

**WARRANT
ANNUAL TOWN MEETING – APRIL 29, 2019
THE COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To any of the Constables of the Town of Carlisle in the County of Middlesex:

GREETINGS

IN THE NAME OF the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and Town affairs, to meet at the Corey Building at 83 Church Street in said Carlisle on Monday, April 29th next, at seven o'clock in the evening, and thereafter continuing from day to day until completed, then and there to act on the following Articles:

CONSENT AGENDA

In an effort to streamline Town Meeting and therefore to make it more inviting to voters, the Board of Selectmen has decided to continue with the concept of the Consent Agenda. This agenda speeds the passage of Articles that the Selectmen anticipate, in consultation with the Moderator and Finance Committee, are likely to generate no controversy and can be properly voted on without debate. The purpose of the Consent Agenda is to allow these Articles to be acted upon pursuant to a single motion, and to be passed without debate.

THE TOWN WILL BE ASKED TO APPROVE THE USE OF A CONSENT AGENDA UNDER ARTICLE 1.

Should the Town approve the use of a CONSENT AGENDA, the Selectmen have voted to recommend that the following Articles be acted upon under the Consent Agenda: Articles 2, 3, 4, 5, 6, 7, and 8. The Articles to be taken up under the Consent Agenda are indicated by a double asterisk (**).

At the call of the Consent Agenda, the Moderator will call out the numbers of the Articles, one by one. If one or more voters object to any particular Article being included in the Consent Agenda, please say the word "Hold" in a loud voice when the number is called. The Article will then be removed from the Consent Agenda and restored to its original place in the Warrant, to be debated and voted upon in the usual manner. After the calling of the individual Articles in the Consent Agenda, the Moderator will entertain

a SINGLE MOTION that all items remaining on the Consent Agenda be acted upon favorably by the voters.

Please carefully review the list of proposed Articles, which appears in the printed Warrant Book that is mailed to each home. If you have any questions about the Consent Agenda or procedure, please contact the Town Administrator at 978-371-6688 before Town Meeting.

ARTICLE 1 – Consent Agenda: To see if the Town will vote to adopt certain procedures to govern the conduct of the 2019 Annual Town Meeting, or to take any other action related thereto. (BOARD OF SELECTMEN)

ARTICLE 2 - Town Reports:** To hear and act upon the reports of Town Officers, Boards, Committees, Commissioners, and Trustees, or to take any other action related thereto. (BOARD OF SELECTMEN)

ARTICLE 3 - Salaries of Elected Officials **: To see if the Town will vote to fix the salaries of the elected officers of the Town, as provided by M.G.L. c. 41, §108, as amended, for the Fiscal Year 2020, beginning July 1, 2019, or to take any other action related thereto.

	Voted FY'18	Voted FY'19	Recommended FY'20
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Moderator	\$50	\$50	\$50
Town Clerk	\$61,949	\$63,188	\$64,452
Assessors -			
Chairman	\$100	\$100	\$100
Second Member	\$100	\$100	\$100
Third Member	\$100	\$100	\$100

(BOARD OF SELECTMEN/FINANCE COMMITTEE)

ARTICLE 4 – Actuarial Valuation of Post-Employment Benefits:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, the sum of \$3,000 to be spent by the Board of Selectmen for professional services in connection with GASB 45 actuarial valuation of post-employment benefits for the Town, or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

ARTICLE 5 – Real Estate Tax Exemption **: To see if the Town will vote to authorize the Board of Assessors, pursuant to M.G.L. c. 59, §5 (clause 41C), to grant an additional real estate tax exemption of up to one hundred percent (100 %) of the amount permitted by this statute, or to take any other action related thereto. (BOARD OF SELECTMEN/BOARD OF ASSESSORS)

ARTICLE 6 - FY 2020 Chapter 90 Authorization:** To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be used for reconstruction and improvements of public ways, as provided for under the provisions of M.G.L. c. 90, or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

ARTICLE 7 - Department Revolving Funds Authorization:** To see if the Town will vote to renumber and rename the Town Bylaw entitled “Establish Departmental Revolving Funds” by changing the number to Article XVII, and to change the title to “Revolving Funds”, and to set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2020, or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

ARTICLE 8 – PEG (Public, Educational, Government) Local Access Appropriation:** To see if the Town will vote to appropriate the sum of \$125,000 from the PEG (Public, Educational, Governmental) Local Access Receipts reserved for appropriation special revenue account for the purpose of providing local cable access services, equipment and programming for the Town of Carlisle, or to take any other action related thereto. (BOARD OF SELECTMEN)

ARTICLE 9 - Fiscal Year 2019 Budget Transfers: To see if the Town will vote to transfer sums of money into various line items of the Fiscal Year 2019 operating budget from other line items of said budget, from unexpended funds in various accounts or from other available funds, or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

Transfer From:

01129 Regional Housing Expense	\$10,000
01913 Unemployment Expense	\$35,000
Free Cash	\$100,000
TOTAL	\$145,000

Transfer To:

01423 Snow and Ice	\$50,000
01210 Police Salaries	\$50,000
01919 Blanket Insurance	\$25,000
01129 DEP Testing Services	\$20,000
TOTAL	\$145,000

ARTICLE 10 – FY20 Operating Budget: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to fund the various departments, boards, commissions, and operating expenses of the Town for the Fiscal Year 2020, beginning July 1, 2019, or to take any other action related thereto. (BOARD OF SELECTMEN/FINANCE COMMITTEE)

	<i>FY2019</i>	<i>FY2020</i>
<i>Department</i>	<i>Budget</i>	<i>Recommended</i>
General Government		
General Expense & Town Hall	819,515	825,079
Citizen Recognition	275	275
Treasurer	237,805	247,749
Town Clerk	101,295	104,928
Assessors	146,749	150,559
Planning Board	112,100	113,985
Energy Task Force	3,500	3,500
sub-total	1,421,239	1,446,075
Protection of Persons & Property		
Police	1,607,315	1,696,035
Fire	547,152	620,345
Communications	399,983	394,036
Conservation	133,168	144,147
Dog & animal control	15,274	15,274
Inspection services	37,114	38,183
Street Lighting	7,500	4,000
sub-total	2,747,506	2,912,020
Public Works		

DPW (incld trees)	776,872	795,312
	<i>FY2019</i>	<i>FY2020</i>
<i>Department</i>	<i>Budget</i>	<i>Recommended</i>
Snow & Ice	65,785	65,785
Transfer Station	264,684	264,852
Road maintenance	88,416	88,416
sub-total	1,195,757	1,214,365
Health & Human Services		
Youth Commission	3,783	3,859
Board of Health	108,030	111,619
Council on Aging	218,867	224,939
Veteran's Agent	11,600	11,600
sub-total	342,280	352,017
Education		
Carlisle public school	11,209,266	11,559,266
CCRSB (w/o debt)	6,226,667	6,577,045
CCRSB debt service	1,140,546	1,101,207
Vocational	104,568	129,249
sub-total	18,681,047	19,366,767
Culture & Recreation		
Library	626,269	637,231
Recreation	189,023	193,828
sub-total	815,292	831,059
Insurance & Fringe		
Blanket Insurance	220,000	240,000
Group Insurance & medicare	1,232,000	1,373,864
OPEB Trust	375,000	425,000
County Retirement	932,452	991,823
Unemployment insurance	50,000	50,000
sub-total	2,809,452	3,080,687
Unclassified		
Interest, fees, & costs	1,000	1,000
Public Celebrations	1,000	1,000
Reserve fund balance	150,000	150,000
sub-total	152,000	152,000

	<i>FY2019</i>	<i>FY2020</i>
<i>Department</i>	<i>Budget</i>	<i>Recommended</i>
Debt		
Debt Service	<u>1,645,816</u>	<u>1,516,928</u>
sub-total	1,645,816	1,516,928
Total Operating Budget	29,810,389	30,871,918

ARTICLE 11 – Special Appropriations: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be expended by the Board of Selectmen to conduct studies, provide services and facilitate projects for the following departments:

<u>Department</u>	<u>Amount</u>	<u>Purpose</u>
Council on Aging	\$8,500	Social Worker
Assessors	\$10,000	Assessors’ Maps updates
Treasurer/Accountant	\$3,500	Financial Consulting

or to take any other action related thereto. (BOARD OF SELECTMEN)

ARTICLE 12 – Funding for Town Master Plan - - \$160,000

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of \$160,000 to be expended by the Master Plan Steering Committee for the costs associated with the preparation of a Master Plan, including consultant services and ancillary Town costs associated with the preparation and presentation of the plan and the management of the planning process, or to take any other action related thereto.

