

**TOWN OF CONCORD  
TOWN HOUSE  
CONCORD, MA 01742**

**BULK RATE  
U.S. POSTAGE PAID  
PERMIT No. 51**

**RESIDENTIAL CUSTOMER  
LOCAL 01742**

**WARRANT FOR SPECIAL TOWN MEETING**

**MONDAY, MAY 5, 2014**

**8:00 PM**

**CONCORD-CARLISLE REGIONAL HIGH SCHOOL  
500 WALDEN STREET**

**ADJOURNED SESSION IF NECESSARY  
TUESDAY, MAY 6, 2014**

**PUBLIC HEARINGS**

**ALL AT 7:00 PM**

**JOINT PUBLIC HEARING –  
FINANCE COMMITTEE, BOARD OF SELECTMEN &  
PLANNING BOARD**

**TOWN HOUSE  
HEARING ROOM**

**MONDAY, APRIL 28**

**THE COMMONWEALTH OF MASSACHUSETTS  
WARRANT FOR SPECIAL TOWN MEETING  
Monday, May 5, 2014**

Middlesex, ss.

To any of the Constables of the Town of Concord, in said County,

In the name of the Commonwealth of Massachusetts, you are hereby required to notify the legal voters of said Town of Concord, qualified to vote at Town Meeting for the transaction of Town affairs, to meet at the Concord-Carlisle Regional High School at 500 Walden Street, in said town, on Monday, the fifth day of May, 2014, at 8:00 o'clock in the evening, by posting a printed copy of this Warrant by you attested, at the Town House and in at least one public location in each precinct in Concord, and by mailing a copy thereof to every household fourteen days, at least, before said 5<sup>th</sup> of May, 2014, then and there to act upon the following Articles:

**LAND ACQUISITION – 37 KNOX TRAIL (Acton)**

**ARTICLE 1.** To determine whether the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain (including authorization by the Town for the Board of Selectmen to seek special legislation to exercise eminent domain outside Town territorial boundaries) or otherwise, on such terms as the Selectmen may determine, for municipal purposes, including vehicle storage, repair, fueling, and other uses, the fee, easement and/or other property interests in, on, over, across, under and along all or any portion of the property located at 37 Knox Trail in Acton, Massachusetts, shown on the Acton Assessors map J4 as parcel 6, containing approximately 0.94 acres of land, together with any structures, improvements and trees thereon, and further, to authorize the Board of Selectmen to transfer custody of fee, easement or other property interests in a portion of the property to the Concord School Committee to be used for education purposes or to support educational purposes, and further to determine whether the Town will vote to raise and appropriate, transfer from available funds in the treasury, or authorize the Town Treasurer with the approval of the Board of Selectmen to borrow, under the provisions of Chapter 44 of the Massachusetts General Laws, the sum of \$700,000 or any other sum, to be expended under the direction of the Town Manager for such acquisition, including any necessary planning, design, engineering site work, construction and related services and site work for constructing a school transportation facility and other municipal operations, or take any other action relative thereto.

***This article would authorize the Board of Selectmen to purchase the property at 37 Knox Trail in Acton which includes approximately 0.94 acre of land together with a 9,000 square foot office building. If approved, the School Committee proposes to park school buses and other school vehicles on a portion of the property to support in-district School Department bus operations. Some space in the office building may be used by school transportation staff; the remainder of the building will be used for other municipal operations. The subject property abuts and provides at-grade access to 80 acres of land in Concord owned by the WR Grace Corporation. Town Meeting voted under Article 36 of the 2012 Annual Town Meeting to authorize the Selectmen to acquire the WR Grace property. Lack of suitable access to the site created a challenge for completing the purchase, which the acquisition of 37 Knox Trail would solve. If the WR Grace property is acquired, several acres of that land could be combined with the subject property to create a suitable site to host a full service school transportation facility. The purchase price of the property is \$630,000. An additional \$70,000 is proposed to fund professional design, engineering, site work and construction assistance for the project such facility and/or other municipal operations.***

**RESCIND VOTE TO PURCHASE 55 AND 55A KNOX TRAIL LAND**

**ARTICLE 2.** To determine whether the Town will vote to rescind the action taken under Article 1 of the December 4, 2013 Special Town Meeting authorizing the Selectmen to purchase the property at 55 and 55A Knox Trail in Acton, and further vote to rescind the unused borrowing authorization for that acquisition in the full amount of \$700,000, or take any other action relative thereto.

*If Article 1 on this Special Town Meeting warrant is approved, it will no longer be necessary to purchase the property at 55 and 55A Knox Trail in Acton. After six months of negotiations with representatives of the sellers of this property, the Town has not succeeded in concluding a mutually-agreeable arrangement for the purchase of the property.*

**EMERGENCY RESPONSE STABILIZATION FUND APPROPRIATION - \$200,000 FOR OPERATION OF WEST CONCORD AMBULANCE IN FY 2015**

**ARTICLE 3.** To determine whether the Town will vote to appropriate \$200,000, or any other sum, to be expended under the direction of the Town Manager, from the Emergency Response Stabilization Fund for the purpose of paying the first year operating costs of the Fire Department for the deployment of an ambulance in West Concord, including salaries, protective gear, equipment, fuel and related expenses, or take any other action relative thereto.

