



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 Hall in the Cary Memorial Building, 1605 Massachusetts Avenue, in said Town on Monday, June 16, 2014 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

AMEND ZONING BYLAW – 430 CONCORD AVENUE

To request the Town to amend the Code of the Town of Lexington, Zoning By-Law Sections and the Zoning Map of the Town of Lexington, by changing the zoning district designation of the land described in a certain written metes and bounds description and certain plans on file with the Planning Board, from the current RO One Family Dwelling District to a CD Planned Commercial District, said property being commonly known as Town of Lexington Assessors' Map 10 Parcel 8 at 430 Concord Avenue, in order to allow the construction of a new building on the property of approximately 30,000 square feet, together with parking and other improvements, to be known as Artis Senior Living; and to approve the preliminary site development and use plan entitled "Preliminary Site Development and Use Plan for the Planned Commercial District at 430 Concord Avenue, Lexington, Massachusetts" ("the PSDUP") on file with Lexington Town Clerk and Lexington Planning Board, and to approve standards for development, uses permitted, dimensional standards and other provisions contained within the PSDUP, or to act in any other manner relative thereto.

(Inserted by John H. Sellars, Owner of 430 Concord Avenue)

DESCRIPTION: This article requests rezoning and approval of a Preliminary Site Development and Use Plan (PSDUP) of the parcel identified in the article. The general location of the parcel is shown on the map available in the Town Clerk and Planning Departments.

ARTICLE 3

LAND ACQUISITION – OFF CONCORD AVENUE

To see if the Town will vote to authorize the Conservation Commission to purchase or otherwise acquire, and authorize the Selectmen to take by eminent domain, upon the written request of the Conservation Commission, for conservation purposes including outdoor recreation as provided by Section 8C of Chapter 40 of the Massachusetts General Laws, as amended, any fee, easement, or conservation restriction as defined in Section 31 of Chapter 184 of the Massachusetts General Laws, or other interest in all or any part of land shown as Lot 1 on Assessors' Property Map 6, now or formerly of John H. Sellars; and appropriate a sum of money therefor and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or 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: This article requests funds to acquire open back land off 430 Concord Avenue for conservation purposes.

ARTICLE 4 AUTHORIZED EASEMENT ON LAND AT 430 CONCORD AVENUE

To see if the Town will vote to authorize the Board of Selectmen to acquire by eminent domain, purchase or otherwise an easement or expand the uses of the existing sewer easement on property shown on Assessors’ Property Map 10, Lots 7 and 8 to access the land shown on Assessors’ Property Map 6, Lot 1; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article would provide for an access easement to the land described in Article 3 of this warrant

ARTICLE 5 SCHOOL MASTER PLAN

To see if the Town will vote to appropriate a sum of money for a school building master plan; 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 at the request of the School Committee)

FUNDS REQUESTED: \$250,000

DESCRIPTION: This article requests funds to plan for future needs of the public schools.

ARTICLE 6 AMEND GENERAL BYLAWS – CONTRACTS AND DEEDS

To see if the Town will vote to amend Section 32-4 of Chapter 32 (“Contracts and Deeds”) of the Code of the Town of Lexington by deleting the following line from the Table entitled Type of Contract and Number of Years:

Leases, licenses, power purchase agreements, agreements for payments in lieu of taxes (PILOTs), and/or other agreements for the purpose of installing solar energy facilities and purchasing solar electricity	20
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And replacing it with the following two lines:

Leases, licenses, power purchase agreements and/or other agreements for the purpose of installing solar energy facilities and purchasing solar electricity	22
Agreements for payments in lieu of taxes (PILOTs) with owners of solar energy facilities on Town-owned property	20

or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: Power purchase agreements for solar facilities typically provide for the sale of electricity for terms of 20 years (or more), as of the date of commercial operation. The 20 year purchase requirement is in addition to the time required for permitting and constructing a solar facility. As now written, the general bylaw would limit electricity purchases to less than 20 years in order to provide adequate time within a 20 year contract for permitting and construction of the solar facility. While permitting and construction typically is completed in less than one year, the change from 20 to 22 years for contracts authorized by the proposed amendment to the general bylaw provides flexibility to the Town Manager to take into account the possibility of up to two year delays in permitting and interconnection approvals and construction prior to commercial operation. Because state law limits PILOT Agreements to 20 years, the term of PILOT agreements is unchanged by the amendment. Under the proposed amended bylaw, PILOT Agreements would become effective contemporaneously with the time when the solar system commences production, the Town begins to purchase electricity from a completed and operational solar facility, and the developer begins to receive revenue with which to make PILOT payments.

