

TOWN OF LITTLETON, MASSACHUSETTS

**WARRANT FOR
MONDAY, MAY 6, 2013 at 7:00 PM
ANNUAL TOWN MEETING
TOWN OF LITTLETON**

**Commonwealth of Massachusetts
Middlesex, ss.**

To any Constable of the Town of Littleton in the County of Middlesex,
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Littleton qualified to vote in the elections and Town affairs, to meet in the **Charles Forbes Kaye Gymnasium, Littleton Middle School, 55 Russell Street in said Littleton on Monday, the sixth day of May, 2013, at 7:00 o'clock in the evening** by posting a printed copy of this warrant, by you attested, at eight meeting houses, at the Town Office Building on Shattuck Street, at the Post Office at Littleton Common, at the Post Office at Littleton Depot, at the Baptist Church, at the Unitarian Church, at the Catholic Church, at the Congregational Church, and at the Mormon Church, in said Town, seven days at least before the sixth day of May, 2013, then and there to act on the following Articles:

**ARTICLE 1
Board of Selectmen
Town Officers**

To choose all Town Officers and Committees necessary to be chosen at the Annual Town Meeting.

**ARTICLE 2
Board of Selectmen
Annual Report**

To hear and act upon the reports of the Town Officers and Committees.

**ARTICLE 3
Board of Selectmen
Borrowing Authorization**

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue for the fiscal year beginning July 1, 2013, in accordance with the provisions of Chapter 44, Section 4 of the General Laws, and to issue a note or notes as may be given for a period of less than one (1) year, in accordance with Chapter 44, Section 17 of the General Laws, or to take any other action in relation thereto.

**ARTICLE 4
Finance Committee/Board of Selectmen
FY 2014 Operating Budget**

To see if the Town will vote to raise and appropriate, transfer from available funds in the treasury or transfer from the Enterprise and Trust Funds, such sums of money to defray the expenses of the

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various departments of the Town and to fix the salary and compensation of all elected officials for the Fiscal Year beginning July 1, 2013, or to take any other action in relation thereto.

ARTICLE 5
Board of Water Commissioners
FY 2014 Water Enterprise Fund Operating Budget

To see if the Town will vote to appropriate \$2,327,500 or any other sum or sums of money from the Water Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning July 1, 2013 (*detail below*), or to take any other action in relation thereto.

I. Water Enterprise Revenues	FY 2014
User Charges	\$2,227,500
Enterprise Available Funds	100,000
Investment Income	
Total Revenues	
II. Costs Appropriated for the Enterprise Fund	2,327,500
Salaries and Wages	670,000
Expenses	876,500
Capital Outlay – Equipment	0
Capital Outlay – Improvements	0
Reserve Fund	100,000
Debt Principal and Interest	377,775
Budgeted Surplus	303,225
Total Costs Appropriated for Enterprise Fund	\$2,327,500
III. Costs Appropriated for General Fund to be Charged to the Enterprise Fund	
Indirect Costs	0
Benefits	0
Pension Costs	0
Total Costs Appropriated for the General Fund.	0
Total Costs	\$2,327,500

ARTICLE 6
Board of Selectmen
Stabilization Fund

To see if the Town will vote to raise and appropriate the sum of \$4,310 for the Stabilization Fund in accordance with the provisions of Massachusetts General Laws, Chapter 40, Section 5B for the twelve month period beginning July 1, 2013, or to take any other action in relation thereto.

ARTICLE 7
Board of Selectmen/ Finance Committee
FY 2014 Capital Items from Available Funds

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum or sums of money, to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described, or to take any other action in relation thereto.

I. POLICE DEPARTMENT

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- A. Police Cruiser Leases - \$75,089 to be expended by the Police Department for police cruiser leases, as follows: \$28,500 for third year (final) payment on two cruisers; \$16,145 for second year (final) payment on one cruiser, \$15,820 for third year (final) payment on one unmarked vehicle; and \$14,624 for second year (final) payment on one unmarked vehicle.
- B. Police Vehicle Maintenance -\$5,000 to be expended by the Police Department for tire replacement and equipment maintenance of its fleet of vehicles.
- C. Police Vehicle Refurbishment - \$13,000 to be expended by the Police Department for the refurbishment of a marked 2008 Dodge Charger.
- D. Police Portable Radios - \$11,600 to be expended by the Police Department to replace portable radios in Command and Detective Vehicles.

