

SELECTMEN'S MEETING
Monday, March 7, 2016
Selectmen Meeting Room
6:30 PM

AGENDA

EXECUTIVE SESSION

1. Exemption 3 and 6: Potential Litigation and Value of Real Property (30 min.) 6:30 PM

PUBLIC COMMENTS

Public comments are allowed for up to 10 minutes at the beginning of each meeting. Each speaker is limited to 3 minutes for comment. Members of the Board will neither comment nor respond, other than to ask questions of clarification. Speakers are encouraged to notify the Selectmen's Office at 781-698-4580 if they wish to speak during public comment to assist the Chairman in managing meeting times.

SELECTMAN CONCERNS AND LIAISON REPORTS

TOWN MANAGER REPORT

ITEMS FOR INDIVIDUAL CONSIDERATION

1. Request of the Lions Club for the 59th Annual Carnival (10 min.) 7:00 PM
2. Lexington United Soccer Club - Lincoln Park Lights (20 min.) 7:10 PM
3. Approve Community Center Non-Resident Fees (5 min.) 7:30 PM
4. Middle School Projects - Revised Construction Estimates (15 min.) 7:35 PM
5. Article 35 Presentation - Lexpress Resolution (15 min.) 7:50 PM
6. Article Presentations - Planning Board (1 hour) 8:05 PM
 1. Article 29 - Amend General Bylaws - Neighborhood Conservation Districts
 2. Article 36 - Amend Zoning Bylaw - National Flood Insurance District
 3. Article 37 - Amend Zoning Bylaw - Technical Corrections
 4. Article 38 - Amend Zoning Bylaw - Government-Civic District(s)
 5. Article 41 - Amend Zoning Bylaw - Floor Area Ratio (FAR)
 6. Article 44 - Amend Zoning Bylaw - Planned Development Districts
7. Approve Complete Streets Policy (5 min.) 9:05 PM
8. Aloft/Element - Change to Lodging and Entertainment Licenses (5 min.) 9:10 PM
9. Town Manager Appointment - Conservation Commission (5 min.) 9:15 PM
10. Selectmen Committee Appointments (5 min.) 9:20 PM
 1. 20/20 Vision Committee
 2. Council for the Arts

CONSENT AGENDA

1. Approve Traffic Rules and Orders Change from March 9, 2015 9:25 PM
2. Approve Use of the Battle Green - Filming Reenactment Rehearsal on April 3, 2016 9:25 PM

3. Approve Request for Water and Sewer Deferral 9:25 PM
4. Approve One-Day Liquor Licenses - Spectacle Management 9:25 PM

ADJOURN

1. Approximate Adjourn Time 9:30 pm

The next meeting of the Board of Selectmen is scheduled for Monday, March 14, 2016, at 7:00 p.m. in the Selectmen Meeting Room, Town Office Building, 1625 Massachusetts Avenue.

*Hearing Assistance Devices Available on Request
All agenda time and the order of items are approximate and
subject to change.*



AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Exemption 3 and 6: Potential Litigation and Value of Real Property (30 min.)

PRESENTER:

**ITEM
NUMBER:**

SUMMARY:

Staff will review the status of negotiations and potential for litigation regarding the Brookhaven development proposal.

SUGGESTED MOTION:

NA

FOLLOW-UP:

Town Manager's Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

6:30 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Request of the Lions Club for the 59th Annual Carnival (10 min.)

PRESENTER:

Doug Lucente, Lions Club

ITEM NUMBER:

I.1

SUMMARY:

Doug Lucente will be at your meeting to request permission to hold the 59th Annual Carnival at Hastings Park starting with setup Sunday, June 28, to Monday, July 6, including setup and breakdown.

SUGGESTED MOTION:

Motion to approve the request of the Lions Club to hold the July 4th Carnival from Sunday, June 26, through Tuesday, July 5, 2016 with the times as requested in the Lions Club letter dated January 28, 2016.

Motion to approve the request of the Lions Club to have lighting turned if necessary on until 11:30 p.m. from June 27 through June 29 during setup and on June 30 through July 4 to allow carnival guests an opportunity to seave the area safely.

Motion to approve a fireworks display on Saturday, July 2, 2016, at approximately 9:30 p.m., subject to approval of the fireworks vendor and necessary safety precautions required by the Fire Department.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

7:00 PM

ATTACHMENTS:

Description

Type

- 📄 Lions Club Carnival Request Letter
- 📄 Lions Club Application
- 📄 Notes from Carnival Planning Meeting

- Backup Material
- Backup Material
- Backup Material



THE LIONS CLUB OF LEXINGTON, INC.

P.O. Box 71, Lexington, Massachusetts, 02420

"Birthplace of American Liberty"

www.lexingtonlions.org

January 28, 2016

Town of Lexington
Board of Selectmen
1625 Massachusetts Ave
Lexington, MA 02420

Dear Board Members;

The Lexington Lions Club will be sponsoring its 60th Annual Fourth of July Carnival with Fiesta Shows of Seabrook, NH. We respectfully request the use of Hastings Park on the following dates and other locations as noted:

Proposed Schedule of Events:

- Sunday, June 26, 2016:
 - Arrival to staging area (non-housing unit vehicles) parking lot near high school field house starting at 6:00PM
- Monday, June 27, 2016:
 - Setup starting at 7:00AM moving onto field
- Tuesday, June 28, 2016 & Wednesday, June 29, 2016:
 - Setup and Preliminary Inspections
- Thursday, June 30, 2016:
 - Setup and Final Inspections
 - Perkins, Cotting & LABBB Kids 3:00 PM to 5:00 PM**Tentative Date
 - Carnival - 6:00PM to 11:00PM
- Friday, July 01, 2016:
 - Carnival - 6:00PM to 11:00PM
- Saturday, July 02, 2016
 - Carnival – 1:00PM to 11:00PM
 - Fireworks - 9:30 PM to 10:00 PM **Tentative Date
- Sunday, July 03, 2016:
 - Carnival - 1:00PM to 11:00PM
- Monday, July 04, 2016:
 - Youth Games - 10:00 AM
 - Carnival - 1:00PM to 6:00PM
 - Tear Down until 11:30PM
- Tuesday, July 05, 2016:
 - Final Tear Down and clean-up completed by 2:00PM

A Special Event Permit application has been filed with the Town Managers office in conjunction with this request.

Planning Meetings - The support and cooperation of the Town of Lexington has always been a key factor in our success and we hereby respectfully request your approval for our schedule above. Upon approval, we will have a formal event planning meeting with the Town Departments. Subsequent meetings will also be held with key Departments on as the event approaches.

Lighting – Fiesta Shows will be providing all lighting sources. We are requesting that lights be allowed to be used if necessary until 11:30PM on Monday June 27th, Tuesday June 28th, and Wednesday, June 29th during setup and until 11:30PM after the daily closing of the Carnival June 30 - July 4 to allow carnival guests an opportunity to leave the area safely.

Fireworks - The Lexington Lions Club requests permission to have a fireworks display on Saturday, July 2, 2016 at approximating 9:30 PM subject to approval of the fireworks vendor, Atlas PyroVision Productions, Inc. and safety precautions by the Fire Department.

Living Quarters and On-Site Supervisor - The Fiesta Shows carnival workers will occupy living quarters (i.e., trailers) located near the Lexington High School Field House in cooperation with the Department of Public Facilities. They will act in accordance with the conditions set forth in prior years including Fiesta Shows identifying (by name and cell phone number) an on-site supervisor who will be the primary contact person for the Lexington Police Department on any matters regarding carnival staff. This supervisor will be on-site and available between the hours of midnight and 8:00 a.m. There will be no living quarters at Hastings Park.

Overnight Police Detail and Alcohol Consumption – The Lexington Lions Club will arrange and pay for a Lexington Police Department security detail between the hours of midnight and 8:00 a.m. for each night the carnival is in Town and will work with the Police Department and follow their recommendations. Dean & Flynn, Inc. DBA Fiesta Shows agree that there is no consumption of alcoholic beverages on public property.

Break Bottle Game –There will not be a break bottle game at Hastings Park.

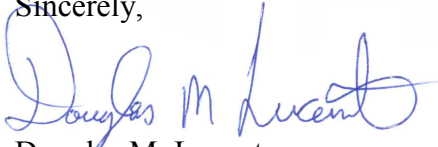
Backflow Preventer – The Lexington Lions Club will be responsible for making a \$1,000 deposit for a backflow preventer valve from the Department of Public Works.

Post-Carnival Meetings – The Lexington Lions Club will plan to hold a post-carnival meeting with the DPW on Tuesday, July 5th at Hastings Park to review the conditions of the grass at Hastings Park. Lions and Fiesta shows will be responsible for any and all repairs to the grass. Another debriefing meeting will be held within 2 months after the Carnival including all appropriate Town Departments to review the carnival layout, and any concerns that may have come up during the carnival.

If you have any questions, please contact me at 17 Vine Brook Rd, Lexington, MA 02421; Cell Phone: (781) 424-4007. Additional contacts are; John Lucente of the Lexington Lions Club – Cell Phone: (781) 424-1488; Paula Rizzo-Riley of the Lexington

Lions Club – Cell Phone: (781) 999-1967; EJ Dean of Fiesta Shows – Cell Phone (978) 375-2541.

Sincerely,



Douglas M. Lucente,
Treasurer, Lexington Lions Club

Original Letter to Board of Selectmen; E-mail CC to:

Carl Valente, Town Manager
Linda Crew Vine, Deputy Town Manager
Chief Mark Corr, Police Department
Chief John Wilson, Fire Department
Asst. Chief John Fleck, Fire Department
Gerard Cody, Health Division
William Hadley, Department of Public Works
David Pinsonneault, Department of Public Works
Chris Filadoro, Department of Public Works
Shawn Newell, Department of Public Facilities
Laurie Lucibello, Department of Public Facilities
Karen Simmons, Recreation and Community Programs
Fred Lonardo, Building Division
E.J. Dean, Fiesta Shows
Paula Rizzo-Riley, Lexington Lions Club
Joseph LaMarca, Lexington Lions Club
Richard Michelson, Lexington Lions Club
John Lucente, Lexington Lions Club
Alan Wrigley, Lexington Lions Club



TOWN OF LEXINGTON

Special Event Permit Application

Applicant and Sponsoring Organization Information

Name of Organization / Sponsor: **LEXINGTON LIONS CLUB** Non-Profit Profit

Applicant name: **Doug Lucente, Treasurer** Tax ID #: **04-2371592**

Address: **PO BOX 71** City: **Lexington** State: **MA** Zip: **02420**

Daytime Phone: **(781) 325-7226** Evening Phone: **(781) 862-2534** Cell Phone: **(781) 424-4007**

E Mail: **Doug@promedLLC.com** Web Site: **www.LexingtonLions.org**

Event Site Manager: **EJ Dean, Fiesta Shows** Cell Phone: **(978) 375-2541**

Other Contact person/s: **Paula Rizzo-Riley, Lions President** Cell Phone: **(781) 999-1967**

Special Event Information - *Complete all data as required for event of any size.*

Type of Event: Run/Walk Rally Parade School Fair Concert Carnival Filming
 Street Fair Festival Political Event Raffle Other (specify) _____

Event Title: **60th Annual Fourth of July Carnival**

Event Date & Time(s): **See Attached** Estimated Attendance: # **several thousand**
June 26, 2016 to July 5, 2016 **over the week**

Open to the Public: Yes No Admission Fee: \$ **2.00 per adult / children FREE**

Requested Location: Battle Green
 Bike Path (specify location/s): _____
 Depot Square
 Buckman Tavern Lawn
 Hastings Park Gazebo
 Sidewalk (Specify location/s): _____
 Street (specify): _____
 Tower Park
 Town Park/Playground/Field (specify): _____
 Other (specify): _____

Set Up Date/Time & Description: **Monday, June 26, 2016 6:00PM to Thursday, June 30, 2016 at 2:00PM**

Breakdown Date /Time & Description: **Monday, July 4, 2016 6PM-11:30PM & Tuesday 7AM -2PM**

Event Details

Please indicate whether the following items pertain to your event.

YES	NO	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Food Concession and/or Food Preparation Area (s) <i>(If you intend to cook food in the event area)</i> Please specify method: <input checked="" type="checkbox"/> Propane Gas <input type="checkbox"/> Electric <input type="checkbox"/> Charcoal <input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	First Aid Facility (ies) and Ambulance (s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will you set up table(s) and/or chair(s)? How many? 6 Picnic Tables _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fencing, Barrier(s) and/or Barricade(s), Traffic Cones.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does your event require electricity? Source: Fiesta Shows
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will you be holding a raffle at your event? Describe: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Booth(s), Exhibit(s), Display(s) and/or Enclosure(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Canopy (ies) and or Tent(s). Please describe dimensions: Hospitality Tent 20 x 30
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Scaffolding, Bleacher(s), Platform(s), Grandstand(s) or related structure(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vehicle(s) and/or Trailer(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sleeping Trailer(s) and/or other accommodations.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trash Container(s) and/or Dumpster(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Portable Toilet(s). If yes, please indicate the company providing units: Contracted via Fiesta Shows
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Stage(s). Please indicate dimension: _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Entertainment. Please describe: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Amusement Rides. Please List and describe: _____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Inflatable Device(s).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Banner(s) and/or Sign(s). Hastings Road for Show Hours to prevent parking issues
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Street Closure(s) Please list: & others on Fireworks Night
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the event be advertised? How? Local Newspapers
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Please note you cannot advertise your event before approval.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sponsorship/Vending or Promotional Activity? Please Describe: _____
<input type="checkbox"/>	<input type="checkbox"/>	Amplified Sound. If yes please indicate Start Time _____ and End Time _____ <i>The Town of Lexington requires that noise levels not exceed 10 or more decibels above the ambient noise between 8:00 p.m. and 7:00 a.m. in a residential or commercial zone.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will your event have Fireworks?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will your event have animals? If yes, specify: _____
<input type="checkbox"/>	<input type="checkbox"/>	Will your event require lights? If so, specify hours: _____

Supplied by
Fiesta Shows

Other Permits

Please note that all components of the event are subject to approval by the Town Managers Office and may also require approval by and/or permit(s) from other Town agencies and departments. It is the responsibility of the applicant to secure all necessary Town of Lexington permits, and to submit and payment required for permits.

Insurance Requirements

Evidence of Insurance will be required before final permit approval. Please provide a Certificate of insurance, which shows a minimum of \$1,000,000.00 in Commercial General Liability Insurance and a Policy Endorsement, which indemnifies and holds harmless the Town of Lexington, and all of its agencies and departments. Some events may require a higher limit of insurance. Permittee must list the aforementioned parties as additional insured on their Certificate of Insurance. Each event is evaluated on its risk exposure. Any and all damages resulting from the event are the responsibility of the permittee and the permittee will work through designated staff to determine the most appropriate means for repair. The Town of Lexington is not responsible for any accidents or damages to persons or property resulting from the issuance of this permit.

Affidavit of Applicant

My signature below indicates that everything I have stated in this application is correct to the best of my knowledge. I have read, understand and agree to abide by the policies, rules and regulations of the Town of Lexington as they pertain to the requested usage. The permit, if granted is not transferable and is revocable at any time at the absolute discretion of the Town of Lexington Manager's Office (or designee). All programs and facilities of the Town of Lexington are open to all citizens regardless of race, sex, age, color, religion, national origin or disability.

Name of Applicant: Douglas M. Lucente (Please print)

Signature of Applicant:  Date: 1-28-2016

***The following is required by your organization to insure the safety and health of all participating in this event:**

Note: You do not need to contact the departments below if it is not required.

YES NO

- Police Detail - estimated cost-\$ _____ per/day. Days Required _____ (Contact Police)
Comments: _____
- Fire / Ambulance Detail – estimated cost - \$ _____ per/day. Days Required _____ (Contact Fire)
Comments: _____
- Indoor Rain Space – All organizations must apply and pay fees through the Public Facilities Dept..
- Field Lining - \$ _____ per/field. Additional fee for layout \$ _____ (Contact DPW -Parks)
- Trash removal - \$ _____ per/day. Days required _____ (Contact DPW -Parks)
- Portable toilets - Number required _____ Fees paid directly to company of your choice. All toilets must be serviced each evening. Placement and servicing coordinated in cooperation with the Recreation Department or DPW.
- Extra waste containers - \$20.00 per day (10). Days Required _____ (Contact DPW -Parks)
- Temporary Food Permit - \$15.00 (non-licensed) or \$50.00 (Commercial) (Contact Health)
- Raffle Permit/License - (Contact Town Clerk's Office)
- Field Permit - (Contact Recreation)
- Center Complex Lights Permit - (Contact Recreation)

DPW Parks Dept. –781-861-2758 * Fire Dept.- 781-862-0272 * Police Dept. - 781-862-1212 * Health Dept. - 781-862-0500 ext. 237 *
Town Clerks Office – 781-862-0500 ext 270 * Public Facilities Dept. – 781-861-2580 ext. 205 * Recreation Dept. – 781-862-0500 ext. 262

Town Department Use Only Approvals and Notifications

Insurance Certificate Received: YES – Date: _____ NO

Town Manager's Office:	Approved	Denied	Date: _____	Police Department:	Approved	Denied	Date: _____
Fire Department:	Approved	Denied	Date: _____	Health Division:	Approved	Denied	Date: _____
Parks Divison:	Approved	Denied	Date: _____	Building Division:	Approved	Denied	Date: _____
Recreation Department:	Approved	Denied	Date: _____	Selectman's Office:	Approved	Denied	Date: _____
Town Clerk's Office:	Approved	Denied	Date: _____	Public Facilities:	Approved	Denied	Date: _____

Lexington Lions Club

60th Annual July 4th Carnival (2016)

Proposed Schedule of Events:

- Sunday, June 26, 2016:
 - Arrival to staging area (non-housing unit vehicles) parking lot near high school field house starting at 6:00PM
- Monday, June 27, 2016:
 - Setup starting at 7:00AM moving onto field
- Tuesday, June 28, 2016 & Wednesday, June 29, 2016:
 - Setup and Preliminary Inspections
- Thursday, June 30, 2016:
 - Setup and Final Inspections
 - Perkins, Cotting & LABBB Kids 3:00 PM to 5:00 PM**Tentative Date
 - Carnival - 6:00PM to 11:00PM
- Friday, July 01, 2016:
 - Carnival - 6:00PM to 11:00PM
- Saturday, July 02, 2016
 - Carnival – 1:00PM to 11:00PM
 - Fireworks - 9:30 PM to 10:00 PM **Tentative Date
- Sunday, July 03, 2016:
 - Carnival - 1:00PM to 11:00PM
- Monday, July 04, 2016:
 - Youth Games - 10:00 AM
 - Carnival - 1:00PM to 6:00PM
 - Tear Down until 11:30PM
- Tuesday, July 05, 2016:
 - Final Tear Down and clean-up completed by 2:00PM



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/28/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER DSP Insurance 1900 E. Golf Road, Suite 650 Schaumburg, IL 60173	CONTACT NAME: John Adams	
	PHONE (A/C, No, Ext): 1-800-316-6705	FAX (A/C, No): 1-888-467-2378
E-MAIL ADDRESS: lionsclubs@dspins.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : ACE American Insurance Company		22667
INSURER B :		
INSURER C :		
INSURER D :		
INSURER E :		
INSURER F :		

INSURED

Lexington Lions Club
Lexington Massachusetts

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Agg. Per Named Insured is \$2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC			HDOG27396392	09/01/2015	09/01/2016	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 10,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ISAH08858354	09/01/2015	09/01/2016	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS	
							OTH-ER	
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Provisions of the policy apply to the named insureds participation in the following activity during the policy period shown above: Lexington Lions Carnival from 6-26-2016 to 7-5-2016

Town of Lexington, 1625 Massachusetts Ave, Lexington Massachusetts 02420 is included as an Additional Insured(s), but only with respect to General Liability arising out of the issuance of permit(s) to the Insured shown above and not out of the sole negligence of said additional insured.
PROVISIONS OF THE POLICY DO NOT APPLY TO THE SALE OR SERVING OF ALCOHOLIC BEVERAGES

