, April 28, 2015: Five (5) zoning articles anticipated:

- **Delete Purpose (Section 1) – new language to be proposed**
- **Delete Sign Regulations (Old Section 6.2), Insert Sign Regulations (New Section 8)**
- **Delete Parking (Old Section 6.1), Insert Parking (New Section 9)**
- **Delete Overlay Districts (Old Section 4), Insert Overlay Districts (New Section 10)**
- **Delete Planned Development (Old Section 4.9, 4.10), Insert Planned Development (New Section 11)**

Subsequent Town Meeting, November 9, 2015, One (1) zoning article anticipated:

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 17, 2014

- **Section 2 – centralize all definitions after Town Meeting has acted on all other zoning bylaw changes**

Summary

Two handouts related to Article 8 – separate from this Warrant Report - have been prepared and distributed to Town Meeting members:

- **Clean Copy of the proposed zoning bylaw** - If Town Meeting passes this Article as presented, this document will represent the new zoning bylaw. Any amendments made at Town Meeting would be supplemental. As a reminder, next April at Annual Town Meeting there will be more zoning work to do;
- **Detailed Translation Guide** – to assist with understanding the changes between the (**OLD**) current zoning bylaw and the (**NEW**) clean copy of the proposed zoning bylaw. If there are specific sections that Town Meeting members are interested in, this guide will help explain the public discussions and thought process behind any suggested changes. Next April a similar guide will be produced for the next set of zoning bylaw articles.

The following summary in the Warrant Report will provide a less-detailed overview of the changes that are before Subsequent Town Meeting under Article 8.

The first column describes the current (**OLD**) section of the bylaws that are under discussion, while the second column directs the reader to the proposed (**NEW**) location of these sections.

The third column describes the **STATUS** – the time frame for actions past and anticipated at the aforementioned group of four Town Meetings.

The final column **REVISIONS** briefly summarizes what is proposed to be changed. Again as a reminder, some of these proposed changes are scheduled for future Town Meetings in 2015 – as described above, *these future changes are shown in italics.*

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Purpose (Section 1)	Authority and Purpose (Section 1)	Not Approved Special Town Meeting (9/29/14) Article 9 <hr/> Pending - future Annual Town Meeting (4/28/15)	<hr/> <ul style="list-style-type: none"> • <i>Pending more community dialogue</i>
Definitions (Section 2)	Definitions (Section 2)	Pending - now <u>Subsequent Town Meeting</u> <u>(11/10/14) Article 8</u> Core definitions updated <hr/> Pending - future November 2015 Town Meeting	<ul style="list-style-type: none"> • More definitions and updated terms • Definitions are better organized and centralized • Contemporary definitions replace obsolete ones • Graphics have been added to clarify terms • Core definitions located in Section 2 • Definitions with limited applicability are in respective sections <hr/> <ul style="list-style-type: none"> • <i>Centralize all definitions once all Sections approved by Town Meeting</i>

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 17, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Establishment of Districts (Section 3)	Establishment of Districts (Section 3)	Approved Special Town Meeting (9/29/14) Article 10	<ul style="list-style-type: none"> Deleted Wetlands Protection and Mixed Use Overlay Districts The Wetlands Protection District Overlay has become obsolete; replaced by the State Wetland Protection Act and the Local Wetland Protection Bylaw. The Conservation Commission voted to approve this change. The Mixed Use Overlay district has never been used; replaced by the Downtown Smart Growth District. The reference to the FIRM map was corrected. Clarified how to interpret zoning for lots in two districts.
Use Regulations (Section 4)	Use Regulations (Section 5)	Approved (Partial)* Special Town Meeting (9/29/14) Article 13 *NOTE: The updates related to regulating Registered Medical Marijuana Dispensaries were approved by 9/29/14 Town Meeting	<ul style="list-style-type: none"> Registered Medical Marijuana Dispensaries are zoned for the Industrial District (with input from RCASA and the RPD) and moved to the new Section 5
Use Regulations (Section 4 – continued)	Use Regulations (Section 5)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify and Make Changes to new Section 5	<ul style="list-style-type: none"> Reorganized over 100 pages of scattered provisions into a more easily understood set of requirements; Two Tables of Uses have been developed. Updated and clarified language for Adult Uses Separated out uses by Special Permit to new subsection Principal uses and their application have been evaluated to ensure the use meets the intent of each district. Streamlined the special permit process designating CPDC as the board for both special permits and site plan review eliminating the need to apply to two separate boards. Updated requirements for Accessory Uses. Added a new Accessory Buildings and Structures section. Clarified requirements and added new provisions for Accessory Apartments. Carriage House regulations have been streamlined into the requirements for Accessory Apartments (with input from the Reading Historical Commission). Uses and activities requiring Site Plan Review are reformatted for convenience and clarity. No change to the Site Plan Review thresholds Application requirements are handled in the regulations so that the zoning bylaw is streamlined. Updated Section on Nursing Homes/Assisted Living Facilities <p>Note: Site Plan Review and Permit Process Changes– Moved to Administration (NEW Section 4)</p>

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 17, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Floodplain Overlay District (Section 4.4)	Floodplain Overlay District (Section 10.1)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>No substantive changes made</i> • <i>Minor changes to clarify language.</i>
Wetlands Protection District (Section 4.5)	DELETED	Approved Special Town Meeting (9/29/14) Article 11	<ul style="list-style-type: none"> • Removed – not needed
Mixed Use Overlay District (Section 4.6)	DELETED	Approved Special Town Meeting (9/29/14) Article 12	<ul style="list-style-type: none"> • Removed– not needed
Municipal Reuse District (Section 4.7)	Municipal Reuse District (Section 10.2)	Pending- now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Change the Special Permit Granting Authority to the CPDC rather than the Zoning Board of Appeals.</i>
Aquifer Protection District (Section 4.8)	Aquifer Protection District (Section 10.3)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Modify definition of Impervious Area to be more flexible</i> • <i>Update to allow for more streamlined review of Boundary Disputes by the Town Engineer.</i> • <i>Add provision for lots within two districts and provide more detail and clarity for recharge requirements for lots occupied by Single and Two-Family residences.</i>
Planned Unit Development (Section 4.9)	Planned Unit Development (Section 11.1)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Reorganize the section to ease administration and make the process user friendly.</i> • <i>Delete an "Alternative Procedure" for Application which was complex and challenging.</i> • <i>Clarify Parking and Signage requirements and make them consistent with other Sections of the bylaw.</i> • <i>Move "Allowed Uses" into a table rather than text.</i>