II. FIRE DEPARTMENT

- A. Fire Major Equipment Repair -\$15,000 to be expended by the Fire Department for major equipment repairs and upkeep.
- B. UHF Radio System Upgrade - \$120,000 to be expended by the Fire Department for the radio system upgrade. The current system will require significant upgrades by the FCC imposed December 31, 2013 deadline for narrow banding.

III. HIGHWAY DEPARTMENT

- A. Highway Major Equipment Repair - \$15,000 to be expended by the Highway Department for major equipment repairs and upkeep.
- B. Highway Loader Refurbishment – \$35,000 to be expended by the Highway Department for refurbishment of a 2003 John Deere Loader.
- C. Highway Dump Pickup truck - \$58,000 to be expended by the Highway Department to purchase a new pick-up truck with plow to replace an existing 2004 vehicle.
- D. Asphalt Hot Box trailer - \$26,000 to be expended by the Highway Department for the purchase of a trailer mounted Asphalt Hot Box for roadway repairs and maintenance.

IV. SCHOOLS

- A. School iPads & Carts - \$33,000 to be expended by the School Committee for the second year payment on the lease / purchase agreement for four complete carts, 120 iPads, MacBook Air laptops, carts, charging station and all accessory hardware and equipment.
- B. Shaker Lane Univents - \$25,000 to be expended by the School Committee to replace univent HVAC units at the Shaker Lane School.
- C. High School WIFI Upgrades - \$40,000 to be expended by the School Committee to upgrade the WIFI systems at the High School.
- D. School Technology - \$25,000 to be expended by the School Committee to upgrade the network infrastructure and firewalls/switching in the district.
- E. Shaker Lane Playground & Fencing - \$30,000 to be expended by the School Committee to upgrade the Shaker Lane School Playground and equipment.
- F. Shaker Lane Bathroom Door Dividers - \$10,000 to be expended by the School Committee to replace the bathroom door dividers at the Shaker Lane School.
- G. Technology Computer Replacements - \$50,000 to be expended by the School Committee to for replacements of computer systems.
- H. General Building Maintenance - \$10,000 to be expended by the School Committee for major systems repairs and maintenance at School locations.

V. FACILITIES AND INFRASTRUCTURE

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- A. Town Hall HVAC - \$30,000 to be expended by the Board of Selectmen and the Permanent Municipal Building Committee for major systems repairs and upkeep of the HVAC Roof Top Units at the Town Offices on Shattuck Street.
- B. Town Building Major Equipment Repairs/Maintenance - \$14,000 to be expended by the Board of Selectmen for major systems and equipment repairs and maintenance of public buildings.
- C. Cemetery Building Repairs - \$30,000 to be expended by the Cemetery Commissioners and the Permanent Municipal Building Committee for repairs to the exterior brick work of the Cemetery facility.
- D. Salt Shed Building Repairs - \$20,000 to be expended by the Highway Department and the Permanent Municipal Building Committee for repairs to the salt shed facility.
- E. Fire Station Modular Building - \$38,410 to be expended by the Fire Department and the Permanent Municipal Building Committee to locate a modular building on site for sleeping quarters (should additional staffing be approved).
- F. Sidewalk Repairs - \$20,000 to be expended by the Highway Department to repair the sidewalks and walkways located at the Shaker Lane and High Schools.

VI. OTHER

- A. Cemetery Paving - \$15,000 to be expended by the Cemetery Commission to repair pavement on the Foster Street site.
- B. Long Lake Security - \$6,700 to be expended by the Recreation Commission to upgrade security at the Long Lake facility.
- C. Recreation vehicle lease - \$4,000 transferred from the Recreation Revolving account to be expended by the Park and Recreation Commission for the third year payment of a five-year lease for a Ford Ranger.
- D. Library Furniture \$3,000 – to be expended by the Library Trustees to replace worn and damaged furniture at the Reuben Hoar Library.

ARTICLE 8
Board of Selectmen
Borrowing: Littleton Common Smart Sewering Preliminary Design

To see if the Town will vote to raise and appropriate and borrow a sum of money for the purpose of funding preliminary design services and preparation of a Preliminary Design Report and other tasks related to development of a sustainable wastewater management system for the Littleton Village Common District and the Village Overlay District West—Beaver Brook Common District, including sewers, pump stations, wastewater treatment facilities, treated wastewater disposal systems and other ancillary facilities; and that to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow up to said sum under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor, or to take any other action in relation thereto.

