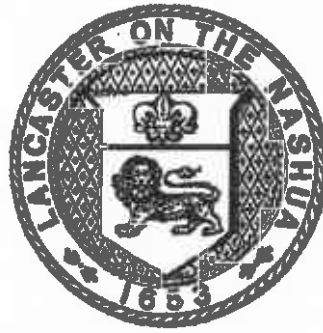


**TOWN OF LANCASTER
MASSACHUSETTS**



**WARRANT
for the
2017 SPECIAL
TOWN MEETING**

**Mary Rowlandson Elementary School Auditorium
103 Hollywood Drive, Lancaster, Massachusetts**

Beginning Monday, October 2, 2017 at 7:00 P.M.

**WARRANT FOR
SPECIAL TOWN MEETING
October 2, 2017
THE COMMONWEALTH OF MASSACHUSETTS**

Worcester, ss.

To any Constable of the Town of Lancaster in the County of Worcester,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Lancaster qualified to vote in the elections and Town affairs, to meet at **Mary Rowlandson Elementary School Auditorium, 103 Hollywood Drive, in said Lancaster on Monday, the Second day of October, 2017, at 7:00 o'clock in the evening, then and there to act on the following Articles:**

**ARTICLE 1
Amend Fiscal Year 2018 Operating Budget
Finance Committee
Board of Selectmen**

To see if the Town will vote to amend the vote taken under Article 3 of the May 1, 2017 Annual Town Meeting warrant appropriating funds to defray the expenses of the Town for the Fiscal Year beginning July 1, 2017, and, as necessary therefore, to raise, appropriate, transfer from available funds, by borrowing, by transfer from Overlay Surplus, by transfer from fund balance reserved for school debt or any combination thereof for the purpose of supplementing departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote; or act in any manner relating thereto.

**ARTICLE 2
Fiscal Year 2018 Capital Expenditures
Finance Committee
Board of Selectmen**

To see if the Town will raise and appropriate or transfer from available funds the following sums of money, to be expended by the respective Departments or Officers indicated, for the capital projects and purchases itemized and described; or act in any manner relating thereto.

a. Prescott Building	
Amount:	\$100,000
Funds to be expended by:	Board of Selectmen
Purpose:	Moving expenses for Town Hall into Prescott Building
Funding Sources:	Free Cash

b. Bartlett Pond Dam

Amount:	\$75,000
Funds to be expended by:	Board of Selectmen
Purpose:	Design of Trail System
Funding Source:	Raise and Appropriate

c. Neck Road Water Main

Amount:	\$100,000
Funds to be expended by:	Board of Public Works
Purpose:	Design, Engineering, Permitting and Construction
Funding Source:	Water Retained Earnings

d. New Water Source

Amount:	\$50,000
Funds to be expended by:	Board of Public Works
Purpose:	Design, Engineering and Permitting
Funding Source:	Water Retained Earnings

e. Tree Removal

Amount:	\$10,000
Funds to be expended by:	Board of Selectmen
Purpose:	Tree Cutting
Funding Source:	Free Cash

ARTICLE 3
Finance Committee
Board of Selectmen

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds, a sum of money to be deposited by the Town Treasurer/Collector, with the approval of the Board of Selectmen, in the Town's Other Post-Employment Benefits (OPEB) or act in any manner relating thereto.

ARTICLE 4
Solar Enterprise
Finance Committee
Board of Selectmen

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

Article 5
Pay Bills of Prior Fiscal Year
Finance Committee
Board of Selectmen

To see if the Town will vote to transfer Eight Thousand and Eight Hundred Ninety-Five Dollars and Fifty-Three Cents (\$8,895.53) from available funds to pay an unpaid bills from Fiscal Year 2017 (detail below), or act in a manner relating thereto.

