This report has been prepared by the Town Meeting Members Association to provide information to Town Meeting Members concerning the articles of the warrant for Special Town Meetings 2018-1. TMMA thanks town officials, town staff, and members of boards and committees for their assistance in providing information for this report. Please note that all dollar amounts listed in this report are NOT final. The final dollar amounts will be provided in motions presented at the Special Town Meeting.

A special thanks goes to David Kaufman, Jeanne Canale and Andy Friedlich for their assistance in preparing this report.
For updated information, please refer to the TMMA website at www.LexingtonTMMA.org

Conflict of Interest Guideline for Town Meeting Members

In 1976, Town Meeting adopted the following non-binding Conflict of Interest Resolution:

Resolved, that Town Meeting Members abstain from voting in any particular matter in which to his knowledge, he, his immediate family or partner, a business organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment, has any economic interest in the particular matter under consideration.

Please note that Town Meeting Members are specifically excluded from the responsibilities posed by the State conflict of interest statute, Chapter 268A.

Notes

Please note that all dollar amounts listed in this report are NOT final. The final dollar amounts will be provided in motions presented at the Special Town Meeting.

Note that the information provided in this report was current as of the publication date; some information may have changed since then. See the TMMA website for new and updated information.

Also note that the entire text of the Warrant is included in this report. The Warrant text appears at the beginning of the write-up for each article and appears in 11-point font, TMMA information appears in 12-point font below.

Please refer to committee, board and commission reports for further information.

Special thanks to:

Christopher Bing for the cover artwork
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To see if the Town will vote to amend the Zoning Bylaws to repeal Section 135-3.1.7, “Marijuana Establishment Temporary Moratorium,” and update the regulation of marijuana to reflect changes in State law and the Town’s General Bylaw prohibiting marijuana establishments; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen at the request of the Planning Board)

DESCRIPTION: This article would update the provisions of the zoning bylaw to be consistent with current Massachusetts law and regulations and to reflect the Town’s prohibition of Recreational Marijuana Facilities in the General Bylaw, § 97-5.

**TMMA Summary**

As per the Warrant description, this article is being offered so that the Town’s bylaws are consistent with current Massachusetts regulations. Given our history with this, the Zoning Bylaw was amended during the 2014 Annual Town Meeting (Article 30 – Medical Marijuana Treatment Centers). The General Bylaw prohibiting recreational marijuana was adopted during the 2017 Special Town Meeting. The Zoning Bylaw was also amended during the 2017 Special Town Meeting which added section 135-3.1.7 enacting a temporary moratorium on “Marijuana Establishments”. The Cannabis Control Commission promulgated final regulations on March 7, 2018. The current Warrant Article seeks to delete section 135-3.1.7 and revise some of the definitions to make it consistent with the new state regulations.

The proposed motion under this article is:

To amend the Zoning Bylaw of the Town of Lexington as follows:
A. Delete § 135-3.1.7, Recreational Marijuana Moratorium.
B. In Section 10.1 Definitions, remove the definitions of ‘MEDICAL MARIJUANA CULTIVATION CENTER (MMCC)’, ‘MEDICAL MARIJUANA DISTRIBUTION CENTER’, and ‘MEDICAL MARIJUANA PROCESSING CENTER (MMPC)’ and add the following new definitions:

**MEDICAL MARIJUANA TREATMENT CENTER:** A Medical Marijuana Treatment Center or Registered Marijuana Dispensary (RMD) as defined in Chapter 369 of the Acts of 2012.

**MARIJUANA ESTABLISHMENT:** A Marijuana Establishment, as defined in M.G.L C.94G §1, but not including a Medical Marijuana Treatment Center.

C. Update Table 1, Permitted Uses and Development Standards, as follows:
1. Delete row C.1.07, ‘Medical marijuana cultivation center’.
2. In row I.1.013, replace ‘Medical marijuana distribution center’ with ‘Medical Marijuana Treatment Center’.
3. Delete N.1.03, ‘Medical marijuana processing center’.
4. Add row I.1.014, ‘Marijuana Establishment’ and amend Table 1 as follows:

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<td>N</td>
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*Unless otherwise prohibited by the Town’s General Bylaws
ARTICLE 3

APPROPRIATE FOR CENTER STREETSCAPE DESIGN

To see if the Town will vote to raise and appropriate a sum of money to pay costs of design, engineering and architectural services for the Center Streetscape, and all other costs necessary or incidental thereto; determine whether the money shall be provided by the tax levy, by transfer from available funds, by borrowing or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: $650,000

DESCRIPTION: These funds will complete the design work on the Center Streetscape design.

TMMA Summary

In the 2019 FY budget the 2018 ATM warrant Article 16 (e) Town Meeting was requested to appropriate $450,000 from free cash to improve the center sidewalk, streetscape and circulation with a focus on pedestrian safety and accessibility but that was indefinitely postponed. Past funding had allowed the design to progress to about 25%. An FY2015 request of $600,000 provided funding intended to complete the design and develop plans and specifications necessary for bidding the project. However the project scope was revised, based on recommendations from the Center Streetscape Ad-Hoc Committee and Board of Selectmen, so this current STM request is intended to develop 100% plans and specifications ready for bidding. Construction funding is expected to be phased and will be adjusted as plans are finalized and phases are clarified.