ARTICLE 9
Board of Selectmen/School Committee/Trust Fund Commissioners
M.H. Kimball Trust School Grant Funds

To see if the Town will vote to transfer \$14,200 from a grant from the M.H. Kimball Trust to the Littleton School Department for the purpose of providing students with access to current technology through the purchase of additional technology items for students and staff at the

Russell Street Elementary School and costs related thereto, or to take any other action in relation thereto.

ARTICLE 10
Board of Selectmen
FY 2014 Revolving Funds

To see if the Town will vote to authorize the following Fiscal Year 2014 Revolving Funds, in accordance with Chapter 44, section 53E½ of the General Laws, or to take any other action in relation thereto.

- (1) Wiring/Plumbing/Gas Inspections: to allow receipts from wiring and plumbing fees to be segregated into a special account; and with funds therefrom, up to a limit of \$100,000 annually, to be expended to compensate the Wiring, Plumbing and Gas Inspectors, under the direction of the Building Commissioner, with the prior year's fund balance to be available for expenditure;
- (2) Dog By-law Enforcement: to allow receipts from dog license fees and fines to be segregated into a special account; and with funds therefrom, up to a limit of \$5,000 annually, to be expended for costs associated with by-law enforcement, under the direction of the Town Clerk, with the prior year's fund balance to be available for expenditure;
- (3) Alarm Box Repairs: to allow receipts from alarm box fees to be segregated into a special account; and with funds therefrom, up to a limit of \$5,000 annually, to be expended for repairs to alarm boxes, under the direction of the Fire Department, with the prior year's fund balance to be available for expenditure;
- (4) CPR Courses: to allow receipts from CPR course fees to be segregated into a special account; and with funds therefrom, up to a limit of \$2,000 annually, to be expended for CPR course costs, under the direction of the Fire Department, with the prior year's fund balance to be available for expenditure;
- (5) Sealer of Weights and Measures: to allow receipts from sealer fees to be segregated into a special account; and with funds therefrom, up to a limit of \$3,000 annually, to be expended to compensate the Sealer, under the direction of the Board of Selectmen, with the prior year's fund balance to be available for expenditure;
- (6) Fire Safety Act Compliance: to allow receipts from Fire Safety Act fees and fines to be segregated into a special account; and with funds therefrom, up to a limit of \$3,000 annually, to be expended for associated administrative costs, under the direction of the Board of Selectmen, with the prior year's fund balance to be available for expenditure;
- (7) M.A.R.T.: to allow receipts from reimbursement from M.A.R.T. bus fees to be segregated into a special account; and with funds therefrom, up to a limit of \$68,000 annually, to be expended for wages and expenses for senior van operation, under the direction of the Council on Aging, with the prior year's fund balance to be available for expenditure;
- (8) Pet Cemetery: to allow receipts from pet cemetery fees to be segregated into a special account; and with funds therefrom, up to a limit of \$20,000 annually, to be expended for associated administrative costs, under the direction of the Cemetery Commission, with the prior year's fund balance to be available for expenditure;
- (9) Spectacle Pond Cell Tower: to allow receipts from the Spectacle Pond Cell Tower rent to be segregated into a special account; and with funds therefrom, up to a limit of \$40,000 annually, to be expended for debt service for the Clean Lakes program, under the direction of the Board of Selectmen, with the prior year's fund balance to be available for expenditure;

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(10) Legal Advertisements: to allow receipts paid by applicants for advertising costs to be segregated into a special account; and with funds therefrom, up to a limit of \$5,000 annually, to be expended for legal advertising costs, under the direction of the Board of Appeals, with the prior year's fund balance to be available for expenditure;

(11) Cemetery Revolving: to allow a portion of receipts received from sales of lots to be segregated into a special account: and with funds therefrom, up to a limit of \$10,000 annually, to be expended for expenses associated with maintenance of such under the direction of the Cemetery Commissioners, with the prior year's fund balance to be available for expenditure;

(12) Permitting Software: to allow a portion of receipts received from land use permit fees to be segregated into a special account: and with funds therefrom, up to a limit of \$15,000 annually, to be expended for expenses associated with maintenance of permitting software under the direction of the Board of Selectmen, with the prior year's fund balance to be available for expenditure;

(13) Police Cruisers sale proceeds: to allow the proceeds resulting from the sale/disposal of retired police vehicles to be segregated into a special account: and with funds therefrom, up to a limit of \$25,000 annually, to be expended for expenses associated with purchasing Police replacement vehicles authorized under the Capital Plan under the direction of the Board of Selectmen, with the prior year's fund balance to be available for expenditure; and

(14) Paper Recycling: to allow the proceeds resulting from the disposal/sale of recyclable paper product collected to be segregated into a special account: and with funds therefrom, up to a limit of \$3,000 annually, to be expended for expenses associated with programming expenses of the Department of Elder and Human Services under the direction of the Council on Aging, with the prior year's fund balance to be available for expenditure.