<u>Department</u>	<u>Vendor</u>	<u>Amount</u>	<u>Date</u>	<u>Purpose</u>
Legal	KP Law	\$4,508.20	5/24/17	Town Counsel
Lancaster Water Department	National Grid	\$4,387.33	6/02/17	Electric Bill

Article 6
Local Option Meals Tax
Finance Committee
Board of Selectmen

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 64L, Section 2(a) to impose a local meals excise tax at the statutory rate of three-quarters of a percent (0.75%), on the sale of restaurant meals originating with the Town; or act in a manner relating thereto.

Article 7
Local Option Room Occupancy Excise
Finance Committee
Board of Selectmen

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 64G, Section 3A to impose a local room occupancy excise tax, or act in a manner relating thereto.

ARTICLE 8
Sale/Conveyance of Building – Memorial Elementary School
Board of Selectmen

To see if the Town will transfer to the Board of Selectmen, for the purpose of sale, the care and custody of the **Memorial Elementary School**, located on 695 Main Street, Lancaster and shown on the Lancaster Assessors' Maps as map 31, parcel 94, for the purposes of renting, conveying, or otherwise disposing of said property , and to authorize the Board of Selectmen to rent, convey, or otherwise dispose of said property in accordance with such terms and conditions as are determined by the Board of Selectmen to be in the best interest of the Town ; or act in any manner relating thereto

ARTICLE 9
Sale/Conveyance of Building – Town Hall
Board of Selectmen

To see if the Town will transfer to the Board of Selectmen, for the purpose of sale, the care and custody of the **Town Hall**, located on 695 Main Street, Lancaster and shown on the Lancaster Assessors' Maps as map 31, parcel 94, for the purposes of renting, conveying, or otherwise disposing of said property , and to authorize the Board of Selectmen to rent, convey, or otherwise dispose of said property in accordance with such terms and conditions as are determined by the Board of Selectmen to be in the best interest of the Town ; or act in any manner relating thereto

ARTICLE 10
Sale/Conveyance of Vacant Land – Fort Pond Road
Board of Selectmen

To see if the Town will transfer to the Board of Selectmen, for the purpose of sale, the care and custody of approximately 2.46 acres, more or less, of the town owned land located westerly of Lancaster Road in Shirley, MA and northerly of Fort Pond Road, Lancaster, MA and shown on the Assessors' Maps as parcel 2, for the purposes of renting, conveying, or otherwise disposing of said property , and to authorize the Board of Selectmen to rent, convey, or otherwise dispose of said property in accordance with such terms and conditions as are determined by the Board of Selectmen to be in the best interest of the Town ; or act in any manner relating thereto

ARTICLE 11
Sale/Conveyance of Vacant Land – Packard Street
Board of Selectmen

To see if the Town will transfer to the Board of Selectmen, for the purpose of sale, the care and custody of approximately 0.249 acres more or less of the town owned land located, also known as 0 Packard Street, and shown on the Assessors' Maps as map 34, parcel 147, lot 107, for the purposes of renting, conveying, or otherwise disposing of said property , and to authorize the Board of Selectmen to rent, convey, or otherwise dispose of said property in accordance with such terms and conditions as are determined by the Board of Selectmen to be in the best interest of the Town ; or act in any manner relating thereto

ARTICLE 12
Land Purchase for Conservation Purposes
Conservation Commission
Town Forest Committee

To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum not to exceed \$61,000.00 to be expended by the Lancaster Conservation Commission in accordance with the authority granted to it under Massachusetts General Laws, Chapter 40, Section 8C, by and on behalf of the Town of Lancaster, for the total cost to acquire, through purchase of the fee interest, that certain tract of land totaling 26.8 acres, more or less, located at 0 Old County Road in Lancaster, identified as 029-0022.0 on the Lancaster Assessor's Maps, being that land described in a deed recorded with the Worcester Registry of Deeds in Book 15221 at Page 130, including costs incidental and related thereto, for conservation and passive recreation purposes, said land to be held in the care, custody, management and control of the Lancaster Conservation Commission thereafter; and further to authorize the Conservation Commission or its designees to apply for, accept, and expend on behalf of the Town such other funds as may be provided to pay for all or a portion of the costs of acquiring said tract of land, including but not limited to grants and/or reimbursement from the Commonwealth of Massachusetts under the

Local Acquisitions for Natural Diversity (LAND) grant program (Massachusetts General Laws Chapter 132A, Section 11), provided, however, that said acquisition is conditional upon the Town receiving a LAND grant for said acquisition in the amount of 66% of the total cost of the purchase; and to authorize the Conservation Commission and Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Lancaster to effect said acquisition; or take any other action relative thereto.

