



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 at Cary Memorial Building, in said Town on Monday, November 17, 2008 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.

(Inserted by the Board of Selectmen)

ARTICLE 2

**ZONING BYLAW, CRO AND RO TO CD
95-99 Hayden Avenue, 124-128 Spring Street**

To see if the Town will vote 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 at the corner of Spring Street and Hayden Avenue commonly known and numbered as 124 & 128 Spring Street, 95 & 99 Hayden Avenue and One Ledgemont Center and Two Ledgemont Center, described in a certain written metes and bounds description (Appendix 9) on file with the Planning Board and the Town Clerk, from the current CRO Regional Office District and RO One Family Dwelling District to a CD Planned Commercial District, in order to allow the construction of a third main building on the property of approximately 162,000 square feet, together with related parking and other improvements, to be known as Three Ledgemont Center, 97 Hayden Avenue, and to approve the Preliminary Site Development and Use Plan entitled "Planned Site Development and Use Plan For the Planned Commercial District at 95/99 Hayden Avenue and 124/128 Spring Street, Lexington, Massachusetts" (the "PSDUP") on file with the Planning Board and the Town Clerk, and to approve the standards for development, uses permitted, dimensional standards, and other provisions contained within the PSDUP, or act in any other manner in relation thereto.

(Submitted by ONE LEDGEMONT LLC and TWO LEDGEMONT LLC, the Property Owners)

DESCRIPTION: The proposed amendment would rezone the above described property at the intersection of Hayden Avenue and Spring Street from the present CRO business and RO residential districts to a Planned Commercial Development District. This would allow construction of an additional building of approximately 162,000 square feet on the 36.23 acre site together with additional parking and other improvements as above.

ARTICLE 3

AMEND FY2009 OPERATING BUDGET

To see if the Town will vote to amend the FY2009 operating budget or make supplementary appropriations, to be used during the current fiscal year in conjunction with money previously appropriated under Article 4 of the warrant for the 2008 Annual Town Meeting, or make any other adjustments to the current fiscal year budget and appropriations that may be necessary; to determine whether the money shall be provided by the tax levy or 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 article will permit adjustments to current fiscal year (FY2009) expenditures.

ARTICLE 4

AMEND FY 2009 ENTERPRISE FUND BUDGETS

To see if the Town will vote to amend or make supplementary appropriations to the Water and Sewer Enterprise Funds, to be used during the current fiscal year in conjunction with money appropriated under Article 5 of the warrant for the 2008 Annual Town Meeting; to determine whether the money shall be provided from user charges or 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 article will permit adjustments to the current fiscal year (FY2009) expenditures from the Water and Sewer Enterprise Funds.

ARTICLE 5

**LAND PURCHASE – OFF CEDAR STREET
AND OFF HARTWELL 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 lots 6A and 8 on Assessors' Property Map 73, now or formerly of Goodwin; and appropriate a sum of money therefor and determine whether the money shall be provided by 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 at the request of the Community Preservation Committee)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests Community Preservation funds to purchase open land off Cedar Street and off Hartwell Avenue.

ARTICLE 6

HARRINGTON PRE-SCHOOL PLAYGROUND

To see if the Town will vote to appropriate a sum of money, in addition to the money appropriated under Article 9(i) of the Warrant for the 2008 Annual Town Meeting, for the construction of the Harrington Pre-School Playground; determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or by any combination of these methods; or act in any other manner in relation thereto.

FUNDS REQUESTED: \$38,500

DESCRIPTION: This article requests additional funds to complete the construction of the Harrington Pre-School Playground.

ARTICLE 7

APPROPRIATE TO SPECIFIED STABILIZATION FUNDS

To see if the Town will vote to appropriate a sum of money to the following Stabilization Funds: a) Transportation Demand Management/Public Transportation Stabilization Fund for the purpose of supporting the operations of the Lexpress Bus Service and b) Traffic Mitigation Stabilization Fund for the purpose of financing traffic mitigation projects pursuant to conditions of special permits issued by the Town, in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws; 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: a) \$216,715.11 + b) \$25,000

DESCRIPTION: This article proposes to fund specified stabilization funds previously established. 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 Town Meeting.

ARTICLE 8

**APPROPRIATE FOR MUNROE SCHOOL
FEASIBILITY STUDY**

To see if the Town will vote to appropriate a sum of money for architectural and engineering services for planning a community/senior center, including site evaluation necessary in connection therewith; 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: This article seeks the appropriation of funding for a necessary conceptual study to provide for the programmatic needs of the Council on Aging. The study would include conceptual site, floor, and parking plan options; facilities audits; code compliance reviews; zoning requirements; and cost estimates.

ARTICLE 9

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 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.

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 October 2008.

Norman P. Cohen
Jeanne K. Krieger
Peter C.J. Kelley
Hank Manz

Selectmen

of

Lexington

A true copy, Attest:
Richard W. Ham, Jr.
Constable of Lexington

Town of Lexington
Lexington, MA 02420

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Warrant - Special Town Meeting – November 17, 2008

WS CAR SORT
POSTAL PATRON

LEXINGTON, MA