CERTIFICATE HOLDER**CANCELLATION**

Town of Lexington
1625 Massachusetts Ave
Lexington Massachusetts 02420

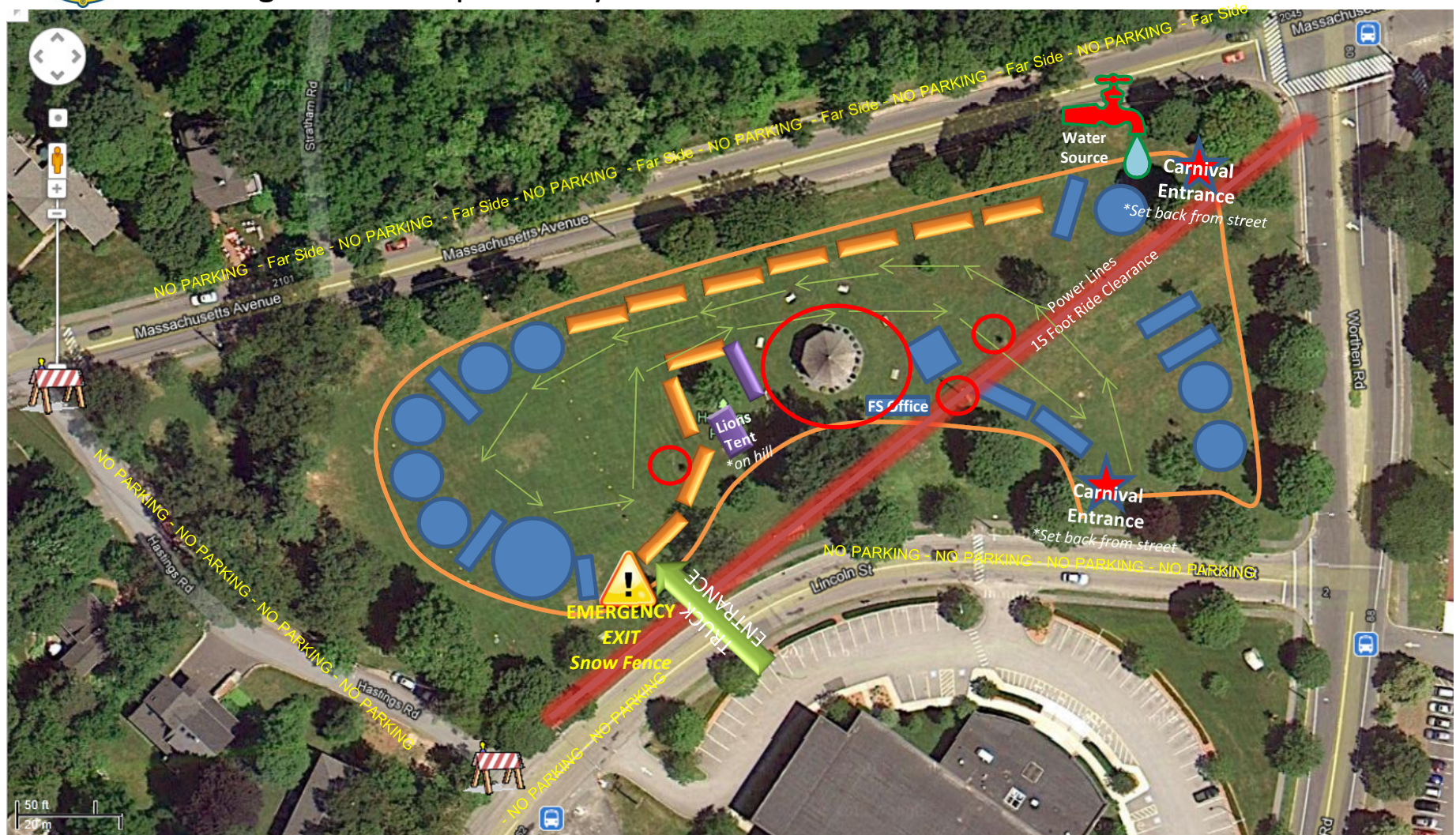
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2010 ACORD CORPORATION. All rights reserved.



Lexington Lions Club – 60th Annual Fourth of July Carnival Hastings Park – Proposed Layout as of 1-28-2016

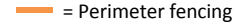


Other Notes:

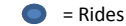
All house trailers would be parked at high school parking lot.



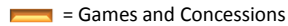
= Street blocked off to traffic during show hours



= Perimeter fencing



= Rides



= Games and Concessions



= Lions



= Foot Traffic Pattern



= Snow Fence or other suitable fencing Around Small Trees Telephone Poles, and Gazebo (during non-use times)



= Emergency Exit



Lexington Lions Club – Carnival 2016
Proposed Fiesta Show Sleep Trailers and Supervisor Trailers

Planning Meeting Minutes w/the Lion's Club and Town Staff for the Annual Fourth of July Carnival

Tuesday, February 9 at 2:30pm

Attendance:

- *Lions: Doug Lucente, Colby Crogan;*
- *Fiesta Shows: John Flynn;*
- *Town Staff: Cathy Severance – TMO, Chris Bouchard – Facilities, Fred Lonardo – Building, Kathy Fox – Health, Sergeant George Snell – Police, Captain Michael McLean, Bill Hadley – DPW, Chief John Wilson – Fire, Lynne Pease - BOS*

Police Comments:

Sergeant Snell will review last year's details and will follow a similar plan. Lion's Club would like a bike officer before the fireworks (like last year) as they found that very helpful. Captain McLean mentioned that last year it took a bit of time getting the trailers onto Hastings Park - George Snell will work w/John Flynn (Fiesta Shows) to make sure it goes more smoothly this year.

- *One point made was to remind the Carnival workers that their overnight trailers are parked close to where we hold summer camps for children, so remind the carnival workers of this close proximity and act appropriately.*

Fire Comments:

Chief Wilson requested the same firework's shooter as last year due to his experience. Lions agreed to make this request and attempt to have this person back.

- *Chief Wilson recommended a snow fence be installed on Saturday, July 2 in the AM (may be around 11am or 12pm)*

DPW Comments:

No problems – Bill said that DPW will be around to assist. They will shut down the filtration system for the pools during the firework display.

- *Lions Club will need to reserve the field for the youth games*

Facilities Comments:

Chris reports that all went very well last year. Unlike last year – there will be no construction going on at the High School. There will be plenty of room this year.

Health Comments:

No major problems – just one minor thing was that last year the Lions Club trailer was not inspected – some sort of miscommunication.

- *Lion's Club will notify Gerry Cody when the trailer is in place and ready for inspection.*

BOS Comments:

Lynne said Lions will need to apply for a Sunday Entertainment permit.

- *Lynne will put this on the BOS agenda for 3/7/16.*

Misc. Comments:

No rain date for the fireworks.

Rain date for LABBB kids will be Friday, July 1.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Lexington United Soccer Club - Lincoln Park Lights (20 min.)

PRESENTER:

Tom Shiple, Lexington United Soccer Club

ITEM NUMBER:

I.2

SUMMARY:

Mr. Shiple, President of the Lexington United Soccer Club, will make a presentation and proposal for your approval to install lighting on Lincoln Field #2.

Ms. Simmons, Director of Recreation and Community Programs, will also be at your meeting to answer any questions.

SUGGESTED MOTION:

Motion to approve the request of Lexington United Soccer Club to install lighting on Lincoln Field #2, subject to approval by Massachusetts Department of Environmental Protection, test borings to finalize foundation design, local permitting and approval by Town Boards, Committees and Departments.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

7:10 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Request from LUSC for Lights on Lincoln Field	Cover Memo
<input type="checkbox"/> LUSC Presentation for Lights	Presentation



Lexington United Soccer Club

Lexington United Soccer Club
PO Box 613
Lexington, MA 02420
March 2, 2016

Lexington Board of Selectmen
1625 Massachusetts Avenue
Lexington, MA 02420

Dear Selectmen,

Lexington United Soccer Club is a private, non-profit organization providing soccer programs to over 1,500 youth in Lexington. In order to effectively create more athletic field space in Lexington, we would like to propose installing permanent lights on one synthetic turf field at Lincoln Park. On October 20, 2014 we came before you to get your approval to conduct a feasibility study of the project. Since that time we have done considerable design work and community outreach, and received the approval of the Recreation Committee. We now come before you to seek final approval for the project, subject to appropriate permitting. In the remainder of this letter, we would like to outline the specifics of the project, including our neighbor outreach and interactions with other Town bodies.

Proposal Overview

We propose to install four light towers around Lincoln Field #2, which is the field to the right as viewed from Lincoln Street. The lights would have a turnoff time of 8:30PM, with an extra 15 minutes for one light tower and parking lot lighting to allow for safe exit from the park. The project financing and construction is being led by LUSC. The estimated \$500,000 cost will be raised privately; there will be no cost to the Town. Upon completion of the project, the lights will be donated to the Town for the benefit of the entire community. The lighting equipment comes with a 25-year warranty, which includes all maintenance. Energy costs from the operation of the lights will be borne by the permitted users.

Motivation and Use

There is a growing need for athletic field space in Lexington. As an example, the number of LUSC teams for 3rd-8th grades increased 10% from 57 to 63 in last 3 years. Demand for field space among youth sports is highest on weekdays after 5:30PM when school sports finish. Youth sports typically run practices 5:30-7:00. In the fall this becomes impossible after early October due to loss of daylight. The addition of lights at Lincoln #2 would allow youth sports to run two practice slots back-to-back, 5:30-7:00 and 7:00-8:30, to make up for the loss of fields without lights. In the spring, the issue is not early

loss of daylight, but instead greater demand with more youth sports in season. The addition of lights would allow a second practice slot 7:00-8:30 to meet some of that demand.

In addition, Temple Isaiah, which supports the installation of lights, would like consideration to use the parking lots lights after 8:30PM a few times a month to allow for overflow parking for special events at the Temple.

Adding lights to an existing field, compared to developing new land, is a cost effective way to add field capacity to Lexington. Installing lights on a synthetic turf makes the most sense since grass fields cannot sustain the intensity of use that would come from extended play. Finally, permanent lighting is superior to diesel-powered temporary lights because it provides more uniform light on the playing surface, no noise, no odors, no logistical burden of set-up and take-down, no messy refueling, precise control over hours of operation, and lower operational costs.

Technical Details

LUSC has worked closely with Musco Lighting (a world-wide leader in athletic lighting) and Sanborn Head (a provider of geotechnical engineering services) to flesh out the technical details of the project. Haley & Aldrich, a consulting firm which has been involved in construction projects at the park for three decades, is acting as a peer reviewer of the project.

The lights will produce 30 footcandles at the playing surface, which is sufficient for general sport use. The light fixtures will be mounted on 70' poles. The height of the poles allows the light to be cast downward on the playing field, thus minimizing light spillage. At 150' from the perimeter of the playing surface, a boundary that is still within the confines of the park, the light will measure 0.1 footcandles. This is comparable to the light from the streetlights measured on the Lincoln Street sidewalk. Power for the lights will come from existing lines across Lincoln Street to a new utility pole just inside the park. From there power will be routed underground to a transformer, and from there underground to the four light towers. The operation of the lights will be controlled remotely by the Town according to a predetermined schedule.

The fields at Lincoln Park are built on top of a capped landfill. This requires additional care and cost in constructing the foundations for the light towers. Sanborn Head has come up with a conceptual design that uses a concrete pile cap supported by 50' steel piles driven down to solid ground. The foundation design, as well as plans for dealing with the methane present in the landfill, will undergo close scrutiny during the permitting process with MassDEP, which has jurisdiction of the park.

Partnership with the Town

Over the last two years LUSC has maintained close contact with the Department of Recreation (Karen Simmons) and the Department of Public Works (John Livsey and Dave Pinsonneault). There have been three joint meetings with these two departments, including two on-site meetings, where site design and foundation design issues have been discussed. In addition, the President of LUSC has attended virtually every meeting of the Recreation Committee for the last two years to keep the committee apprised of the progress of the project and to receive feedback to help shape the project. This culminated in a public hearing hosted by the committee on December 16, 2015, where LUSC formally presented the lights project. This meeting was attended by 11 members of the public, including both people who

spoke in favor and against the project. After public comment and committee deliberation, the committee unanimously approved the following motion:

The Recreation Committee supports the installation of lights at Lincoln #2 with a turnoff time of 8:30pm, with one light pole and the parking lot light remaining on until 8:45pm.

Community Outreach

During late 2014 and the first half of 2015, officials of LUSC reached out to neighbors of Lincoln Park to attend informational meetings and solicit feedback about the project. This resulted in one meeting each with neighbors living on the three streets abutting the park: Baskin Road (11 attendees), Lincoln Street (10), and Middleby Road (7). From these meetings we compiled an email list of 27 residents; we have communicated project updates, as well as notices of the December Recreation meeting and March Board of Selectmen meeting.

Between our neighborhood meetings and the Recreation meeting the primary concerns we heard were the following; after each is listed our response to the concern.

- Noise from park already an issue, and lights prolong park usage
 - Practice noise typically less than game noise
 - Could be mitigated with dense shrubs or a fence
- Users entering backyards an issue (Baskin Road)
 - Selected to light Lincoln #2 to avoid this
 - Could be mitigated with a barrier
- Lights on late into evening; light spillage into houses
 - Field lights off by 8:30PM
 - No lights spillage outside of confines of park
- Breaching landfill cap is problematic
 - Sandborn Head experienced in construction on landfills
 - Core samples will be taken before final design
 - Project will be under the supervision of MassDEP
- Town discussion in 2002/03 regarding status of future lights
 - Researched records for context of discussion: nothing found in Lex. Minuteman; minutes of TM, BOS, Recreation; no TM audio record available from LexMedia, Town Clerk, or Library

In addition, last month we posted an online statement of support of the project. To date, 603 Lexington adults, across 517 households, have endorsed this statement.

Next Steps

If the Selectmen give final approval for the project, then the next step will be to submit a permit application to the MassDEP, Bureau of Waste Prevention – Solid Waste Management. Part of this process will involve drilling core samples at the exact locations of the poles so that the soil composition can be exactly understood. LUSC will work with Karen Simmons, Director of Recreation and Community Programs, to determine which other Town boards, committees and departments will need to approve the project. Then we will proceed with construction. If the Selectmen give approval, then we will begin

fundraising in earnest. All along the way we will keep neighbors informed of progress and significant meetings either through our neighbor email list or updates to the Recreation Committee.

Respectfully submitted,
LUSC Board of Directors

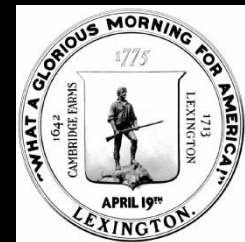
Tom Shiple, President
Stacey Hamilton, Vice President
Matt Keis, Vice President
Maura Penzone, Vice President
Will Thompson, Vice President
Lauren Weiss, Treasurer
Jack Lloyd, Clerk
John Clough, Past President
Julie Callahan
Catherin Gill
Phil Porter
Jennifer Ray
Neil Sheth
Curt Wu

Proposal for Lights at Lincoln Field #2

Lexington United Soccer Club
March 7, 2016



Lexington United Soccer Club



Project Proposal

- Install permanent lighting on Lincoln Field #2
- Fields lights off by 8:30PM
- Privately funded and constructed, led by LUSC
 - Estimated cost is \$500,000; no cost to the Town
- Gifted to Town upon completion for benefit of community
- Partners
 - Town of Lexington – Recreation, DPW
 - Sanborn Head – engineering consultants
 - Musco – world-wide leader in athletic lighting

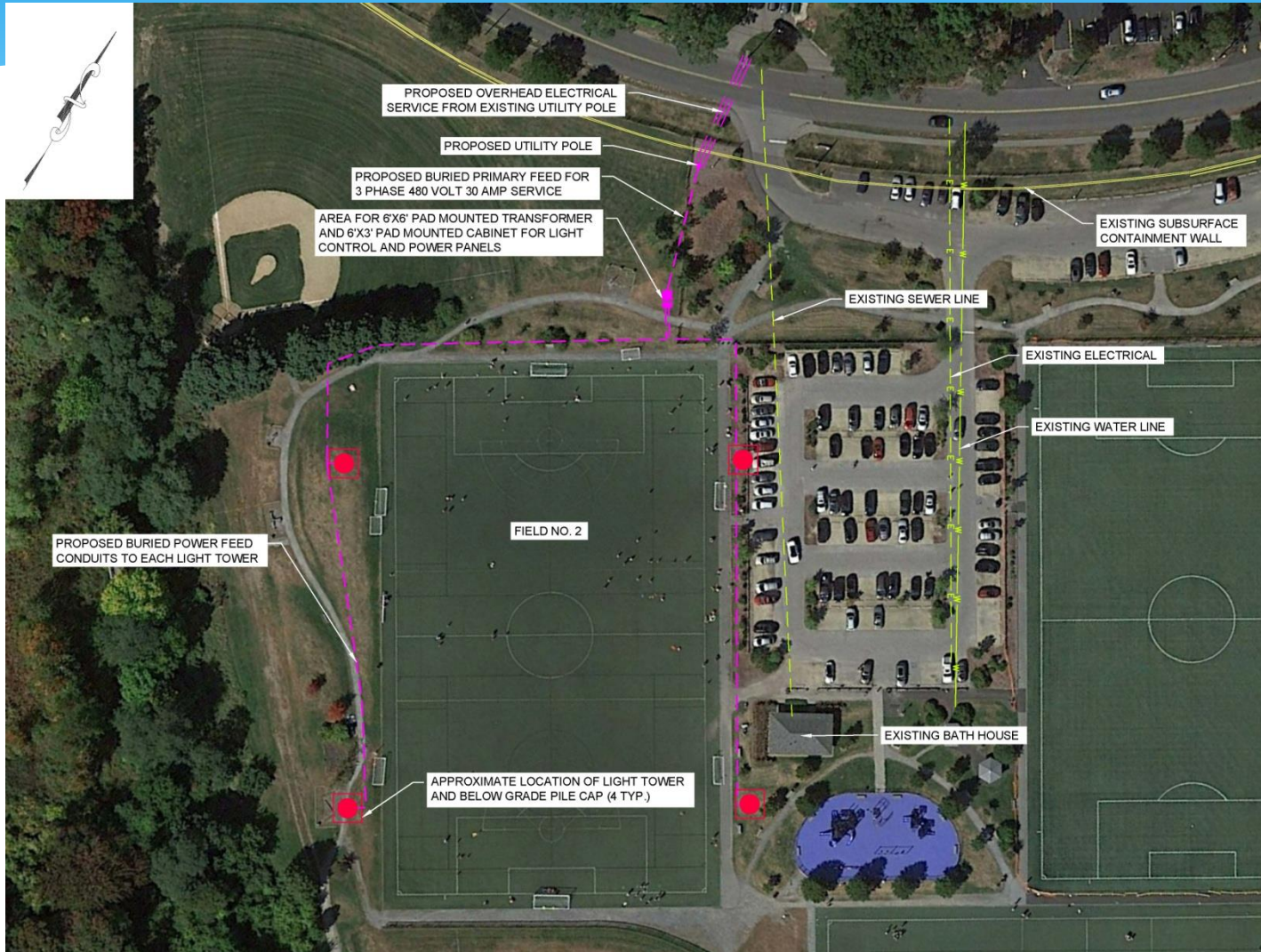
Need for Project

- Lexington youth sports growing
- Demand for fields is highest on weekday evenings
- A lighted field fills seasonal needs for youth soccer
 - Fall - early darkness, allows practice 5:30 - 8:30pm
 - Spring - more sports active, allows 2nd practice slot 7:00-8:30pm
- Lighting an existing field is more cost effective than developing new land
- Artificial turf can handle intense use; grass cannot
- Temporary lights not a long-term solution
 - Noisy, low quality light, expensive to rent and operate

Milestones

- **Oct 2014:** Rec Committee and Selectmen approve preliminary feasibility study
- **2014-2015:** Neighborhood meetings at Baskin, Lincoln and Middleby streets; email updates to 27 addresses
- **Sept 2015:** Engineering report from Sanborn Head with conceptual design and cost estimate
- **Dec 2015:** Public hearing; unanimous motion:
The Recreation Committee supports the installation of lights at Lincoln #2 with a turnoff time of 8:30pm, with one light pole and the parking lot light remaining on until 8:45pm.