ARTICLE 11
Board of Selectmen/Personnel Board
Personnel By-law Amendments

To see if the Town will vote to amend Chapter 33 of the Town Code, Personnel, as follows:

(1) By adding the position of "Plumbing & Gas Inspector" to Grade 10 of Schedule A, Permanent Full and Part-time Employees, of the Classification and Compensation Plan; and

(2) By amending Schedule C of the Classification and Compensation Plan to read as follows:

SCHEDULE C: Temporary/Seasonal Park & Recreation Department positions, 2013 Season

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1 hourly	8.00	8.16	8.40	8.66	8.92
2 hourly	8.25	8.42	8.67	8.93	9.20
3 hourly	9.20	9.38	9.67	9.96	10.25
4 hourly	9.75	9.95	10.24	10.55	10.87
5 hourly	9.80	10.00	10.30	10.60	10.92
6 hourly	11.10	11.32	11.66	12.01	12.37
7 hourly	11.35	11.58	11.92	12.28	12.65
8 hourly	12.55	12.80	13.19	13.58	13.99
9 hourly	13.50	13.77	14.18	14.61	15.05
10 hourly	17.00	17.34	17.86	18.40	18.95

GRADE 1

Program Aide I

GRADE 2

Junior Camp Counselor

Snack Hut Attendee

Program Aide II

GRADE 3

Lifeguard I

Junior Sailing Instructor

Maintenance Technician

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GRADE 4

Snack Hut Manager
Camp Senior Counselor
Intern

GRADE 5

Lifeguard II/WSI
Sailing Instructor
Junior Guard Coordinator
Aftercare Coordinator

GRADE 6

Camp Lead Counselor
Summer Program Coordinator
or to take any other action in relation thereto.

GRADE 7

Camp Specialists
Head Lifeguard

GRADE 8

Seasonal Programs Instructor
Camp Assistant Director
Sailing Coordinator

GRADE 9

Special Course Coordinator

GRADE 10

Preschool Instructor
Camp Director

ARTICLE 12
Board of Selectmen
Community Preservation Fund Local Appropriation

To see if the Town will vote to dedicate revenue to the Community Preservation Fund in an amount not greater than 2% of the real estate tax levy against real property against other sources of municipal revenue as specified in MGL Chapter 44B, section 3(b1/2), and to raise and appropriate or transfer from available funds a sum of money to the Community Preservation Fund, and or to take any other action in relation thereto.

ARTICLE 13
Community Preservation Committee
FY 2014 Community Preservation Budget

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2014 Community Preservation Budget, to appropriate or reserve from FY 2014 Community Preservation Fund annual revenues and reserves the following amounts, as recommended by the Community Preservation Committee, with each item considered a separate appropriation:

Appropriations

Administration	\$ 5,000
Debt service – from FY 2014 open space	13,400
Debt service – from open space reserve	775
Debt service – from FY 2014 historic resources	13,400
Debt service – from historic resources reserve	2,375
Debt service – from FY 2014 undesignated	31,088
Regional Housing Services – from FY 2014 community housing reserve	15,000
Town Clerk Vault/Dehumidifier – from FY 2014 historic resources reserve	20,000
300 King Street Recreation - from undesignated reserve	<u>200,000</u>
	<i>Sub-total</i> <u>\$301,038</u>

Reserves

Open Space (to Reserve)	\$0
Community Housing (to Reserve)	13,400
Budgeted Reserve (to Reserve)	88,800
	<i>Sub-total</i> <u>102,200</u>
	TOTAL <u>\$403,238</u>

ARTICLE 14
Board of Selectmen
Home Rule Petition: Conservation, Recreation Land Exchange

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation as set forth below authorizing a land exchange between the Conservation Commission and the Park and Recreation Commission, provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

SECTION 1. The conservation commission of the town of Littleton may transfer the care, custody, management and control of the dry (non-wetland) portion of the parcel shown as "Parcel A Open Space", on a certain plan of land entitled "Definitive Subdivision Plan for Shelburne Village at Littleton Over 55 Housing Development", prepared by R. Wilson and Associates dated September 27, 2006 and recorded with the Middlesex South District Registry of Deeds as Plan 1529 of 2006, which was acquired by the town and held for conservation purposes, to the Park and Recreation Commission for municipal recreation purposes. The dry (non-wetland) portion of said parcel, shown on a plan entitled, "Plan of Parcel A Open Space", has been declared surplus by the conservation commission.