(PLANNING BOARD)

ARTICLE 13 – Town of Carlisle Complete Streets and Crosswalk Safety Enhancements

To see if the Town will to vote to raise and appropriate, borrow, or transfer from available funds the sum of \$50,000 for the purpose of supplementing the funding for the “Complete Streets Project” and implementing crosswalk safety recommendations such as

those outlined in the Stamski & McNary engineering report titled “*Crosswalk Safety Enhancements*” report dated November 26, 2018, or to take any other action related thereto. (BOARD OF SELECTMEN)

ARTICLE 14 – CAPITAL EQUIPMENT: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum of money to be used for capital equipment, or take any other action related thereto. (LONG TERM CAPITAL REQUIREMENTS)

Long Term Capital Requirements

FY2020

Department	Project/Program	Amount	Appropriation Expires
A. Town Hall	Technology Upgrades	\$5,000	June 30, 2022
B. Carlisle Public School	Technology Replacements	\$80,000	June 30, 2022
C. Carlisle Public School	Simplex Fire Alarm System Upgrades	\$46,250	June 30, 2022
D. Carlisle Public School	Painting and Interior Finishes-Wilkins	\$15,778	June 30, 2022
E. Carlisle Public School	Ceiling replacement – Grant Building	\$10,610	June 30, 2022
F. Gleason Library	Technology	\$4,000	June 30, 2022
G. Gleason Library	Repairs and Service	\$5,000	June 30, 2022
H. Police	Computer replacement	\$8,000	June 30, 2022
I. Police	Cruiser	\$55,000	June 30, 2022
J. Police	Ballistic Vests	\$20,000	June 30, 2022
K. Fire	Computer replacements (3)	\$2,000	June 30, 2022
L. Fire	Protective clothing washer/dryer	\$20,275	June 30, 2022

M. Fire	Fire Gear locker	\$7,500	June 30, 2022
N. DPW	One-Ton Pick up Truck	\$45,000	June 30, 2022
O. DPW	Wood Chipper	\$48,000	June 30, 2022
	Totals:	372,413	

ARTICLE 15 - MUNICIPAL FACILITIES: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute the sum of \$392,610 for facilities maintenance and improvement projects to the: Town Hall, Fire Station, Police Station, and Department of Public Works facilities, all of which projects are expected to be completed by June 30, 2022, said projects may include, but shall not be limited to the following: (BOARD OF SELECTMEN/MUNICIPAL FACILITIES COMMITTEE)

Project	Estimated	Site	Note
A. Domestic hot water mixing valves	\$1,400	Police	Improve performance and energy efficiency.
B. Remove underground fuel tank for generator	\$50,000	Fire	Mandated by State law.
C. Replace salt shed	\$120,000	DPW	New bow shed with 50% more storage capacity.
D. Trailer for office/accessibility/break needs	\$120,000	DPW	More space and meets access and safety codes.
E. New Septic system	\$50,000	DPW	Current system in failure. New trailer will connect to new septic system.
Total for all projects:	\$341,400		
F. Contingency (15%) for all projects:	\$51,210		
Grand total with contingency:	\$392,610		

ARTICLE 16 – Fund Fuel Spill Remediation: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, the sum of \$100,000 to be expended by the Board of Selectmen for remediation related to a fuel tank removal at 80 Westford Street, or to take any other action related thereto. (MUNICIPAL FACILITIES COMMITTEE)

ARTICLE 17 – Police Station Renovation Project: To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, the sum of \$864,742 to be expended by the Board of Selectmen to design, construct, remodel, rehabilitate and/or modernize the Carlisle Police Station, provided, however, that this appropriation shall be contingent upon passage of a Proposition 2½ , debt exclusion referendum under M.G.L. c.59, §21C(k) to exempt the amounts required for the payment of interest and principal on said borrowing, or to take any action related thereto. (MUNICIPAL FACILITIES COMMITTEE)

ARTICLE 18 – Amend the Carlisle Zoning Bylaws re: Ban Commercial Marijuana Sales:

To see if the Town will vote to amend the Zoning Bylaw as follows; provided, however, that the amendment shall be contingent on a majority vote pursuant to M.G.L. c.94G, §3(e), to accept the amendment set forth herein at the upcoming Town election:

1. By deleting Section 5.11 of the Zoning Bylaw in its entirety and inserting, in place thereof, a new Section 5.11 as follows:

5.11 Marijuana Establishments

5.11.1 Definitions

Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, whether as a principal use, or as an accessory use, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a Medical Marijuana Treatment Center shall not be deemed to be a Marijuana Establishment.

5.11.2 Prohibition

All types of Marijuana Establishments, including Marijuana Establishments collocated with a Medical Marijuana Treatment Center, shall be prohibited in the Town of Carlisle.

or take any action related thereto.

ARTICLE 19 – Amend the Carlisle Zoning Bylaws re: Establish requirements and restrictions on siting and operating recreational marijuana facilities

PROHIBITION ON ALL ADULT USE MARIJUANA ESTABLISHMENTS EXCEPT CULTIVATION AND CRAFT COOPERATIVE ESTABLISHMENTS

To see if the Town will vote to amend the Zoning Bylaw as follows:

1. The amendments set forth in this subpart shall be contingent on Town Meeting or the majority of voters at the upcoming Town election, or both, disapproving the Zoning Bylaw amendment appearing as Article 18 on the Warrant for the 2019 Annual Town Meeting that would have prohibited the operation of all Marijuana Establishments within Town:

A. By adding a new Section 3.3.2.10 to Section 3.3.2, Uses Permissible on Special Permit in Business District other than Carlisle Center Business District, as follows:

Permitted Marijuana Establishment (PME), as defined in Section 5.11.

B. By deleting Section 5.11 of the Zoning Bylaw in its entirety and inserting, in place thereof, a new Section 5.11 as follows:

5.11 Permitted Marijuana Establishments

5.11.1 Purpose

- 5.11.1.1 To prohibit the siting of certain types of Marijuana Establishments that would have adverse impacts in the Town;
- 5.11.1.2 To provide for the establishment of Permitted Marijuana Establishments (PMEs) in appropriate locations within the Town;
- 5.11.1.3 To minimize the adverse impacts associated with PME's on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with PME's; and
- 5.11.1.4 To regulate the siting, design, placement, security, safety, monitoring, and discontinuance of PME's.

5.11.2 Definitions

In addition to the definitions provided below, the definitions in Section 5.10.1 shall apply equally to this Section 5.11.

Craft Marijuana Cooperative: A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth, and licensed pursuant to M.G.L. c.94G and 935 CMR 500, *et seq.*, to cultivate, obtain, manufacture, process, package or brand cannabis or Marijuana products or to transport Marijuana to Marijuana Establishments, but not to consumers.

Marijuana Cultivator: An entity licensed pursuant to M.G.L. c.94G and 935 CMR 500, *et seq.*, to cultivate, process and package Marijuana, and to transfer Marijuana to other Marijuana Establishments, but not to consumers.

Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, whether as a principal use, or as an accessory or incidental use thereto, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a Medical Marijuana Treatment Center (RMD) shall not be deemed to be a Marijuana Establishment.