The project scope includes pedestrian, bicycle, and vehicular safety improvements, the restoration or removal and replacement of the sidewalk along the northerly side of Massachusetts Avenue from Woburn Street to Meriam Street (and possible the south side), improved lighting, intersection upgrades, and lane configuration adjustments. In addition to the 40 or more year old sidewalk’s surface restoration, all of the existing pedestrian corridors and ramps will be brought into ADA compliance.

The plans on the Town website can be found at: https://www.lexingtonma.gov/sites/lexingtonma/files/uploads/20181010-rev_25-lexington_town_center.pdf

TMMA Questions:

1. At the June Info Session on this project we asked a few questions: 1. how many insurance claims had been made against the Town for injuries sustained on our sidewalks, crosswalks, or roads within the scope of the project?

2. What economic benefit is the streetscape said to have? How are landlords being engaged to ensure action in maintaining the intended overall look/vision of the center? Are their rules, regulations, fines being implemented to ensure buildings are appropriately maintained and painted, etc.?

3. In light of the Town’s other capital needs, what is the projected cost and what will the cost to the average homeowner be?
ARTICLE 4

TRANSFER OF PROPERTY TO LEXHAB

To see if the Town will vote to authorize the Board of Selectmen to transfer the custody and control of the land known as 18 Rangeway Rd, further shown as Lot 64 of Assessors Map 90 to the Lexington Housing Assistance Board, Inc. (“LexHab”), and the improvements thereon, on such terms and conditions that the Board may determine, or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

DESCRIPTION: The property in this article is owned by the Town of Lexington. It was re-zoned from RO to RD by Article 5 of the 2004 Annual Town Meeting to allow LexHab to develop a 2-family dwelling which LexHab did construct, and which is now occupied. This article will authorize the transfer of ownership of the land to LexHab.

TMMA Summary

This property is located at 18 Rangeway Street according to the Lexington on-line GIS system label on the adjacent street and Google Maps but the Town assessor’s database says it is at 18 Rangeway Road. The action of the selectmen, when they accepted it in 1959 as a town way, specified it as Rangeway with neither Street nor Road.

It is assessed for $940,000 according to the current on line assessors database. See http://gis.vgsi.com/lexingtonma/Parcel.aspx?pid=12159 for details. That web page, partially shown below shows the building under construction. This is an intergovernmental transfer to permit LexHab to collect the rents and manage the property. LexHab is the Lexington Housing Assistance Board, which was established to investigate and implement alternatives for providing affordable housing in Lexington for persons of low, moderate and middle income. LexHAB’s inventory of about 69 rental units consists of scattered site, singles and duplexes, condominium units, and family style homes.
TMMA Questions:

1. Why was ownership of the 16 Rangeway lot not transferred at when the existing building was constructed?

2. Could another structure be built on the wooded part of the lot and if so, are there any plans to do so?

ARTICLE 5

APPROPRIATE FOR HOSMER HOUSE REUSE STUDY

To see if the Town will vote to raise and appropriate a sum of money to fund the Hosmer House Building Feasibility Study; determine whether the money shall be provided by the tax levy, by transfer from available funds, by borrowing, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: unknown at press time.

DESCRIPTION: In light of the police station design project being approved in 2017, the Hosmer House will need to be relocated in order for construction of a new police station to move forward. This study will best determine the location (current or off-site) for the Hosmer House, cost to move the building and proposed use of the building.

TMMA Summary

The Hammond A. Hosmer House, located at 1557 Massachusetts Avenue next to the police station was previously used as the School Administration Building, but has been empty since the school administration moved out. It was transferred, from the schools to the Selectmen, by Article 12 of the 2007 Annual Town Meeting. Portions of the building that were in poor condition were demolished, while the exterior of the historic building core was partially restored. Various studies since 2007 have not as yet determined a specific use but it has been preserved by the town due to its historic value and location at a gateway to the Lexington center. See this 2010 report for historic information prior to the renovations and demolition. https://www.lexingtonma.gov/hammond-hosmer-house-white-house/pages/historic-structures-report
TMMA Questions:

1. How many "Studies" have been conducted on the Hosmer House in the last 18 years and what were the goals of the studies? Please make the studies available.

2. How much money has been spent to date on "Studies" of the Hosmer House? This would include any historic review, "stabilization", or "best use."

3. The Hosmer House is clearly "old" since it was built in 1840. What is historic specifically about the building other than its age?

4. The Hosmer house is not habitable in its current state, for what reasons beyond "Its on the Inventory" prevent us from considering demolition of the home?

5. Has the town considered offering the home to a private buyer/developer to be moved elsewhere in town? What were the results of those discussions? Will the town consider that option?