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 17, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Planned Residential Development (Section 4.10)	Planned Residential Development (Section 11.2)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • Update language to make requirements more user-friendly and easier to understand. • Clarify the allowed uses by reference to the Table of Uses. Reorganize sections. • Clarify the formula for residential density and open space restriction
Gateway Smart Growth District (GSGD) (Section 4.11)	Gateway Smart Growth District (GSGD) (Section 10.4)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • No substantive changes made • Minor changes to clarify language or to be consistent with other Sections in bylaw
Downtown Smart Growth District (DSGD) (Section 4.12)	Downtown Smart Growth District (DSGD) (Section 10.4)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • No substantive changes made • Minor changes to clarify language or to be consistent with other Sections in bylaw
Intensity Regulations (Section 5)	Intensity Regulations (Section 6)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify	<ul style="list-style-type: none"> • No Major Changes • Reorganized the dimensional controls to be more modern and easier to understand • Added landscaping standards
General Provisions (Section 6)	See Below	See Below	See Below
Parking (Section 6.1)	Off Street Parking and Loading (Section 9)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - Future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • No substantive changes made. • Clarify parking provisions are and additional principal uses added into the parking table. • A more tailored set of parking and loading requirements based on the use and for clarification.
Signs (Section 6.2)	Signs (Section 8)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only - no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • Modify and update the language, with provisions consolidated for greater clarity • Add tables where large amount of text made navigating difficult. • Include graphics/pictures to assist with identification of sign types

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 17, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Nonconforming (Section 6.3)	Nonconforming Uses and Structures (Section 7)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u>	<ul style="list-style-type: none"> • A nonconforming use such as a single family home in the downtown (Business B) can make modifications (like building a deck) without the need to go to the ZBA provided they meet the dimensional requirements. • Streamlined so that simple projects, routinely approved Special Permits from the ZBA, are subject to staff reviews only. Clarified vague language including what triggers a special permit. • New provision to protect underdeveloped lots (single and two family homes)
Administration (Section 7)	Administration (Section 4)	Pending- now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify	<ul style="list-style-type: none"> • Reorganized so that the administration of zoning, permitting and review processes are clearly stated up front • Administration is modified and updated.
Applicability (Section 8) (including Invalidity and 9.0 Adoption and Amendment)	Applicability and Severability (Section 12)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify	<ul style="list-style-type: none"> • Language was streamlined leaving only the severability language to be applied to the bylaw.

Finance Committee Report: No report

Bylaw Committee Report: The Bylaw Committee report is Pending further review, and will be delivered to Town Meeting when the Article is presented

Board of Selectmen Report: The Board of Selectmen at their meeting on October 14, 2014 voted 5-0-0 to support this Article

Community Planning & Development Commission Report: On October 20, 2014 the CPDC convened to hold a public hearing on the proposed Article 8 amending the Zoning Bylaw.

The public hearing was held to provide an opportunity for comment and to determine whether the provisions of the amended zoning bylaw shall be adopted by the Town. All documents, including the Public Hearing Draft Zoning Bylaw dated October 6, 2014, were made available on the project website and at Town Hall.

The October 20, 2014 CPDC public hearing was opened at approximately 7:50 PM. A presentation was made by the Town Planner and discussion followed.

Comments were received at the public hearing as well as in writing in advance of the public hearing. The public hearing was continued to October 23, 2014.

On October 23, 2014 the CPDC convened to review the updated Draft Zoning Bylaw, dated October 22, 2014, which reflected Town Counsel's changes as well as other changes made at the October 20, 2014 public hearing.

At the continued October 23, 2014 public hearing, the CPDC heard additional public comment and made final changes to the October 22, 2014 Public Hearing Draft Zoning Bylaw. The final changes include modifications Section 2.0 Definitions, Section 4.0 Administration, Section 5.3.1 Table of Uses for Business and Industrial Districts, Section 5.3.2 Table of Uses for Residential Districts, and Section 5.5.1 Accessory Buildings or Structures. All final changes are further detailed in the handout provided at Town Meeting.

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 17, 2014

All comments received at the public hearing were included as part of the record of the hearing. The public hearing was closed on October 23, 2014 and the CPDC voted 4-0-0 to recommend Article 8, as amended, to Town Meeting.

In summary, the draft zoning bylaw in the warrant, supplemented by the changes made on October 23rd, comprise CPDC's recommended new zoning bylaw which is before you as Article 8.

Zoning Board of Appeals Report: The Zoning Board of Appeals at their meeting on October 16, 2014 voted 4-1-0 to support this Article

Presentation given by:

- Jean Delios – See Attached

Motion made by John O'Neill, Precinct 4 to change the definition of Senior Independent Living Facility as follows:

Senior Independent Living Facility: ~~An extended or intermediate care~~ facility that provides dwelling units for residents over the age of fifty-five (55), in single or multiple buildings or in separate townhouses or cottages, and may include common areas for the use of residents.

Motion Carried

Motion made by Charles Donnelly-Moran, Precinct 7 to change the definition of Agriculture as follows:

Agriculture: The production, keeping or maintenance, for sale or lease, of plants or animals for commercial purposes. Agriculture includes:

- Farming in all of its branches;
- The cultivation and tillage of the soil;
- Dairying;
- The production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural or horticultural commodities;
- The growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- The raising of livestock including horses;
- The keeping of horses as a commercial enterprise; and
- The keeping and raising of ~~poultry~~, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), other domesticated animals used for food or agricultural purposes, ~~bees or~~ fur-bearing animals.