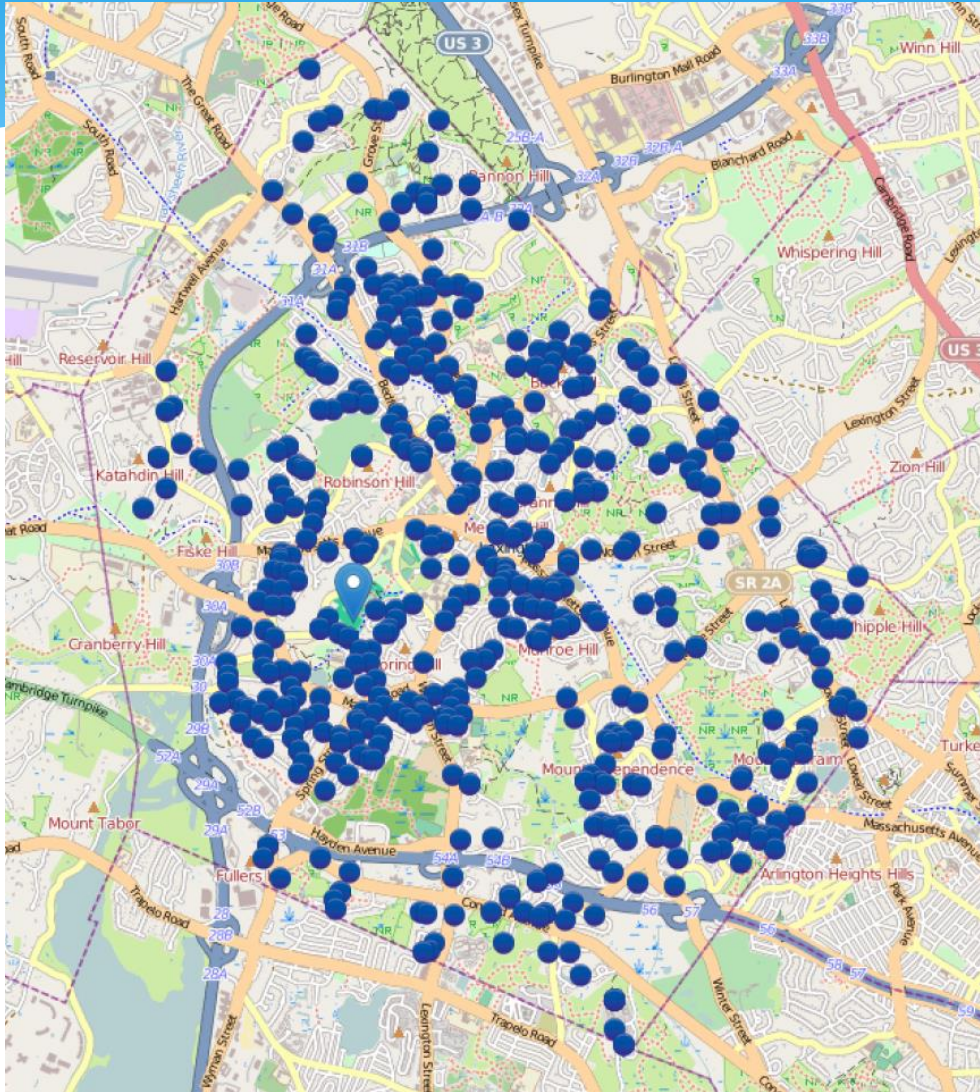
Conceptual Site Design



Neighborhood and Light Spillage



Endorsements



603 Lexington adults,
across 517 households

Next Steps

- Approval of Board of Selectmen
- Approval of MassDEP
- Test borings - finalize foundation design
- Local permitting and approval by Town Boards, Committees and Departments
- Construction

- Ongoing neighbor outreach
- Ongoing fundraising

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Community Center Non-Resident Fees (5 min.)

PRESENTER:

Shiela Butts, Community Center
Director; Karen Simmons, Director of
Recreation and Community Program

ITEM NUMBER:

I.3

SUMMARY:

The Recreation and Community Programs Department is currently issuing membership cards for residents at the Community Center. All individuals who come to the Center will complete a registration form and be provided with a Membership Card. It will be used to track attendance on a daily basis, assist in monitoring class attendance and the use of drop-in spaces. A card reader (to scan the membership cards) will be located at the Customer Service Transaction Counter. Additionally, the Community Center Ambassadors and Customer Service volunteers will have hand scanners to assure that all who enter the building are logged in.

Although the majority of those who have used the facility to date are Lexington Residents, we are seeing an increased number of non-residents using drop-in program spaces. To assure that Lexington residents are not supporting the facility for non-residents, we propose to assess an annual non-resident membership fee for use of the facility. The Center would like to begin selling non-resident membership cards in March pending the approval of the fee schedule that was initially approved by the Recreation Committee on November 18, 2015 and amended on February 17, 2016.

SUGGESTED MOTION:

Motion to approve the proposed Community Center fee schedule.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

7:30 PM

ATTACHMENTS:

Description

Type

▣ Proposed Community Center Non-Resident Fees

Backup Material



Town of Lexington Recreation and Community Programs

Karen Simmons, CTRS, CPRP
Director of Recreation and Community Programs

Tel: 781-698-4800
Fax: 781-861-2747

LEXINGTON COMMUNITY CENTER MEMBERSHIP FEE PROPOSAL

The Recreation and Community Programs Department is currently issuing membership cards for residents at the Community Center. All individuals who come to the Center will complete a registration form and be provided with a Membership Card. It will be used to track attendance on a daily basis, assist in monitoring class attendance and the use of drop-in spaces. A card reader (to scan the membership cards) will be located at the Customer Service Transaction Counter. Additionally, the Community Center Ambassadors and Customer Service volunteers will have hand scanners to assure that all who enter the building are logged in.

Although the majority of those who have used the facility to date are Lexington Residents, we are seeing an increased number of non-residents using drop-in program spaces. To assure that Lexington residents are not supporting the facility for non-residents, we propose to assess an annual non-resident membership fee for use of the facility. The Center would like to begin selling non-resident membership cards in March pending the approval of the fee schedule that was initially approved by the Recreation Committee on November 18, 2015 and amended on February 17, 2016.

Non-Resident Senior (60+)	\$12.00
Non-Resident Youth (under 18)	\$25.00
Non-Resident Adult (18 – 59)	\$50.00
Non-Resident Family (2 adults plus children under 18)	\$125.00
Non-Resident Adult working for a Lexington Business	\$25.00
All Lexington Residents	FREE
Replacement Card	\$5.00

All rates are subject to change with the approval of the Recreation Committee and the Board of Selectmen.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Middle School Projects - Revised Construction Estimates (15 min.)

PRESENTER:

Pat Goddard, Public Facilities Director

ITEM NUMBER:

I.4

SUMMARY:

A revised cost estimate for the Middle Schools renovation and expansion project has been completed. It will be presented to the Permanent Building Committee on Monday, March 7 at 6 p.m. and subsequently presented to the Board of Selectmen.

SUGGESTED MOTION:

NA

FOLLOW-UP:

Cost estimate will be presented to the School Committee at its meeting on March 8.

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

7:35 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Article 35 Presentation - Lexpress Resolution (15 min.)

PRESENTER:

Roy Glasser, Article Proponent

ITEM NUMBER:

I.5

SUMMARY:

Mr. Glasser, the proponent of this article, will be at your meeting to discuss his proposed article. Mr. Cohen worked with Mr. Glasser on a resolution, a draft is attached, and Mr. Glasser may have additional changes to that resolution.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

7:50 PM

ATTACHMENTS:

Description	Type
☐ Proponent Draft Resolution	Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Article Presentations - Planning Board (1 hour)

PRESENTER:

Joe Patao

ITEM NUMBER:

I.6

SUMMARY:

Members of the Planning Board and Mr. Henry, Planning Director, will be at your meeting to present the articles listed above.

SUGGESTED MOTION:

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

8:05 PM

ATTACHMENTS:

Description	Type
☐ PB Report - Article 29	Backup Material
☐ PB Report - Article 36	Backup Material
☐ PB Report - Article 37	Backup Material
☐ PB Report - Article 38	Backup Material
☐ PB Report - Article 41	Backup Material
☐ PB Report - Article 44	Backup Material

AMEND THE GENERAL BYLAWS

ARTICLE 29

NEIGHBORHOOD CONSERVATION DISTRICTS

RECOMMENDATION

The Planning Board unanimously recommends that the motion under Article 29 be **APPROVED**.

BACKGROUND

Neighborhood Conservation Districts (NCD) are a voluntary means of maintaining and preserving neighborhood character through a delineation of districts that are proposed by residents. They are not a zoning overlay and NCDs act in a similar, but less stringent, fashion to historic districts. Primarily, NCDs are a tool used to preserve, protect, and enhance significant areas within a community beyond what is specified in the zoning bylaw. NCD regulations apply in addition to standard zoning regulations and will usually take precedence if in conflict. NCD regulations will differ from neighborhood to neighborhood depending on the area's character and needs. As NCDs do not regulate as strictly as historic districts, they are typically used as an alternative to them in areas where alterations have already occurred but protection of the overall scale, streetscape, circulation patterns and significant buildings is necessary.

Many communities around Lexington have some version of NCDs, including Brookline, Cambridge, Wellesley and Lincoln. Each of these communities has taken the concept and adapted it to their particular context, such that no two versions are identical.

Numerous residents voiced concerns about the loss of neighborhood character in the respective neighborhoods in which they reside. Many expressed concern over the scale of new homes, loss of viewsheds, and loss of mature trees. NCDs have been proposed in an attempt to ameliorate some of these concerns. Approving this recommendation would create the ability for NCDs to be recommended for creation at a future town meeting.

It should be noted that, as proposed, Lexington's NCD bylaw would allow neighborhood property owners to opt out of a proposed designation. An NCD should reflect a strong consensus among owners about what and how to conserve the character of their neighborhood, and potentially maintain the value. If 25% of owners do not wish to be included, NCD boundaries may be redrawn to exclude those properties, or the district may not be recommended to Town Meeting for a vote. Once the NCD is established, the NCD Commission and property owners can review the Regulations and Guidelines. The district may be redrawn for neighbors who desire to opt in or out of a district with a vote at Town Meeting.

The NCD Commission shall meet periodically with the Property Owners in the NCD for the purpose of determining whether the NDC Regulations and Guidelines are still appropriate. The first of these meetings shall occur three years from the date of the District's designation as an NCD, and shall occur at no less than seven year intervals thereafter. In addition, 67% of the owners can petition at any time to dissolve the NCD.

DESIGNATION PROCEDURE

An NCD is established through an extensive process designed to ensure that all potentially affected neighbors have the opportunity to participate.

First, a group of at least 10 neighbors submits an application to the Lexington Historical Commission (LHC) for consideration as an NCD. The LHC then holds a public hearing to determine neighborhood support. If the LHC finds that designation might be appropriate, a study committee is appointed to prepare a report with its recommendations for the NCD, including suggested Regulations and Guidelines to be applicable to the NCD.

Within 30 days of the close of the public hearing, the Historical Commission and the Planning Board shall hold a joint meeting to incorporate any changes based upon public input and determine whether the proposed NCD Area should be recommended. If the Historical Commission and Planning Board, acting jointly, vote not to recommend the proposed NCD Area then the proposed designation shall be deemed rejected. If more than 25% of the Property Owners in the proposed NCD Area have notified the Historical Commission and the Planning Board in writing before the joint meeting that they do not wish to be part of the proposed NCD, then the Historical Commission and Planning Board, acting jointly, may at their option redraw the proposed boundaries of the NCD Area to exclude certain properties that results in at least 75% of property owners in a revised NCD Area in favor of the NCD or, at their option, reject the proposed NCD designation in its entirety.

The LHC and the Planning Board then vote to recommend the NCD to Town Meeting, which has the final approval.

REVIEW PROCEDURE

ADD TEXT HERE

INFORMATION MEETING

A public information session was held on January 27, 2016 in the Selectmen's Meeting Room in the Town Office Building. **After a brief presentation of the proposed motion, the Board answered a few questions on the article and the hearing closed.** After deliberations at their meeting of February 24, the Planning Board unanimously voted to recommend the adoption of this article.

PROPOSED MOTION UPDATE!!!

1. PURPOSES

(a) This Bylaw enables the establishment of Neighborhood Conservation Districts (NCDs) in the Town of Lexington for the following purposes:

- (i) to recognize that the Town of Lexington contains unique and distinctive neighborhoods and areas which contribute significantly to the overall character and identity of the town and which are worthy of preservation and protection. The Town aims

to preserve, protect and enhance these neighborhoods through the establishment of Neighborhood Conservation Districts;

(ii) to promote conservation and preservation of existing buildings; to encourage new construction that will complement and be compatible with existing Buildings, Structures, Settings and neighborhood character; and to foster appropriate reuse and upgrading of Buildings and Structures in designated neighborhoods;

(iii) to provide residents and property owners with the opportunity to participate in planning the future of their neighborhoods;

(iv) to promote wider public knowledge about and appreciation for Lexington's distinctive neighborhoods and their Buildings, Structures and Settings;

(v) and by furthering these purposes, to enhance public welfare by offering current and potential Lexington residents a variety of neighborhoods from which to choose, thereby making the Town a more attractive and desirable place in which to live and work.

(b) An NCD designation is intended to enable the neighborhood and the buildings within it to be able to adapt to meet the needs of current and future owners, while conserving the neighborhood's distinctive character.

(c) An NCD designation identifies a neighborhood and specifies its distinctive architectural, aesthetic, historical, cultural, political, economic and/or social contributions to the development of the Town of Lexington's character.

2. DEFINITIONS

Alteration — any change to the exterior of a Building, Structure or Setting, or part thereof, including construction, demolition, moving, reconstruction, rehabilitation, removal, replication, restoration, or similar activities, and/or significant changes to the site itself.

Building — a combination of materials forming a shelter for persons, animals or property.

Building Commissioner — the Building Commissioner of the Town of Lexington.

Certificate of Compatibility — a form created and issued by the NCD Commission under this Bylaw, which states that a proposed plan for Construction and/or Alterations to a Building, Structure or Setting within an NCD meets the Regulations and Guidelines adopted for that NCD, and which is signed by that NCD Commission's Chair or other officially delegated person responsible for its issuance. An application for a building or demolition permit must be accompanied by this Certificate, if the scope or nature of such projects is covered under the Regulations and Guidelines.

Certificate of Non-Applicability — a form created and issued by the NCD Commission under this Bylaw, which states that proposed changes to a Building, Structure, or Setting within an NCD are not subject to review under this bylaw, and which is signed by that NCD Commission's Chair or other officially designated person. An application for a building permit or demolition

permit must be accompanied by this Certificate, if the scope or nature of such projects is exempt under the Regulations and Guidelines.

Certificate of Hardship — a form created and issued by the NCD Commission under this Bylaw, which states that owing to conditions especially affecting the Building or Structure but not affecting the NCD generally, failure to issue a Certificate of Compatibility would result in a substantial hardship to the applicant and that such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of the NCD, and which must be signed by that NCD Commission's Chair or other officially designated person. An application for a building permit or demolition permit must be accompanied by this Certificate, if the scope or nature of such projects is covered under the Regulations and Guidelines.

Construction — the erection of a new Building or Structure.

Demolition — the act of pulling down, destroying, removing or razing a Building and/or Structure or any substantial portion thereof or the act of commencing the work of total or substantial destruction with the intent of completing the same. "Demolition" as used herein shall be deemed to include demolition by neglect. Demolition by Neglect - A process of ongoing damage to the fabric, viability and/or functionality of an unoccupied building leading towards and/or causing its eventual demolition due to decay and/or structural failure and/or severe degradation over a period of time as a result of a general lack of maintenance, and/or failure to secure the building from pests or vandals, and/or failure to take reasonable measures to prevent the ingress of water, snow, ice, and wind through the roof, walls, or apertures.

Exterior Architectural Features — such portions of the exterior of a Building or Structure, including but not limited to the architectural style, and general arrangement and Setting thereof; the type and texture of exterior building materials; and the type and style of windows, doors, lights, signs and other appurtenant fixtures. Guidelines – advisory guidelines, duly adopted under this Bylaw, to guide the review of proposed Construction and/or Alteration within a particular designated NCD.

Historical Commission — the Lexington Historical Commission.

Neighborhood Conservation District or NCD — a district approved by Town Meeting for those properties within a NCD Area who have not opted out of the provisions of this Bylaw.

NCD Area — the total geographic area covered by all of the properties studied under each Section 3 Study.

Neighborhood Conservation District (NCD) Commission — a public body established under this Bylaw with the authority to review and approve or disapprove proposed Construction and/or Alteration to a Building, Structure or Setting in the NCD for compatibility with the Design Guidelines established for that District. A separate Neighborhood Conservation District Commission shall be established for each designated NCD.

Petition — a document signed by at least 10 Property Owners, one signature per property, of a neighborhood stating the desire of the Property Owners to form a Neighborhood Conservation District, and including the supporting materials required to initiate the study process by which an NCD is established.

Planning Board — the Lexington Planning Board.

Property Owner — the owner of a property as listed on the Town of Lexington’s property tax rolls at the relevant time.

Regulations — mandatory regulations which describe the authority vested in the NCD Area’s NCD Commission, duly adopted under this Bylaw.

Report — the document prepared by a Study Committee recommending favorable or unfavorable action on a Petition to establish an NCD.

Setting — the characteristics of the site of a Building, Structure or undeveloped property, including, but not limited to, placement and orientation of the Building or Structure, and vegetation and landscaping.

Structure — a combination of materials other than a building, including a sign, fence, wall, terrace, walk or driveway.

Study Committee — the group of five people appointed to review, recommend or reject a Petition to create an NCD, as described in Section 3(c), or amend an existing NCD, as contemplated in Section 3(i).

Temporary Structures — structures which have no permanent foundation, and are intended to remain on a property only for a brief period of time.

3. DESIGNATION OF NEIGHBORHOOD CONSERVATION DISTRICTS

(a) To be considered for designation as an NCD, a neighborhood must satisfy the following criteria:

(i) The proposed NCD Area as a whole constitutes a recognizable neighborhood which has a distinctive character, and

(ii) the proposed NCD Area contains Buildings and/or Structures and/or Settings that are significant to the architectural, aesthetic, cultural, political, economic and/or social history of Lexington; or

(iii) the proposed NCD Area has generally cohesive features, such as the scale, size, type of construction, materials or style or age of its Buildings and Structures, and/or its land use patterns and landscaping.

(b) The designation of an NCD shall be initiated by Petition of neighborhood Property Owners, submitted to the Historical Commission and containing signatures of at least 10 Property Owners electing to be included in the proposed NCD Area, one signature per property, which petition shall also include:

(i) a general statement of the architectural, aesthetic, cultural, political, economic, social and/or historic qualities of the proposed NCD Area which make it appropriate for NCD designation, or

(ii) a description of the cohesiveness of the proposed NCD Area in terms of scale, size, type of construction, materials or style or age of its Buildings and Structures, and/or its land use patterns and landscaping; and

(iii) a preliminary map of the proposed NCD Area, and

(iv) a general outline of the scope of the Regulations and Guidelines that would be proposed for the NCD.

