

TOWN WARRANT Town of Lexington Special Town Meeting

Commonwealth of Massachusetts

Middlesex, ss.

To any of the Constables of the Town of Lexington

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 Auditorium in Cary Memorial Building, 1605 Massachusetts Avenue, in said Town on Monday, June 17, 2013 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, 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)

ARTICLE 2

APPROVE TIF AGREEMENT(S)

To see if the Town will vote to: (a) adopt a Tax Increment Financing ("TIF") Plan and Agreement pursuant to Massachusetts General Laws Chapter 40, Section 59 between UniQure, Incorporated and the Town of Lexington and one of the following two property owners, as yet to be determined:

- King 113 Hartwell LLC, for property located at 113 Hartwell Avenue shown on Assessors' Map,
 74, Lot 8A, within a proposed 113 Hartwell Avenue Economic Opportunity Area, or
- Mortimer B. Zuckerman, as Trustee of Zee Bee Trust II, for property located at 17 Hartwell Avenue shown on Assessors' Map 84, Lot 80A, within a proposed 17 Hartwell Avenue Economic Opportunity Area,

which TIF Plan and Agreement provide for real estate tax exemptions at the exemption rate schedule set forth therein, substantially in the form to be placed on file with the Board of Selectmen and the Town Clerk, subject to approval by the Economic Assistance Coordinating Council of the Commonwealth of Massachusetts ("EACC"); (b) approve the project proposal, and find that the proposal meets the requirements of the Massachusetts General Laws Chapter 23A Section 3F and the applicable regulations at 402 C.M.R. 2.00, and authorize submission of same to the EACC for its approval, substantially in the form to be placed on file with the Board of Selectmen and the Town Clerk; (c) authorize the Board of Selectmen to execute the TIF Agreement, and approve the submission to the EACC of the TIF Plan and Agreement and Certified Project application and any necessary documents relating thereto, and to take such other actions as necessary or appropriate to implement the provisions of those documents; and (d) or act in any other manner in relations thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article will authorize the Board of Selectmen to enter into a Tax Increment Financing (TIF) Agreement with UniQure, Inc. that will be locating at one of two properties on Hartwell Avenue.

ARTICLE 3 TECHNICAL CORRECTION TO ARTICLE 2 OF THE MARCH 18, 2013 SPECIAL TOWN MEETING – LAND PURCHASE OFF MARRETT ROAD

To see if the Town will vote to amend Article 2 of the March 18, 2013 special town meeting to correct a technical error in the wording of the motion as approved as it relates to the general fund portion of the financing of the project.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article is for the purpose of making a technical correction to the motion under Article 2 of the March 18, 2013 special town meeting that was voted for the acquisition of 33 Marrett Road. The motion as approved identifies an incorrect financing source. Part (a) of the motion states that \$3,560,000 "be raised in the tax levy". It should have read "...\$1,085,778 be raised in the tax levy and \$2,474,222 be appropriated from the general fund unreserved fund balance".

AMEND ZONING BYLAW – MEDICAL MARIJUANA TREATMENT CENTERS

To see if the Town will amend Chapter 135 of the Code of the Town of Lexington, the Zoning Bylaw, by including a definition of and instituting a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center, said moratorium to expire no later than July 31, 2014, or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article will impose a temporary moratorium on locating Medical Marijuana Treatment Centers (MMTCs) in the town. The recently adopted regulations of the Massachusetts Department of Health implementing Chapter 369 of the Acts of 2012, "An Act for the Humanitarian Medical Use of Marijuana" allow for "local oversight and regulations, including fee requirements," but do not allow a town to prohibit MMTCs. The moratorium will provide a defined period of time for the town to develop regulations for MMTCs.

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 20th day of May 2013.

Deborah N. Mauger Peter C.J. Kelley Norman P. Cohen Hank Manz Joseph N. Pato Selectmen

of

Lexington

A true copy, Attest:

Richard W. Ham, Jr. Constable of Lexington

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Warrant - Special Town Meeting - June 17, 2013

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