Motion Does Not Carry

Motion made by Meghan Young, Precinct 4 to add the definition Commercial Amusement as follows:

Commercial Amusement: The provision of recreation-related products or services, by private enterprise.

Motion made by Richard Schubert, Precinct 7 to add except for adult uses as defined in Section 5.6.2.2

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 17, 2014

Motion to Amend Carried

To read as follows:

Commercial Amusement: The provision of recreation-related products or services, except for adult uses as defined in Section 5.6.2.2 by private enterprise.

Motion Carried as Amended

Motion made by Richard Moore, Precinct 2 to change definition of Auto Graveyard as follows;

Auto Graveyard: A facility that is maintained, used, or operated for storing, processing, keeping, buying, or selling **3 or more** wrecked, scrapped, ruined, or dismantled motor vehicles, trailers or motor vehicle parts.

Motion Does Not Carry

John Sasso, Precinct 2 proposed the following friendly amendments:

- 4.5.1.3** To hear and decide applications for Special Permits for those uses for which approval of the Zoning Board of Appeals is required in accordance with the provisions of Section 4.3 **5.2.1**.
- 4.6.2.3** Except as otherwise specified in Section 4.6.2.1 or Section 4.6.2.1**2**, Minor Site Plan Review is required if the proposed construction or site alteration involves any of the following:
- 4.6.4.1 Procedure**
- c** Within five (5) days of the date stamp, the ~~CPDC~~ **Town Planner** shall transmit one (1) copy of the application and plan to the Building Inspector, Director of Public Works, Fire Chief, Police Chief, and any other Town official whose review is requested. Such officials may, at their discretion, investigate the application and report their recommendations in writing to the CPDC. The CPDC shall not take final action on such application until it has received reports from such officials, or until thirty (30) days from the date of the transmittal, whichever is sooner.
- 4.6.7 Approval, Conditions, & Continuation of Site Plan Review**
- The CPDC shall file a written decision with the Town Clerk stating that the application is approved as submitted, approved with conditions, or denied **in accordance with Section 4.6.4.1 (d)**. The CPDC may impose conditions on any Site Plan Approval that it deems necessary or desirable.

Motion made by Meghan Young, Precinct 4 to change 4.2.2 as follows:

- 4.2.2** Whoever violates any provision of the Zoning Bylaw shall be ~~punished by~~ **subject to** a fine not exceeding three hundred (\$300.00) dollars for each offense. Each day that such a violation continues shall constitute a separate offense. Upon any well-founded information that the Zoning Bylaw is being violated, or upon his own initiative, the Building Inspector shall take immediate steps to enforce the Zoning Bylaw, which may include filing a civil complaint for injunctive relief, an application for noncriminal disposition in accordance with the provisions of

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 17, 2014

Section 1.8 of the General Bylaws and Section 21D of Chapter 40 of the Massachusetts General Laws, or by any other manner authorized by law. The provisions of Section 4.2 shall apply to both the record owner and any lessee of the real property upon which a violation of the Zoning Bylaw occurs regardless of who caused or committed such violation.

Motion Carried

Ben Tafoya, Precinct 4 proposed the following friendly amendment:

4.5.2.1 No variance shall be issued pursuant to Section ~~4.4.1.2~~ **4.5.1.2**, unless the Zoning Board of Appeals finds that:

David Zeek, Precinct 1 proposed the following friendly amendment:

4.4 Special Permit Granting Authority

Carolyn Whiting, Precinct 7 proposed the following friendly amendment:

4.5.2.1 No variance shall be issued pursuant to Section 4.5.1.2, unless the Zoning Board of Appeals finds that:

- a** There are unique circumstances relating to the soil conditions, shape or topography that specifically affect the land or structure in question, but do not ~~affecting~~ generally **affect** the Zoning District in which the land or structure is located:

Motion made by John Sasso, Precinct 2 to change the following:

5.3.1 Table of Uses for Business and Industrial Districts

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay
Retail Store, up to 35,000 square feet	Yes	Yes	Yes -No	Yes	Yes	Yes

Motion Carried

Motion made by Charles Donnelly-Moran, Precinct 7 to change the following:

5.6.4 Agricultural Uses

Special Permit for Certain Agricultural Uses: No agriculture use shall be permitted on a parcel of land less than two (2) acres, or on a parcel of land less than five (5) acres if the sale of products produced thereon generates less than one thousand dollars (\$1000) per acre based on gross sales dollars, without a Special Permit from the Community Planning and Development Commission (CPDC). The CPDC may grant a Special Permit in accordance with Section 4.4 of the Zoning Bylaw if the following criteria have been satisfied:

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 17, 2014

- b Any structures used for garaging or screening of tools, farm machinery or vehicles or for providing housing, pens or enclosures for livestock shall be located at least **fifteen (15)** ~~five~~ feet from any property line.

Motion Does Not Carry

Motion made by Mark Dockser, Precinct 1 to change the following:

5.6.4 Agricultural Uses

Special Permit for Certain Agricultural Uses: No agriculture use shall be permitted on a parcel of land less than two (2) acres, or on a parcel of land less than five (5) acres if the sale of products produced thereon generates less than one thousand dollars (\$1000) per acre based on gross sales dollars, without a Special Permit from the Community Planning and Development Commission (CPDC). The CPDC may grant a Special Permit in accordance with Section 4.4 of the Zoning Bylaw if the following criteria have been satisfied:

- b Any structures used for garaging or screening of tools, farm machinery or vehicles or for providing housing, pens or enclosures for livestock shall be located at least fifty (50) feet from any property line. **,provided however, that housing pens or enclosures for poultry, rabbits or bees located at least fifteen (15) feet from any property line may be authorized by Special Permit.**

Motion Does Not Carry

On motion by Bill Brown, Precinct 8 it was voted that this Subsequent Town Meeting stand adjourned to meet at 7:30 PM at the Reading Memorial High School Performing Arts Center, on Thursday, November 20, 2014.