(c) Upon receipt of a Petition for NCD designation, the Historical Commission shall within 30 days hold a public hearing, notifying all Property Owners in the proposed NCD Area and all property owners within 100 feet of the proposed NCD Area, at the address for such owners as listed in the then current real estate tax list of the Board of Assessors. Following such public hearing, the Historical Commission, by majority vote, shall determine whether the proposed NCD would be appropriate under the criteria set forth in Section 3(a). If the Historical Commission so determines that an NCD would be appropriate, it shall appoint a Study Committee to investigate and prepare a Report on the appropriateness of such a designation for the proposed NCD Area. The Study Committee shall consist of five members, of which one shall be a designee of the Planning Board; one shall be a designee of the Historical Commission, and three shall be residents of the proposed NCD Area proposed who shall be appointed by the Town Manager. When reasonably possible, the Study Committee should include an architect, landscape architect, or historic preservationist. Notice of a Study Committee's appointment shall be conveyed to all Property Owners in the proposed NCD Area and all property owners within 100 feet of the proposed NCD Area, at the address for such owners as listed in the then current real estate tax list of the Board of Assessors, and such information shall also be made available, to the extent practicable, to prospective buyers through distribution to real estate brokers with offices in Lexington.

(d) The Study Committee, working with residents of the proposed NCD Area, shall meet to evaluate the appropriateness of an NCD designation for the proposed NCD Area, all such meetings being public meetings open to all interested parties. Within one year of its appointment, the Study Committee shall determine, by supermajority vote, whether an NCD is or not appropriate, and shall prepare and file with the Historical Commission and the Planning Board a written Report explaining its decision. If the Study Committee determines that an NCD designation is appropriate, such Report shall propose draft text for the applicable Regulations and Guidelines to be presented to Town Meeting which shall include:

(i) a statement of the significant architectural, aesthetic, cultural, political, economic, social and/or historical qualities of the proposed NCD Area, or

(ii) a description of the cohesiveness of the proposed NCD Area in terms of scale, size, type of construction, materials or style or age of its Buildings and Structures, and/or its land use patterns and landscaping; and

(iii) a map of the geographic boundaries of the proposed NCD Area, and

(iv) a statement describing the nature of the authority to be vested in the proposed NCD Area's Neighborhood Conservation District Commission, proposed Regulations implementing such authority and proposed Guidelines for the NCD.

(e) A public hearing shall be convened jointly by the Historical Commission and the Planning Board within 60 days after the filing of a completed Report to discuss the Study Committee's findings. Public notice shall be given by publication in a newspaper of general circulation in the Town not less than 14 days before the day of the hearing, by posting such notice in a conspicuous place in the Town Hall for a period of not less than 14 days before the day of such hearing, and by conveying said notice to all Property Owners in the proposed NCD Area and to property owners within 300 feet of the proposed NCD Area, at the address for such owners as listed in the then current real estate tax list of the Board of Assessors. Said notice shall state that the Report is available in the Planning Office and online at the Planning Board and Historical Commission web sites, and that Property Owners in the proposed NCD Area may request a printed copy of the Report to be mailed to them.

(f) Within 30 days of the close of the public hearing, the Historical Commission and the Planning Board shall hold a joint meeting to incorporate any changes based upon public input and determine whether the proposed NCD Area should be recommended as an NCD. If the Historical Commission and Planning Board, acting jointly, vote not to recommend the proposed NCD Area for NCD designation, then the proposed designation shall be deemed rejected. If more than 25% of the Property Owners in the proposed NCD Area (one signature per property) have notified the Historical Commission and the Planning Board in writing before the joint meeting that they do not wish to be part of the proposed NCD, then the Historical Commission and Planning Board, acting jointly, may at their option redraw the proposed boundaries of the NCD Area to exclude certain properties that results in at least 75 % of property owners in a revised NCD Area in favor of the NCD or, at their option, reject the proposed NCD designation in its entirety. If the NCD is favorably recommended by the Historical Commission and the Planning Board, acting jointly, the designation of the NCD shall be brought to Town Meeting for approval by majority vote.

(g) Each NCD, as adopted by Town Meeting, shall identify its specific Regulations and Guidelines, establishing the nature and scope of review authority granted to the corresponding NCD Commission under this Bylaw for activities within the NCD, including, but not limited to, selecting categories and types of Construction or Alteration that are exempt from and/or subject to review.

(h) The establishment of an NCD shall not be construed to prevent the Construction or Alteration of a Building or Structure located in the NCD under a building permit, zoning permit or other municipal approval duly issued prior to the date of that NCD's establishment by the Town Meeting.

(i) Amendments to the Regulations and Guidelines of an NCD (including amendments to the boundaries of the affected NCD), may be proposed by 10 Property Owners in the NCD, one signature per property, by the applicable NCD Commission, by the Historical Commission or by the Planning Board. Upon receipt of a written request for any such amendment, the Historical Commission shall hold a public hearing, notifying all Property Owners in the NCD and all property owners within 100 feet of the NCD, at the address for such owners as listed in the then current real estate tax list of the Board of Assessors. Within 30 days of such public hearing, the Historical Commission, by majority vote, shall determine whether the proposed amendments would be appropriate and may, at its option, appoint a Study Committee in the manner described in Section 3(c) to prepare a report with its recommendations. Following such vote of the Historical Commission or favorable acceptance of a Study Report, as applicable, the Historical Commission shall bring the proposed amendments to Town Meeting for approval by majority vote.

(j) The dissolution of an NCD may be proposed by Property Owners in the NCD, one signature per property, that constitute 67% of all Property Owners in the NCD. Upon receipt of a written request for any such dissolution, the Historical Commission shall hold a public hearing, notifying all Property Owners in the NCD, at the address for such owners as listed in the then current real estate tax list of the Board of Assessors. Within 30 days of such public hearing, the Historical Commission, by majority vote, shall determine whether the proposed dissolution would be appropriate and may, at its option, appoint a Study Committee in the manner described in Section 3(c) to prepare a report with its recommendations. Following such vote of the Historical Commission or favorable acceptance of a Study Report, as applicable, the Historical Commission shall bring the proposed dissolution to Town Meeting for approval by majority vote.

4. NEIGHBORHOOD CONSERVATION DISTRICT COMMISSIONS

(a) Following Town Meeting approval of an NCD designation, and recording of a boundary map of the NCD at the Middlesex South Registry of Deeds, a Neighborhood Conservation District Commission shall be appointed under this bylaw and shall consist of five members and two alternates. One member and one alternate shall be designees of the Historical Commission and one member shall be a designee of the Planning Board. Three members and one alternate shall be residents of the NCD, to be appointed by the Town Manager. When reasonably possible, the NCD Commission shall include an architect, historic preservationist, and/or landscape architect.

(b) Members and alternates of the NCD Commission shall initially be appointed for staggered terms, and to two-year terms thereafter. Members who are residents of the NCD shall initially be appointed to staggered terms, and to three-year terms thereafter. Each NCD Commission member or alternate may continue to serve in office after the expiration of his or her term until a successor is duly appointed.

5. REVIEW OF CONSTRUCTION AND/OR ALTERATIONS

(a) The Regulations and Guidelines for each NCD shall establish the extent of review required for any Construction and/or Alteration proposed within that NCD.

(b) Except as otherwise provided in this Bylaw or in the Regulations and Guidelines of an NCD, no Building and/or Structure, or its Setting, within a Neighborhood Conservation District shall be Constructed, Demolished or Altered in any way unless the NCD Commission shall first have issued a Certificate of Compatibility, a Certificate of Non-Applicability, or a Certificate of Hardship.

(c) Exemptions from Review:

(i) All of the following categories or types of Construction and/or Alterations shall be exempt from review by the NCD Commission:

(1) Temporary structures,

(2) Interior alterations,

(3) Storm windows, storm doors, and screens,

(4) Color,

(5) Accessory Buildings of less than 120 square feet of floor area and less than 10 feet in height,

(6) Alterations and Exterior Architectural Features that are not visible from a public way or other areas open to public access, including but not limited to, a public street, public way, public park or public body of water, or

(7) The ordinary maintenance, repair or replacement in kind of Exterior Architectural and Landscaping Features and/or changes made to meet requirements deemed by the Building Commissioner to be necessary for public safety because of an unsafe or dangerous condition. (ii) In addition, the Regulations and Guidelines for an NCD may provide for other categories or types of Construction and/or Alterations within that NCD that shall be exempt from review by its NCD Commission.

(iii) Any Property Owner may request, and the NCD Commission shall issue, a Certificate of Non-Applicability for any Construction and/or Alteration that is exempt from the review of the NCD Commission pursuant to the foregoing.

d) Review:

(i) All Construction and/or Alteration that is not exempt from review shall be subject to review by the NCD Commission.

(ii) Any person proposing Construction and/or Alteration shall first file an application with the NCD Commission for a Certificate of Compatibility, Certificate of Non-Applicability or Certificate of Hardship, in such form as the NCD Commission may reasonably determine, together with such plans, elevations, specifications, photographs, description of materials, and other information as may be reasonably deemed necessary by the NCD Commission to enable it to make a determination on the application. The

date of the filing of an application shall be the date of the receipt of the completed application by the NCD Commission.

(iii) Following submission of an application deemed complete by the NCD Commission, the chair of the NCD Commission shall determine within 14 days whether the application involves features that are subject to review by the Commission. If the chair of the NCD determines that the application is subject to review, the NCD Commission shall hold a public hearing within 45 days of the original filing date. Public notice of the time, place and purpose of the hearing shall be given at least 14 days prior to the hearing date by publication in a newspaper of general circulation in the Town and by conveying said notice to the applicant and all owners of properties within 100 feet of the property, at the address for such owners as listed in the then current real estate tax list of the Board of Assessors.

(iv) Following the close of the public hearing, the NCD Commission shall determine whether the proposed Construction and/or Alteration is compatible with the Regulations and Guidelines established for that NCD. If the NCD Commission determines that the proposed Construction and/or Alteration is compatible with the general Regulations and Guidelines, it shall issue a Certificate of Compatibility. If the NCD Commission determines that the Construction and/or Alteration is not compatible, the NCD Commission shall provide the applicant with a written statement of the reasons for its disapproval. A Certificate of Hardship may be issued if the NCD Commission determines that, owing to conditions especially affecting the Building or Structure but not affecting the NCD generally, failure to issue a Certificate of Compatibility would result in a substantial hardship to the applicant and that such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of the NCD; provided that upon elimination of the hardship condition, any incompatible Construction or Alteration shall promptly be removed.

(v) If the NCD Commission fails to issue a Certificate within 60 days after the filing of the application, or such further time as the applicant may allow in writing, the Certificate shall be deemed granted.

(vi) The NCD Commission shall within seven days file with the Building Commissioner copies of all Certificates issued by it as well as any determinations of disapproval.

(vii) The Regulations and Guidelines for the NCD may provide that certain categories or types of Construction and/or Alteration shall be subject to advisory, non-binding review by the NCD Commission, or an owner may request such non-binding review of a otherwise exempt Construction and/or Alteration, in which event the review procedures shall be followed, but without the NCD Commission voting or rendering a binding determination.

6. DEMOLITION BY NEGLECT

(a) If the NCD Commission has reason to believe, through visual inspection or other means, that a Building or Structure in the NCD may be undergoing Demolition by Neglect, then the NCD Commission shall notify the Building Commissioner and the Property Owner, and the NCD Commission and the Building Commissioner shall jointly hold a public hearing to determine whether it is undergoing Demolition by Neglect, which shall require the concurrence of the Building Commissioner. In furtherance of determining its condition, the NCD Commission may, at any time, request an inspection of the Building or Structure by the Building Commissioner.

b) If the NCD Commission and the Building Commissioner both determine that the Building or Structure is undergoing Demolition by Neglect, the NCD Commission and the Building Commissioner shall attempt to negotiate a voluntary agreement with the Property Owner for appropriate and timely repairs sufficient to structurally stabilize the Building or Structure and/or prevent further deterioration.

(c) In the event that the NCD Commission and the Building Commissioner both determine that they are not able to negotiate such an agreement with the Property Owner, for any reason, or that the Property Owner has agreed to undertake but has failed to satisfactorily complete such repairs in a timely manner, then the NCD Commission and the Building Commissioner may take such action as is permitted under Section 9, including seeking a court order that specific repairs be undertaken to secure the Building or Structure against the elements, vandals and vermin, to halt further deterioration, and to stabilize it structurally. The NCD Commission may forbear from commencing an action in court for any reason.

(d) Upon completion of all repairs that have been agreed upon between the Property Owner and the NCD Commission and the Building Commissioner or that have been ordered by the NCD Commission and the Building Commissioner, or that have been ordered by the court, and upon certification by the Building Commissioner that said repairs have been completed, the NCD Commission shall certify that the Building or Structure is no longer undergoing Demolition by Neglect.

7. REVISION OF REGULATIONS AND GUIDELINES

The NCD Commission shall meet periodically with the Property Owners in the NCD for the purpose of determining whether the NDC Regulations and Guidelines are still appropriate. The first of these meetings shall occur three years from the date of the District's designation as an NCD, and shall occur at no less than seven year intervals thereafter.

8. DECISION CRITERIA

(a) In passing upon matters before it, the NCD Commission may consider, among other things:

(i) the architectural, aesthetic, cultural, political, economic, social and/or historical value and significance of the particular Buildings, Structures and/or Settings affected, as well as the effects of the same on the NCD;

(ii) the suitability of the Construction's, Alterations' and/or Setting's general design, arrangement and composition of its elements on the distinctive character of the NCD; the

effect on the cohesiveness of the NCD in terms of scale and massing of the proposed changes relative to nearby Buildings and Structures in the NCD, the type of construction, style, the textures and materials of the features involved in the proposed Construction and/or Alteration;

(iii) the Setting and landscape characteristics, including their relationship to the street, topography, and existing vegetation, including mature trees, of the particular site involved in the Construction and/or Alteration, as well as the effects of same on the NCD;

(iv) for demolitions, the Building, Structure and/or Setting proposed to replace that/those existing;

(v) alterations necessary for handicap accessibility and other conditions of hardship, as contemplated in Section 5(d)(iv); and

(vi) all such other standards, factors and matters contained in the Regulations and Guidelines for the NCD.

(b) In making its determination, the NCD Commission shall, among other things, allow for appropriate architectural diversity and encourage the compatible updating, expansion and renovation of Buildings and Structures in the NCD consistent with the distinctive characteristics of the NCD.

9. JUDICIAL REVIEW, ENFORCEMENT AND LAPSE

(a) The Building Commissioner shall be charged with the enforcement of this Bylaw. The Building Commissioner is authorized to institute any and all proceedings in law or equity as he deems necessary and appropriate to obtain compliance with the requirements of this by law, or to prevent violation thereof.

(b) Anyone found in violation may be fined not more than \$500 for each day such violation continues, each day constituting a separate offense. In addition, no building permit shall be issued with respect to any premises upon which a Building or Structure subject to the provisions of this bylaw has been voluntarily altered or demolished in violation of this bylaw for a period of two years after the date of the completion of such demolition or Alteration or the date by which the Historical Commission and the Building Commissioner both have determined that a building is undergoing demolition by neglect, whichever date is later, except pursuant to the issuance of a building permit pursuant to an agreement reached under Section 5(e), or as otherwise agreed to by the Historical Commission and the Building Commissioner. As used herein "premises" includes the parcel of land upon which the demolished Building or Structure was or is located.

(c) Any party aggrieved by a determination of the NCD Commission may, within 45 days after the filing of the notice of such determination with the Building Commissioner file a written request with the NCD Commission for a review by a joint meeting with at least three members each of the Historical Commission and Planning Board. The findings of this joint meeting, which may sustain or overrule the prior decision of the NCD Commission, shall be filed with the

Building Commissioner within 45 days after the close of the public hearing, and shall be binding on the applicant and the joint committee, unless a further appeal is sought in the Superior Court of Middlesex County.

(d) Certificates of Compatibility and Certificates of Hardship shall expire 18 months, plus such time as may be required to pursue or await the determination of a judicial review as provided above, from their date of issuance, if construction has not begun by such date. Notwithstanding the above, the NCD Commission may grant one or more extensions, of up to six months each, if there are unavoidable delays.

10. EXISTING BYLAWS NOT REPEALED

(a) Nothing contained in this bylaw shall be construed as repealing or modifying any existing bylaw or regulation of the Town, but it shall be in addition thereto. If this bylaw imposes greater restrictions upon the Construction and/or Alteration, of Buildings, Structures or Settings than other bylaws or provisions of law, such greater restrictions shall prevail.

AMEND ZONING BYLAW

ARTICLE 36 NATIONAL FLOOD INSURANCE DISTRICT

RECOMMENDATION

The Planning Board unanimously recommends the motion under Article 36 be **APPROVED**.

BACKGROUND

The National Flood Insurance Program (NFIP) was established in 1968 with the passage of the National Flood Insurance Act. The National Flood Insurance Program (NFIP) is a federal program enabling property owners in participating communities to purchase insurance as protection against flood losses in exchange for state and community adoption of floodplain management regulations that reduce future flood damages. Over 20,000 communities participate in the program, of which Lexington is one.

As part of the regular monitoring and updating of the program, the federal government has updated its flood insurance district maps as it relates to the Hartwell Avenue area. In order to remain eligible for federal flood insurance, [local municipalities affected by the update](#) the Town must adopt the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) by July 6, 2016.

[If a community does not adopt new floodplain management regulations or amend its existing regulations before the effective date of the FIRM and FIS report, the community will be suspended from the NFIP.](#)

PUBLIC HEARING

A duly advertised public hearing was held on January 20, 2016 in the Selectmen's Meeting Room in the Town Office Building. After a brief presentation of the proposed motion, no one spoke to this article and the hearing closed. After deliberations at their meeting of February 24, the Planning Board voted unanimously to recommend the adoption of this article.

PROPOSED MOTION

That Chapter 135 of the Code of the Town of Lexington, the Zoning Bylaw, be amended as follows:

1. Amend Sections 7.1.3 & 7.1.6.1.a

7.1.3 Location. The NFI District includes all special flood hazard areas within the Town of Lexington designated as Zone A and AE on the Middlesex County, Massachusetts Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Lexington are panel numbers 0382F, 0384F, 0392E, 0401E, 0402E, 0403E, 0404E, 0408E, 0411E, 0412E, 0414E, and 0416E, effective July 6, 2016. The exact boundaries of the District may be defined by the one-hundred-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS)

report, effective July 6, 2016. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk and available on the Town website.

7.1.6 Use Regulations.

- a. Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
2. Amend the Zoning Map to reflect the changes to panel numbers 0382 and 0384, as described above.

RECOMMENDATION

The Planning Board unanimously recommends the motion under Article 37 be **APPROVED**.

SUMMARY

The purpose of this proposed amendment is to address internal references in Section 5.2, make several corrections and updates in Section 10 (Definitions), correct internal references related to those proposed edits, and reformat Section 8.7.

PUBLIC HEARING

A duly advertised public hearing was held on January 20, 2016 in the Selectmen’s Meeting Room in the Town Office Building. After a brief presentation of the proposed motion, no one spoke to this article and the hearing closed. After deliberations at their meeting of February 24, the Planning Board unanimously voted to recommend the adoption of this article.

PROPOSED MOTION

That Chapter 135 of the Code of the Town of Lexington, the Zoning Bylaw, be amended as follows:

1. Correct internal references within Section 5.2 of the Zoning Bylaw, Signs:
 - § 5.2.8.2.a. In particular instances the SPGA may issue special permits for projecting signs in accordance with § 5.2.~~10~~, if it is determined that...
 - § 5.2.8.2.3. In particular instances the SPGA may issue special permits for standing signs in accordance with § 5.2.~~10~~, if it is determined that...
2. Correct and update Section 10, Definitions:
 - Delete unused definitions: DBM, indirect light, lowest floor, new construction, radio-frequency radiation, substantial damage, and substantial improvement.
 - Add definition for “Telecommunications Act:
 - Telecommunications Act: The Federal Telecommunications Act of 1996
 - Delete the definition of “Development Regulations” and replace with “Subdivision Regulations” and “Zoning Regulations,” in alphabetical order, as detailed below:
 - Subdivision Regulations: Chapter 175 of the Code of Lexington is the document adopted and amended from time to time by the Planning Board, containing various regulations, procedures, standards, and fees for actions used in dealing with subdivision control and other matters relative to residential and commercial development in Lexington.
 - Zoning Regulations: Chapter 176 of the Code of Lexington is the document adopted and amended from time to time by the Planning Board, containing various

regulations, procedures, standards, and fees for actions that the Planning Board uses in dealing with special permits, site plan review, and other matters relative to residential and commercial development in Lexington.