Special Permit Granting Authority: The Town board charged with the responsibility for granting special permits for PME's shall be the Carlisle Planning Board ("Planning Board"). The Planning Board may convene an ad hoc committee to assist it in reviewing an application for a PME.

5.11.3 Applicability

- 5.11.3.1 All types of Marijuana Establishments and the commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana is prohibited, unless permitted as an RMD in accordance with Section 5.10 or as a PME in accordance with this Section 5.11.
- 5.11.3.2 No PME shall be established except in compliance with the provisions of this Section 5.11. An RMD seeking to operate as a PME or collocate with a PME shall obtain a new special permit prior to operating as a PME.
- 5.11.3.3 Nothing in this Section 5.11 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

- 5.11.3.4 If any provision of this Section 5.11 or the application of such provisions to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to thus the provisions of this Section are severable.
- 5.11.3.5 PME's are allowed only in a Business District other than the Carlisle Center Business District, by a special permit granted by the Planning Board, provided the PME's meets the requirements of this Section 5.11.
- 5.11.3.6 The granting of a special permit under this Section does not supersede federal, state or local laws or exempt an applicant from complying with all relevant federal, state and local requirements.

5.11.4 General Requirements and Conditions for all PME's

- 5.11.4.1 No PME's shall be located within a building or structure having a gross floor area of more than 20,000 s.f.
- 5.11.4.2 A PME shall not be located within 1,000 feet of any: (i) school or licensed child care facility; (ii) drug or alcohol rehabilitation facility; (iii) correctional facility, half-way house, or similar facility; (iv) public playground, public athletic field or other public recreational land or facility; (v) religious facility; or (vi) any other PME. Distances shall be calculated by direct measurement from the nearest property line of the land used for school or child care establishment or places where minors frequent to the nearest point of the building in which the PME is located.
- 5.11.4.3 Cultivation and storage of Marijuana shall be in a secure, locked area. There shall be no visibility of activities, products or treatment occurring within or on the premises of a PME from the exterior of such facility or premises.
- 5.11.4.4 PME's shall have a designated contact for purposes of communicating with the Town, and shall provide the Carlisle Police Department and the Building Commissioner with the name, phone numbers and email address of said contact, along with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment. The special

permit shall require as a condition that a designated contact person for the PME shall be required to respond by phone or email within twenty-four hours of the time of contact and inquiry by a town official regarding operation of the PME.

- 5.11.4.5 The PME shall annually file an affidavit with the Building Commissioner demonstrating that it is in good standing with respect to all applicable state licenses and all conditions contained in the special permit.
- 5.11.4.6 The applicant shall hold a Community Outreach Meeting in accordance with the Cannabis Control Commission's regulations and guidance, prior to submission of its application for a special permit.
- 5.11.4.7 All PMEs shall execute a Host Community Agreement with the Town, pursuant to M.G.L. c.94G, §3. An RMD seeking to operate or collocate with a PME shall demonstrate that its existing or amended Host Community Agreement permits operation as a PME, otherwise a new Host Community Agreement shall be executed. All special permits granted pursuant to this Section shall include a condition requiring the PME to comply with the terms of the Host Community Agreement and establish that any violation of the Host Community Agreement shall constitute a violation of the special permit.
- 5.11.4.8 All special permits granted pursuant to this Section shall include a condition requiring the PME to maintain its State issued license or registration in good standing at all times and establish that any suspension or revocation of such license or permit by the Massachusetts Cannabis Control Commission shall constitute a violation of the special permit.
- 5.11.4.9 The term of the special permit shall be determined by the Planning Board but shall be limited to the duration of the applicant's ownership of, or tenancy at, the premises and shall not be transferable. The special permit shall lapse if not exercised within one year of issuance.
- 5.11.4.10 The hours of operation of PMEs shall be set by the Planning Board. In no event shall a PME be open and/or operating between the hours of 8:00 p.m. and 8:00 a.m.

- 5.11.4.11 No smoking, burning or consumption of any product containing Marijuana or Marijuana-related products shall be permitted on the premises of a PME.

5.11.5 Special Permit Procedures

- 5.11.5.1 Pre-Application Conference. Applicants are strongly encouraged to meet with the Planning Board at a public meeting to discuss the proposed application for a new PME and to discuss in general terms the proposed PME prior to the formal submission of an application.

- 5.11.5.2 Application, Review and Recommendations. An Applicant seeking a special permit under this section shall file a written application and submit a site plan to the Planning Board, furnishing a copy to the Town Clerk. The Planning Board shall promulgate or amend Rules and Regulations Regarding Special Permits for Permitted Marijuana Establishments (“Rules and Regulations”), which shall be consistent with this Section 5.11 of the Zoning Bylaw. The Rules and Regulations shall further detail the required contents of the application and the process for review of the special permit application. The application shall be submitted in accordance with the requirements of said Rules and Regulations. The applicant shall be required to pay such fees, as determined by the Planning Board, as are necessary to cover any expenses connected with a public hearing and review of the application, including but not limited to the costs of all notices and the employment of outside consultants. Copies of the application shall also be submitted to the Board of Selectmen, the Board of Health, Police Department, and contingent upon their respective jurisdictions over the site, to the Conservation Commission and /or Historical Commission. The foregoing agencies may make recommendations as they deem appropriate and shall send copies thereof to the Planning Board and the applicant; provided that failure of any such agency to make recommendations within thirty five (35) days of receipt by said agency of the application shall be deemed lack of opposition thereto.

- 5.11.5.3 The application and each copy shall meet the application requirements for a special permit per Section 7.2 and as may be adopted by the Planning Board, and should include, at a minimum, the following information:

- 5.11.5.3.1 The name and address of each owner of the PME;
- 5.11.5.3.2 A copy of the Community Outreach Meeting Attestation Form;
- 5.11.5.3.3 Copy of a Host Community Agreement executed pursuant to M.G.L. c.94G, §3;
- 5.11.5.4.4 Copies of any licenses and permits for the PME issued to the applicant by the Commonwealth of Massachusetts and any of its agencies, as well as a letter explaining the status of any pending license applications with the Cannabis Control Commission;
- 5.11.5.4.5 Evidence that the applicant has site control and the right to use the site for a PME in the form of a deed or valid purchase and sale agreement, or, in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement;
- 5.11.5.3.6 In addition to what is normally required in a site plan, details showing all exterior proposed security measures for the premises, including, but not limited to lighting, fencing, gates and alarms to ensure the safety of employees and patrons and to protect the premises from theft or other criminal activity;
- 5.11.5.3.7 A Management Plan including a description of all activities to occur on site, including all provisions for the delivery of Marijuana and related products;
- 5.11.5.3.8 Detailed information on the proposed water use and impacts on ground water;
- 5.11.5.3.9 An Odor Mitigation Plan;
- 5.11.5.3.10 A traffic impact statement; and
- 5.11.5.3.11 A Parking Plan.

5.11.6 Notice and Hearing

The Planning Board shall give notice, in a manner provided by Chapter 40A of the General Laws, as amended, of a public hearing to be held within sixty-five (65) days after filing of the application and shall act within ninety (90) days

following the public hearing. Failure of the Planning Board to take action within said 90 days shall be deemed to be a grant of the permit applied for.

5.11.7 Approval and Findings

A special permit may be issued under this section only if the Planning Board finds that the project is in harmony with the general purpose and intent of this Section. Prior to the issuance of a special permit, the Planning Board shall make the following findings:

- 5.11.7.1 The PME satisfies the requirements of the zoning bylaw;
- 5.11.7.2 The PME meets all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations;
- 5.11.7.3 The PME is designed to minimize any adverse impacts on the residents of the Town with regard to the general safety, welfare, and quality of life in the community (such as, but not limited to, attractive nuisance and noise);
- 5.11.7.4 All Marijuana stored, processed, or cultivated shall be adequately secured in locked areas within the PME; and
- 5.11.7.5 The PME adequately addresses issues of vehicular and pedestrian traffic, circulation, parking and queuing, especially during peak periods at the facility, and adequately mitigates the impacts of vehicular and pedestrian traffic on neighboring uses.