Meeting adjourned at 10:38 PM with 133 Town Meeting Members in attendance.

A true copy Attest:



Laura A Gemme
Town Clerk

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 20, 2014

The meeting was called to order by the Moderator, Alan E Foulds, at 7:39 PM, there being a quorum present. The Pledge of Allegiance to the Flag was said by all present.

On motion made by John Arena, Board of Selectmen it was voted to dispense of the reading of all motions in their entirety.

Motion Carried

Article 8 was taken off the table.

ARTICLE 8 Motion made by Jeff Hansen, Committee Planning and Development that the Town vote to amend the Zoning Bylaw by:

- A. Deleting section 2.0 (Definitions) in its entirety and inserting, in place thereof, a new section 2.0 (Definitions), in accordance with the recommendation of the Community Planning and Development Commission; as Amended
- B. Deleting section 7.0 (Administration) in its entirety and inserting, in place thereof, a new section 4.0 (Administration) in accordance with the recommendation of the Community Planning and Development Commission; as Amended
- C. Deleting sections 4.0 (Use Regulations), 4.1 (Application of Use Regulations), 4.2 (General Requirements), 4.3 (Supplementary Requirements) and 4.13 (Special Requirements for Registered Medical Marijuana Dispensaries) in their entirety and inserting, in place thereof, a new section 5.0 (Use Regulations), in accordance with the recommendation of the Community Planning and Development Commission; as Amended
- D. Deleting section 5.0 (Intensity Regulations) in its entirety and inserting, in place thereof, a new section 6.0 (Intensity Regulations), in accordance with the recommendation of the Community Planning and Development Commission; as Amended
- E. Deleting section 6.3 (Nonconforming Uses and Structures) in its entirety and inserting, in place thereof, a new section 7.0 (Nonconforming Uses and Structures) in accordance with the recommendation of the Community Planning and Development Commission;
- F. Renumbering section 6.2 (Signs) as section 8.0 (Signs) and section 6.1 (Parking) as section 9.0 (Parking) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;
- G. Renumbering section 4.4 (Floodplain Overlay District) as section 10.1 (Floodplain Overlay District), section 4.7 (Municipal Building Reuse District) as section 10.2 (Municipal Building Reuse District), section 4.8 (Aquifer Protection District) as section 10.3 (Aquifer Protection District), section 4.11 (Gateway Smart Growth District (the "GSGD")) as section 10.4 (Gateway Smart Growth District (the "GSGD")), and section 4.12 (Downtown Smart Growth District (the "DSGD")) as section 10.5 (Downtown Smart Growth District (the "DSGD")) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;

SUBSEQUENT TOWN MEETING

Reading Memorial High School Performing Arts Center

November 20, 2014

H. Renumbering section 4.9 (Planned Unit Development) as section 11.1 (Planned Unit Development) and section 4.10 (Planned Residential Development (PRD) as section 11.2 (Planned Residential Development (PRD) and authorizing the Town Clerk to make corresponding non-substantive numbering changes to the component provisions of such sections;

I. Deleting section 8 (Applicability) and section 9 (Adoption and Amendment) in their entirety and inserting, in place thereof, a new 12.0 (Applicability and Severability) in accordance with the recommendation of the Community Planning and Development Commission.

or take any other action with respect thereto.

Background: Approximately five years ago, the Town of Reading identified customer service as an organization-wide goal. The Town received feedback that customer service was excellent, however, a few complaints were also received that highlighted the need for changes to the Town's zoning and permitting requirements.

In response to the complaints, the Town made a commitment to improve organizational efficiency through clearer permitting requirements and reduced regulations while reinforcing standards for review and increasing transparency. The CPDC suggested immediate changes to the zoning bylaw as part of a Phase I update of the zoning bylaw. Phase I changes were adopted by Town Meeting in November of 2013.

Phase II, the Comprehensive Update to the Zoning Bylaw, included a \$75,000 Town Meeting appropriation to hire a zoning consultant. The Board of Selectmen appointed the Zoning Advisory Committee (ZAC) in September 2013 to work with the consultant and staff. The goal of the zoning bylaw update was to simplify, modernize, clarify and make changes to zoning and to make the permitting process more user-friendly.

The zoning update project has been designed to ensure that the bylaw is easy to use and understand by the public and for ease of administration by Town staff. With the assistance of a specialized zoning consultant, stakeholder interviews were conducted in which numerous comments were received that our zoning bylaws are difficult to use. The zoning consultant also performed a zoning diagnostic (technical review) that revealed problem areas including, but not limited to: (1) internal inconsistencies; (2) outdated and confusing language; and (3) conflicts with statutory and case law.

This zoning update has been conducted with the extensive public participation for over one year, as well as input primarily from the Zoning Board of Appeals (ZBA), the Community Planning and Development Commission (CPDC) and Town staff, but also from numerous other individual boards, committees and commissions.

The updated zoning bylaw is planned to be presented as Warrant Articles for a total of four Town Meetings, with November Subsequent Town Meeting the second of these sets of changes. Note that Article 8 of the November Town Meeting is the only set of changes to be presented in a single Article. While amendments are possible, Article 8 is recommended by the ZAC and Town Counsel as presented because they align together as the core fundamental changes to the local zoning bylaw.

Below is a review of the four Town Meetings that represent the final stages of the zoning bylaw project:

Special Town Meeting, September 29, 2014: Five (5) zoning articles; Four (4) were approved.

- Purpose (Section 1) – Not Adopted
- Establishment of Districts (Section 3) – Adopted
- Deletion of Wetlands Protection District (Section 4.5) – Adopted
- Deletion of Mixed Use Overlay District (Section 4.6) – Adopted
- Registered Medical Marijuana Dispensaries (Section 4.13) – Adopted

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 20, 2014

Subsequent Town Meeting, November 10, 2014: One (1) zoning article includes the core changes to the zoning bylaw and sections that logically belong together. This will be subject to a single up or down vote.

