



TOWN WARRANT
Town of Lexington
Special Town Meeting

Commonwealth of Massachusetts

Middlesex, ss.

To any of the Constables of the Town of Lexington

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Lexington qualified to vote in elections and in Town affairs to meet at Cary Memorial Building, in said Town on Wednesday, May 6, 2009 at 7:30 p.m., at which time and place the following articles are to be acted upon and determined exclusively by the Town Meeting Members in accordance with Chapter 215 of the Acts of 1929, as amended, and subject to the referendum provided for by Section eight of said Chapter, as amended.

ARTICLE 1 **REPORTS OF TOWN BOARDS, OFFICERS, COMMITTEES**

To receive the reports of any Board or Town Officer or of any Committee of the Town.
(Inserted by the Board of Selectmen)

ARTICLE 2 **AMENDMENT TO PRELIMINARY SITE DEVELOPMENT AND USE PLAN
125, 131 AND 141 SPRING STREET**

To see if the Town will vote to amend the previously approved Preliminary Site Development and Use Plan approved during the May 2004 Town Meeting for the property known as Lexington Technology Park, by amending the zoning provisions as follows: to increase the Floor Area Ratio from .15 to .24 which will permit the development of an additional 380,000 gross square feet of research/office space beyond the originally approved gross floor area, together with related parking, off-site mitigation, standards for development, dimensional standards, and other provisions contained within the PSDUP. In addition, the dimensional standards applicable to the amended PSDUP would permit an increase in the maximum permitted height at specified locations as detailed within the PSDUP. The proposed site alterations are further detailed on the Preliminary Site Development and Use Plan entitled "Conceptual Site Plan" dated February 23, 2009 prepared by Symmes, Maini & McKee Associates" (the "PSDUP") which is on file with the Planning Board and the Town Clerk, or act in any other manner in relation thereto.

(Submitted by Patriot Partners LLC, the Property Owners)

DESCRIPTION: The proposed zoning amendment would amend the previously approved PSDUP known as Lexington Technology Park within this existing Planned Commercial Development District. This would allow construction of an additional 380,000 square feet in excess of the originally approved square footage on the 95.6-acre site together with additional parking and other improvements as shown on the amended PSDUP and noted above.

ARTICLE 3

**PETITION FOR CHANGE OF ZONING DISTRICT
12-18 AND 24 HARTWELL AVENUE**

To see if the Town will vote to amend Chapter 135 of the Code of the Town of Lexington, the Zoning By-Law Sections, and the Zoning Maps of the Town of Lexington, by changing the zoning district designation of the two parcels of land described below from CRO, Regional Office District, and CRO/CM, Regional Office District and Commercial Manufacturing District to the CM District, or take any other action relative thereto.

The two parcels of land are described as follows: Parcel 1 is commonly known and numbered as 12-18 Hartwell Avenue. It is shown on the Town Assessors Map 84, Parcel 70C, and is a 5 acre ± parcel located on the southerly side of Hartwell Avenue. It is owned by JOSCO Realty Trust, under a Declaration of Trust, recorded with the Middlesex South District Registry of Deeds in Book 21100, Page 337. The parcel currently is located entirely within the CRO Zoning District. Parcel 2 is commonly known and numbered as 24 Hartwell Avenue. It is shown on the Town Assessors Map 84, Parcel 70E, and is a 6.5 acre ± parcel located on the southerly side of Hartwell Avenue. It is owned by Mico Realty Trust, under a Declaration of Trust, recorded at the Middle South District Registry of Deeds in Book 13600, Page 271. The parcel currently is located partially within the CM Zoning District and partially within the CRO Zoning District.

(Submitted by the JOSCO Realty Trust and Mico Realty Trust, the Property Owners)

DESCRIPTION: Parcel 1 and Parcel 2 have their entire legal frontage on and are located entirely on Hartwell Avenue. A copy of the metes and bounds description for each parcel is available in the Town Clerk's Office.