SECTION 2. The park and recreation commission of the town of Littleton may transfer the care, custody, management and control of the parcels of land shown as Lots 5A, 6A, 7A and 11A on a plan entitled "Apple D'Or Farms", prepared by J.D. Marquedant & Associates, Inc. dated November 20, 1998 and recorded with the Middlesex South District Registry of Deeds as Plan 623 of 1999, which together contain proximately 5.18 acres and were acquired by the town and held for municipal recreation purposes, to the Conservation Commission for open space and conservation purposes. These parcels have been declared surplus by the park and recreation commission.

SECTION 3. This act shall take effect upon its passage.

And, further, provided that the special legislation is approved by the General Court in a form consistent with the provisions of this article, to transfer the care, custody, management and control of the affected parcels of land as described in the special legislation, or take any other action in relation thereto.

ARTICLE 15
Board of Selectmen
Acquisition of Congregational Church Meadow Property, 194 Great Road

To see if the Town will vote to:

1. Raise and appropriate and/or borrow a sum of money for the acquisition by gift, purchase, or eminent domain of a fee simple interest or lesser interest in a parcel of land approximately 7.61+/- acres, together with all flowage rights and easements and subject to all well rights and easements appurtenant thereto, currently owned by the Congregational Church of Littleton, located at 194 Great Road in the Town of Littleton and described by the Littleton Board of Assessors as Parcel U06 4 0, and to meet said appropriation with funds transferred and/or borrowed in accordance with M.G.L. Chapter 44B, the Community Preservation Act, and to authorize the Treasurer, with the approval of the Board of Selectmen, to issue any bonds or notes

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that may be necessary for that purpose, as authorized by M.G.L. Chapter 44, or any other enabling authority;

2. Authorize the Town Administrator, Board of Selectmen and/or Conservation Commission to file on behalf of the Town any and all applications deemed necessary under the Self-Help Act (M.G.L. Chapter 132A, Section 11) and the regulations described in 301 CMR 5.00, the Land and Water Conservation Fund (P.L. 88-578, 78 Stat 897), or any other applications for funds in any way connected with the scope of this acquisition;
3. Provide that said parcel, or such lesser interest as may be acquired, shall be under the care, custody, management and control of the Board of Selectmen and held for the purposes of (a) agricultural use and/or (b) sale or lease to third parties who shall engage in such agricultural use; and
4. Authorize the Town Administrator and the Board of Selectmen, as they deem appropriate, to enter into all agreements and execute any and all instruments including the conveyance of a perpetual conservation or agricultural preservation restriction in accordance with M.G.L. Chapter 184 as required by Section 12(a) of Chapter 44B, as may be necessary on behalf of the Town to affect, or further the purposes of, said acquisition.

Or take any other action in relation thereto.

ARTICLE 16
Board of Selectmen
Compensating Balance Agreement

To see if the Town will vote to authorize the Treasurer to enter into a Compensating Balance Agreement(s) for FY 2014, pursuant to Chapter 44, Section 53F of the General Laws, or to take any other action in relation thereto.

ARTICLE 17
Board of Selectmen
FY 2014 Personal Exemption Amounts

To see if the Town will vote to accept Chapter 73 of the Acts and Resolves of 1986, as amended by Chapter 126 of the Acts and Resolves of 1988, and under the provisions thereof to grant additional real estate tax exemptions for fiscal year 2014 to those persons who otherwise qualify for an exemption under Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A or 41C of section 5 of Chapter 59 of the General Laws (elderly persons, disabled veterans, or blind persons), in an amount equal to twenty percent (20%) of said exemption, or to take any other action in relation thereto.

ARTICLE 18
Board of Selectmen
Payment In Lieu of Taxes - Solar

To see if the Town will vote to authorize the Board of Selectmen to enter into and execute on behalf of the Town a tax agreement, as authorized by MGL Chapter 59, section 38H, with NextSun Energy LLC with respect to annual payments in lieu of real and personal property taxes for a term of up to twenty years relative to a solar energy system with an AC-rated capacity of up to four megawatts, to be installed on a parcel of land owned by PR Littleton Expansion LLC and located at 1-3 Distribution Center Circle, Littleton, or to take any other action in relation thereto.