- **Where noted below in bold, the old zoning bylaw will be deleted and the new zoning bylaw will be inserted.**
- *As part of this article the remaining sections, shown in italics, will be renumbered only and put into the new bylaw format using the current wording.*
- *Use current wording - Purpose (Section 1)*
- **Delete Definitions (Old Section 2), Insert Definitions (New Section 2)**
- Establishment of Districts (Section 3) – adopted 9/29/14
- **Delete Administration (Old Section 7), Insert Administration (New Section 4)**
- **Delete Use Regulations (Old Section 4), Insert Use Regulations (New Section 5)**
- **Delete Intensity Regulations (Old Section 5), Insert Intensity Regulations (New Section 6)**
- **Delete Nonconforming Uses (Old Section 6.3) and Insert Nonconforming Uses and Structures (New Section 7)**
- *Use current wording – Sign Regulations (Old Section 6.2) Renumber (New Section 8)*
- *Use current wording – Parking (Old Section 6.1) Renumber (New Section 9)*
- *Use current wording – Overlay Districts (Old Section 4) Renumber (New section 10)*
- *Use current wording – Planned Development (Old Section 4.9, 4.10) Renumber (New Section 11)*
- **Delete Applicability (Old Section 8), Insert Applicability and Severability (New Section 12)**

Annual Town Meeting, April 28, 2015: Five (5) zoning articles anticipated:

- **Delete Purpose (Section 1) – new language to be proposed**
- **Delete Sign Regulations (Old Section 6.2), Insert Sign Regulations (New Section 8)**
- **Delete Parking (Old Section 6.1), Insert Parking (New Section 9)**
- **Delete Overlay Districts (Old Section 4), Insert Overlay Districts (New Section 10)**
- **Delete Planned Development (Old Section 4.9, 4.10), Insert Planned Development (New Section 11)**

Subsequent Town Meeting, November 9, 2015, One (1) zoning article anticipated:

- **Section 2 – centralize all definitions after Town Meeting has acted on all other zoning bylaw changes**

Summary

Two handouts related to Article 8 – separate from this Warrant Report - have been prepared and distributed to Town Meeting members:

- **Clean Copy of the proposed zoning bylaw** - If Town Meeting passes this Article as presented, this document will represent the new zoning bylaw. Any amendments made at Town Meeting would be supplemental. As a reminder, next April at Annual Town Meeting there will be more zoning work to do;
- **Detailed Translation Guide** – to assist with understanding the changes between the (**OLD**) current zoning bylaw and the (**NEW**) clean copy of the proposed zoning bylaw. If there are specific sections that Town Meeting members are interested in, this guide will help explain the public discussions and thought process behind any suggested changes. Next April a similar guide will be produced for the next set of zoning bylaw articles.

The following summary in the Warrant Report will provide a less-detailed overview of the changes that are before Subsequent Town Meeting under Article 8.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 20, 2014

The first column describes the current (**OLD**) section of the bylaws that are under discussion, while the second column directs the reader to the proposed (**NEW**) location of these sections.

The third column describes the **STATUS** – the time frame for actions past and anticipated at the aforementioned group of four Town Meetings.

The final column **REVISIONS** briefly summarizes what is proposed to be changed. Again as a reminder, some of these proposed changes are scheduled for future Town Meetings in 2015 – as described above, *these future changes are shown in italics.*

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Purpose (Section 1)	Authority and Purpose (Section 1)	Not Approved Special Town Meeting (9/29/14) Article 9 ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> <i>Pending more community dialogue</i>
Definitions (Section 2)	Definitions (Section 2)	Pending - now <u>Subsequent Town Meeting</u> (11/10/14) Article 8 Core definitions updated ----- Pending - future November 2015 Town Meeting	<ul style="list-style-type: none"> More definitions and updated terms Definitions are better organized and centralized Contemporary definitions replace obsolete ones Graphics have been added to clarify terms Core definitions located in Section 2 Definitions with limited applicability are in respective sections <ul style="list-style-type: none"> <i>Centralize all definitions once all Sections approved by Town Meeting</i>
Establishment of Districts (Section 3)	Establishment of Districts (Section 3)	Approved Special Town Meeting (9/29/14) Article 10	<ul style="list-style-type: none"> Deleted Wetlands Protection and Mixed Use Overlay Districts The Wetlands Protection District Overlay has become obsolete; replaced by the State Wetland Protection Act and the Local Wetland Protection Bylaw. The Conservation Commission voted to approve this change. The Mixed Use Overlay district has never been used; replaced by the Downtown Smart Growth District. The reference to the FIRM map was corrected. Clarified how to interpret zoning for lots in two districts.
Use Regulations (Section 4)	Use Regulations (Section 5)	Approved (Partial)* Special Town Meeting (9/29/14) Article 13 *NOTE: The updates related to regulating Registered Medical Marijuana Dispensaries were approved by 9/29/14 Town Meeting	<ul style="list-style-type: none"> Registered Medical Marijuana Dispensaries are zoned for the Industrial District (with input from RCASA and the RPD) and moved to the new Section 5