*In 2012, the Town voted under Article 29 on the Annual Town Meeting warrant to create the Emergency Response Stabilization Fund and to transfer \$1,000,000 into the fund in accordance with the Development Agreement between the Town and the developer of the Concord Mews project on Nathan Pratt Drive. The balance in the fund as of March 24 was \$1,003,482. The funds were intended to be used to improve emergency responsiveness in West Concord.*

**AMEND OR REPEAL OF TOWN BYLAW CONCERNING SALE OF TOBACCO**

**ARTICLE 4.** To determine whether the Town of Concord will vote to amend the bylaw known as "Sale of Tobacco to Minors Bylaw" to raise the minimum age to 21 years for the lawful sale of tobacco, or to repeal the Bylaw in its entirety, or take any other action relative thereto.

*This article would authorize amendments to the text of the Town's Sale of Tobacco to Minors Bylaw to raise the minimum age to 21 years for the lawful sale of tobacco products, or to repeal the Bylaw in its entirety to avoid redundant regulation between the Bylaw and the Board of Health's regulations. It is the preference of the Board of Health that the existing Bylaw be repealed. Note that State law gives the Board of Health independent authority to regulate such sales in the Town. Repeal of the existing Bylaw therefore will eliminate potential conflict between the Bylaw and Board of Health regulations*

**BY PETITION ZONING BYLAW AMENDMENT – TABLE 1 – PRINCIPAL USE REGULATIONS**

**ARTICLE 5.** To determine whether the Town will vote to amend Zoning Bylaw as follows:

Amend Zoning Bylaw Table I – Principal Use Regulations by adding the numeral "1" to the first footnote, as follows, therefore permitting "Financial and business office" in the Limited Business 1 district:

**1**, 2, 3, 4, 6 provided, however, that only business office shall be permitted in Limited Business District #4."

or take any other action relative thereto.

**PETITIONER'S EXPLANATION:** *This amendment of Zoning Bylaw Table I – Principal Use Regulations adds Limited Business District #1 at the intersection of Elm Street and Route 2 to the list of Limited Business Districts where "Financial and business office" (Principal Use 4.5.10) is permitted by right. Approval of this article would, for example, permit a bank to be located at the site of the Best Western Hotel on Elm Street, which is located within Limited Business District #1, as the current owner plans in conjunction with the overall renovation of the hotel. "Financial and business office" would continue to be permitted by right in all other Commercial and Industrial districts of Concord, except Limited Business District #5, #7 and #8 and the Medical Professional (MP) district. Approval of this article grants no permits, including for the planned renovation of the Best Western Hotel site on Elm Street, which will have to go through the regular town permitting process.*

Hereof fail not and make due return of this Warrant with your doings thereon, to the Town Clerk, at or before the time of said meeting aforesaid.

Given under our hands this 7<sup>th</sup> day of April in the year two thousand-fourteen.

\_\_\_\_\_  
Jeffrey S. Wieand

\_\_\_\_\_  
Alice Kaufman

\_\_\_\_\_  
Steven Ng

\_\_\_\_\_  
Carmin C. Reiss

\_\_\_\_\_  
Elise F. Woodward

BOARD OF SELECTMEN

Commonwealth of Massachusetts Middlesex, ss.

Concord \_\_\_\_\_  
*Date*

By virtue of this warrant I have notified the legal voters of the Town of Concord to meet at the times and places and for the purposes within named as directed.

\_\_\_\_\_  
Constable of Concord

## SPECIAL TOWN MEETING VOTER REGISTRATION INFORMATION

THE DEADLINE FOR UNREGISTERED RESIDENTS TO REGISTER TO VOTE AT THE SPECIAL TOWN MEETING IS:

**FRIDAY, APRIL 25, 2014**

IN ADDITION TO REGULAR OFFICE HOURS, A SPECIAL EVENING REGISTRATION SESSION WILL BE HELD ON FRIDAY, APRIL 25, 2014 UNTIL 8:00 PM AT THE TOWN CLERK'S OFFICE, 22 MONUMENT SQUARE FOR RESIDENTS WHO ARE CURRENTLY NOT REGISTERED VOTERS IN CONCORD.

VOTER REGISTRATION MAY BE DONE EITHER BY MAIL OR IN PERSON. A MAIL-IN REGISTRATION FORM MAY BE DOWNLOADED FROM THE TOWN'S WEB SITE OR CALL THE TOWN CLERK'S OFFICE AT (978) 318-3080. FOR REGISTRATION IN PERSON, THE TOWN CLERK'S OFFICE AT THE TOWN HOUSE, 22 MONUMENT SQUARE, IS OPEN MONDAY – FRIDAY 8:30 AM - 4:30 PM. WEB SITE: [WWW.CONCORDMA.GOV](http://WWW.CONCORDMA.GOV) – CLICK "ELECTIONS & VOTING."