



TOWN WARRANT
Town of Lexington
Special Town Meeting 2018-1

Commonwealth of Massachusetts
To any of the Constables of the Town of Lexington

Middlesex, ss.
Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Lexington qualified to vote in elections and in Town affairs to meet in the Margery Milne Battin Hall in Cary Memorial Building, 1605 Massachusetts Avenue, in said Town on Tuesday, November 13, 2018 at 7:30 p.m., at which time and place the following articles are to be acted upon and determined exclusively by the Town Meeting Members in accordance with Chapter 215 of the Acts of 1929, as amended, and subject to the referendum provided for by Section eight of said Chapter, as amended.

ARTICLE 1 **REPORTS OF TOWN BOARDS, OFFICERS AND COMMITTEES**

To receive the reports of any Board or Town Officer or of any Committee of the Town; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This Article remains open throughout Town Meeting and reports may be presented at any Town Meeting session by boards, officers, or committees.

ARTICLE 2 **AMEND ZONING BYLAW – MEDICAL AND RECREATIONAL MARIJUANA**

To see if the Town will vote to amend the Zoning Bylaws to repeal Section 135-3.1.7, “Marijuana Establishment Temporary Moratorium,” and update the regulation of marijuana to reflect changes in State law and the Town’s General Bylaw prohibiting marijuana establishments; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Planning Board)

DESCRIPTION: This article would update the provisions of the zoning bylaw to be consistent with current Massachusetts law and regulations and to reflect the Town’s prohibition of Recreational Marijuana Facilities in the General Bylaw, § 97-5.

ARTICLE 3 **APPROPRIATE FOR CENTER STREETSCAPE DESIGN**

To see if the Town will vote to raise and appropriate a sum of money to pay costs of design, engineering and architectural services for the Center Streetscape, and all other costs necessary or incidental thereto; determine whether the money shall be provided by the tax levy, by transfer from available funds, by borrowing or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$650,000

DESCRIPTION: These funds will complete the design work on the Center Streetscape design.

ARTICLE 4

TRANSFER OF PROPERTY TO LEXHAB

To see if the Town will vote to authorize the Board of Selectmen to transfer the custody and control of the land known as 18 Rangeway Rd, further shown as Lot 64 of Assessors Map 90 to the Lexington Housing Assistance Board, Inc. (“LexHab”), and the improvements thereon, on such terms and conditions that the Board may determine, or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: The property in this article is owned by the Town of Lexington. It was re-zoned from RO to RD by Article 5 of the 2004 Annual Town Meeting to allow LexHab to develop a 2-family dwelling which LexHab did construct, and which is now occupied. This article will authorize the transfer of ownership of the land to LexHab.

ARTICLE 5

APPROPRIATE FOR HOSMER HOUSE REUSE STUDY

To see if the Town will vote to raise and appropriate a sum of money to fund the Hosmer House Building Feasibility Study; determine whether the money shall be provided by the tax levy, by transfer from available funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time.

DESCRIPTION: In light of the police station design project being approved in 2017, the Hosmer House will need to be relocated in order for construction of a new police station to move forward. This study will best determine the location (current or off-site) for the Hosmer House, cost to move the building and proposed use of the building.

ARTICLE 6

AMEND FY2019 OPERATING, ENTERPRISE AND CPA BUDGETS

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money appropriated under Articles 4, 5, and 10 of the warrant for the 2018 Annual Town Meeting, to be used during the current fiscal year, or make any other adjustments to the current fiscal year budgets and appropriations that may be necessary; to determine whether the money shall be provided by the tax levy, transfer from available funds, including the Community Preservation Fund, or any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article allows for adjustments to the current fiscal year (FY2019) appropriations, as approved at the 2018 Annual Town Meeting.

ARTICLE 7

APPROPRIATE FOR PRIOR YEARS’ UNPAID BILLS

To see if the Town will vote to raise and appropriate money to pay any unpaid bills rendered to the Town for prior years; to determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: Unknown at press time

DESCRIPTION: This is an annual article to request funds to pay bills after the close of the fiscal year in which the goods were received or the services performed and for which no money was encumbered.