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 20, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Use Regulations (Section 4 – continued)	Use Regulations (Section 5)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify and Make Changes to new Section 5	<ul style="list-style-type: none"> • Reorganized over 100 pages of scattered provisions into a more easily understood set of requirements; • Two Tables of Uses have been developed. • Updated and clarified language for Adult Uses • Separated out uses by Special Permit to new subsection • Principal uses and their application have been evaluated to ensure the use meets the intent of each district. • Streamlined the special permit process designating CPDC as the board for both special permits and site plan review eliminating the need to apply to two separate boards. • Updated requirements for Accessory Uses. • Added a new Accessory Buildings and Structures section. • Clarified requirements and added new provisions for Accessory Apartments. • Carriage House regulations have been streamlined into the requirements for Accessory Apartments (with input from the Reading Historical Commission). • Uses and activities requiring Site Plan Review are reformatted for convenience and clarity. • No change to the Site Plan Review thresholds • Application requirements are handled in the regulations so that the zoning bylaw is streamlined. • Updated Section on Nursing Homes/Assisted Living Facilities <p>Note: Site Plan Review and Permit Process Changes– Moved to Administration (NEW Section 4)</p>
Floodplain Overlay District (Section 4.4)	Floodplain Overlay District (Section 10.1)	<p>Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes</p> <hr/> <p>Pending - future Annual Town Meeting (4/28/15)</p>	<ul style="list-style-type: none"> • <i>No substantive changes made</i> • <i>Minor changes to clarify language.</i>
Wetlands Protection District (Section 4.5)	DELETED	Approved Special Town Meeting (9/29/14) Article 11	<ul style="list-style-type: none"> • Removed – not needed
Mixed Use Overlay District (Section 4.6)	DELETED	Approved Special Town Meeting (9/29/14) Article 12	<ul style="list-style-type: none"> • Removed– not needed
Municipal Reuse District (Section 4.7)	Municipal Reuse District (Section 10.2)	<p>Pending- now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes</p> <hr/> <p>Pending - future Annual Town Meeting (4/28/15)</p>	<ul style="list-style-type: none"> • <i>Change the Special Permit Granting Authority to the CPDC rather than the Zoning Board of Appeals.</i>

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Preforming Arts Center**

November 20, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
Aquifer Protection District (Section 4.8)	Aquifer Protection District (Section 10.3)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Modify definition of Impervious Area to be more flexible</i> • <i>Update to allow for more streamlined review of Boundary Disputes by the Town Engineer.</i> • <i>Add provision for lots within two districts and provide more detail and clarity for recharge requirements for lots occupied by Single and Two-Family residences.</i>
Planned Unit Development (Section 4.9)	Planned Unit Development (Section 11.1)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Reorganize the section to ease administration and make the process user friendly.</i> • <i>Delete an "Alternative Procedure" for Application which was complex and challenging.</i> • <i>Clarify Parking and Signage requirements and make them consistent with other Sections of the bylaw.</i> • <i>Move "Allowed Uses" into a table rather than text.</i>
Planned Residential Development (Section 4.10)	Planned Residential Development (Section 11.2)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>Update language to make requirements more user-friendly and easier to understand.</i> • <i>Clarify the allowed uses by reference to the Table of Uses. Reorganize sections.</i> • <i>Clarify the formula for residential density and open space restriction</i>
Gateway Smart Growth District (GSGD) (Section 4.11)	Gateway Smart Growth District (GSGD) (Section 10.4)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>No substantive changes made</i> • <i>Minor changes to clarify language or to be consistent with other Sections in bylaw</i>
Downtown Smart Growth District (DSGD) (Section 4.12)	Downtown Smart Growth District (DSGD) (Section 10.4)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Renumber only – no wording changes ----- Pending - future Annual Town Meeting (4/28/15)	<ul style="list-style-type: none"> • <i>No substantive changes made</i> • <i>Minor changes to clarify language or to be consistent with other Sections in bylaw</i>
Intensity Regulations (Section 5)	Intensity Regulations (Section 6)	Pending - now <u>Subsequent Town Meeting (11/10/14) Article 8</u> Modernize, Simplify	<ul style="list-style-type: none"> • <i>No Major Changes</i> • <i>Reorganized the dimensional controls to be more modern and easier to understand</i> • <i>Added landscaping standards</i>

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 20, 2014

OLD ZONING BYLAW SECTION	NEW ZONING BYLAW SECTION	STATUS	REVISIONS
General Provisions (Section 6)	See Below	See Below	See Below
Parking (Section 6.1)	Off Street Parking and Loading (Section 9)	<p>Pending - now Subsequent Town Meeting (11/10/14) Article 8 Renumber only – no wording changes</p> <hr/> <p>Pending - Future Annual Town Meeting (4/28/15)</p>	<ul style="list-style-type: none"> • No substantive changes made. • Clarify parking provisions are and additional principal uses added into the parking table. • A more tailored set of parking and loading requirements based on the use and for clarification.
Signs (Section 6.2)	Signs (Section 8)	<p>Pending - now Subsequent Town Meeting (11/10/14) Article 8 Renumber only – no wording changes</p> <hr/> <p>Pending - future Annual Town Meeting (4/28/15)</p>	<ul style="list-style-type: none"> • Modify and update the language, with provisions consolidated for greater clarity • Add tables where large amount of text made navigating difficult. • Include graphics/pictures to assist with identification of sign types
Nonconforming (Section 6.3)	Nonconforming Uses and Structures (Section 7)	Pending - now Subsequent Town Meeting (11/10/14) Article 8	<ul style="list-style-type: none"> • A nonconforming use such as a single family home in the downtown (Business B) can make modifications (like building a deck) without the need to go to the ZBA provided they meet the dimensional requirements. • Streamlined so that simple projects, routinely approved Special Permits from the ZBA, are subject to staff reviews only. Clarified vague language including what triggers a special permit. • New provision to protect underdeveloped lots (single and two family homes)
Administration (Section 7)	Administration (Section 4)	Pending- now Subsequent Town Meeting (11/10/14) Article 8 Modernize, Simplify	<ul style="list-style-type: none"> • Reorganized so that the administration of zoning, permitting and review processes are clearly stated up front • Administration is modified and updated.
Applicability (Section 8) (including Invalidity and 9.0 Adoption and Amendment)	Applicability and Severability (Section 12)	Pending - now Subsequent Town Meeting (11/10/14) Article 8 Modernize, Simplify	<ul style="list-style-type: none"> • Language was streamlined leaving only the severability language to be applied to the bylaw.

Finance Committee Report: No report

Bylaw Committee Report: The Bylaw Committee report is Pending further review, and will be delivered to Town Meeting when the Article is presented

Board of Selectmen Report: The Board of Selectmen at their meeting on October 14, 2014 voted 5-0-0 to support this Article

Community Planning & Development Commission Report: On October 20, 2014 the CPDC convened to hold a public hearing on the proposed Article 8 amending the Zoning Bylaw.