5.11.8 Abandonment or Discontinuance of Use

A PME shall be required to remove all material, plants equipment and other paraphernalia prior to surrendering its state issued licenses or permits or within six months of ceasing operations, whichever comes first.

C. By inserting the words “Section #5.11 (Permitted Marijuana Establishments),” to the second paragraph in Section 7.2, in the appropriate numerical order.

2. The amendment outlined in this subpart shall be contingent on: (1) Town Meeting or the majority of voters at the upcoming Town election, or both, disapproving the Zoning Bylaw amendment appearing as Article 18 on the Warrant for the 2019 Annual Town Meeting that would have prohibited the operation of all Marijuana

Establishments within Town and (2) pursuant to M.G.L. c.94G, §3(e), a majority vote to approve the amendment outlined in this subpart at the upcoming Town election:

- A. By inserting a new definition into Section 5.11.2, as proposed in subpart 2, above, in appropriate alphabetical order as follows:

Permitted Marijuana Establishment (PME): A Craft Marijuana Cooperative or a Marijuana Cultivator.

Or take any acts related thereto. (PLANNING BOARD)

ARTICLE 20 – Amend the Carlisle Zoning Bylaws re: Medical Marijuana Medical Marijuana Bylaw Amendments

To see if the Town will vote to amend the Zoning Bylaw as follows:

1. By deleting the definition of “Medical Marijuana Treatment Center” and “RMD” from Section 5.10.1 in its entirety and inserting, in place thereof, a new definition as following:

“Medical Marijuana Treatment Center,” “Registered Marijuana Dispensary,” or “RMD”: An entity formerly and validly registered under 105 CMR 725.000: *Implementation of an Act for the Humanitarian Medical Use of Marijuana* or currently and validly registered under 935 CMR 501.100, 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.

2. By deleting from the definition of “Marijuana for Medical Use” in Section 5.10.1, the numbers and phrase “105 CMR” in its entirety and inserting, in place thereof, the numbers “935 CMR 501”, so that the section will read as follows:

Marijuana that is designated and restricted for use, by and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as defined by 935 CMR 501.

3. By deleting the definition of “Marijuana” in Section 5.10.1 in its entirety and inserting, in place thereof, a new definition as follows:

“Marijuana”: The substance as defined as “marijuana or cannabis” by 935 CMR 501.003, a product infused with marijuana (“Marijuana-Infused Products” (MIPs)) that is intended for use or consumption including, but not limited to, edible products, ointments, aerosols, oils, and tinctures, except where context clearly indicates otherwise.

4. By deleting Section 5.10.4.9 in its entirety and inserting, in place thereof, a new Section 5.10.4.9 as follows:

Section 5.10.4.9 All special permits granted pursuant to this Section shall include a condition requiring the RMD to maintain its State issued license or registration in good standing at all times, and establish that any suspension or revocation of a license by the Massachusetts Cannabis Control Commission shall constitute a violation of the special permit.

5. By inserting after the words “MA Department of Public Health” in Section 5.10.4.13, the words “or Cannabis Control Commission”, so that the section will read as follows:

In addition to signage required by law and/or as a condition of the special permit, a sign with the following language shall be posted at a conspicuous location at the public entrance to the RMD: “Registration card issued by the MA Department of Public Health or Cannabis Control Commission required.” The required text shall be a minimum of two inches in height.

6. By adding a new Section 5.10.4.15, as follows:

All RMDs shall execute a Host Community Agreement with the Town, pursuant to M.G.L. c.94G, §3. If a Marijuana Establishment permitted to operate pursuant to M.G.L. c.94G, seeks to collocate with an RMD, the applicant shall demonstrate that its existing or amended Host Community Agreement permits operation as an RMD, otherwise a new Host Community Agreement must be executed. All special permits granted pursuant to this Section shall include a condition requiring the RMD to comply with the terms of the Host Community Agreement and establish that any violation of the Host Community Agreement shall constitute a violation of the special permit.

7. By deleting Section 5.10.5.3.2 in its entirety and inserting, in place thereof, a new section 5.10.5.3.2 as follows:

5.10.5.3.2 Copies of any licenses and permits for the RMD issued to the applicant by the Commonwealth of Massachusetts and any of its agencies, as well as a letter explaining the status of any pending license applications with the Cannabis Control Commission;

8. By adding after Section 5.10.5.3.5, three new sections as follows:

5.10.5.3.6 Copy of a Host Community Agreement executed pursuant to M.G.L. c.94G, §3;

5.10.5.3.7 Detailed information on the proposed water use and impacts on ground water;

5.10.5.3.8 An Odor Mitigation Plan;

5.10.5.3.9 A traffic impact statement; and

5.10.5.3.10 Parking plan.

9. By deleting the word “shall” after the words “special permit” in Section 5.10.7, Approval and Findings, and inserting, in place thereof, the word “may”, so that Section 5.10.7 will read as follows:

A special permit may be issued under this section only if the Planning Board finds that the project is in harmony with the general purpose and intent of this Section. Prior to the issuance of a special permit, the Planning Board shall make the following findings:

or to take any action related thereto. (PLANNING BOARD)

ARTICLE 21 - Public Safety Communications Equipment Tower Lease: To see if the Town will vote to authorize the Board of Selectmen to execute one or more leases for space on wireless communication towers and associated ground space to permit the Town to install, maintain, and operate thereon public safety communication equipment, to be leased to the Town for periods for up to thirty years upon such terms and conditions as determined the Board of Selectmen, or to take any other action related thereto. (BOARD OF SELECTMEN)

ARTICLE 22 – CPA Annual Recommendations: To see if the Town will vote to act on the report of the Community Preservation Committee and to appropriate or reserve for later appropriation monies from the Community Preservation Fund annual revenues or available funds and to authorize the Board of Selectmen and Conservation Commission to enter into all agreements and execute any and all instruments necessary to acquire, convey, or accept as the case may be, appropriate historic preservation restrictions for historic resources and conservation restrictions for open space, in accordance with Chapter 184 of the General Laws, to be in compliance with the requirements of Chapter 44B, Section 12 of the General Laws of the Commonwealth, and to take any other action related thereto. (COMMUNITY PRESERVATION COMMITTEE)

I move that the Community Preservation Committee recommendations for transfers and expenditures for Fiscal Year 2020 be approved as follows:

Motion 1 – FY '20 CPA APPROPRIATIONS:

That the following amounts be appropriated from the Fiscal Year 2020 Community Preservation Fund estimated revenues to the Community Preservation Fund accounts as follows:

- a. Fifty-Four Thousand Five Hundred Dollars (\$54,500) be appropriated to the Community Housing Reserve Fund.
- b. Fifty-Four Thousand Five Hundred Dollars (\$54,500) be appropriated to the Historic Reserve Fund.
- c. Fifty-Four Thousand Five Hundred Dollars (\$54,500) be appropriated to the Open Space Reserve Fund.
- d. Twenty Thousand Dollars (\$20,000) be appropriated for Administrative Expenses.
- e. Three Hundred Sixty-one Thousand Five Hundred Dollars (\$361,500) be appropriated to the fiscal year 2020 Community Preservation Budget Reserve account.

Motion 2 – (FY '19)

That Sixteen Thousand Five Hundred Seventy-One Dollars (\$16,571) be appropriated effective immediately after Town Meeting vote from the Historic Reserve Fund to the Carlisle Town Clerk for the restoration and preservation of certain Town of Carlisle records and documents dating between 1754 and 1935 and determined by the Carlisle Historical Commission to be significant in the history of the town, and that such sums may be expended by the Carlisle Town Clerk pursuant to the terms of the Town of Carlisle Community Preservation Grant Agreement #2019-001, and further that any portion of such sums not expended by June 30, 2022 shall be returned to the Community Preservation Historic Reserve Fund.