ARTICLE 8 ESTABLISH AND APPROPRIATE TO AND FROM SPECIFIED STABILIZATION FUNDS

To see if the Town will vote to create, amend, rename and/or appropriate sums of money to and from Stabilization Funds in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws for the purposes of: (a) Section 135 Zoning By-Law, (b) Traffic Mitigation, (c) Transportation Demand Management/Public Transportation, (d) Special Education, (e) Center Improvement District, (f) Debt Service, (g) Transportation Management Overlay District, (h) Capital, (i) Payment in Lieu of Parking, (j) Visitor Center Capital Stabilization Fund, (k) Affordable Housing Capital Stabilization Fund, (l) Water System Capital Stabilization Fund, and (m) Ambulance Stabilization Fund; determine whether the money shall be provided by the tax levy, by transfer from available funds, from fees, charges or gifts, or by any combination of these methods; and further, to accept paragraph four of Section 5B of Chapter 40 of the Massachusetts General Laws, dedicating certain fees, charges, gifts or receipts to a stabilization fund; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: Unknown at press time.

DESCRIPTION: This Article proposes to establish, and/or fund Stabilization Funds for specific purposes and to appropriate funds therefrom. Money in those funds may be invested and the interest may then become a part of the particular fund. These funds may later be appropriated for the specific designated purpose, by a two-thirds vote of an Annual or Special Town Meeting, for any lawful purpose.

ARTICLE 9 PETITION FOR CHANGE OF ZONING DISTRICT AND ZONING MAP

To see if the Town will vote to amend the Zoning Bylaw and Map to convert the current CD-1 District to the CSX District, said District currently consisting of Town of Lexington Assessors' Map 84, Lot 81 located at 7 Hartwell Avenue and as shown on a GIS plan obtained from the Town of Lexington real property database on file with the Lexington Town Clerk.

(Inserted by 7 Hartwell, LLC)

DESCRIPTION: The article requests an amendment to the Zoning Bylaw and Map in order to allow additional uses at the site. The location of the property is shown on a GIS plan obtained from the Town of Lexington real property database, and on file with the Lexington Town Clerk and the Lexington Planning office. The current CD-1 District was adopted with limited and narrow use provisions which limits the opportunity of the property to integrate uses that are responsive to the current needs of the community and marketplace and prohibits the Applicant's principal use – a school not exempt by statute.

ARTICLE 10 AMEND ZONING BYLAW – 55 & 56 Watertown Street (Owner Petition)

To see if the Town will vote to amend the Zoning Map and Bylaw of the Town to create Planned Development District PD-3, based on the information provided in the applicant's Preliminary Site

Development and Use Plan (“PSDUP”) for the property commonly known as Town Assessors' Map 3, Lot 2A and Map 1, Lot 2A, addressed as 55 and 56 Watertown Street; or to act in any other manner relative thereto.

(Inserted by Ted Tye, authorized signatory of ND Acquisitions LLC with the consent of the property owner, Belmont Country Club)

DESCRIPTION The article requests rezoning and approval of a Preliminary Site Development and Use Plan for an approximately 17.70+/- acre property identified in the Article. The property is shown on the plans entitled: “PROPOSED REZONING OF LAND TO THE PLANNED DEVELOPMENT DISTRICT (PD-3)” dated September 28, 2018, prepared by Control Point Associates, Inc. and on a plan entitled: “Locus Plan – Belmont Country Club” stamped on June 8, 2018 prepared by Control Point Associates, which are both on file with the Town Clerk and the Planning Office.

And you are directed to serve this warrant not less than fourteen days at least before the time of said meeting, as provided in the Bylaws of the Town.

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

Given under our hands this 15th day of October, 2018.

Suzanne E. Barry, Chairman	Selectmen
Joseph N. Pato	of
Michelle L. Ciccolo	
Douglas M. Lucente	Lexington

A true copy, Attest:
Constable of Lexington