Amend the definition of “funeral home or parlor” to “funeral parlor” as all references to the term in the Bylaw are to “funeral parlors.”

3. Correct internal references related to the above proposed edits:

Add a reference to the “Telecommunications Act” in §6.4.13, and to “Channel” and “Wireless Communication Services” to “Telecommunications Act” in Definitions.

Replace the term “Development Regulations” with “Subdivision Regulations,” in §§ 5.3.14, 6.9.12, 6.9.13, and in the definition of Proof Plan in Section 10.

4. Reformat section 8.7, Nonconforming Off-Street Parking and Loading to reflect the format structure it had before the Bylaw was recodified by Town Meeting in 2014. The structure, with text removed, is summarized below:

8.7.1 Existing Nonconforming Parking Spaces or Loading Bays.

1. Change of Use.
2. Increase in Floor Area.
3. Parking Spaces or Loading Bays in Existence.
4. Parking Spaces or Loading Bays in Existence.
5. Credit.

8.7.2 Reconstruction or Replacement of a Building.

1. If a building...
2. If the uses...

AMEND THE ZONING BYLAW & MAP

ARTICLE 38 GOVERNMENTAL-CIVIC USE DISTRICT

RECOMMENDATION

The Planning Board unanimously recommends that the motion under Article 38 be **APPROVED**.

BACKGROUND

This new zoning district, containing most publicly owned land in the Town held for a public purpose, designates that these parcels are for governmental use, as opposed to residential or commercial use. The dimensional controls, permitted uses, and grant of special permitting authority to the Planning Board ensure that land uses are related to the policies of the community, and that any development in the district is compatible with surrounding districts and uses.

A similar proposal was first brought before Town Meeting at its annual meeting in March of 2015. The 2015 proposal garnered broad support, but failed to gain the 2/3rds majority needed to amend the Zoning Bylaw. The Board requested reconsideration, but decided against bringing it back to that Town Meeting. The Board used this time to address the comments it received since last year's Town Meeting, amending the motion accordingly.

The designation of "civic" districts is a common zoning practice in Massachusetts. The concept behind this proposal is to make the zoning map, a document expressing a preferred future, reflect what most residents already see as a vital part of the community. Currently, most of the protected open space and government-owned land proposed for the Governmental-Civic Use District is zoned residential.

Most of the communities around Lexington have some version of this concept, including Boston, Newton, Canton, Woburn, Dover, Stow, and Stoneham. Each of these communities has taken the concept and adapted it to their particular context, such that no two versions are the same. Likewise, Lexington's proposed GC district has been designed to fit Lexington's unique set of circumstances.

PARCELS NOT INCLUDED IN THE GC DISTRICT

Not every governmental-owned property was included in the proposed district. Parcels that were not included in the GC district and remain as previously zoned are listed below with explanations.

Tax Title. Tax title land was not acquired for a public use and the parcels are scattered around Town within neighborhoods. One exception to this is tax title land that abuts, or is surrounded by, land that has been taken for a public purpose – in this case, these takings make sense to include in the district as they extend or complete the intent of the Town to acquire property. A good example of this occurs in Meagherville (Precinct 8), where the Town has accumulated many parcels, but several of these tax title lots have not yet been formally transferred to the Conservation Commission.

Planned Development Districts. Because these districts have dimensional and performance standards that include the land area of these properties in the calculations, the dedicated open space in these districts was not included in the district.

Remnants and Rights of Way. Several parcels along existing rights of way (Route 128 and Route 2) as well as the borders of the Town were not included in the district. These odd shaped remnants have little useable area.

Housing. Housing is consistent with uses in surrounding residential districts and so these parcels have not been included. In the new GC district, residential uses will not be permitted.

PROPOSED USES

The proposed GC District includes about 3,000 acres of property. The vast majority of these parcels are currently in a residential district, although there is some land in existing commercial districts.

For most of these properties, the designation of the GC represents downzoning; the GC district reduces the development allowed by right on the parcels. All districts must allow for some uses however, and this district provides for the state, federal, religious, and educational exemptions from local zoning that we must provide for under state law, as well as authorizing municipal uses and all existing or proposed non-municipal uses. No residential uses will be permitted. This represents a significant reduction to the current allowable uses of these properties. Please see appendix A for **Table 1: Permitted Uses and Development Standards**, which lists proposed uses for the GC district.

In the new GC district, only the following uses will be permitted:

- Uses allowed in all districts
- For-profit schools, museums, art galleries, libraries, and recreational facilities
- Non-profit organizations
- Solar energy systems and wireless communications facilities
- Flea markets and seasonal sale of Christmas trees and wreaths

PUBLIC HEARING

A duly advertised public hearing was held on January 20, 2016 in the Selectmen's Meeting Room in the Town Office Building. After a brief presentation of the proposed motion, the Board answered a few questions on the article and the hearing closed. After deliberations at their meeting of February 24, the Planning Board unanimously voted to recommend the adoption of this article.

PROPOSED MOTION

That the Zoning Bylaw and the Zoning Map, Chapter 135 of the Code of the Town of Lexington, be amended as follows:

1. That Bylaw Section 2.2 be amended to include the new district and renumber the subsequent sections accordingly:
 - 2.2.1 Governmental-Civic Use Districts

GC	Governmental-Civic Use
----	------------------------

2. That Bylaw Section 3.1, the Table of Uses, be amended to include the proposed district (see Appendix A).
3. That Bylaw Section 4.4, the Schedule of Dimensional Controls, be amended to include the proposed district (see Appendix B).
4. That Bylaw Section 5.1.10.3 be amended to permit access across the GC district to any other district so that the section reads:

No private way or driveway shall be built through a district in which the use served by the private way or driveway is not permitted except that access through a GC district to any other district is permitted.

5. That Bylaw Section 5.1.11, Minimum Yards for Parking, be amended to include the new district, as summarized below:

District	Residential District Line (ft.)	Street Line (ft.)	All Other Lot Lines (ft.)	Wall of a Principal Building (ft.)
GC	0	25	5	5

6. That Bylaw Section 5.3.5, the required depth or width (in feet) of transition areas, be amended to include the new district as summarized below:

District In Which Lot is Located	Adjacent District												
	GC	RO	RS	RT	RD	CN	CRS	CS	CB	CLO	CRO	CM	Street Line
GC	-	20	20	20	20	-	-	-	-	-	-	-	-
RO	-	25*	25*	25*	10*	15	15	20	-	20	20	20	-
RS	-	25*	25*	25*	10*	15	15	20	15	20	-	-	-
RT	-	25*	25*	25*	10*	10	10	-	-	10	-	-	-
RD	-	20*	20*	20*	20*	20	20	20	20	20	20	20	25
CN	-	20	20	20	20	-	10	15	-	20	-	-	10
CRS	-	20	20	20	20	10	-	15	-	10	-	-	10
CS	-	20	20	20	20	15	15	-	-	15	-	-	20
CB	-	-	20	-	20	-	-	-	-	-	-	-	-

CLO	-	50	50	50	50	10	10	10	-	-	-	-	10
CRO	-	50	-	-	50	-	-	-	-	-	-	-	50
CM	-	50	-	-	50	-	-	-	-	-	-	-	25
*No requirement for an individual dwelling													

7. That Bylaw Section 9.4.1 be amended to make the Planning Board the special permit granting authority (SPGA) for special permits in the GC District, so that it reads:
 1. The Planning Board shall serve as the SPGA for:
 - a. All special permits pursuant to § 6.9, Special Permit Residential Developments
 - b. All special permits in the Governmental-Civic Use (GC) District
 - c. When an activity or use requires both site plan review and one or more special permits, except for a wireless communication facility or as provided below.
8. That the Zoning Map be amended by rezoning to the GC District the parcels listed in a document titled “List of Parcels to be Rezoned to Governmental-Civic District” dated March 16, 2015 on file with the Planning Department.

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
A. RESIDENTIAL USES												
A.1.0 PRINCIPAL RESIDENTIAL USES												
A.1.01	One-family dwelling	N	Y	Y	Y	Y	N	N	N	N	N	N
A.1.02	Two-family dwelling	N	N	N	Y	Y	N	N	N	N	N	N
A.1.03	Dwelling unit above street floor level in a commercial or institutional building	N	N	N	N	N	N	N	Y	N	N	N
A.1.04	Congregate living facility	N	SP	SP	SP	SP	N	N	N	N	N	N
A.1.05	Balanced housing development, public benefit development, site sensitive development	N	SP	SP	SP	N	N	N	N	N	N	N
A.2.0 ACCESSORY USES FOR RESIDENTIAL USES												
A.2.01	Rooming units (not to exceed 3)	N	Y	Y	Y	N	N	N	N	N	N	N
A.2.02	Basic accessory apartment	N	Y	Y	N	N	SP	SP	SP	SP	SP	SP

APPENDIX A

Table 1: Permitted Uses and Development Standards		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
A.2.03	Expanded accessory apartment	N	SP	SP	N	N	SP	SP	SP	SP	SP	SP
A.2.04	Accessory structure apartment	N	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
A.2.05	Bed and breakfast home	N	Y	Y	N	N	SP	SP	SP	SP	SP	SP
A.2.06	Home occupation, instruction	N	Y	Y	Y	Y	SP	SP	SP	SP	SP	SP
A.2.07	Home occupation, minor	N	Y	Y	Y	Y	SP	SP	SP	SP	SP	SP
A.2.08	Home occupation, major	N	SP	SP	SP	Y	SP	SP	SP	SP	SP	SP
A.2.09	Tennis court or court for a sport played with a racquet or paddle including handball	N	SP	SP	SP	Y	Y	Y	Y	Y	Y	N
A.2.010	Family child care home	N	Y	Y	Y	Y	SP	SP	SP	SP	SP	SP
A.2.011	Family child care home, large	N	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
A.2.012	Adult day care in the home	N	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
A.2.013	Outdoor parking of commercial vehicles other than one vehicle not larger than 10,000 pounds GVW	N	N	N	N	Y	Y	Y	Y	Y	Y	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
A.2.014	Outdoor parking of more than four automobiles for a dwelling unit	N	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y
A.2.015	Indoor parking of commercial vehicles other than one vehicle not larger than 15,000 pounds GVW	N	N	N	N	N	Y	Y	Y	Y	Y	Y
A.2.016	Outdoor storage of unregistered vehicles other than one automobile not stored in the required yard for the principal dwelling, and screened from the view of abutting lots and the street	N	N	N	N	N	N	Y	N	N	N	N
B.	INSTITUTIONAL USES											
B.1.0	PRINCIPAL INSTITUTIONAL USES											
B.1.01	Child care center	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
B.1.02	Use of land or structures for religious purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
B.1.03	Use of land or structures for educational purposes on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
B.1.04	Municipal buildings or uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
B.1.05	Park, playground, cemetery	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
C.	PRINCIPAL AGRICULTURAL AND NATURAL RESOURCE USES											
C.1.0	AS A PRINCIPAL USE											
C.1.01	Exempt agricultural uses and structures as set forth in G.L. c. 40A, s. 3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
C.1.02	Farm for the raising of crops not exempt by statute	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
C.1.03	Greenhouse or nursery not exempt by statute	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

APPENDIX A

Table 1: Permitted Uses and Development Standards		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
C.1.04	Horseback riding area or stables not exempt by statute	SP	SP	SP	SP	N	N	N	N	N	N	N
C.1.05	Roadside stand not exempt by statute (for two-year terms)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
C.1.06	Removal from a lot of earth materials for sale such as loam, sod, sand, gravel, stone, rock or clay	SP	SP	SP	N	N	N	N	N	N	SP	SP
D. TEMPORARY USES												
D.1.01	Temporary dwelling to replace a permanent dwelling on the same lot during reconstruction	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
D.1.02	Temporary building or trailer incidental to the construction of a building or land development	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
D.1.03	Temporary structures and uses not otherwise permitted in the district, provided the Building Commissioner finds that the proposed structure or use is compatible with the neighborhood	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
D.1.04	Temporary structures and uses not otherwise permitted in the district, provided the proposed structure or use is compatible with the neighborhood	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
E.	OPERATING STANDARDS - THE FOLLOWING OPERATING STANDARDS APPLY TO ALL USES IN SECTIONS G TO P, INCLUSIVE, OF THIS TABLE IN ADDITION TO ANY STANDARDS SET FORTH THEREIN											
E.1.01	Operations, in part or in whole, conducted outdoors during operating hours	Y	SP	SP	SP	SP	Y	Y	SP	SP	SP	Y
E.1.02	Storage of equipment and products outdoors during non-operating hours	Y	N	N	N	N	Y	Y	Y	N	SP	SP

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
F. DEVELOPMENT STANDARDS - THE FOLLOWING DEVELOPMENT STANDARDS APPLY TO ALL USES IN SECTIONS G TO P, INCLUSIVE, OF THIS TABLE IN ADDITION TO ANY STANDARDS SET FORTH THEREIN												
F.1.01	Uses and structures with less than 10,000 square feet of gross floor area including the area of any existing structures but not including any floor area devoted to off-street parking, on a lot	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	R
F.1.02	Uses and structures with 10,000 or more square feet of gross floor area including the area of any existing structures but not including any floor area devoted to off-street parking, on a lot	R	R	R	R	R	R	R	R	R	R	R
G. COMMERCIAL OFFICE USES												
G.1.0 AS A PRINCIPAL USE												
G.1.01	Medical, dental, psychiatric office, but not a clinic	N	N	N	N	Y	Y	N	Y	Y	Y	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
G.1.02	Medical, dental, psychiatric office, but not a clinic, with related laboratory	N	N	N	N	N	Y	N	Y	Y	Y	Y
G.1.03	Business or professional office	N	N	N	N	N	Y	N	Y	Y	Y	Y
G.2.0	DEVELOPMENT STANDARDS FOR OFFICE USES											
G.2.01	Office located on street floor level *Not permitted in a center storefront.	N	N	N	N	Y	N	N	SP*	Y	Y	Y
G.2.02	Office located on any floor other than street floor level *Permitted in a basement	N	N	N	N	N*	Y	N	Y	Y	Y	Y
G.2.03	Office space of all companies in a building occupies a total of more than 50% of the floor area in a building	N	N	N	N	N	N	N	Y	Y	Y	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
G.2.04	Offices in which one company has more than 1,000 square feet of floor area but not more than 2,500 square feet of floor area in a building	N	N	N	N	N	Y	N	Y	Y	Y	Y
G.2.05	Building used for offices without limit as to the amount of floor area one company may occupy or the percentage of floor area occupied by offices	N	N	N	N	N	N	N	N	N	Y	Y
H. PERSONAL, BUSINESS, OR GENERAL SERVICE USES												
H.1.0 AS A PRINCIPAL USE												
H.1.01	Beauty parlor, barber shop	N	N	N	N	Y	Y	Y	Y	Y	N	Y
H.1.02	Laundry or dry cleaning pickup station with processing done elsewhere; laundry or dry cleaning with processing on the premises, self-service laundromat or dry cleaning	N	N	N	N	Y	Y	Y	Y	N	N	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
H.1.03	Tailor, dressmaker, shoe repair	N	N	N	N	Y	Y	Y	Y	N	N	Y
H.1.04	Real estate sales or rental	N	N	N	N	Y	Y	N	Y	Y	Y	Y
H.1.05	Bank or Credit Union	N	N	N	N	N	Y	N	Y	Y	Y	Y
H.1.06	Bank or Credit Union with drive-up window or auto-oriented branch bank	N	N	N	N	N	SP	N	N	N	SP	Y
H.1.07	Automatic teller machine	N	N	N	N	SP	Y	Y	Y	Y	Y	Y
H.1.08	Travel agency, insurance agency, ticket agency	N	N	N	N	N	Y	N	Y	Y	Y	Y
H.1.09	Photographic services including commercial photography	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
H.1.010	Repair of household appliances, small tools or equipment, rental of equipment or tools for use in a home	N	N	N	N	Y	Y	Y	Y	N	N	N
H.1.011	Funeral parlor	N	N	N	N	N	N	Y	N	Y	N	N

APPENDIX A

Table 1: Permitted Uses and Development Standards		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
H.1.012	Photocopying, reproduction services but not commercial printing	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
H.1.013	Medical clinic for outpatient services	N	N	N	N	N	Y	N	Y	Y	Y	Y
H.1.014	School not exempt by statute	SP	N	N	N	N	Y	Y	Y	Y	Y	Y
H.1.014.1	Instruction in music or the arts, not to exceed 3,500 square feet of floor space per establishment	SP	N	N	SP	SP	Y	Y	Y	Y	Y	Y
H.1.015	Commercial printing, publishing	N	N	N	N	N	N	Y	Y	Y	N	Y
H.1.016	Newspaper distribution agency	N	N	N	N	N	N	Y	N	Y	N	Y
H.1.017	Office of veterinarian	N	N	N	N	N	N	Y	N	N	N	N
H.1.018	Kennel, boarding of household pets	N	N	N	N	N	N	Y	N	N	N	N

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
H.1.019	Pet grooming service provided that it shall be conducted entirely within the principal building and no pets shall be boarded overnight	N	N	N	N	N	Y	Y	Y	N	N	N
H.1.020	Private postal service	N	N	N	N	N	Y	Y	N	Y	Y	Y
H.1.021	Recycling collection store	N	N	N	N	N	N	SP	N	N	N	N
H.1.022	Museum, art gallery, private library	SP	SP	SP	SP	Y	Y	N	Y	Y	Y	N
H.1.023	Nonprofit community service center or charitable organization	SP	SP	SP	SP	Y	Y	N	Y	Y	Y	Y
H.1.024	Private, nonprofit club or lodge of social, fraternal, veterans, professional or political association; union hall; not including a recreational club	SP	SP	SP	SP	Y	Y	N	Y	Y	Y	Y
H.2.0	DEVELOPMENT STANDARDS FOR PERSONAL, BUSINESS, OR GENERAL SERVICE USES											

APPENDIX A

Table 1: Permitted Uses and Development Standards		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
H.2.01	Services with more than 1,500 square feet of floor space per establishment	Y	Y	Y	Y	SP	Y	Y	Y	Y	Y	Y
H.2.02	Services with more than 3,500 square feet of floor space per establishment	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y
I. SALES OR RENTAL OF GOODS AND EQUIPMENT												
I.1.0 AS PRINCIPAL USE												
I.1.01	Convenience goods often bought on a daily basis such as food, candy, newspapers, tobacco products	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
I.1.02	General merchandise, department store	N	N	N	N	N	Y	N	Y	N	N	N
I.1.03	Food, not intended for consumption on the premises; includes grocery store, but not a takeout or fast-food service	N	N	N	N	Y	Y	N	Y	N	N	SP

APPENDIX A

Table 1: Permitted Uses and Development Standards		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
I.1.04	Package liquor store, with no consumption of beverages on the premises	N	N	N	N	N	SP	N	Y	N	N	N
I.1.05	Apparel, fabrics and accessories	N	N	N	N	Y	Y	N	Y	N	N	N
I.1.06	Furniture, home furnishings, home appliances and equipment, carpets	N	N	N	N	N	Y	N	Y	N	N	N
I.1.07	Other retail goods such as books, stationery, drugs, sporting goods, jewelry, photographic equipment and supplies, flowers, novelties, cards, footwear, and the like which are typically of a size that a customer can carry by hand	N	N	N	N	Y	Y	N	Y	N	N	Y
I.1.08	Hardware, paint, wallpaper	N	N	N	N	Y	Y	Y	Y	N	N	N
I.1.09	Building materials	N	N	N	N	N	Y	Y	Y	N	N	N
I.1.010	Lawn and garden supplies and equipment	N	N	N	N	N	Y	Y	Y	N	N	N