ARTICLE 19
Board of Selectmen
Tax Title Abutter Lot Sales Program – List of Parcels

To see if the Town will vote to add the following list of properties to the “Tax Title Abutter Lot Sales Program” established by Article 10 of the November 14, 2011 Special Town Meeting:

Map/Parcel	Lot Size (sq.ft.)	Address
U12-110	4000.1	Narcissus Rd
U12-158	1999.8	Pine Rd
U12-151	2000	Pine Rd
U12-122	4000.1	Oak Rd
U15-95	4000.1	Suffolk Dr
U14-10	4799.9	Shaker Lane
U15-182	4000.1	Middlesex Dr
U15-44	4000.1	Ipswich Dr
U17-296	4000.1	Washington Dr
U17-196	4000.1	Forest St

or to take any other action in relation thereto.

ARTICLE 20
Planning Board
Zoning By-law Amendment: Open Space Development

To see if the Town will vote to amend the Zoning By-law of the Town of Littleton as follows:

1. Amend §173-104.A by deleting subsection A therefrom in its entirety, and inserting in its place the following:

A. Except as modified by Subsection B below, the maximum number of dwelling units in an Open Space Development shall be calculated via a Density Yield Plan. A Density Yield Plan shall show the number of building lots that can be developed by right in a conventional subdivision under the zoning requirements of the Zoning By-Law (other than the Special Permit provisions under this Article XIX, Open Space Development) and all applicable land use regulations in the district (including wetlands protection), and complying with the Subdivision Rules and Regulations, as demonstrated by a preliminary subdivision density yield plan. The applicant must further certify that each lot identified on the Density Yield Plan can support the placement of an on-lot septic system for a four bedroom residential dwelling, as evidenced by a soils and percolation tests, consistent with Title 5. Such Density Yield Plan shall be submitted with the Open Space Development special permit application and shall be subject to the review and approval of the Planning Board. The applicant is encouraged to submit such material to the Planning Board office early in the development process, prior to submittal of a completed application, for verification and acceptance of the proposed development density.

2. Further amend §173-104 by deleting subsections B, C and D therefrom in their entirety and designating existing subsection E as subsection B to account for the deletions.

3. Amend §173-98.C by inserting a new subsection (2) as follows:

(2) A “Density Yield Plan” sketch (at a scale of no less than 1”=100’) showing how development of the parcel would be achieved by a conventional subdivision plan, in

accordance with all applicable land use regulations, to determine the maximum allowable density under this Special Permit.

and renumbering the existing subsections that follow to account for the new insertion, or to take any other action in relation thereto.

ARTICLE 21
Planning Board
Zoning By-law Amendment: Temporary Moratorium
on Medical Marijuana Treatment Centers

To see if the Town will vote to amend the Zoning Bylaw of the Town of Littleton by adding a new Article XXVII, to read as follows:

ARTICLE XXVII, Temporary Moratorium on Medical Marijuana Treatment Centers
§173-185. Purpose.

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013 and the State Department of Public Health is required to issue regulations regarding implementation within 120 days of the law's effective date. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center is not a permitted use in the Town and any regulations promulgated by the State Department of Public Health are expected to provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Medical Marijuana Treatment Centers and address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Medical Marijuana Treatment Centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Centers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

§173-185. Definition.

“Medical Marijuana Treatment Center” shall mean a not for profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

§173-187. Temporary Moratorium.

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center. The moratorium shall be in effect through June 30, 2014. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the Department of Public Health regulations regarding Medical Marijuana Treatment Centers and related uses, and shall consider adopting new provisions of the Zoning Bylaw to address the impact and operation of Medical Marijuana Treatment Centers and related uses.

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or take any other action in relation thereto.

ARTICLE 22
Voter Petition

Zoning By-law Amendment: Extensive Recreation Special Permit Granting Authority

To see if the Town will vote to amend the Use Regulation Schedule 173-26 of the Town of Littleton Zoning Bylaws under Recreational Uses section “Extensive Recreation” to allow the Planning Board to be the special permit granting authority, or to take any other action in relation thereto.