Motion 3 – (FY '19)

That Fifteen Thousand Dollars (\$15,000) be appropriated effective immediately after Town Meeting vote from the Open Space Reserve Fund to the Carlisle Trails Committee for the restoration and construction of trails throughout the Carlisle, and that such sums may be expended by the Carlisle Trails Committee pursuant to the terms of the Town of Carlisle Community Preservation Grant Agreement #2019-002, and further that any portion of such sums not expended by June 30, 2024 shall be returned to the Community Preservation Open Space Reserve Fund.

Motion 4 – (FY '19)

That Nine Thousand Dollars (\$9,000) be appropriated effective immediately after Town Meeting vote from the Community Preservation Committee Administrative Expenses to the Carlisle Community Preservation Committee and the Carlisle Conservation Commission for the creation of the 2020 Open Space and Recreation Plan, and that such sums may be expended by the Carlisle Community Preservation Committee and the Carlisle Conservation Commission pursuant to the terms of the Town of Carlisle Community Preservation Grant Agreement #2019-003, and further that any portion of such sums not expended by June 30, 2021 shall be returned to the Community Preservation Committee Administrative Expenses.

Motion 5 – (FY '19)

That Three Hundred Thousand Dollars (\$300,000) be appropriated effective immediately after Town Meeting vote from the Historic Reserve Fund and/or Undesignated Funds to the Carlisle Conservation Commission for the restoration of the Greenough Dam, and that such sums may be expended by the Carlisle Conservation Commission pursuant to the terms of the Town of Carlisle

Community Preservation Grant Agreement #2019-004, and further that any portion of such sums not expended by June 30, 2022 shall be returned to the Community Preservation Historic Reserve Fund and/or Undesignated Funds, as appropriate.

ARTICLE 23 – Amend the Carlisle Zoning Bylaws re: Section 5.12, Residential Open Space Community

To see if the Town will vote to amend the Zoning Bylaws as follows:

1. By amending Section 5.12.4.8 to read as follows:

That the Open Space does not include any residential structures or any appurtenant structures such as carports, septic systems, driveways or parking, other than those which the Planning Board may allow under #5.12.4.7 above; ~~provided~~ providing, however, that the Open Space may include drinking water wells and ~~appurtenant~~ appurtenant piping and electrical service appurtenant to the Residential Open Space Community, and any piping, electrical service, access, and/or other infrastructure related to a public water supply of the Town of Carlisle, which may have a source located on another lot or lots and serve other property within the Town.

2. By amending Section 5.12.4.9 to read as follows:

That the Open Space shall be conveyed to the Town of Carlisle for the park or open space use or conveyed to a non-profit organization the principal purpose of which is the conservation of open space, or conveyed to a corporation or trust composed of the owners of units within the Residential Open Space Community. In the case where such land is not conveyed to the Town, the Board must find that beneficial rights in said Open Space shall be deeded to the owners, and a permanent restriction enforceable by the Town pursuant to M.G.L. Ch. 184, Section 32, providing that such land shall be kept in open or natural state, subject to the exceptions provided for in Section 5.12.4.8, shall be recorded at the Middlesex North District Registry of Deeds. Nothing contained in this section shall be construed to prohibit the installation and maintenance of the private and/or public utilities and infrastructure allowed under Section 5.12.4.8, and all instruments of conveyance or conservation restriction, regardless of the recipient or holder, shall specifically authorize said utilities and infrastructure within the Open Space.

3. By amending Section 5.12.6.3 to read as follows:

Upon receipt of an application, the Board shall provide notice of same to the ~~Carlisle Affordable Housing Trust~~ ~~Housing Authority~~ and provide them with the opportunity within the public hearing to propose to the applicant affordability options for a unit or units. The Board shall also provide notice to the Council on Aging and provide them the opportunity within the public hearing to propose to the applicant senior-friendly modifications to a unit or units.

or to take any other action related thereto. (PLANNING BOARD)

ARTICLE 24 – Amend the Carlisle Zoning Bylaws – Section 5.8, Revisions to Solar District: To see if the Town will vote to amend the General Bylaws as follows:

1. By amending Section 5.8.7 to read as follows:

5.8.7 Large Scale Ground-Mounted Solar Photovoltaic Facility. The Solar Photovoltaic Facility Overlay District shall consist of an area of (1) approximately 7 acres comprised of Assessor’s Map 21 Parcels 10 & 11 and a 200 ft x 200 ft portion of Map 20 Parcel 1 along its boundaries with Map 21 Parcels 10 & 9, and (2) Assessor’s Map 14 Parcels 29, 30, 31, and the portion of Parcel 28 that is within 800 feet of School Street, which shall be shown on a map entitled “Property Maps, Carlisle, Massachusetts.” The location of the renewable energy generation facilities in the form of a Large-Scale Ground-Mounted Solar Photovoltaic Facility shall be permitted as of right in this district.

2. By amending Section 5.8.10 to read as follows:

5.8.10 Dimensional and Other Requirements. The height of all structures comprising a Ground-Mounted Solar Photovoltaic Facility shall not exceed 12 feet above the pre-existing natural grade; provided, however, that the height of a canopy-style Large-Scale Ground-Mounted Solar Photovoltaic Facility located within the Solar Photovoltaic Facility Overlay District shall not exceed 25 feet.

3. By amending Section 5.8.10.1 to read as follows:

5.8.10.1 For an Accessory or Intermediate Ground-Mounted Solar Photovoltaic Facility, all setbacks from lots lines shall be at least 40 feet, unless the abutting lot is owned by the same entity. The Planning Board may require, as a condition of a site plan approval, larger setbacks where appropriate for screening provided, however, that such larger setbacks shall not have the effect of rendering an Accessory Ground-Mounted Solar Photovoltaic Facility infeasible.

4. By amending Section 5.8.10.2 to read as follows:

5.8.10.2 For a Large-Scale Ground-Mounted Solar Photovoltaic Facility, all setbacks from lots lines shall be at least 40 feet, unless the abutting lot is owned by the same entity. As part of Site Plan Review, the Planning Board may require larger setbacks if appropriate for screening, provided, however, that such larger setbacks shall not have the effect of rendering a Large-Scale Ground-Mounted Solar Photovoltaic Facility infeasible.

or to take any action related thereto. (BOARD OF SELECTMEN/SCHOOL COMMITTEE)

ARTICLE 25 – Authorize solar facility lease(s), PILOT Agreements, easements for Transfer Station and CPS parking lot: To see if the Town will authorize the Board of Selectmen and the School Committee to take the following actions, with respect to parking lot solar canopy facility projects on parcels of land under their control:

1. To authorize the Board of Selectmen to lease approximately 35,000 square feet, plus or minus, of a portion of Town land located at 59 Morse Road, for a maximum of twenty (20) years, upon such terms and conditions as are acceptable to the Board of Selectmen, to a solar energy provider for the purposes of constructing, maintaining, and operating a parking lot solar canopy facility on the property, and further to enter into a Solar Power Purchase Agreement and to authorize the Board of Selectmen and Board of Assessors to negotiate and execute a structured tax agreement pursuant to Chapter 59, Section 38H of the General Laws with the owner of the parking lot solar canopy facility.
2. To authorize the Board of Selectmen to grant an easement to Eversource to install, maintain, operate, repair, reinstall, or replace utility pole lines and a substation for three phase power for a parking lot solar canopy facility installation at the Carlisle Transfer Station located at 59 Morse Road.
3. To authorize the School Committee to lease approximately 35,000 square feet, plus or minus, of a portion of Town land located at 83 School Street, for a maximum of twenty (20) years, upon such terms and conditions as are acceptable to the Board of Selectmen, to a solar energy provider for the purposes of constructing, maintaining, and operating a parking lot solar canopy facility on the property, and further to enter into a Solar Power Purchase Agreement, and to authorize the Board of Selectmen and Board of Assessors to negotiate and execute a structured tax agreement pursuant to Chapter 59, Section 38H of the General Laws with the owner of the parking lot solar canopy facility.
4. To authorize the School Committee to grant an easement to Eversource to install, maintain, operate, repair, reinstall, or replace utility pole lines and a substation for

three phase power for a parking lot solar canopy facility installation at the Carlisle Public School located at 83 School Street.