ARTICLE 7

AMEND GENERAL BYLAWS REGARDING REPORTING PERIOD FOR TOWN COUNSEL'S ANNUAL REPORT

To see if the Town will vote to amend Section 90-28 of Chapter 90 of the Code of the Town of Lexington (Officers and Employees) to provide for Town Counsel's report to be on a fiscal year cycle rather than on a calendar year cycle; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: The Town Report is now on a fiscal year basis. The proposed amendment will make the report of the Town Counsel consistent with the new reporting cycle.

ARTICLE 8

ESTABLISH AND APPROPRIATE TO AND FROM SPECIFIED STABILIZATION FUNDS

To see if the Town will vote to create 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, (d) School Bus Transportation, (e) Special Education, (f) Center Improvement District; (g) Debt Service, (h) Transportation Management Overlay District (TMO-1), (i) Avalon Bay School Enrollment Mitigation Fund, and (j) Capital Projects/Debt Service Reserve/Building Renewal Fund; and 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 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. The use of these funds may be appropriated for the specific designated purpose by a two-thirds vote of an Annual or Special Town Meeting.

ARTICLE 9

AMEND FY2014 OPERATING AND ENTERPRISE BUDGETS

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money appropriated under Articles 4 and 5 of the warrant for the 2013 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 transfer from available funds; 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 article to permit adjustments to current fiscal year (FY2014) appropriations.

ARTICLE 10

**AMEND ARTICLE 5 OF NOVEMBER 4, 2013
SPECIAL TOWN MEETING,
RENOVATION TO COMMUNITY CENTER**

To see if the Town will vote to amend the vote taken under Article 5 of the warrant for the November 4, 2013 Special Town Meeting and amended under Article 3 of the March 24, 2014 Special Town Meeting relating to design, engineering and remodeling, reconstructing and making extraordinary repairs to buildings at 39 Marrett Road, and for equipment in connection therewith, in order to increase the appropriation therefor, and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or 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: This article would authorize additional funds for the renovation of the Community Center and provide for HVAC work.

ARTICLE 11

**AMEND ARTICLE 2 OF THE MARCH 24, 2014
SPECIAL TOWN MEETING,
CARY MEMORIAL BUILDING UPGRADES**

To see if the Town will vote to amend the vote taken under Article 2 of the warrant for the March 24, 2014 Special Town Meeting relating to appropriating a sum of money for the remodeling, reconstructing, and making extraordinary repairs to the Cary Memorial Building; and for equipment in connection therewith, and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or 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: This article would authorize additional funds for the renovation of the Cary Memorial Building.

ARTICLE 12

APPROPRIATE FOR AUTHORIZED CAPITAL IMPROVEMENTS

To see if the Town will vote to make supplementary appropriations to be used in conjunction with money appropriated in prior years for the installation or construction of water mains, sewers and sewerage systems, drains, streets, buildings, recreational facilities or other capital improvements and equipment that have heretofore been authorized; determine whether the money shall be provided by the tax levy, by transfer from the balances in other articles, by transfer from available funds, including enterprise 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: This is an article to request funds for capital improvement project expenditures that exceed the level of appropriation.

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 19th day of May 2014.

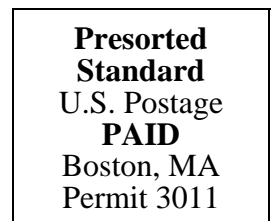
Deborah N. Mauger
Peter C.J. Kelley
Norman P. Cohen
Joseph N. Pato
Michelle L. Ciccolo

Selectmen
of
Lexington

A true copy, Attest:

Richard W. Ham, Jr.
Constable of Lexington

Town of Lexington
Lexington, MA 02420



Warrant - Special Town Meeting – June 16, 2014

WS CAR SORT
POSTAL PATRON

LEXINGTON, MA