

# APRIL SPECIAL TOWN MEETING

within 2011 Annual Town Meeting

*April 27, 2011*

*The 2011 Special Town Meeting minutes printed below are excerpted from the official minutes of this Meeting. For the complete text of all votes taken at this Meeting, contact the Town Clerk's Office.*

Pursuant to a Warrant signed by the Board of Selectmen on March 21, 2011, Town Moderator Eric E. Van Loon called the Special Town Meeting to order at 7:37 pm on Wednesday, April 27, 2011 at the Concord-Carlisle High School Auditorium and Cafeteria. The Moderator declared that the meeting was properly called and that a sufficient number of voters were present to permit the meeting to be opened.

## *Article 1. Amendment of non-criminal disposition of violations of Town bylaws bylaw Adoption of Appendix A (Fines)*

On a Motion made by Christopher Whelan and duly seconded, it was **Voted** by a near Unanimous Vote and so declared by the Moderator: to amend the "Non-Criminal Disposition of Violations of Town Bylaws Bylaw" to add a new Section 5 (Penalties) and Appendix A (listing of specific fines).

## *Article 2. Land Acquisition in West Concord*

There was NO Motion made under this article. Phil Adams, Chair of the West Concord Task Force, provided a brief overview report from the West Concord Task Force.

## *Article 3. Zoning Bylaw Amendment—Table of Use Regulations (West Concord Industrial District)*

On a Motion made by Planning Board Member Chris Sgarzi that was duly seconded, it was **Voted** on a show of hands by a **Two-thirds Majority** and so declared by the Moderator: to amend Zoning Bylaw Section 4 Classification of Principal Uses, TABLE 1 – PRINCIPAL USE REGULATIONS to modify the uses in the West Concord Industrial (WCI) District.

## *Article 4. Zoning Bylaw—Combined Industrial/Business/Residence Use (West Concord Industrial District & Industrial District)*

Planning Board Member Chris Sgarzi made the following Motion that was duly seconded: to amend Zoning Bylaw Section 4.2.4 *Combined industrial/business/residence use* to revise the standards and criteria for allowing issuance of a special permit for such combined uses in the West Concord Industrial (WCI) and the Industrial District by deleting the section in its entirety and inserting a new Section 4.2.4.

After discussion, Nan Conway offered a **Motion to Amend** Mr. Sgarzi's motion, which was duly seconded. Mr. Sgarzi reported that the Planning Board recommended No Action on the proposed amendment. After further discussion, a **Motion to Call the Question** on the Amendment was made and duly seconded. A Vote was taken on a show of hands and the motion **Passed** by a **two-thirds majority** and was so declared by the Moderator. A **Vote** was then taken on Ms. Conway's amendment, which **Failed to Pass** on a show of hands (simple majority required). After further discussion, at 8:40 pm a **Vote** was taken on the original motion, which **Passed** on a show of hands by a **two-thirds majority** and was so declared by the Moderator.

## *Article 5. Zoning Bylaw Amendment –Establish the West Concord Mixed Use Overlay District*

There was NO Motion made under this article.

## *Article 6. Zoning Bylaw Amendment – Establish the West Concord Village District (by petition)*

Leslie Sederlund made the following Motion which was duly seconded: to amend Zoning Bylaw Section 2.1 Classification of Districts, Section 2.2. Zoning Map, and Section 4 Classification of Principal uses, Table I—Principal Use Regulations to insert and establish uses for the West Concord Village District.

Mr. Van Loon explained that the difference between this proposed Motion and Article 51 of the Annual Town Meeting is one parcel (Parcel #2232). Mr. Sgarzi, speaking for the Planning Board, reported that the Planning Board recommends that Parcel #2232 not be included in the District. It was agreed that the Planning Board will not make a motion under Article 51 of the Annual Town Meeting, and will accept the outcome of Article 6.

There was a **Motion to Amend** Ms. Sederlund's motion, which was duly seconded, by deleting Parcel #2232 from the proposed West Concord Village District.

Greg Howes, speaking on behalf of the Selectmen, reported that the Selectmen support Article 6 as originally presented and noted that the issue could be revisited in the future if necessary. After further discussion, a **Motion to Call the Question** on the amendment was made and duly seconded. A vote was taken by a show of hands on the motion, which **Passed** by a **two-thirds majority** and was so declared by the Moderator. A **VOTE** was then taken on the amendment, which **Failed to Pass** on a show of hands (simple majority needed), and was so declared by the Moderator.

The Planning Board revised recommendation was to pass Article 6 as originally proposed. A **VOTE** was then taken on the original motion, which **Passed** on a show of hands by a **two-thirds majority** and was so declared by the Moderator.

There being no further business to come before the assembly the Special Town Meeting was dissolved at 9:28 pm.

Respectfully submitted,

Anita S. Tekle

Town Clerk

Note: There were 514 registered voters in attendance at the Special Town Meeting.