or to take any action related thereto. (BOARD OF SELECTMEN/SCHOOL COMMITTEE)

ARTICLE 26 – SCHOOL PARKING LOT RESURFACING PROJECT: To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow the sum of \$250,000 to resurface the Carlisle Public School parking lot, and further, to authorize the Board of Selectmen to enter into a contract or contracts, for said purpose, or to take any other action related thereto. (BOARD OF SELECTMEN)

ARTICLE 27 – Amend General Bylaws - new section re: Right to Farm bylaw: To see if the Town will vote to amend the General Bylaws by adding a new “Right to Farm” bylaw as follows:

Article ____ RIGHT TO FARM

___.1 Legislative Purpose and Intent

The purpose and intent of this By-law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97 of the Constitution, and all state statutes and regulations thereunder including, but not limited to, Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9; Chapter 111, Section 125A; and Chapter 128 Section 1A. We the citizens of Carlisle restate and republish these rights pursuant to the Town’s authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution (“Home Rule Amendment”).

This General By-law encourages the pursuit of agriculture, promotes agriculture-based economic opportunities, and protects farmlands within the Town of Carlisle by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-law shall apply to all jurisdictional areas within the Town.

___.2 Definitions

The word "farm" shall include any parcel or contiguous parcels of land or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to, the following:

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

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

“Farming” shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators, and disease organism of plants and animals;
- application of manure, fertilizers, and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer’s market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

.3 Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Carlisle. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply to agricultural and farming operations as described in the Massachusetts Constitution and General Laws noted in Section 1 of this document. Furthermore, nothing in this Right to Farm By-law shall be deemed as acquiring any interest in land or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

____.4 Disclosure Notification

Within 30 days after this By-law becomes effective, the Board of Selectmen shall post the following disclosure on the official bulletin board and website of the Town, at any other location at its discretion, and make such disclosure available for distribution upon request in the offices of the Board of Selectmen, Board of Assessors, and the Town Clerk.

“It is the policy of Town of Carlisle to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lays within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations including the ability to access water services for such property under certain circumstances.”

____.5 Resolution of Disputes

Any person having a complaint about a farm or farming activity or practice is encouraged to seek an amicable solution through resolution directly with the owner or operator of the farm at issue. Such person may also, notwithstanding the pursuit of other available remedies, file such a complaint with the Board of Selectmen. The Board of Selectmen may, at its sole discretion and to the extent the Board believes resolution of the matter may be facilitated by involvement of the Town, forward the complaint to the Agriculture Commission, or other appropriate board or officer, and request that recommendations for resolution be provided within an agreed upon timeframe. Notwithstanding any other provision of this section, however, the Board of Selectmen shall not be required to forward a complaint filed in accordance herewith or to take any other action.

____.6 Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Carlisle hereby declares the provisions of this By-law to be severable.

or to take any action related thereto. (AGRICULTURAL COMMISSION)

ARTICLE 28 – Accept MGL Ch. 140, s. 139, no dog license fee for residents over age 70:

To see if the Town will vote to accept the provisions of Chapter 140, Section 139 of the Massachusetts General Laws to permit the Town to waive dog license fees for residents over the age of 70, or to take any action related thereto. (BOARD OF SELECTMEN)

ARTICLE 29 – Amend General Bylaws – Section 12.1, add to list of scenic roads:

To see if the Town will vote to amend the General Bylaws by adding the following streets and roads to the list of scenic roads provided in Section 12.1:

Rockland Road
Stearns Street

or to take any action related thereto. (PLANNING BOARD)

ARTICLE 30 – Funding for Spalding Field Study - \$20K:

To see if the Town will vote to raise and appropriate up to \$20,000, to be expended by the Board of Selectman, for an architectural and engineering study of Spalding Field for the purpose of planning future recreational use by the School and the Town. The study would conduct soil cores and test pits to test issues related to drainage; architect an undersurface drainage system; assess the risk of finding hazardous materials left from prior use of the site; scope any needs for variances or other permitting issues related to new field construction; make recommendations related to field configuration, solar orientation, use, and maintenance plans; make recommendations for tree and foliage setbacks for solar coverage; recommend variations of grass, clay, or other materials; and assess the suitability of the site, or some portion thereof, for artificial turf, or to take any action related thereto. (RECREATION COMMISSION)

ARTICLE 31 – Concord-Carlisle Regional School District Capital Project:

To determine whether the Town will vote to approve the \$1,785,618 debt authorized by the Concord-Carlisle Regional School Committee for the reconstruction of the access road and the design and construction of the parking lot at the District's High School; *provided, however, that this approval shall be contingent upon passage of a Proposition 2½, debt exclusion referendum under M.G.L. c.59, §21C(k), to exempt the Town's allocable share of the amounts required for the payment of interest and principal on said borrowing*; or take any other action related thereto. (BOARD OF SELECTMEN)

ARTICLE 32 – Vote to dissolve Carlisle Housing Authority

To see if the Town will vote to dissolve the Carlisle Housing Authority in accordance with M.G.L. c. 121B, §3, or take any other action related thereto. (CARLISLE HOUSING AUTHORITY)

ARTICLE 33 - Amend General Bylaws – Section 3.26, change designation from Housing Authority to Affordable Housing Trust:

To see if the Town will vote to amend Section 3.26.2 of the General Bylaws to read as follows:

The Community Preservation Committee shall be appointed by the Board of Selectmen and consist of one member each from the:

Conservation Commission as designated by the Commission, Historical Commission as designated by the Commission, and Planning Board as designated by the Planning Board for an initial term of three years,

Recreation Commission as designated by the Commission, and Affordable Housing Authority Trust as designated by the Authority Trust (provided that this appointee shall be a Trustee not also serving on the board of Selectmen), for an initial term of two years and thereafter for a term of three years.

Board of Selectmen is designated by the Board, and one community member, appointed for an initial term of one year and thereafter for a term of three years.

or to take any other action related thereto. (Board of Selectmen)

ARTICLE 34 – Citizen Petition re: Easement from Town for nitrogen loading credits

To determine whether the Town will vote to authorize the Board of Selectmen to provide a Grant of Title 5 Nitrogen Loading Restriction and Easement on Nitrogen Credit Land (“the Grant”) on terms and conditions, including payment thereof, either directly or by a gift/donation for conservation, Town park maintenance or related purposes, in the form of acceptable to the Board of Selectmen over a parcel of land owned by the Town on Lowell Road and shown as Parcel 42 on Map 22 of the Assessors’ Maps for the benefit of the property abutting said parcel 42 and known and numbered as 21-23 Bedford Road (“the Facility Land”) for the purposes of providing Nitrogen Loading Credits thereto and , in connection therewith to take such other and further action associated therewith and to execute such other and further documentation as may be required by the Carlisle Board of Health and/or the MA Department of Environmental Protection incident to such Grant, or take any other action related thereto. (CITIZEN PETITION)

ARTICLE 35 – Citizens’ Petition to Amend General Bylaws Section 10.1: To see if the Town will vote to amend Section 10.1 of the General Bylaws of the Town of Carlisle by deleting said Section in its entirety and inserting in its place the following:

10.1 Firearms, Explosives and Hunting

10.1.1 No person shall fire or discharge any firearms or explosives of any kind within the limits of any highway, park or other public property, except with the written permission of the Board of Selectmen, or such other town officer or officers as they may designate from time to time.

10.1.2 No person shall hunt within the limits of any highway, park, or other town-owned land.

10.1.3 No person shall hunt, fire or discharge any firearm or explosive on any private property except with the written consent of the owner or legal occupant thereof, said written permission must be carried upon the person.