ARTICLE 13
Temporary Moratorium on Recreational Marijuana Retailers
Zoning Board of Appeals

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 78, **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA RETAILERS** that would provide as follows, and further to amend the Table of Contents to add Article XVIII, "Temporary Moratorium on Recreational Marijuana Retailers."

Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017, by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018.

Currently under the Lancaster Zoning Bylaw, a non-medical Marijuana Retailer (hereinafter, a "Marijuana Retailer"), as defined in G.L. c. 94G, Section 1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Marijuana Retailers.

The regulation of recreational marijuana raises novel legal, planning and public safety issues, and the Town needs time to study and consider the regulation of Marijuana Retailers and address such issues, as well as to address the potential impact of the State regulations on local zoning.

The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Marijuana Retailers that sell marijuana and marijuana-related products to the general public, so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

Definition

"Marijuana Retailer" shall mean "an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell, or otherwise transfer marijuana and marijuana products to consumers."

For the purposes of this bylaw, the term "Marijuana Retailer" does not apply to a marijuana cultivator, independent testing laboratory, or marijuana product manufacturer that may deliver or transfer marijuana products to other marijuana establishments, but not to consumers nor to any establishment engaged in the delivery or transfer of Medical Marijuana for lawful purposes.

Temporary Moratorium

For the reasons set forth above and notwithstanding any other provisions of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Marijuana Retailer. The moratorium shall be in effect through December 31, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission's regulations regarding Marijuana Retailers, and shall consider adopting new Zoning Bylaws in response to these new issues.

Or take any action relative thereto.

ARTICLE 14

Amending Water Withdrawal Bylaw – Definition of Surface Water Body Conservation Commission

To see if the Town will vote to amend the General Bylaws, Chapter 212, Water Withdrawal, §212-2, Definitions, by inserting therein the bold underlined language as shown herein:

Surface Water Body

Any lakes, reservoirs, and ponds of any size, and any rivers, streams, brooks and creeks, whether perennial or intermittent, as are subject to the jurisdiction of the Conservation Commission under the Lancaster Wetlands Protection Bylaw[1]; **provided, however, that human-made bodies of open water excavated from upland areas in currently active quarries, or quarries inactive for no more than five consecutive years, shall be subject to the requirements of the Lancaster Water Withdrawal Bylaw.**

Or act in any manner relating thereto.

And you are directed to serve this Warrant by posting up attested copies thereof at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House and the Town Hall, in said Town seven days at least before the time for holding said meeting. 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 LANCASTER

Stanley B. Starr, Jr.
Stanley B. Starr, Jr., Chairman

Walter F. Sendrowski
Walter F. Sendrowski, Clerk

Mark A. Grasso, Jr., Member

CONSTABLE'S CERTIFICATION	
<i>I hereby certify under the pains and penalties of perjury that I posted an attested a copy of this Warrant at the South Lancaster Post Office, the Center Post Office, the Fifth Meeting House, and the Town Hall on the date attested. I further certify that this Warrant was posted in accordance with the By-laws of the Town of Lancaster and the provisions of M.G.L. c.39, §10.</i>	
Attest	
<u>Mary de Alderete</u>	
Constable Signature	
<u>Mary de Alderete</u>	
Print	
Date:	<u>Sept 18, 2017</u>

The full text of the Warrant is available in the Town Hall and Thayer Memorial Library.
The Warrant will also be available at Town Meeting.