ARTICLE 23
Voter Petition

Zoning By-law Amendment: Extensive Recreation Definition

To see if the Town will vote to amend the definition of “Extensive Recreation” to:

Golf Courses laid out substantially in accordance with the usual requirements or specifications of the United States Golf Association, ski areas, indoor and outdoor sports fields and recreational facilities which primarily use, preserve or provide open space, together with clubhouses and appurtenant facilities, whether or not operated for profit. Such appurtenant facilities may provide for recreational activities not directly connected with the use of open space, provided that in no event shall structures housing said recreational activities occupy more than five percent (5%) of the lot area. Additionally, such appurtenant facilities may also include the following commercial uses: office, restaurant and retail sales and services; provided that in no event shall structures housing said commercial uses occupy more than five percent (5%) of the lot area. In no event shall the appurtenant facilities housing recreational activities and the appurtenant facilities housing commercial activities combine occupy more than ten percent (10%) of the lot area.

or to take any other action in relation thereto.

ARTICLE 24

Board of Selectmen

Town By-law Amendment: Wetlands Protection

To see if the Town will vote to amend Chapter 171, Wetlands Protection, of the Town Code as follows:

1. Amend §171-1 by inserting a new subsection C, to read as follows:
 - C. The Commission may, with the approval of the Board of Selectmen, establish, in its rules and regulations, design specifications, performance standards, and other measures and safeguards, including setbacks, no-disturb areas, and other work limits for protection of such areas subject to protection.
2. Further amend §171-1 by renumbering the remaining existing subsections to account for the insertion of new Subsection 171-1.C.
3. Amend the title of §171-7 so that said title reads as follows:
General provisions, presumptions, performance standards, rules and regulations, and statute of limitations.
4. Amend §171-7.A so that said subsection reads as follows:
 - A. *Except as otherwise provided in this chapter or in the Rules and Regulations*

TOWN OF LITTLETON, MASSACHUSETTS

promulgated in accordance with this chapter, the provisions set forth in M.G.L. c.131, § 40, 310 CMR 10.03(1) through 10.03(6)(Presumptions), 310 CMR 10.04 (Definitions), and 310 CMR 10.51 through 10.60 (Performance Standards) shall be used for the interpretation and implementation of this chapter.

5. Amend §171-7 by inserting a new subsection B, to read as follows:
 - B. After due notice and a public hearing, the Commission shall promulgate rules, regulations and procedures for compliance with this Bylaw, a copy of which shall be filed with the Town Clerk. Failure by the Commission to promulgate such rules, regulations or procedures or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effects of this Bylaw.
6. Further amend §171-7 by renumbering the remaining existing subsection to account for the insertion of new Subsection 171-7.B.
or to take any other action in relation thereto.

ARTICLE 25
Board of Selectmen / Council on Aging
Town By-law Amendment: Director of Elder and Human Services

To see if the Town will vote to amend Chapter 3, Section 3 of the Town Code so that said section reads follows:

The Town Administrator shall directly supervise and conduct performance reviews for the following current and future department heads unless otherwise specified by statute: Assistant Town Administrator for Finance and Budget; Head of the Highway Department; Facilities Manager; Head of Information Technology; Building Commissioner; Human Resources; *Director of Elder and Human Services*; and Littleton Community Television (LCTV) Executive Director. The department heads shall be appointed by, and can be removed by, the Town Administrator subject to the approval of the Board of Selectmen. *The appointment of the Director of Elder and Human Services shall also be subject to approval by the Council on Aging.* Employees of the heads of said departments shall be appointed by the department head subject to approval of the Town Administrator.”

or to take any other action in relation thereto.

ARTICLE 26
Board of Selectmen
Senior Work Program

To see if the Town will vote to request the Board of Assessors to commit \$55,000, or any other sum or sums of money, from the Overlay Account for Abatements to fund the Senior Citizen Tax Work-off Abatement Program, or to take any other action in relation thereto.

ARTICLE 27
Board of Selectmen
Use of MassDOT Chapter 90 Funds

To see if the Town will vote to transfer from available funds or authorize the Treasurer to borrow in anticipation of reimbursements, a sum of money for authorized road improvements and other projects provided for under Chapter 90 of the General Laws, or to take any other action in relation thereto.

ARTICLE 28
Board of Selectmen
Drainage Easement on Harvard Road

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain an easement and/or rights in a portion of the parcel of land shown on Assessor's Map R16 as Parcel 1-0 for the purposes of making certain roadway improvements on Harvard Road, said portion being shown as "Proposed Permanent Easement for Drainage Purposes Area = 3,370 S.F. +/-" on the plan of land entitled "Permanent Easement Harvard Road," dated March 20, 2013 and prepared by Green International Affiliates, Inc., or take any other action in relation thereto.