10.1.4 This bylaw shall not apply to the lawful defense of life or property, or to any law enforcement officer acting in the discharge of the officer's duties.

10.1.5 The word "hunt" shall have the meaning and rule of construction as defined in Massachusetts General Laws Chapter 131 Section 1.

10.1.6 Any provision of this bylaw, and any order of the Board of Selectmen, the violation of which is subject to a specific monetary fine or penalty, may, in the discretion of the town official who is the enforcing person and as an alternative to criminal proceedings, be enforced in the manner provided in Section 21D of Chapter 40 of the Massachusetts General Laws. The term "enforcing person" shall mean any police officer of the Town.

or to take any action related thereto. (CITIZENS’ PETITION)

And in the name of the Commonwealth of Massachusetts you are hereby further required to notify and warn the inhabitants of the Town of Carlisle, qualified as aforesaid, to go to Carlisle Town Hall at 66 Westford Street in said Carlisle on Tuesday, the 7th day of May, 2019 between the hours of seven o’clock forenoon and eight o’clock in the afternoon and there to vote on the following:

TOWN ELECTION

7:00 A.M. TO 8:00 P.M.

ELECTION OF OFFICERS – To see if the Town will vote on the election of the following Town Officers:

Moderator	one for a term of one year
Selectmen	two for a term of three years
Board of Assessors	one for a term of three years
Board of Health	two for a term of three years
Library Trustees	one for a term of three years
Planning Board	three for a term of three years
School Committee	two for a term of three years
Housing Authority	one for a term of five years
Housing Authority	one for a term of two years
Housing Authority	one for a term of one year

DEBT EXCLUSION QUESTION

M.G.L. C. 59, §21C(k)

Question 1: Shall the Town of Carlisle be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay the Town’s allocable share of the bond issued by the Concord-Carlisle Regional School District for improvements including the reconstruction of the access road and designing and constructing a new parking lot?

YES _____ NO _____

Question 2: Shall the Town of Carlisle be allowed to exempt from provisions of proposition two and one-half, so-called, the amounts required to pay for the bond issued in order to design, construct, reconstruct, remodel, rehabilitate and/or modernize the Carlisle Police Station?

YES _____ NO _____

Question 3: Shall this Town adopt the following Bylaw?

Town Counsel Summary

Section 5.11 of the Zoning Bylaw, Marijuana Establishments, the full text of which is provided below, would prohibit all types of Marijuana Establishments regulated under *M.G.L. c.94G* from being sited in the Town. The adoption of Section 5.11 would not prevent a Medical Marijuana

Treatment Center from operating in the Town, nor would it prevent the personal use of marijuana for medical or adult use, in accordance with other laws.

Full Text of the Bylaw

5.11 Marijuana Establishments

5.11.1 Definitions

Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, whether as a principal use, or as an accessory use, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a Medical Marijuana Treatment Center shall not be deemed to be a Marijuana Establishment.

5.11.2 Prohibition

All types of Marijuana Establishments, including Marijuana Establishments collocated with a Medical Marijuana Treatment Center, shall be prohibited in the Town of Carlisle.

YES _____ NO _____

Question 4: Shall this Town adopt the following Bylaw?

Town Counsel Summary

At the April 29, 2019 Annual Town Meeting, the Town considered under Article 19 of the Warrant adoption of a Zoning Bylaw that would allow “Permitted Marijuana Establishments” pursuant to a special permit issued by the Planning Board within the Business District (but not the Carlisle Center Business District).

This ballot question asks whether this Zoning Bylaw should define “Permitted Marijuana Establishments” in Section 5.11.2 as a “Craft Marijuana Cooperative or Marijuana Cultivator” regulated under *M.G.L. c.94G*. Defining “Permitted Marijuana Establishments” in this manner would exclude all other forms of adult use Marijuana Establishments regulated under *M.G.L. c.94G* (such as Marijuana Testing Facilities, Marijuana Product Manufacturers, and Marijuana Retailers). This would have the effect of prohibiting these other forms of adult use Marijuana Establishments within Town. Only Craft Marijuana Cooperatives and Marijuana Cultivators would be allowed, and then only by special permit from the Planning Board.

Pursuant to *M.G.L. c.94G*, a ballot vote is necessary to prohibit the operation of one or more types of Marijuana Establishments in Town. Accordingly, limiting the field of “Permitted Marijuana Establishments” to “Craft Marijuana Cooperative[s] or Marijuana Cultivator[s]”, and

consequently prohibiting all other forms of adult use Marijuana Establishments, requires ballot approval by the Town.

Adopting this proposed definition into Section 5.11.2 (bolded and underlined in the full text of the bylaw laid out below) would not prevent a Medical Marijuana Treatment Center from operating in Town, nor would it prevent the personal use of marijuana for medical or adult use, in accordance with other laws.

Full Text of the Bylaw

5.11 Permitted Marijuana Establishments

5.11.1 Purpose

- 5.11.1.1 To prohibit the siting of certain types of Marijuana Establishments that would have adverse impacts in the Town;
- 5.11.1.2 To provide for the establishment of Permitted Marijuana Establishments (PMEs) in appropriate locations within the Town;
- 5.11.1.3 To minimize the adverse impacts associated with PMEs on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with PMEs; and
- 5.11.1.4 To regulate the siting, design, placement, security, safety, monitoring, and discontinuance of PMEs.

5.11.2 Definitions

In addition to the definitions provided below, the definitions in Section 5.10.1 shall apply equally to this Section 5.11.

Craft Marijuana Cooperative: A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth, and licensed pursuant to *M.G.L. c.94G* and *935 CMR 500, et seq.*, to cultivate, obtain, manufacture, process, package or brand cannabis or Marijuana products or to transport Marijuana to Marijuana Establishments, but not to consumers.

Marijuana Cultivator: An entity licensed pursuant to *M.G.L. c.94G* and *935 CMR 500, et seq.*, to cultivate, process and package Marijuana, and to transfer Marijuana to other Marijuana Establishments, but not to consumers.

Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, whether as a principal use, or as an accessory or incidental use thereto, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a Medical Marijuana Treatment Center (RMD) shall not be deemed to be a Marijuana Establishment.

Permitted Marijuana Establishment (PME): A Craft Marijuana Cooperative or a Marijuana Cultivator.

Special Permit Granting Authority: The Town board charged with the responsibility for granting special permits for PMEs shall be the Carlisle Planning Board (“Planning Board”). The Planning Board may convene an ad hoc committee to assist it in reviewing an application for a PME.

5.11.3 Applicability

- 5.11.3.1 All types of Marijuana Establishments and the commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana is prohibited, unless permitted as an RMD in accordance with Section 5.10 or as a PME in accordance with this Section 5.11.
- 5.11.3.2 No PME shall be established except in compliance with the provisions of this Section 5.11. An RMD seeking to operate as a PME or collocate with a PME shall obtain a new special permit prior to operating as a PME.
- 5.11.3.3 Nothing in this Section 5.11 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.
- 5.11.3.4 If any provision of this Section 5.11 or the application of such provisions to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to thus the provisions of this Section are severable.
- 5.11.3.5 PMEs are allowed only in a Business District other than the Carlisle Center Business District, by a special permit granted by the Planning Board, provided the PMEs meets the requirements of this Section 5.11.
- 5.11.3.6 The granting of a special permit under this Section does not supersede federal, state or local laws or exempt an applicant from complying with all relevant federal, state and local requirements.

5.11.4 General Requirements and Conditions for all PMEs

- 5.11.4.1 No PMEs shall be located within a building or structure having a gross floor area of more than 20,000 s.f.
- 5.11.4.2 A PME shall not be located within 1,000 feet of any: (i) school or licensed child care facility; (ii) drug or alcohol rehabilitation facility; (iii) correctional facility, half-way house, or similar facility; (iv) public playground, public athletic field or other public recreational land or facility; (v) religious facility; or (vi) any other PME. Distances shall be calculated by direct measurement from the nearest property line of the land used for school or child care establishment or places where minors frequent to the nearest point of the building in which the PME is located.