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
I.1.011	Sale or rental of equipment and supplies, such as office furniture, to other businesses	N	N	N	N	N	Y	Y	N	N	N	Y
I.1.012	Artisan work	N	N	N	N	N	N	N	Y	N	N	N
I.1.013	Medical Marijuana Distribution Center	N	N	N	N	N	N	N	N	N	N	Y
I.2.0	DEVELOPMENT STANDARDS FOR SALES OR RENTAL OF GOODS AND EQUIPMENT											
I.2.01	Stores with more than 2,000 square feet of floor area per establishment	N	N	N	N	N	Y	Y	Y	N	N	SP
I.2.02	Sales or rental conducted in part outdoors with permanent display of products during non-operating hours	N	N	N	N	N	Y	Y	Y	N	N	SP
J.	EATING AND DRINKING; TRANSIENT ACCOMMODATIONS											
J.1.0	AS A PRINCIPAL USE											
J.1.01	Restaurant	N	N	N	N	N	Y	N	Y	N	Y	Y
J.1.02	Fast-food service	N	N	N	N	SP	SP	N	SP	N	SP	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
J.1.03	Takeout food service (* Requires a special permit for service between the hours of 11PM and 7 AM)	N	N	N	N	Y*	Y*	SP	Y*	N	Y*	Y*
J.1.04	Caterer or other establishment preparing meals for groups of people (* Only in conjunction with a substantial retail food business)	N	N	N	N	N	N	Y	SP*	N	N	Y
J.1.05	Drive-in or drive-through food service	N	N	N	N	N	N	N	N	N	N	N
J.1.06	Hotel, motel	N	N	N	N	N	N	N	SP	N	SP	Y
K.	COMMERCIAL RECREATION, AMUSEMENT, ENTERTAINMENT											
K.1.0	AS A PRINCIPAL USE											
K.1.01	Movie theater (indoor)	N	N	N	N	N	N	N	Y	N	N	N
K.1.02	Indoor athletic and exercise facilities, weight reduction salon	N	N	N	N	N	SP	Y	Y	N	N	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
K.1.03	Recreational facilities such as golf course, tennis or swimming club	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
K.1.04	Private nonprofit recreational facility such as golf course, tennis or swimming club	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y	Y
L.	MOTOR VEHICLE RELATED SALES AND SERVICE USES											
L.1.0	AS A PRINCIPAL USE											
L.1.01	Motor vehicle sales or rental; includes automobiles, trucks, campers, vans, recreational vehicles, boats, or trailers	N	N	N	N	N	SP	SP	N	N	N	SP
L.1.02	Service station, sale of fuel and other motor oil products and accessories such as batteries, tires	N	N	N	N	N	SP	SP	N	N	N	N
L.1.03	Sales and installation of automotive parts such as tires, mufflers, brakes and motor vehicle accessories	N	N	N	N	N	N	SP	N	N	N	N

APPENDIX A

Table 1: Permitted Uses and Development Standards												
	GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM	
L.1.04 Motor vehicle maintenance and minor repairs limited to engine tune-up, lubrication and installation of replacement parts, adjustment or replacement of brakes or tires, washing and polishing, but not including engine overhaul, body work or painting	N	N	N	N	N	SP	SP	N	N	N	SP	
L.1.05 Substantial motor vehicle repair including engine overhaul, body work and painting	N	N	N	N	N	N	SP	N	N	N	N	
L.1.06 Car wash conducted entirely within a building	N	N	N	N	N	N	SP	N	N	N	N	
L.1.07 Automobile parking lot where the parking spaces do not serve a principal use on the same lot and where no sales or service takes place	SP	N	N	N	N	N	SP	SP	N	SP	SP	
L.1.08 Storage of automobiles or trucks	N	N	N	N	N	N	SP	N	N	N	N	

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
M.	CONSTRUCTION, STORAGE, DISTRIBUTION AND INDUSTRIAL USES											
M.1.0	AS A PRINCIPAL USE											
M.1.01	Bakery	N	N	N	N	N	N	Y	N	N	N	N
M.1.02	Industrial services such as machine shop, welding	N	N	N	N	N	N	SP	N	N	N	Y
M.1.03	Commercial mover, associated storage facilities	N	N	N	N	N	N	SP	N	N	N	Y
M.1.04	Distribution center, parcel delivery, commercial mail delivery center	N	N	N	N	N	N	N	N	N	Y	Y
M.1.05	Office, display or sales space of a wholesale or distributing establishment, provided that not more than 25% of the floor area is used for assembly of products	N	N	N	N	N	N	Y	N	N	N	N
M.1.06	Trade shop	N	N	N	N	N	N	Y	N	N	N	N

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
M.1.07	Office, yard and storage facilities for construction company such as a general contractor, landscape contractor	N	N	N	N	N	N	SP	N	N	N	N
M.1.08	Fuel oil dealer including sale and repair of heating equipment but not including bulk storage of fuel oil	N	N	N	N	N	N	SP	N	N	N	N
N.	MANUFACTURING USES											
N.1.0	AS A PRINCIPAL USE											
N.1.01	Light manufacturing	N	N	N	N	N	N	N	N	N	N	Y
N.1.02	Laboratory engaged in research, experimental and testing activities, which may include the development of mock-ups and prototypes but not the manufacture of finished products	N	N	N	N	N	N	N	N	N	Y	Y
N.1.03	Medical Marijuana Treatment Center	N	N	N	N	N	N	N	N	N	N	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
O. UTILITY, COMMUNICATIONS, AND TRANSPORTATION USES												
O.1.0 AS A PRINCIPAL USE												
O.1.01	Radio, television studio, but without transmitting or receiving towers	N	N	N	N	N	Y	Y	N	N	Y	Y
O.1.02	Transmitting or receiving tower or antenna for commercial activities other than those which are used exclusively for wireless communication facilities	N	N	N	N	N	N	N	N	N	N	Y
O.1.03	Commercial ambulance service	N	N	N	N	N	N	SP	N	N	N	N
O.1.04	Taxicab garage, parking area	N	N	N	N	N	N	SP	N	N	N	N
O.1.05	Bus garage or storage facility	N	N	N	N	N	N	SP	N	N	N	Y
O.1.06	Parking maintenance facilities for commercial vehicles	N	N	N	N	N	N	SP	N	N	N	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
O.1.07	Landing place for helicopters not including storage or maintenance facilities	N	N	N	N	N	N	N	N	N	SP	SP
O.1.08	Wireless communication facility *Yes if concealed as per § 6.4.4	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
O.1.09	Essential services	Y	Y	Y	Y	SP	Y	Y	Y	Y	Y	Y
O.1.10	Ground mounted solar energy systems	Y	N	N	N	N	N	N	N	N	N	R
P. OPEN AIR, SEASONAL AND SPECIAL EVENTS												
P.1.0 AS A PRINCIPAL USE												
P.1.01	Flea market	Y	N	N	N	N	N	SP	N	N	N	N
P.1.02	Seasonal sale of Christmas trees and wreaths	Y	SP	SP	SP	SP	Y	Y	N	SP	SP	SP
Q. ACCESSORY USES FOR COMMERCIAL USES												

APPENDIX A

Table 1: Permitted Uses and Development Standards												
		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
Q.1.01	Parking of trucks or other equipment to be used for the maintenance of the buildings and grounds only; shall be parked only in a garage or in an outdoor area not within the minimum yard for the principal building and shall be screened from the view of abutting lots and the street	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Q.1.02	Temporary overnight outdoor parking of freight carrying or material handling equipment	Y	N	N	N	N	Y	Y	Y	Y	Y	Y
Q.1.03	Convenience business use	SP	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y

APPENDIX A

Table 1: Permitted Uses and Development Standards		GC	RO	RS	RT	CN	CRS	CS	CB	CLO	CRO	CM
Q.1.04	Cafeteria, dining room, conference rooms, function rooms, recreational facilities; the use shall be conducted primarily for the employees or clientele of the principal use and not for the general public and shall be conducted entirely within the principal building with no evidence of the existence of the use from the street or from any lot line	SP	SP	SP	SP	Y	Y	Y	Y	Y	Y	Y
Q.1.05	Processing, storage and limited manufacturing of goods and materials related solely to research, experimental and testing activities	N	N	N	N	N	N	N	N	N	Y	Y
Q.1.06	Light manufacturing	N	N	N	N	N	N	N	N	N	SP	Y
Q.1.07	Outdoor storage of inoperable or unregistered motor vehicles	SP	N	N	N	N	N	SP	N	N	N	N

APPENDIX B

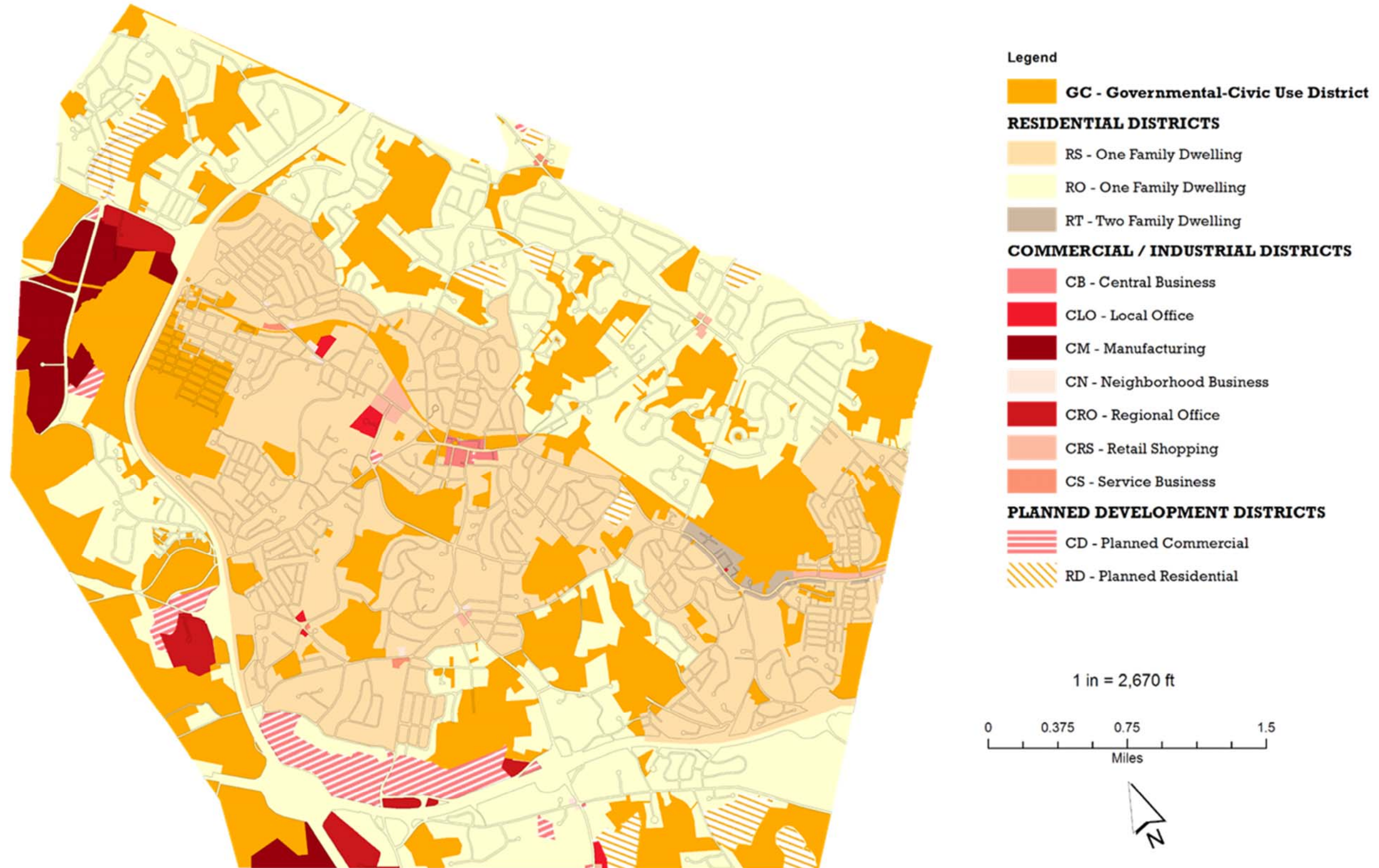
4.4 TABLE 2, SCHEDULE OF DIMENSIONAL CONTROLS										
	Zoning Districts									
	GC	RO	RS & RT	CN	CRS	CS	CB	CLO	CRO	CM
Minimum lot area	NR	30,000 SF	15,500 SF	15,500 SF	15,500 SF	20,000 SF	NR	30,000 SF	5 AC	3 AC
Minimum lot frontage in feet	NR	150	125	125	125	125	20	175	300	200
Minimum front yard in feet (a), (b), (h)	NR	30	30	30	30	30	NR (c)	50	100	25
Minimum side yard in feet	NR	15 (d)	15 (d)	20	20	15	NR	30	50	25 (f)
Minimum rear yard in feet	NR	15 (d)	15 (d)	20	20	20	10	30	50	25 (f)
Minimum side and rear yard adjacent to, or front yard across the street from a residential district in feet	NR	15	15	30	30	30	30	50	100	100 (f)
Maximum floor area ratio (FAR)	NR	NR (g)	NR (g)	0.20	0.20	0.20	2.0	0.25	0.15	0.35 (f)
Maximum site coverage	NR	15% (e)	15% (e)	20%	25%	25%	NR	20%	25%	NR
Institutional buildings, maximum height: In stories: In feet:	2.5 (f) 40 (f)	2.5 40	2.5 40	3 45	3 45	3 45	2 30	3 45	3 45	NR 65 (f)
Other buildings, maximum height: In stories: In feet:	2.5 (f) 40 (f)	2.5 40	2.5 40	1 15	2 25	2 25	2 25	2 30	3 45	NR 65 (f)

SCHEDULE OF DIMENSIONAL CONTROLS FOOTNOTES:

As used in the Schedule of Dimensional Controls, symbol “NR” means no requirements, “AC” means acres, “SF” means square feet, and “feet” means linear feet.

- a. Where lawfully adopted building lines require yards in excess of these requirements, the building line shall govern.
- b. The minimum front yard for any other street, which is not the frontage street (see definition), shall be 2/3 of that required for the frontage street. In the case of nonresidential uses located in the RO, RS, or RT Districts (see Table 1) or for uses located in the CM District, the minimum front yard facing all streets shall be the same as that for the frontage street.
- c. Except ten-foot yard on Muzzey Street, Raymond Street, Vine Brook Road and Wallis Court for lots abutting these streets.
- d. For institutional uses (see Table 1) the minimum setback for a building shall be the greater of 25 feet or a distance equal to the height of the building as defined in § 4.3. For other nonresidential uses (see Table 1), increase the required side yard to 20 ft. plus one ft. for every ½ acre (or fraction thereof) over ½ acre lot area.
- e. Applicable only to uses permitted by special permit.
- f. This limit may be waived by special permit.
- g. For institutional uses (see Table 1), the maximum floor area ratio shall be 0.25.
- h. Along the southwesterly side of Bedford Street between the Northern Circumferential Highway (Route 128) and Hartwell Avenue there shall be a front yard of 233 feet measured from the base line of Bedford Street as shown on the Commonwealth of Massachusetts layout 4689, date June 3, 1958, and shown as auxiliary base line “F on the State Highway Alteration layout 5016, dated August 30, 1960.

Appendix C: Proposed Governmental-Civic Use District



Date: 3/19/2015

RECOMMENDATION

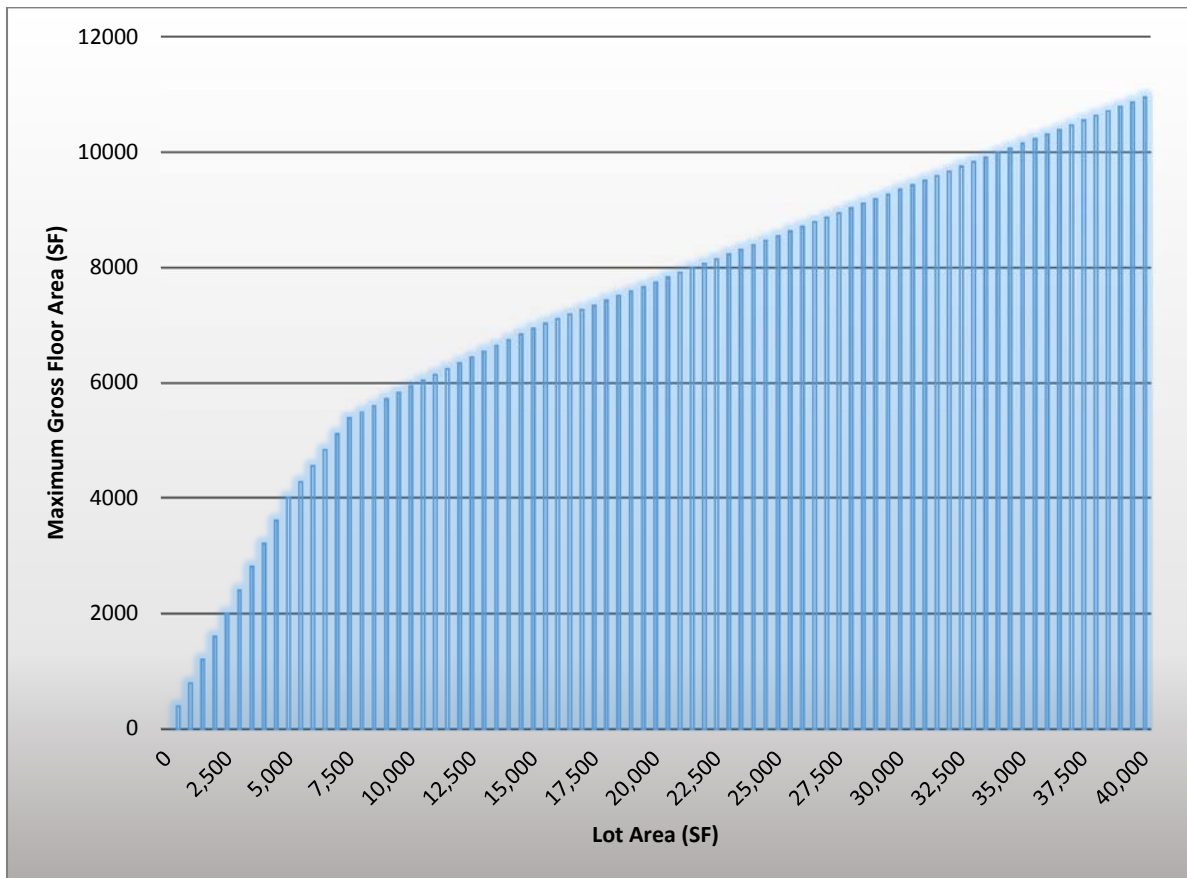
The Planning Board <<unanimously/4-1/3-2>> recommends the motion under Article 41 be <<APPROVED>>.

SUMMARY

The purpose of this article is to address concerns over single (and two) family homes that are seemingly built as large as possible, limited only by the applicable setback and height limits, through introducing a cap on the amount of square footage that any lot may contain.

BACKGROUND

Gross floor area and its close relation, floor area ratio (FAR), were first developed by planners as ways to describe the amount of square footage contained in the structures of a given area versus the overall size of that area. It did not take long however for communities to start incorporating these metrics directly into their local codes, as these descriptors can also be used to limit the amount of construction in a certain area. This article proposes a floor area limitation based on a graduated formula, largely driven by lot size, as shown below.



The Planning Board believes this article will:

- Better predict the size of house that may be built on a given lot;
- Preserve existing neighborhood character;
- Reduce the negative impacts on abutters, like shadows, loss of views, and loss of privacy;
- Preserve the Town's moderate-sized housing stock; and
- Preserve open space on lots.

