



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 7, 2005 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, AMEND CB TO CD,
1720 MASSACHUSETTS AVENUE**

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 that property commonly known as 1720 Massachusetts Avenue, Lexington, MA, and more specifically described in the metes and bounds legal description shown in Exhibit A, on file with the Board of Selectmen and Town Clerk and incorporated herein, from the current CB, Central Business District to a CD-Planned Commercial District to allow construction of a building(s) for the purposes of multi-family housing and commercial retail space, and to take any other action or to act in any other manner relative thereto.

(Submitted by 1720 Massachusetts Avenue, LLC, property owner)

DESCRIPTION: The Preliminary Site Development and Use Plan (PSDUP) for the CD-Planned Commercial District shall be a plan dated September 23, 2005, revised October 2005 filed with the Planning Board and the Town Clerk as required by and in accordance with the requirements of the Zoning By-Law. This proposal would rezone the property now occupied by the Battle Green Inn to allow both commercial and residential use. The plan would include a to be determined amount of affordable housing. The underground parking already on site would be improved and the underground parking entrance relocated to Waltham Street.

ARTICLE 3 **USE OF DRIVEWAY ON MASSACHUSETTS AVENUE**

To see if the Town will authorize the Board of Selectmen to grant a permanent easement to David and Tetiana Pronchick to continue to use the existing portion of their driveway located at 1888 Massachusetts Avenue that extends onto Lot 166 shown on Assessor's Property Map 49; or act in any other manner in relation thereto.
(Inserted by the Board of Selectmen)

DESCRIPTION: A survey of the property abutting the town-owned Belfry Hill land revealed that a portion of the driveway extends onto the Town property. The Town originally owned the property as part of the Belfry Hill land, but subdivided it and sold it to the Church of Our Redeemer in 1927. The church sold the property in 2004 to the current owners.

ARTICLE 4 **PRIOR YEARS' UNPAID BILLS**

To see if the Town will raise and appropriate money to pay any unpaid bills rendered to the Town for prior years; 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: \$529,005

DESCRIPTION: This is an article to request funds to pay bills for which no money was encumbered.

ARTICLE 5 **SUPPLEMENTARY APPROPRIATIONS**

To see if the Town will make supplementary appropriations, to be used in conjunction with money appropriated under Article 37 of the warrant for the 2005 Annual Town Meeting, to be used during the current fiscal year, or make any other adjustments to the current fiscal year budget and appropriations that may be necessary; 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 permit adjustments to current fiscal year (FY2006) expenditures. Funds may be requested for school costs and municipal utility costs.

ARTICLE 6 **SCHOOL PROJECTS AND EQUIPMENT**

To see if the Town will appropriate a sum of money for remodeling, reconstructing and making extraordinary repairs to school buildings, including architectural and engineering services in connection therewith, and for the purchase of additional equipment; 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 School Committee)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This Article is to provide planning and design funds for the schools to insure that projects funded at the Spring 2006 Town Meeting can proceed during the Summer of 2006. Under consideration are roof repairs, energy conservation upgrades, and other building envelope maintenance.

And you are directed to serve this warrant fourteen days at least before the time of said meeting as provided in the By-Laws 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 6th day of October 2005.

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

Selectmen
of
Lexington

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