ARTICLE 4

APPROPRIATE FOR CLARKE SCHOOL SPRINKLER SYSTEM

To see if the Town will vote to appropriate a sum of money to make improvements to the sprinkler system in the Clarke Middle School; determine whether the money shall be provided by transfer from available funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: \$85,000

DESCRIPTION: In the process of renovating the heating system at the Clarke School in 2008, Fire Department staff observed that the previous replacement of ceiling-mounted univents from 2000 were obstructing the sprinkler system spray pattern at various locations in the building. It has been determined that this configuration of sprinkler heads does not meet code, including the code requirements for the new univents. Sprinkler coverage needs to be increased to reach beyond the univents. Adding and/or relocating sprinkler heads will accomplish this requirement.

ARTICLE 5

MUNROE SCHOOL DISPOSITION

To see if the Town will vote to authorize the Selectmen to sell or lease the Munroe School building and the land it is situated on to a buyer or lessee approved by the Selectmen; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: This article addresses the sale or lease of the Munroe School.

ARTICLE 6

LAND PURCHASE – OFF LOWELL STREET

To see if the Town will vote to authorize the Selectmen to purchase or otherwise acquire, or to take by eminent domain for recreation, affordable housing, open space or other municipal purposes, any fee, easement, or other interest in all or any part of land shown as lots 38, 40A and 43 on Assessors' Property Map 20, now or formerly of Busa; and appropriate a sum of money therefor and determine whether the money shall be provided by the tax levy, by transfer from available funds, including the Community Preservation Fund, or by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests Community Preservation funds to purchase property off Lowell Street currently used for farming purposes.

ARTICLE 7

**APPROPRIATE FOR COMMUNITY PRESERVATION COMMITTEE
ADMINISTRATIVE EXPENSES**

To see if the Town will vote to amend the vote passed under Article 9(r) of the 2008 Annual Town Meeting to increase the amount appropriated for administrative expenses of the Community Preservation Committee; determine whether the money shall be provided from transfer from available funds, or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article requests additional funds to cover unanticipated administrative and legal costs incurred by the Community Preservation Committee during the current fiscal year (FY2009).

ARTICLE 8

AMEND FY2009 ENTERPRISE BUDGETS

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money appropriated under Article 5 of the warrant for the 2008 Annual Town Meeting, to be used during the current fiscal year, or make any other adjustments to the current fiscal year enterprise fund budgets and appropriations that may be necessary; to determine whether the money shall be provided by transfer from available funds; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time

DESCRIPTION: This article will permit adjustments to current fiscal year (FY2009) enterprise fund budgets.

ARTICLE 9

**RESOLUTION RELATING TO DEVELOPMENT
AND USE CHANGE AT HANSCOM FIELD**

To see if the Town will vote to adopt a resolution that reaffirms the original Lexington 1997 Town Meeting vote regarding development and use changes at Hanscom Field and calls upon the Governor and Congressional delegation to prevent current expansion proposals until a comprehensive regional multi-model sustainable transportation plan is developed; or act in any other manner in relation thereto.

(Inserted by Andy Friedlich and 100 or more registered voters)

DESCRIPTION: Given the concern about Massport’s expansion proposals for Hanscom Field, this article does three things. First, it reaffirms the goals regarding Hanscom Field that the towns of Lexington, Concord, Lincoln and Bedford all approved at their Town Meetings in 1997. Second, the article lists the four expansion initiatives Massport has put forth and states that they will alter Hanscom Fields character, will impact the environment and questions the need for some of the proposed changes. Third, the article calls upon the Governor, our United States Senators and the Administrator of the Federal Aviation Administration to support a moratorium on any expansion of infrastructure at Hanscom Field until a sustainable regional multi-modal transportation plan is developed.

Hereof fail not and make due return of this warrant, with your doings thereon, to the Town Clerk, on or before the time of said meeting.

Given under our hands this 6th day of April 2009.

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

Selectmen
of
Lexington

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

Town of Lexington
Lexington, MA 02420

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Warrant - Special Town Meeting – May 6, 2009

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POSTAL PATRON
LEXINGTON, MA