In drafting this proposal, the Planning Board worked closely with its sub-committee, the Residential Policy Committee, to explore the many dimensions the topic raised. Especially tough for all involved was how to strike a balance between the likely negative financial impacts it may have on to property owners and Town revenue versus the desire of the community to shape its character.

To this end, the RPC spent several months understanding current trends and possible policy responses. Ultimately, they presented two scenarios to the Board: one represented a floor area cap that would have minimal effects on property values and tax revenue, aimed mainly at preventing the most egregious overbuilding. The other proposal represented a more restrictive approach with broader goals. During its deliberations, the Board chose to refine this more restrictive proposal and the objectives it sought to accomplish.

There are several reasons this approach was preferred by the Board. First was acknowledging the teardown phenomena and the mixed-blessing it represents, i.e., it is good for the Town's tax revenues and for individual property owners, but it troubles a notable percentage of citizens as well. What began as a trickle in the early 1990's has now become the predominate process for residential development. Over Fiscal Years 2008 to 2015, about four hundred homes (four percent of the town's single-family inventory) were torn down and replaced. These new homes are usually significantly larger than the former homes and involve a fair amount of site disturbance, loss of trees, etc.

While much of the conversation around this article has focused on these impacts, it is necessary to acknowledge that these specifics often seem like a proxy for a broader theme about the direction the community is heading. Many of those providing input to the board feel that the Town is in danger of becoming an exclusive enclave community for the wealthy, with little to no place for middle-class families.

After careful review and consideration of the many comments received on this article, the Board determined that the appropriate course of action is to prioritize the long-term concerns of the community and proceed with a more restrictive proposal, despite potential adverse impacts to the Town and individual homeowners.

PUBLIC HEARING

A duly advertised public hearing was held on January 20, 2016 in the Selectmen's Meeting Room in the Town Office Building. Please see the minutes of this meeting for the details. After deliberations at their meeting of February 24, the Planning Board voted, by a vote of 3-2, to recommend the adoption of this article. Members Corcoran-Ronchetti, Johnson, and Dunn were in favor; Canale and Hornig opposed.

PROPOSED MOTION

<<INSERT FINAL MOTION>>

RECOMMENDATION

The Planning Board unanimously recommends the motion under Article 44 be **APPROVED**.

SUMMARY

This article would make several changes to processes related to Planned Development (PD) Districts in an effort to simplify the standards, processes, and terminology. A single district type that can be residential, commercial, or mixed use with no predetermined standards would replace the current Planned Residential (RD) and Planned Commercial (CD) district types. Zoning changes involving PDs would utilize normal Town Meeting processes rather than special rules. In addition, final plans would be reviewed utilizing the site plan review process rather than the special permit process. Existing CD and RD districts would remain covered by existing rules until amended.

BACKGROUND

Based on prior approvals of PD Districts the existing criteria and process are both complicated and inflexible. The proposed amendments to the Bylaw will permit considerable flexibility in the development of tracts of land by requiring few predetermined standards as well as permit the use of development standards that are more detailed than the more general standards elsewhere in this bylaw. Changes will also permit a developer to propose, and for the Town to vote on, a site development and use plan unique to a particular location

PUBLIC HEARING

A duly advertised public hearing was held on February 10, 2016 in the Selectmen’s Meeting Room in the Town Office Building. After a brief presentation of the proposed motion, no one spoke to this article and the hearing closed. After deliberations at their meeting of February 24, the Planning Board unanimously voted to recommend the adoption of this article.

PROPOSED MOTION

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended¹ as follows:

2.2.3 Planned Development Districts

PD	Planned Development
----	---------------------

7.3 PLANNED DEVELOPMENT DISTRICTS.

7.3.1 Purpose. A planned development (PD) district is intended to:

1. Permit considerable flexibility in the development of tracts of land by requiring few predetermined standards;

¹ A strikethrough version is available upon request from the Planning Department

2. Permit a developer to propose, and for the Town to vote on, a site development and use plan unique to a particular location;
3. Permit the use of development standards more detailed than the more general standards elsewhere in this bylaw; and

Provide information for the Town to evaluate the potential impacts of a proposed development and to enable the Town to require adherence to such site development plans.

That the Bylaw be amended by removing Section 7.3.1.5 & 7.3.1.6 and replaced with the following:

7.3.2 Provisions Applicable to PD Districts.

1. Standards for development. A PD District does not have predetermined standards for development. Such standards are to be proposed by the developer, included in the preliminary site development and use plan and approved by Town Meeting.
2. Uses permitted. Any uses may be permitted in a PD District if they are clearly identified in the preliminary site development and use plan approved by Town Meeting.
3. Compliance required. No use is permitted and no development may occur in a PD District except in substantial conformity with a preliminary site development and use plan approved by Town Meeting, the provisions of this section and site plan review under section 9.5. In no case may the use or development be inconsistent with the text of the preliminary site development and use plan.
4. Filings. Each petition presented to the Town Meeting for rezoning land to a PD District shall include a preliminary site development and use plan describing the proposed zoning provisions and development plan as described in the Planning Board's rules and regulations. Two copies of the preliminary site development and use plan which accompanies a petition for a rezoning shall be filed with the Town Clerk and one copy with the Planning Board at least three weeks prior to the Planning Board public hearing required to be held under MGL c. 40A. Subsequent to that public hearing, revisions to the preliminary site development and use plan may be filed with the Town Clerk and the Planning Board. The vote of the Town Meeting shall refer to the preliminary site development and use plan and it shall be considered part of the rezoning action.
5. Previous amendments. The preliminary site development and use plan for an existing PD district that was approved by an earlier Town Meeting may be amended. The proposed amendments shall be presented and acted upon in the same manner set forth in this section for an original petition.
6. Application for site plan review. The application for site plan review under this section shall be accompanied by a copy, certified by the Town Clerk, of the preliminary site development and use plan approved by the Town Meeting.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Complete Streets Policy (5 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

I.7

SUMMARY:

At the 2015 Annual Town Meeting, Article 35 was approved expressing the Town's interest in applying Complete Streets principles to future road, sidewalk and other transit related projects. Complete Streets are designed and operated to provide safe and accessible accommodations for all users of Lexington roadways and travel systems. Further, the Massachusetts Department of Transportation (MassDOT) recently released details of a grant program that will provide funding to municipalities that have adopted a Complete Street policy.

This revised draft of the Complete Streets policy reflects those changes requested by the Board of Selectmen following its review on February 22.

Attached is a red-line version of the Policy, showing the changes made from the earlier draft, and the policy with the changes fully integrated.

SUGGESTED MOTION:

Move to approve the Complete Streets policy as presented (as amended) and authorize the Chairman to sign this policy as an approved policy of the Board of Selectmen.

(If this draft is acceptable, staff will format it as a Board policy for the Chairman's signature.)

FOLLOW-UP:

Once approved by the Board of Selectmen, the policy will be submitted to MassDOT for its review.

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

9:05 PM

ATTACHMENTS:

Description	Type
☐ Revised Complete Streets Policy (redlined version)	Bylaw/Regulation
☐ Revised Complete Streets Policy	Bylaw/Regulation

Town of Lexington
Board of Selectmen
COMPLETE STREETS POLICY
[Draft 2-March 7, 2016](#)

Vision and Purpose:

In 2015, Lexington Town Meeting ~~overwhelming~~ unanimously approved Article 45, which recommended that the Board of Selectmen make it a priority to develop a town-wide process to improve safety for pedestrians and cyclists in a unified, efficient and prompt way. In that same year, Town Meeting also approved unanimously Article 35, which would allow the Town to participate in the State's Complete Streets Program. The passage of both Articles represents the Town of Lexington's understanding and support for the development and adoption of Complete Streets principles.

Complete Streets are designed and operated to provide safe and accessible accommodations for all users of Lexington roadways and travel systems. The implementation of Complete Streets principles contribute toward the safety, health, economic viability, and quality of life in a community by improving the pedestrian and vehicular environments and providing accessible and efficient connections between home, school, work, recreation and retail destinations throughout the community. The purpose of Lexington's Complete Streets policy, therefore, is to accommodate all users by creating a transportation network that meets the needs of residents and visitors who utilize a variety of transportation modes.

It is the intent of the Board of Selectmen to consider, as a matter of practice, the implementation of Complete Streets elements during the planning and design of capital projects so that they are safe for users of all ages and abilities. This policy guides decision-makers to consistently plan, design, and construct capital projects to accommodate all anticipated users. Examples of Complete Streets approaches can be found in Figure 1.

Complete Streets Scope:

The Town of Lexington recognizes the needs of users of various modes of transportation systems, including, but not limited to, ~~including~~ pedestrians, bicyclists, transit riders and motorists of varying ages and physical and cognitive abilities as well as operators of passenger, commercial and emergency vehicles.

The Town of Lexington views its transportation capital projects, new and/or to be reconstructed ~~reconstruction~~, as potential opportunities to apply Complete Streets design principles. The Town will, to the maximum extent practical, design, construct, maintain, and operate all streets and other travel systems to provide for a comprehensive and integrated network of facilities.

Complete Streets design recommendations shall be evaluated for all transportation related capital projects, as appropriate and subject to the availability of funds. All transportation infrastructure and capital projects requiring funding or approval by the Town, as well as projects funded by the state and federal government (e.g., Chapter 90 funds, Transportation Improvement Program (TIP), the MassWorks Infrastructure Program, and other state and federal funds for infrastructure design), shall consider the

Town's Complete Streets policy. Private developments and related roadway design components or corresponding roadway-related components, requiring approval by the Town, shall consider the Town's Complete Streets principles. In addition, to the extent practical, the Town will work with MassDOT to comply with the Complete Streets policy on state-owned roadways within Town boundaries including the design, construction, and maintenance of such roadways.

Transportation infrastructure may be excluded, based upon the determination of the Town Engineer in consultation with the Department of Public Works Director, where documentation and data indicate that:

1. Facilities where specific users are prohibited by law, such as interstate freeways or ~~retail developments~~private property.
2. Cost or impacts of accommodations is excessively disproportionate to the need, current ~~or probable~~-use or probable future use.
3. Funding is currently unavailable, recognizing that all infrastructure projects are subject to the availability of resources. In such cases, efforts will be made to program certain infrastructure improvements at a future date. Costs associated with the maintenance of new infrastructure will also be considered as it effects the Town's future operational budgets.

Model Practices:

The Board of Selectmen's Complete Streets policy will focus on developing a connected, integrated network that serves all users. Complete Streets will be integrated into policies, planning, and design of all types of public projects and private developments, requiring Town approval, including new construction, reconstruction, and rehabilitation of transportation facilities on roadways, trails and redevelopment projects.

Recognizing that the implementation of a Complete Streets program requires interdepartmental involvement, this Complete Streets policy will be organization wide and, to the greatest extent presently possible, be applied to private developers as well as state, regional, and federal agencies.

Complete Streets principles include the development and implementation of projects in a context sensitive manner in which project implementation is sensitive to the community's physical, economic, and social setting. The context-sensitive approach to process and design includes a range of goals by considering stakeholder and community values on a level plane with the project need. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility, and infrastructure conditions.

The Town of Lexington recognizes that Complete Streets may be achieved through multiple elements incorporated into a particular project or incrementally through a series of smaller improvements or activities over time.

The latest design guidance, standards, and practices available will be used in the implementation of Complete Streets including:

- The Massachusetts Department of Transportation Project Design and Development Guidebook
- The latest edition of the American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highway and Streets
- The United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Design Controls (2009)
- The Architectural Access Board (AAB) 521CMR Rules and Regulations
- Proposed and any future adopted versions of the United States Access Board's Public Right-Of-Way Access Guidelines (PROWAG)
- The latest editions of the National Association of City Transportation Officials (NACTO) Urban Street, Bikeway, and Transit Design Guides
- Documents and plans created for the Town of Lexington, such as bicycle and pedestrian network plans

Lexington's Complete Streets implementation and effectiveness ~~should~~shall be annually evaluated for success and opportunities for improvement by the Transportation Safety Group (TSG), a multi-disciplinary group designatedd by the Town Manager. The Town will also work towards developing performance measures to gauge implementation and effectiveness of ~~the~~this policy~~policies~~.

Implementation:

The Town shall apply the principles of Complete Streets design a practice for all transportation projects and programs, as these provide an opportunity to improve streets and the transportation network for all users. The TSG will review all capital transportation and related projects for Complete Streets opportunities.

Town staff, working with relevant Committees and elected officials, shall review and either revise or develop proposed revisions to all appropriate planning documents (master plans, open space and recreation plan, etc.), zoning and subdivision codes, laws, procedures, rules, regulations, guidelines, programs, and templates to integrate Complete Streets principles in all transportation projects.

To assist in establishing Complete Street priorities, the Town will use existing infrastructure planning tools including a pavement management plan (covering all streets in town), a pedestrian facility condition index, a five-year capital plan, Lexington's Tree Management Manual and various GIS transit related maps. Further,

~~t~~The Town shall maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure to assist in prioritizing proposed projects, helping to eliminate gaps in the Town's sidewalk and bikeway network.

The Town will consider the cost-benefit of capital projects ~~prioritization to~~ when prioritizing ~~encourage~~ the implementation of proposed Complete Streets ~~implementation projects~~.

The Town will inform and train pertinent Town staff and decision-makers on the content of Complete Streets principles and best practices for implementing policy through workshops and other appropriate means.

The Town will seek out appropriate sources of funding and grants for implementation of Complete Streets policies.

Figure 1: Examples of Complete Streets

[\(Examples of Complete Streets Features Provided by MassDOT\)](#)

Traffic & Safety

- Street Lighting
- Addition of or widening of shoulders
- Roundabouts
- Road diets
- Speed attenuation devices
- Intersection reconstruction – reducing complexity and crossing distance
- Intersection signalization (major updates/upgrades & New Installation)
- Pavement markings or signage that provides a separate accommodation for alternative modes
- Removal of protruding objects (pedestrian path of travel, bicycle, vehicular or transit facility)
- Pedestrian Signal & Timing (minor updates)
- Changing pedestrian signal timing (i.e., lead pedestrian interval)
- Traffic calming measures
- Radar speed feedback (“Your Speed”) signs
- Reducing corner radii
- Additional regulatory signing (for existing regulations)
- Speed humps
- Curbing

Transit Facilities

- Improving transit connections for pedestrians, including: ramps, providing and/or moving crosswalks, signing
- Transit signal prioritization
- Bus pull-out areas
- Railroad grade crossings improvements (signs, flange way fill, etc.)
- Transit-only lanes
- Transit contra-flow lanes
- Improving transit connections for pedestrians, including: ramps, providing and/or moving crosswalks, signing
- Transit shelter

Bicycle Facilities

- New shared use paths
- Elimination of hazardous conditions on shared use paths
- Designated bicycle lanes
- Designated Separated Bike Lane
- Advance stop facilities (bike box)
- Bicycle parking at transit and other locations
- On-street bicycle parking
- Provide bicycle-safe drain grates and other hardware
- Bicycle boulevards
- Improvement of shared use paths (non-safety related)
- Bicycle wayfinding signs
- Shared lanes (sharrows)
- Bike route signs

Pedestrian Facilities

- Providing new sidewalks
- Sidewalk Repairs (tree roots, uplifted panels, etc.)
- Providing ADA/AAB compliant curb ramps
- Providing pedestrian buffer zones
- Providing medians with ADA/AAB-compliant design
- Pedestrian Refuge Islands
- Curb extensions at pedestrian crossings
- Crosswalks
- Widening existing sidewalks
- Accessible pedestrian signals
- Detectable Warning Surfaces
- New or improved crossing treatments at intersections, midblock, etc.
- New pedestrian accommodations at traffic signals
- Pedestrian wayfinding signs
- Interim public plazas
- Traffic re-routing to create pedestrian zones

**Town of Lexington
Board of Selectmen
COMPLETE STREETS POLICY
Draft 2-March 7, 2016**

Vision and Purpose:

In 2015, Lexington Town Meeting unanimously approved Article 45, which recommended that the Board of Selectmen make it a priority to develop a town-wide process to improve safety for pedestrians and cyclists in a unified, efficient and prompt way. In that same year, Town Meeting also approved unanimously Article 35, which would allow the Town to participate in the State's Complete Streets Program. The passage of both Articles represents the Town of Lexington's understanding and support for the development and adoption of Complete Streets principles.

Complete Streets are designed and operated to provide safe and accessible accommodations for all users of Lexington roadways and travel systems. The implementation of Complete Streets principles contribute toward the safety, health, economic viability, and quality of life in a community by improving the pedestrian and vehicular environments and providing accessible and efficient connections between home, school, work, recreation and retail destinations throughout the community. The purpose of Lexington's Complete Streets policy, therefore, is to accommodate all users by creating a transportation network that meets the needs of residents and visitors who utilize a variety of transportation modes.

It is the intent of the Board of Selectmen to consider, as a matter of practice, the implementation of Complete Streets elements during the planning and design of capital projects so that they are safe for users of all ages and abilities. This policy guides decision-makers to consistently plan, design, and construct capital projects to accommodate all anticipated users. Examples of Complete Streets approaches can be found in Figure 1.

Complete Streets Scope:

The Town of Lexington recognizes the needs of users of various modes of transportation systems, including, but not limited to, pedestrians, bicyclists, transit riders and motorists of varying ages and physical and cognitive abilities as well as operators of passenger, commercial and emergency vehicles.

The Town of Lexington views its transportation capital projects, new and/or to be reconstructed, as potential opportunities to apply Complete Streets design principles. The Town will, to the maximum extent practical, design, construct, maintain, and operate all streets and other travel systems to provide for a comprehensive and integrated network of facilities.

Complete Streets design recommendations shall be evaluated for all transportation related capital projects, as appropriate and subject to the availability of funds. All transportation infrastructure and capital projects requiring funding or approval by the Town, as well as projects funded by the state and federal government (e.g., Chapter 90 funds, Transportation Improvement Program (TIP), the MassWorks Infrastructure Program, and other state and federal funds for infrastructure design), shall consider the Town's Complete Streets policy. Private developments and related roadway design components or

corresponding roadway-related components, requiring approval by the Town, shall consider the Town's Complete Streets principles. In addition, to the extent practical, the Town will work with MassDOT to comply with the Complete Streets policy on state-owned roadways within Town boundaries including the design, construction, and maintenance of such roadways.

Transportation infrastructure may be excluded, based upon the determination of the Town Engineer in consultation with the Department of Public Works Director, where documentation and data indicate that:

1. Facilities where specific users are prohibited by law, such as interstate freeways or private property.
2. Cost or impacts of accommodations is excessively disproportionate to the need, current use or probable future use.
3. Funding is currently unavailable, recognizing that all infrastructure projects are subject to the availability of resources. In such cases, efforts will be made to program certain infrastructure improvements at a future date. Costs associated with the maintenance of new infrastructure will also be considered as it effects the Town's future operational budgets.

Model Practices:

The Board of Selectmen's Complete Streets policy will focus on developing a connected, integrated network that serves all users. Complete Streets will be integrated into policies, planning, and design of all types of public projects and private developments, requiring Town approval, including new construction, reconstruction, and rehabilitation of transportation facilities on roadways, trails and redevelopment projects.

Recognizing that the implementation of a Complete Streets program requires interdepartmental involvement, this Complete Streets policy will be organization wide and, to the greatest extent presently possible, be applied to private developers as well as state, regional, and federal agencies.

Complete Streets principles include the development and implementation of projects in a context sensitive manner in which project implementation is sensitive to the community's physical, economic, and social setting. The context-sensitive approach to process and design includes a range of goals by considering stakeholder and community values on a level plane with the project need. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility, and infrastructure conditions.

The Town of Lexington recognizes that Complete Streets may be achieved through multiple elements incorporated into a particular project or incrementally through a series of smaller improvements or activities over time.