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 20, 2014

The public hearing was held to provide an opportunity for comment and to determine whether the provisions of the amended zoning bylaw shall be adopted by the Town. All documents, including the Public Hearing Draft Zoning Bylaw dated October 6, 2014, were made available on the project website and at Town Hall.

The October 20, 2014 CPDC public hearing was opened at approximately 7:50 PM. A presentation was made by the Town Planner and discussion followed.

Comments were received at the public hearing as well as in writing in advance of the public hearing. The public hearing was continued to October 23, 2014.

On October 23, 2014 the CPDC convened to review the updated Draft Zoning Bylaw, dated October 22, 2014, which reflected Town Counsel's changes as well as other changes made at the October 20, 2014 public hearing.

At the continued October 23, 2014 public hearing, the CPDC heard additional public comment and made final changes to the October 22, 2014 Public Hearing Draft Zoning Bylaw. The final changes include modifications Section 2.0 Definitions, Section 4.0 Administration, Section 5.3.1 Table of Uses for Business and Industrial Districts, Section 5.3.2 Table of Uses for Residential Districts, and Section 5.5.1 Accessory Buildings or Structures. All final changes are further detailed in the handout provided at Town Meeting.

All comments received at the public hearing were included as part of the record of the hearing. The public hearing was closed on October 23, 2014 and the CPDC voted 4-0-0 to recommend Article 8, as amended, to Town Meeting.

In summary, the draft zoning bylaw in the warrant, supplemented by the changes made on October 23rd, comprise CPDC's recommended new zoning bylaw which is before you as Article 8.

Zoning Board of Appeals Report: The Zoning Board of Appeals at their meeting on October 16, 2014 voted 4-1-0 to support this Article

- Presentation given by:
- Jean Delios – See Attached

Motion made by Jeff Hansen, Precinct 7 to change the following:

5.3.1 Table of Uses for Business and Industrial Districts

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay
Other Agriculture Use	Yes SPP	Yes SPP	Yes SPP	Yes SPP	Yes SPP	Yes SPP

Motion Carried

Motion made by Jeff Hansen, Precinct 7 to change the following:

5.6.4 Agricultural Uses

Special Permit for Certain Agricultural Uses: No agriculture use shall be permitted on a parcel of land less than **five (5) two (2)** acres, or on a parcel of land less than **two (2) five (5)** acres if the sale of products produced thereon generates less than one thousand dollars (\$1000) per

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 20, 2014

acre based on gross sales dollars, without a Special Permit from the Community Planning and Development Commission (CPDC). The CPDC may grant a Special Permit in accordance with Section 4.4 of the Zoning Bylaw if the following criteria have been satisfied:

Motion Carried

Motion made by Nancy Twomey, Precinct 3 to change the following:

5.5.1 Permitted Accessory Buildings or Structures

The following requirements shall apply to any accessory buildings or structures permitted in accordance with the Tables of Uses (Sections 5.3.1 and 5.3.2).

- f** No accessory building or structure may be located within a required rear yard except for a building accessory to a one or two family dwelling, or accessory to any permitted principal use located in a Residence District; provided, however, that such accessory building or structure shall not occupy more than twenty-five (25) percent of the required rear yard and shall be located at least ten (10) feet from the principal building and five (5) feet from the nearest **side or rear lot line**.

Motion Carried

Motion made by Richard Schubert, Precinct 7 to change the following:

5.5.1 Permitted Accessory Buildings or Structures

The following requirements shall apply to any accessory buildings or structures permitted in accordance with the Tables of Uses (Sections 5.3.1 and 5.3.2).

- e Except as specified in 5.5.1.f** No accessory building or structure may be located within a required side yard except for a garage accessory to a single or two family dwelling, or a garage accessory to any permitted principal use located in a Residence District; provided, however, that such accessory garage shall be located at least ten (10) feet from the principal building and from the nearest side lot line.
- f** No accessory building or structure may be located within a required rear yard except for a building accessory to a one or two family dwelling, or accessory to any permitted principal use located in a Residence District; provided, however, that such accessory building or structure shall not occupy more than twenty-five (25) percent of the required rear yard and shall be located at least ten (10) feet from the principal building and five (5) feet from the nearest **side or rear lot line**; **and proved further that any accessory building or structure located in the required side yard shall not have a footprint larger than one hundred and twenty (120) or a height greater than ten (10) feet.**

Motion Does Not Carry

Motion made by Stephen Herrick, Precinct 8 to change the following:

Agriculture: The production, keeping or maintenance, for sale or lease, of plants or animals for commercial purposes. Agriculture includes:

- Farming in all of its branches;
- The cultivation and tillage of the soil;

SUBSEQUENT TOWN MEETING

Reading Memorial High School
Performing Arts Center

November 20, 2014

- Dairying;
- The production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural or horticultural commodities;
- The growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- The raising of livestock including horses;
- The keeping of horses as a commercial enterprise; and
- The keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), other domesticated animals used for food or agricultural purposes, bees or fur-bearing animals.

Agriculture does not include any such activity not undertaking for Commercial purposes.

Motion to move the question made by Jeff Hansen, Precinct 7

2/3 Vote Required
122 Voted in the affirmative
4 Voted in the negative
133 Town Meeting Members in Attendance

Motion to Move the Question Carries

Motion Does Not Carry

Motion made by Tony D'Arezzo, Precinct 2 to change the following:

5.5.1 Permitted Accessory Buildings or Structures

The following requirements shall apply to any accessory buildings or structures permitted in accordance with the Tables of Uses (Sections 5.3.1 and 5.3.2).

- i The following accessory structures **shall may** be allowed **only** by Special Permit by the Community Planning and Development Commission (CPDC) in all districts **for a period not to exceed one hundred and eighty (180) days** provided that such accessory structures meet all yard requirements:
 - 1 A truck trailer used for storage ~~or advertising~~.
 - 2 A stand-alone shipping or storage container.
 - 3 A steel storage unit.

Motion Does Not Carry

Motion made by Jackie Petrillo, Precinct 6 to amend above motion as follows:

5.5.1 Permitted Accessory Buildings or Structures

The following requirements shall apply to any accessory buildings or structures permitted in accordance with the Tables of Uses (Sections 5.3.1 and 5.3.2).