ARTICLE 29
Board of Selectmen
Sewer Easements on Grist Mill Road and Surrey Road

To see if the Town will vote to authorize the Board of Selectmen to convey to Fifteen Great Road, LLC, Fifteen Great Road II, LLC, John R. Keilty, as Trustee of Littleton Holding Realty Trust u/d/t dated April 8, 2010, John R. Keilty, as Trustee of Nashoba Place Realty Trust u/d/t dated December 22, 2011, recorded with Middlesex South District Registry of Deeds in Book 58154, Page 117, and/or Leslie J. French, as Trustee of JFM Realty Trust u/d/t dated February 24, 2005, recorded with Middlesex South District Registry of Deeds in Book 44725, Page 478 (individually and collectively, along with their respective successors and assigns, the "Developer") the easements and rights needed from the Town to allow the Developer to install and maintain underground sewer lines and cleanouts, manholes, markers, magnetic marking tape, insulation for the sewer lines, posts to identify where the sewer lines cross under the public way and such other appurtenances as are normally associated with the installation of such sewer lines on, above or beneath Grist Mill Road and Surrey Road in order to connect Lot 41A as shown on a plan entitled "PHASE II 'Apple D'Or Farms' Subdivision of Land in Littleton, Massachusetts", dated January 2, 1998, and recorded with the Middlesex South District Registry of Deeds as Plan No. 704 of 1998), Lots 46A, 47A, 97A, 102A, 127A and 128A as shown on a Plan of Land entitled "Plan of Land in Littleton, Massachusetts", dated September 8, 1999, and recorded in the Middlesex South District Registry of Deeds as Plan Number 1419 of 1999), to a wastewater treatment facility the Developer proposes to construct on Lot 1 as shown on the entitled "PLAN OF LAND, LOCATION; 15 GREAT ROAD, TOWN: LITTLETON, MASSACHUSETTS, PREPARED FOR: FIFTEEN GREAT ROAD LLC" Dated December 2, 2012, by Places Associates, Inc., recorded in the Middlesex South District Registry of Deeds as Plan No. 86 of 2013, or to take any other action in relation thereto.

ARTICLE 30
Board of Selectmen / Board of Health
Community Septic System Repair Loan Program

To see if the Town will vote to appropriate the sum of \$300,000 for the purpose of financing the following water pollution facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow said sum and issue bonds or notes therefore under M.G.L. c.111, s.127B 1/2

TOWN OF LITTLETON, MASSACHUSETTS

and/or Chapter 29C of the General Laws; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; and that the Board of Selectmen or other appropriate local body or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects, or to take any other action relative thereto.

ARTICLE 31
Board of Selectmen
Rescind Unused Borrowing Authorizations

To see if the Town will vote to rescind the borrowing authorized for the following articles and following un-issued amounts, or to take any other action in relation thereto:

<i>Town Meeting Vote</i>	<i>Project</i>	<i>Authorization</i>	<i>Amount Issued</i>	<i>Total to be Rescinded</i>
11/8/2010 STM Art. 9	Cobb Land Purchase	\$323,955.68	\$323,955.00	\$ 0.68
5/3/2010 STM Art. 7	Road Resurfacing/Water Mains	100,000.00	94,400.00	5,600.00
9/24/2001 STM Art. 5	Clean Lakes	50,000.00	-	50,000.00
5/3/1999 ATM Art. 25	Septic System Betterments	250,000.00	-	<u>250,000.00</u>
	Total			\$305,600.68

Hereof fail not and make due return of the Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

SELECTMEN OF LITTLETON

Chairman

Clerk

Member

Member

Member

Date of Execution

TOWN OF LITTLETON, MASSACHUSETTS

A TRUE COPY ATTEST:

John M. Kelly, Constable
Town of Littleton

CONSTABLE'S CERTIFICATION

I hereby certify under the pains and penalties of perjury that I posted an attested copy of this Warrant at the Town Office Building on Shattuck Street, at the Post Office at Littleton Common, at the Post Office at Littleton Depot, at the Baptist Church, at the Unitarian Church, at the Catholic Church, at the Congregational Church, and at the Mormon Church, in said Town, on the date attested. I further certify that this Warrant was posted in accordance with the Code of the Town of Littleton and the provisions of M.G.L. c.39, §10.

Attest: _____

Constable

Date: _____