The latest design guidance, standards, and practices available will be used in the implementation of Complete Streets including:

- The Massachusetts Department of Transportation Project Design and Development Guidebook

- The latest edition of the American Association of State Highway Transportation Officials (AASHTO) A Policy on Geometric Design of Highway and Streets
- The United States Department of Transportation Federal Highway Administration's Manual on Uniform Traffic Design Controls (2009)
- The Architectural Access Board (AAB) 521CMR Rules and Regulations
- Proposed and any future adopted versions of the United States Access Board's Public Right-Of-Way Access Guidelines (PROWAG)
- The latest editions of the National Association of City Transportation Officials (NACTO) Urban Street, Bikeway, and Transit Design Guides
- Documents and plans created for the Town of Lexington, such as bicycle and pedestrian network plans

Lexington's Complete Streets implementation and effectiveness shall be annually evaluated for success and opportunities for improvement by the Transportation Safety Group (TSG), a multi-disciplinary group designated by the Town Manager. The Town will also work towards developing performance measures to gauge implementation and effectiveness of this policy.

Implementation:

The Town shall apply the principles of Complete Streets design a practice for all transportation projects and programs, as these provide an opportunity to improve streets and the transportation network for all users. The TSG will review all capital transportation and related projects for Complete Streets opportunities.

Town staff, working with relevant Committees and elected officials, shall review and either revise or develop proposed revisions to all appropriate planning documents (master plans, open space and recreation plan, etc.), zoning and subdivision codes, laws, procedures, rules, regulations, guidelines, programs, and templates to integrate Complete Streets principles in all transportation projects.

To assist in establishing Complete Street priorities, the Town will use existing infrastructure planning tools including a pavement management plan (covering all streets in town), a pedestrian facility condition index, a five-year capital plan, Lexington's Tree Management Manual and various GIS transit related maps. Further, the Town shall maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure to assist in prioritizing proposed projects, helping to eliminate gaps in the Town's sidewalk and bikeway network.

The Town will consider the cost-benefit of capital projects when prioritizing the implementation of proposed Complete Streets projects

The Town will inform and train pertinent Town staff and decision-makers on the content of Complete Streets principles and best practices for implementing policy through workshops and other appropriate means.

The Town will seek out appropriate sources of funding and grants for implementation of Complete Streets policies.

Figure 1: Examples of Complete Streets

(Examples of Complete Streets Features Provided by MassDOT)

Traffic & Safety

- Street Lighting
- Addition of or widening of shoulders
- Roundabouts
- Road diets
- Speed attenuation devices
- Intersection reconstruction – reducing complexity and crossing distance
- Intersection signalization (major updates/upgrades & New Installation)
- Pavement markings or signage that provides a separate accommodation for alternative modes
- Removal of protruding objects (pedestrian path of travel, bicycle, vehicular or transit facility)
- Pedestrian Signal & Timing (minor updates)
- Changing pedestrian signal timing (i.e., lead pedestrian interval)
- Traffic calming measures
- Radar speed feedback (“Your Speed”) signs
- Reducing corner radii
- Additional regulatory signing (for existing regulations)
- Speed humps
- Curbing

Transit Facilities

- Improving transit connections for pedestrians, including: ramps, providing and/or moving crosswalks, signing
- Transit signal prioritization
- Bus pull-out areas
- Railroad grade crossings improvements (signs, flange way fill, etc.)
- Transit-only lanes
- Transit contra-flow lanes
- Improving transit connections for pedestrians, including: ramps, providing and/or moving crosswalks, signing
- Transit shelter

Bicycle Facilities

- New shared use paths
- Elimination of hazardous conditions on shared use paths
- Designated bicycle lanes
- Designated Separated Bike Lane
- Advance stop facilities (bike box)
- Bicycle parking at transit and other locations
- On-street bicycle parking
- Provide bicycle-safe drain grates and other hardware
- Bicycle boulevards
- Improvement of shared use paths (non-safety related)
- Bicycle wayfinding signs
- Shared lanes (sharrows)
- Bike route signs

Pedestrian Facilities

- Providing new sidewalks
- Sidewalk Repairs (tree roots, uplifted panels, etc.)
- Providing ADA/AAB compliant curb ramps
- Providing pedestrian buffer zones
- Providing medians with ADA/AAB-compliant design
- Pedestrian Refuge Islands
- Curb extensions at pedestrian crossings
- Crosswalks
- Widening existing sidewalks
- Accessible pedestrian signals
- Detectable Warning Surfaces
- New or improved crossing treatments at intersections, midblock, etc.
- New pedestrian accommodations at traffic signals
- Pedestrian wayfinding signs
- Interim public plazas
- Traffic re-routing to create pedestrian zones

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Aloft/Element - Change to Lodging and Entertainment Licenses (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.8

SUMMARY:

New owners have requested approval of Innkeeper and Entertainment Licenses for Aloft and Element. They are requested that the licenses be issued prior to their proposed closing on March 23, 2016.

SUGGESTED MOTION:

Motion to approve an Innkeeper License to Lixi Hospitality Lexington, Inc., d/b/a Aloft Lexington, located at 727A Marrett Road.

Motion to approve an Entertainment License to Lixi Hospitality Lexington, Inc., d/b/a Aloft Lexington, located at 727A Marrett Road.

Motion to approve an Innkeeper License to Lixi Hospitality Lexington, Inc., d/b/a Element Lexington, located at 727B Marrett Road.

Motion to approve an Entertainment License to Lixi Hospitality Lexington, Inc., d/b/a Element Lexington, located at 727B Marrett Road.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

9:10 PM

ATTACHMENTS:

Description	Type
📎 Request from Sherin and Lodgen for Alofi/Element Licenses	Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Town Manager Appointment - Conservation Commission (5 min.)

PRESENTER:

Carl F. Valente, Town Manager

ITEM NUMBER:

I.9

SUMMARY:

Request that the Board of Selectmen approve the Town Manager's appointment of Alexandra Dohan to the Conservation Commission. Ms. Dohan has been a member of the Conservation Commission since 2014 and is current with her Ethics Commission training.

SUGGESTED MOTION:

Move to approve the Town Manager's reappointment of Alexandra Dohan as a member of the Conservation Commission.

FOLLOW-UP:

Town Manager's Office will send a reappointment letter.

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

9:15 PM

ATTACHMENTS:

Description	Type
☐ Alexandra Dohan Reappointment Application	Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Selectmen Committee Appointments (5 min.)

PRESENTER:

Joe Pato

ITEM NUMBER:

I.10

SUMMARY:

The 20/20 Vision Committee has requested that Margaret Coppe be appointed to the committee. She is current on her Ethics Commission training.

The Council for the Arts has requested that Rebecca McGowan be appointed to the committee.

SUGGESTED MOTION:

Motion to appoint Margaret Coppe to the 20/20 Vision Committee to fill the unexpired term to of Saatvik Ahluwalia until September 30, 2016.

Motion to appoint Rebecca McGowan to the Council for the Arts to fill the unexpired term of Matthew Pronchick until September 30, 2017.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

9:20 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> 20/20 Vision Committee Request to Appoint Margaret Coppe	Backup Material

- | | |
|---|-----------------|
| 📁 Margaret Coppe Application for 20/20/Vision Committee | Backup Material |
| 📁 Current Members - 20/20 Vision Committee | Backup Material |
| 📁 Rebecca McGowan Application for Council for the Arts | Backup Material |
| 📁 Current Members - Council for the Arts | Backup Material |

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Traffic Rules and Orders Change from March 9, 2015

PRESENTER:

Joe Pato

ITEM NUMBER:

C.1

SUMMARY:

On March 9, 2015 you approved amending code for a parking proposal for the center. At the time a Traffic Rules and Orders Form was not provided. You are being asked to sign the form now so it can be included in the code.

SUGGESTED MOTION:

Motion to approve the consent agenda.

FOLLOW-UP:

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

9:25 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Traffic Rules and Orders Changes for March 9, 2015	Bylaw/Regulation
<input type="checkbox"/> Minutes from March 9, 2015 Regarding Code Changes	Backup Material

VOTED: IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 689 OF 1986 OF THE GENERAL LAWS, THE TRAFFIC RULES AND ORDERS OF LEXINGTON, ADOPTED BY THE BOARD OF SELECTMEN ON NOVEMBER 13, 1967, NOW CHAPTER 192 OF THE CODE OF LEXINGTON, ARE HEREBY AMENDED AS FOLLOWS:

BY ADDING TO CHAPTER 192-18 SCHEDULE 1 THE FOLLOWING:

LOCATION	FROM	TO	REGULATION
Mass Ave North Side	Harrington Road	Forest Street	Rescind 2 Hour Parking 6:00 AM To 6:00 PM Monday through Friday
Mass Ave South Side	Clark Street	Forest Street	Rescind No Parking 6:00 AM To 10:00 AM Two Hour Parking 10:00 AM to 6:00 PM Monday through Friday
Mass Ave South Side	Clark Street	225 feet East of Forest St	2 Hour Parking 6:00 AM To 6:00 PM Monday through Friday
Northeast Massachusetts Avenue	Woburn Street	Munroe cemetery driveway	Rescind No Parking

North
Massachusetts
Avenue

Woburn Street

650' East

Rescind
No
Parking
6:00 AM
To
10:00 AM
Two Hour
Parking
10:00 AM
To
6:00 PM
Monday through
Friday

East
Massachusetts
Avenue

Beginning at a
Point Opposite
north corner of
Slocum Road

170' northerly

Rescind
No Parking

DATE OF PASSAGE

BOARD

OF

ATTEST TOWN CLERK

SELECTMEN

Selectmen's Meeting – March 9, 2015

Request of the Lions Club for the 59th Annual Carnival

Mr. Lucente and Ms. Rizzo-Riley, representing and Lions Club, requested use of Hastings Park for the 59th Annual Fourth of July Carnival from June 28, 2015 through Monday, July 6, 2015. The Lions Club met with Town Staff (including Police, Fire, Public Works, Recreation, Community Development and Public Facilities) and was provided with feedback/comments/requirements to improve this year's carnival.

A resident from 6 Wheeler Road had safety concerns about the carnival since her child was injured by a sign board when it fell down Mr. Lucente responded that the carnival operator will make sure that signage is secured this year.

Upon motion duly made and seconded, it was voted 5-0 to approve the request of the Lions Club to hold the July 4th Carnival from Sunday, June 28, 2015 through Monday, July 6, 2015 with the times as requested in the Lions Club letter dated February 9, 2015.

Upon motion duly made and seconded, it was voted 5-0 to approve the request of the Lions Club to have lighting turned on until 11:30 p.m. from June 29, 2015 through July 5, 2015.

Upon motion duly made and seconded, it was voted 5-0 to approve a fireworks display on Thursday, July 2, 2015, at approximately 9:30 p.m., subject to approval of the fireworks vendor and necessary safety precautions required by the Fire Department.

Massachusetts Avenue Parking Proposal for the Center

Ms. Tintocalis, Economic Development Director, and Mr. Kucharsky, Planner, made a presentation and recommendations for three geographic areas to improve parking conditions in and around the Town Center: 1) new striping for 14 parking spaces on both sides of Massachusetts Avenue west of the Town Center to improve the safe utilization of existing parking; 2) changing the posted regulation on the north side of Massachusetts Avenue east of the Town Center to allow legal parking for 18 spaces; and 3) new regulations for Slocum Road.

The proposed parking proposals will maintain sightlines following the state regulation that prohibits parking within 20 feet of an intersection (staff also evaluated driveways and crossways) and identify potential conflicts between motorists, pedestrians and cyclists. The physical road design elements are intended to reduce vehicle speeds and improve driver attentiveness and narrowing the real or apparent width of the street is an effective design measure identified by federal and state agencies to reduce operating speeds on a roadway.

The following monitoring program has been developed to gauge the recommendations effectiveness and identify impacts if any:

1. Prior to implementation document activity on Massachusetts Avenue and residential side streets;

Selectmen's Meeting – March 9, 2015

2. Allow conditions to normalize for one quarter;
3. Each quarter conduct utilization counts for a one week period during AM, MD and PM peak hours;
4. Counts will include parked vehicles, bicycle and pedestrian activity; and
5. Present findings to the Board of Selectmen after one year.

The recommendations are:

Massachusetts Avenue West of the Town Center – approve amending the code to allow for vehicle parking with no time restrictions on the north side of Massachusetts Avenue from Forest Street to approximately 340 feet east adding the necessary striping and approve amending the code to allow for vehicle parking with no time restrictions on the south side of Massachusetts Avenue from Forest Street to approximately 225 feet east adding the necessary striping.

Massachusetts Avenue East of the Town Center – approve amending the code to allow for vehicle parking with no time restriction with Woburn Street/Fletcher Avenue to Rowland Avenue adding the necessary striping and signage.

Slocum Road, Hunt Road and Rowland Avenue – approve amending the code to indicate No Parking Anytime on the west side of Slocum Road from Massachusetts Avenue to Highland Avenue adding the necessary signage; approve amending the code to indicate No Parking 7:00 a.m. to 10:00 a.m. with two hour parking 10:00 a.m. to 6:00 p.m. Monday through Friday on the east side of Slocum Road from the terminus of the existing No Parking Anytime zone to Highland Avenue adding the necessary signage; and approve four permit parking spaces on east side of Slocum Road from the terminus of the existing No Parking Anytime zone to Hunt Road.

Mr. Tremblay, 1949 Massachusetts Avenue, is concerned about the impact of painted parking lines in the historic area and the recommended no parking restrictions.

Ms. Swartz, 15 Slocum Road, stated that cars parking starts at 6:00 a.m. each morning which causes a problem with the kids getting safely on the bus and bus getting down the street. She supports the recommendations to add No Parking signs, and restricting the time and length of parking, but she does not support the permit parking.

Mr. Kossey, 1460 Massachusetts Avenue, is not in favor of adding parking along Massachusetts Avenue in east Lexington because it is a gateway into the Town and because of the large volume of traffic.

Ms. Cohen, 14 Slocum Road, does not support the permit parking because of her concern for the safety of the kids.

Mr. Palant, 16 Slocum Road, is against the permit parking because of the poor site lines. He is also concerned about the traffic getting worse on Slocum Road if a traffic light is installed at the Winthrop Road/Massachusetts Avenue intersection.

Selectmen's Meeting – March 9, 2015

Mr. O'Brien, 1454 Massachusetts Avenue, is not in favor of moving employees from downtown to Slocum Road; there should be other alternatives.

Ms. Wahl, 5 Rowland Avenue, is concerned the parking problem in the center is being moved down to east Lexington.

Ms. O'Keefe, 22 Slocum Road, is against the permit parking because the existing road is narrow and it would impact traffic.

Ms. McEwen, 1436 Massachusetts Avenue, is not in favor adding a bike lane to Massachusetts Avenue. She also feels Slocum Road is too dangerous to have parking spaces. She suggested looking at alternatives for employee parking.

Ms. Tintocalis responded that employees are encouraged to use alternative modes of transportation, which is part of the Complete Streets Program.

Ms. Toomey, 23 Slocum Road, feels Slocum Road is too narrow, not safe for kids and there is not enough room sometimes for the bus to get through. She is also opposed to the permit parking.

Mr. Toomey, 23 Slocum Road, is against the permit parking. The cars that park are commuters who provide zero dollars for the benefit of the Town.

Ms. Sahagian, 11 Slocum Road, has difficulty parking in his driveway.

Mr. Teague, 7 Rowland Avenue, feels the cost to the residents is higher with more traffic and parking spaces that will change the feel of the neighborhood.

Mr. Pressman, 22 Locust Avenue, asked if the Selectmen had considered a single deck parking structure.

Ms. Tintocalis responded that there is no specific recommendation currently but will look at for the future. Cost is an issue.

Mr. Melton, 22 Slocum Road, asked if parking at Muzzey and local churches had been looked at as an alternative.

Mr. Kucharsky responded that the Town currently has leases with some of the churches in Town for parking and trying to find additional spaces.

The Selectmen asked why there are no restrictions on parking in this area. Ms. Tintocalis responded that if there is no signage the restrictions cannot be enforced.

Selectmen's Meeting – March 9, 2015

Police Chief Corr stated that the current bylaw prohibits overnight parking all year round, but the policy has been to enforce only during winter.

Mr. Kelley thought the plan was to look at parking alternatives to free up short-term spaces in the center and to move long-term employee parkers out of the center. He is not ready to vote on the recommendations and is not a fan of the proposed painted parking spaces; he suggested using signage rather than painted lines.

Upon motion duly made and seconded, it was voted 4-1 (Mr. Kelley opposed) to approve amending the code to allow for vehicle parking with no time restrictions on the north side of Massachusetts Avenue from Forest Street to approximately 340 feet east adding the necessary striping.

Upon motion duly made and seconded, it was voted 4-1 (Mr. Kelley opposed) to approve amending the code to allow for vehicle parking with no time restrictions on the south side of Massachusetts Avenue from Forest Street to approximately 225 feet east adding the necessary striping.

Upon motion duly made and seconded, it was voted 4-1 (Mr. Kelley opposed) to approve amending the code to allow for vehicle parking with no time restrictions on the north side of Massachusetts Avenue from approximately 75 feet east of the intersection with Woburn Street/Fletcher Avenue to Rowland Avenue adding the necessary striping and signage.

The Selectmen decided to wait on the proposed signage changes for parking and the Slocum Road permit parking until additional discussions take place and there is better agreement on what should be done.

Additional Parking Signage Proposal for the Center

Ms. Tintocalis, Economic Development Director, and Mr. Kucharsky, Planner, made a presentation and recommendations for three additional parking signs: Massachusetts Avenue at the Town Office Exit, Massachusetts Avenue at Meriam Street/Clarke Street, and Massachusetts Avenue at Waltham Street (2 options). The Option 1 parking sign would be installed on the arm of the street light and Option 2 would be installed on the pole at the corner of Massachusetts Avenue and Waltham Street. The parking sign recommendations are consistent with the Lexington Center Parking Management and Implementation Plan, staff and the Town Manager's Parking Management Group.

Mr. Kelley does not feel the parking sign is needed at the Massachusetts Avenue/Waltham Street intersection.

Upon motion duly made and seconded, it was voted 5-0 to approve the installation of a parking sign at Massachusetts Avenue at the Town Office exit and one at Massachusetts Avenue at Meriam Street/Clarke Street intersection.

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Use of the Battle Green - Filming Reenactment Rehearsal on April 3, 2016

PRESENTER:

Joe Pato

ITEM NUMBER:

C.2

SUMMARY:

Attached is a request to use the Battle Green to film the reenactment rehearsal on April 3, 2016. The Lexington Minute Men have given permission for the filming.

SUGGESTED MOTION:

Motion to approve the consent agenda.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

9:25 PM

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve Request for Water and Sewer Deferral

PRESENTER:

Joe Pato

ITEM NUMBER:

C.3

SUMMARY:

The resident of 137 Reed Street has submitted an application for deferral of the FY2016 water and sewer payments.

SUGGESTED MOTION:

Motion to approve the consent agenda.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

9:25 PM

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Application for Deferral of Water and Sewer -137 Reed Street	Backup Material

AGENDA ITEM SUMMARY

LEXINGTON BOARD OF SELECTMEN MEETING

AGENDA ITEM TITLE:

Approve One-Day Liquor Licenses - Spectacle Management

PRESENTER:

Joe Pato

ITEM NUMBER:

C.4

SUMMARY:

Spectacle Management has requested the following one-day liquor licenses to serve beer and wine in the Cary Memorial Building Lobby:

- April 3, 2016, 2:00 p.m. to 6:00 p.m. (Capitol Steps)
- April 23, 2016, 7:00 p.m. to 11:00 p.m. (Gordon Lightfoot)

SUGGESTED MOTION:

Motion to approve the consent agenda.

FOLLOW-UP:

Selectmen's Office

DATE AND APPROXIMATE TIME ON AGENDA:

3/7/2016

9:25 PM

ATTACHMENTS:

Description	Type
☐ Spectacle Management Application for One-Day Liquor License for April	Backup Material