WARRANT FOR SPECIAL TOWN MEETING

Wednesday, May 2, 2018



TOWN OF ARLINGTON

TOWN WARRANT THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington to meet in the

TOWN HALL in said Town on

WEDNESDAY THE SECOND DAY OF MAY 2018

at eight o'clock P.M., at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with, and subject to, the referenda provided by Chapter 43A of the General Laws.

ARTICLE 1

REPORTS OF BOARDS AND COMMITTEES

To receive, hear, and act upon the reports of boards, committees, and commissions; or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 2

ZONING BYLAW AMENDMENT/ EXTENDING RECREATIONAL MARIJUANA MORATORIUM

To see if the Town will vote to amend the Town's Zoning Bylaws by updating and extending the temporary moratorium on recreational marijuana establishments (set forth in Section 8.3 of the Recodified Zoning Bylaw) from June 30, 2018 until December 31, 2018, to provide the Town sufficient time to fully assess its Cannabis Control Commission Regulations filed with the Secretary of State for the Commonwealth on March 9, 2018, and so to read as follows:

"Temporary Moratorium on Recreational Marijuana Establishments."

Section 8.3.1 Purpose

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (G.L. c. 94G, "Regulation of the Use and Distribution of Marijuana Not Medically Prescribed"). Effective December 15, 2016, the law allowed certain personal use and possession of marijuana, and further requires the Cannabis Control Commission to issue regulations regarding the licensing of commercial marijuana activities on or before March 15, 2018, and subsequently, to accept license applications for commercial operations beginning on

April 1, 2018. The Cannabis Control Commission adopted regulations on or about March 6, 2018; transmitted to the Secretary of State on March 9, 2018. Non-medical Marijuana Establishments as defined by G.L. c. 94 are not otherwise contemplated or addressed under the present Zoning Bylaw. The regulations to be promulgated by the Cannabis Control Commission may provide important guidance on aspects of local regulation of Recreational Marijuana Establishments, as well as details on how the Town may further restrict on commercial sales of recreational marijuana by local ballot questions, but were not finalized in sufficient advance of the Annual Town Meeting. Moreover, the regulation of recreational marijuana raises novel legal, planning and public safety issues, potentially necessitating time to study and consider study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the aforementioned State regulations on local zoning; and to undertake a planning process fully informed by the new Cannabis Control Commission regulations to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a continue its temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives now that the parameters of retail marijuana have been fully and finally defined by the Commission.

8.3.2 Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments. The moratorium shall be in effect through June December 3130, 2018, or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments and related uses, and shall consider adopting new Zoning Bylaws in response to these new issues.

8.3.3 Severability

The provisions of this by-law are severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw."

Or take any action relative thereto.

(Inserted by the Board of Selectmen)

ARTICLE 3 VOTE/STUDY OF DEMOLITION OF HISTORIC RESIDENTIAL BUILDINGS

To see if Town Meeting will vote to establish a committee to study whether or not Title VI, Article 6 ("Historically or Architecturally Significant Buildings") should be amended in scope

or procedure relative to the demolition of residential buildings, including, but not limited to, determining if the definition of "significant buildings" and/or the inventory of historic buildings is sufficient, and whether substantive or procedural alterations to the bylaw should be made in the interests of preserving historically and architecturally significant residences in Arlington; and to report back to the 2019 Annual Town Meeting, or earlier, with recommendations, including requesting any warrant articles necessary to further such recommendations in advance of same; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 4 HOME RULE LEGISLATION/PROPERTY TAX DEFERRALS

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation to raise the income limits, from the statutory maximum relating to the eligibility for property tax deferrals in Arlington, as provided in Chapter 59, Section 5, Clause 41A of the Massachusetts General Laws, as amended; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 5 HOME RULE LEGISLATION/MEANS-TESTED SENIOR TAX RELIEF

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation which would establish a locally controlled, means-tested senior citizen property tax exemption, known as a local option "circuit breaker" program; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 6 HOME RULE /PACKAGE STORE LICENSES

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation which would permit the placing on the 2019 Annual Town Election ballot a question to authorize the Board of Selectmen to increase the current number of all-alcohol "package store" licenses (all-alcohol beverages for consumption off the premises) from the current number of 5; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 7 HOME RULE LEGISLATION/BYLAWAMENDMENT: GENDER NEUTRAL LANGUAGE

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation to amend the Town Manager Act, and further to amend the Town Bylaws to change all gender specific pronouns in the Manager Act and throughout the Bylaws to gender neutral pronouns in a manner consistent with the Annual Town Meeting article to change the name "Board of Selectmen" to "the Select Board"; or take any action related thereto.

(Inserted by the Board of Selectmen)

Hereof, fail not, and make due return of the Warrant, with your doings thereon, to the Town Clerk, on or before said day and hour of meeting.

.... (SIGNED) (SIGNED)

....a True copy. JOSEPH A. CURRO, JR. SELECTMEN Attest: KEVIN F. GREELEY OF THE

KEVIN F. GREELEY
DIANE M. MAHON
DANIEL J. DUNN
OF

CLARISSA ROWE ARLINGTON

RICHARD BOYLE CONSTABLE