- i The following accessory structures **shall may** be allowed **only** by Special Permit by the Community Planning and Development Commission (CPDC) in all districts **for a period not to exceed one hundred and eighty (180) days** provided that such accessory structures meet all yard requirements:
 - 1 A truck trailer used for storage ~~or advertising~~.
 - 2 A stand-alone shipping or storage container.
 - 3 A steel storage unit.

Reading Memorial High School
Performing Arts Center

November 20, 2014

Motion Carries

Motion made by John Sasso, Precinct 2 to change the following:

5.6.2.5 Site Development Standards

- a **Site Plan Review:** No Special Permit for any Adult Use shall be issued without Site Plan Approval first having been obtained from the Community Planning and Development Commission pursuant to Section 4.6-4 of the Zoning Bylaw.

Motion Carries

Motion made by John Sasso, Precinct 2 to change the following:

5.6.3 Commercial Communications Structures

Special Permit for Communications Structures: No Commercial Communications Structure, whether itself a principal use of a lot or as an accessory use to a Communication Facility, shall be constructed without a Special Permit having been granted by the Zoning Board of Appeals. The Zoning Board of Appeals may grant a Special Permit in accordance with Section 4.34 of the Zoning Bylaw for such a communications structure, provided that the Board determines that the following criteria have been fulfilled.

Motion Carries

Motion made by Meghan Young, Precinct 4 to add the following definition to Section 2:

Dwelling, Multi Family, age-restricted: A building or portion thereof containing three (3) or more dwelling units constructed expressly for use and residence, in accordance with section 4(6) of Chapter 151B of the Massachusetts General Laws, by persons who have achieved a minimum age of fifty five (55) years.

Motion Carries

Motion made by Meghan Young, Precinct 4 to add the following definition to Section 2:

Facility for Skilled Trades: An establishment for use by the practitioner of a trade such as a Carpenter, Welder, Plumber, Electrician, Builder, Mason, Landscaping Contractor, Lawn Care Service, Building Cleaning Service or similar occupation.

Motion Withdrawn

Motion made by Meghan Young, Precinct 4 to add the following definition to Section 2:

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 20, 2014

Tourist and Trailer Camps: Premises for accommodation for travel trailers, campers, tenting or similar mobile facilities are provided for a fee.

Counted Vote
55 Voted in the affirmative
57 Voted in the negative
133 Town Meeting Members in Attendance

Motion Does Not Carry

Motion made by Ben Tafoya, Precinct 4 to change the following:

5.3.1 Table of Uses for Business and Industrial Districts

PRINCIPAL USES	BUS A	BUS B	BUS C	IND	PUD-B Overlay	PUD-I Overlay
Business and Service Uses						
Restaurant	Yes	Yes	SPP No	Yes	SPP	Yes
Convenience Store	Yes	Yes	Yes No	Yes	Yes	SPP
Consumer Service Retail Establishment	Yes	Yes	Yes No	Yes	Yes	Yes
Facility for skilled trades	Yes ⁴	Yes ⁴	Yes No ⁴	Yes ⁴	SPP	Yes

Motion Carried

Motion made by Jackie Petrillo, Precinct 6 to move the question

2/3 Vote Required
13 Voted in the affirmative
101 Voted in the negative
133 Town Meeting Members in Attendance

Motion to Move the Question Does Not Carry

Motion made by Ben Tafoya, Precinct 4 to change the following:

5.3.2 Table of Uses for Residence Districts

PRINCIPAL USES	RES S-15 S-20 S-40	RES A-40	RES A-80	PRD-G PRD-M	PUD-R
Civic or Private Club	SPA No	SPA No	SPA No	No	No

Motion Does Not Carry

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

November 20, 2014

Motion made Carolyn Whiting, Precinct 7 to Refer Article 8 back to Community Planning and Development for review and revision, providing a copy of revisions to Town Meeting at least six (6) weeks before Town Meeting is to vote.

Motion to move the Question made by Dan Ensminger, Precinct 7

2/3 Vote Required
94 Voted in the affirmative
16 Voted in the negative
133 Town Meeting Members in Attendance

Motion to Move the Question Carries

Counted Vote
22 Voted in the affirmative
93 Voted in the negative
133 Town Meeting Members in Attendance

Motion to Refer Does Not Carry

Motion made by Ron D'Addario, Precinct 6 to change the following:

12.1 Severability

If any provision of the Zoning Bylaw shall be found invalid for any reason in a court of competent jurisdiction, ~~such invalidity shall be construed as narrowly as possible, and the balance of the Zoning Bylaw shall~~ **remain in effect** ~~be deemed to be amended to the minimum extent necessary,~~ so as to secure the purposes thereof, as set forth in Section 1.0.

Motion Does Not Carry

After some discussion a vote was taken:

2/3 Vote Required
103 Voted in the affirmative
5 Voted in the negative
133 Town Meeting Members in Attendance

Motion Carried as Amended

Motion made by Ron D'Addario, Precinct 6 to take Article 2 from the table

Motion Carried

Instructional Motion made by Ron D'Addario, Precinct 6:

SUBSEQUENT TOWN MEETING

**Reading Memorial High School
Performing Arts Center**

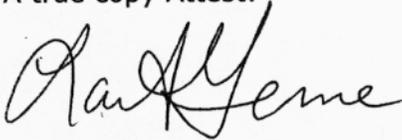
November 20, 2014

Move that Town Meeting shall instruct the Town Manager and the Library Director to investigate the possibility of opening the Reading Public Library on Thursday from 9 AM to 9 PM and on Sunday from 1 PM to 5 PM.

Motion Carried

John Arena, Board of Selectmen moved to adjourn the 2014 Subsequent Town Meeting *sine die* at 10:38 PM with 133 Town Meeting Members in attendance.

A true copy Attest:

A handwritten signature in cursive script that reads "Laura A Gemme".

Laura A Gemme
Town Clerk