- 5.11.4.3 Cultivation and storage of Marijuana shall be in a secure, locked area. There shall be no visibility of activities, products or treatment occurring within or on the premises of a PME from the exterior of such facility or premises.
- 5.11.4.4 PMEs shall have a designated contact for purposes of communicating with the Town, and shall provide the Carlisle Police Department and the Building Commissioner with the name, phone numbers and email address of said contact, along with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment. The special permit shall require as a condition that a designated contact person for the PME shall be required to respond by phone or email within twenty-four hours of the time of contact and inquiry by a town official regarding operation of the PME.
- 5.11.4.5 The PME shall annually file an affidavit with the Building Commissioner demonstrating that it is in good standing with respect to all applicable state licenses and all conditions contained in the special permit.
- 5.11.4.6 The applicant shall hold a Community Outreach Meeting in accordance with the Cannabis Control Commission's regulations and guidance, prior to submission of its application for a special permit.
- 5.11.4.7 All PMEs shall execute a Host Community Agreement with the Town, pursuant to *M.G.L. c.94G, §3*. An RMD seeking to operate or collocate with a PME shall demonstrate that its existing or amended Host Community Agreement permits operation as a PME, otherwise a new Host Community Agreement shall be executed. All special permits granted pursuant to this Section shall include a condition requiring the PME to comply with the terms of the Host Community Agreement and establish that any violation of the Host Community Agreement shall constitute a violation of the special permit.
- 5.11.4.8 All special permits granted pursuant to this Section shall include a condition requiring the PME to maintain its State issued license or registration in good standing at all times and establish that any suspension or revocation of such license or permit by the Massachusetts Cannabis Control Commission shall constitute a violation of the special permit.
- 5.11.4.9 The term of the special permit shall be determined by the Planning Board but shall be limited to the duration of the applicant's ownership of, or tenancy at, the premises and shall not be transferable. The special permit shall lapse if not exercised within one year of issuance.
- 5.11.4.10 The hours of operation of PMEs shall be set by the Planning Board. In no event shall a PME be open and/or operating between the hours of 8:00 p.m. and 8:00 a.m.
- 5.11.4.11 No smoking, burning or consumption of any product containing Marijuana or Marijuana-related products shall be permitted on the premises of a PME.

5.11.5 Special Permit Procedures

- 5.11.5.1 Pre-Application Conference. Applicants are strongly encouraged to meet with the Planning Board at a public meeting to discuss the proposed application for a new PME and to discuss in general terms the proposed PME prior to the formal submission of an application.
- 5.11.5.2 Application, Review and Recommendations. An Applicant seeking a special permit under this section shall file a written application and submit a site plan to the Planning Board, furnishing a copy to the Town Clerk. The Planning Board shall promulgate or amend Rules and Regulations Regarding Special Permits for Permitted Marijuana Establishments (“Rules and Regulations”), which shall be consistent with this Section 5.11 of the Zoning Bylaw. The Rules and Regulations shall further detail the required contents of the application and the process for review of the special permit application. The application shall be submitted in accordance with the requirements of said Rules and Regulations. The applicant shall be required to pay such fees, as determined by the Planning Board, as are necessary to cover any expenses connected with a public hearing and review of the application, including but not limited to the costs of all notices and the employment of outside consultants. Copies of the application shall also be submitted to the Board of Selectmen, the Board of Health, Police Department, and contingent upon their respective jurisdictions over the site, to the Conservation Commission and /or Historical Commission. The foregoing agencies may make recommendations as they deem appropriate and shall send copies thereof to the Planning Board and the applicant; provided that failure of any such agency to make recommendations within thirty five (35) days of receipt by said agency of the application shall be deemed lack of opposition thereto.
- 5.11.5.3 The application and each copy shall meet the application requirements for a special permit per Section 7.2 and as may be adopted by the Planning Board, and should include, at a minimum, the following information:
- 5.11.5.3.1 The name and address of each owner of the PME;
 - 5.11.5.3.2 A copy of the Community Outreach Meeting Attestation Form;
 - 5.11.5.3.3 Copy of a Host Community Agreement executed pursuant to *M.G.L. c.94G, §3*;
 - 5.11.5.4.4 Copies of any licenses and permits for the PME issued to the applicant by the Commonwealth of Massachusetts and any of its agencies, as well as a letter explaining the status of any pending license applications with the Cannabis Control Commission;
 - 5.11.5.4.5 Evidence that the applicant has site control and the right to use the site for a PME in the form of a deed or valid purchase and sale agreement, or, in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement;
 - 5.11.5.3.6 In addition to what is normally required in a site plan, details showing all exterior proposed security measures for the premises, including, but not limited to lighting, fencing, gates and alarms to

- ensure the safety of employees and patrons and to protect the premises from theft or other criminal activity;
- 5.11.5.3.7 A Management Plan including a description of all activities to occur on site, including all provisions for the delivery of Marijuana and related products;
- 5.11.5.3.8 Detailed information on the proposed water use and impacts on ground water;
- 5.11.5.3.9 An Odor Mitigation Plan;
- 5.11.5.3.10 A traffic impact statement; and
- 5.11.5.3.11 A Parking Plan.

5.11.6 Notice and Hearing

The Planning Board shall give notice, in a manner provided by Chapter 40A of the General Laws, as amended, of a public hearing to be held within sixty-five (65) days after filing of the application and shall act within ninety (90) days following the public hearing. Failure of the Planning Board to take action within said 90 days shall be deemed to be a grant of the permit applied for.

5.11.7 Approval and Findings

A special permit may be issued under this section only if the Planning Board finds that the project is in harmony with the general purpose and intent of this Section. Prior to the issuance of a special permit, the Planning Board shall make the following findings:

- 5.11.7.1 The PME satisfies the requirements of the zoning bylaw;
- 5.11.7.2 The PME meets all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations;
- 5.11.7.3 The PME is designed to minimize any adverse impacts on the residents of the Town with regard to the general safety, welfare, and quality of life in the community (such as, but not limited to, attractive nuisance and noise);
- 5.11.7.4 All Marijuana stored, processed, or cultivated shall be adequately secured in locked areas within the PME; and
- 5.11.7.5 The PME adequately addresses issues of vehicular and pedestrian traffic, circulation, parking and queuing, especially during peak periods at the facility, and adequately mitigates the impacts of vehicular and pedestrian traffic on neighboring uses.

5.11.8 Abandonment or Discontinuance of Use

A PME shall be required to remove all material, plants equipment and other paraphernalia prior to surrendering its state issued licenses or permits or within six months of ceasing operations, whichever comes first.

YES _____ **NO** _____

And you are directed to serve this Warrant by posting a true and attested copy thereof at the Town Hall and at the Post Office in said Town of Carlisle at least seven days prior to the time of holding said Meeting.

THEREOF FAIL NOT and make return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of holding the Meeting aforesaid.

Given under our hands this 26th day of March in the Year of Our Lord 2019.

BOARD OF SELECTMEN



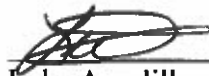
Nathan Brown, Chairman



Kate Reid, Vice Chairman



Alan Lewis, Clerk



Luke Ascolillo

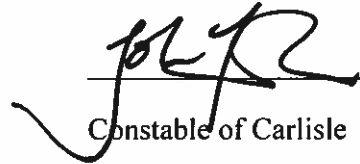
Kerry Kissinger

A True Copy Attest:

 Constable

Middlesex, ss.

PURSUANT TO THE WITHIN WARRANT, I have notified and warned the inhabitants of the Town of Carlisle by posting up attested copies of the same at the United States Post Office and on the Town Bulletin Board in said Town at least seven (7) days before the date of the Meeting, as within directed.


Constable of Carlisle

Date Posted: 11 APR 19