6. Can the design of the Police station just be changed to leave the house right where it is?

7. Lexington has many gateways to our community -- why is the Hosmer House itself seen as that? Is it not the green on the corner of Woburn Street and Mass. Ave. that is the "gateway" to the center?
ARTICLE 6 AMEND FY2019 OPERATING, ENTERPRISE AND CPA BUDGETS

To see if the Town will vote to make supplementary appropriations, to be used in conjunction with money appropriated under Articles 4, 5, and 10 of the warrant for the 2018 Annual Town Meeting, to be used during the current fiscal year, or make any other adjustments to the current fiscal year budgets and appropriations that may be necessary; to determine whether the money shall be provided by the tax levy, transfer from available funds, including the Community Preservation Fund, or 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 allows for adjustments to the current fiscal year (FY2019) appropriations, as approved at the 2018 Annual Town Meeting.

TMMA Summary

Making adjustments to current year budgets has become a customary practice at fall Special Town Meetings. The article allows revenue sources used to support budgets appropriated at the Annual Town Meeting to be revised and specific line items to be amended. The source of funding for this article is unallocated General Fund revenue and unallocated tax levy revenue.

Revenue sources approved at the Annual Town Meeting were based on best estimates at the time. The proposed revenue adjustments based on the latest information are:

1) Under the Property Tax Levy, “New Growth” has been revised from $2,500,000 to $3,270,004. The $770,004 increase results from revised projections and reflects the anticipated value to be approved by the Department of Revenue.

2) The Town has contracted with the Transportation Network Company (TMC) to supply transportation for residents under the Human Services Senior/LexConnect program. Under the contract, when Uber or Lyft are used, the Town gets a certain percentage of the money back which can be used for transportation services. Under this program, the Town received $12,211 in State funds after the budget had been set at the Annual Town Meeting. Per State regulations, Town Meeting must vote to disburse the funds.

3) Decrease the Cemetery Perpetual Fund from $75,000 to $50,000. The decrease reflects a reduction in the projected investment earnings from the trust fund.
Expense increases/decreases for individual line items include:

1) A decrease of $12,500 for the Human Services Personal Services line item. Funds were approved for an additional Social Worker, however, the position will not be filled until January.

2) Given #1 above, a corresponding increase in the Human Services Expense line item of $12,500 which reflects the cost of the contracted mental health services.

3) An increase in the Human Services Expense line item of $12,211. This appropriates the TNC assessment for the Senior/LexConnect program per stated regulations on the use of the funds. (See #2 under Revenue changes above)

4) A decrease of $10,000 in the Land Use Personal Services line item.

5) A corresponding increase of $10,000 in the Land Use Expenses account. This is due to the position of Health Director currently being vacant and thus, the position is being filled by a contractor.

6) A Capital request of $650,000 to bring the proposed Center Streetscape project to the 100% design stage. (see Article 3)

7) A Capital request of $50,000 for the Hosmer House study. (see Article 5)

8) An increase under expenses of $45,004. This amount will be transferred to the Capital Stabilization Fund under Article 8 and balances the projected expense increases with the revenue increase above.

Enterprise Fund adjustments are:

1) Decreasing the MWRA Wastewater Assessment from $7,634,368 to $7,402,979, a savings of $231,389 based on final assessments approved by the MWRA Board after the Annual Town Meeting.

2) Decreasing the MWRA Water Assessment from $7,179,738 to $7,128,006, a savings of $51,732 based on the final assessment.

**TMMA Question:**

1. **Will the savings from the revised MWRA assessments by applied as retained earnings in the enterprise accounts?**

   *No. The revised assessments were taken into account in setting rates and, thus, while expenses will be lower, revenue will also be lower.*

**Please refer to the Appropriation Committee and Capital Expenditure Committee reports for complete information.**
ARTICLE 7  APPOPRIATE FOR PRIOR YEARS’ UNPAID BILLS

To see if the Town will vote to raise and appropriate money to pay any unpaid bills rendered to the Town for prior years; to determine whether the money shall be provided by the tax levy, by transfer from available funds, or by any combination of these methods; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED:  Unknown at press time

DESCRIPTION: This is an annual article to request funds to pay bills after the close of the fiscal year in which the goods were received or the services performed and for which no money was encumbered.

TMMA Summary

TMMA SUMMARY (as of 10/6/18)

It is anticipated this article will be indefinitely postponed since nothing is known at the time of printing.
ARTICLE 8

ESTABLISH AND APPROPRIATE TO AND FROM SPECIFIED STABILIZATION FUNDS

To see if the Town will vote to create, amend, rename and/or appropriate sums of money to and from Stabilization Funds in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws for the purposes of: (a) Section 135 Zoning By-Law, (b) Traffic Mitigation, (c) Transportation Demand Management/Public Transportation, (d) Special Education, (e) Center Improvement District, (f) Debt Service, (g) Transportation Management Overlay District, (h) Capital, (i) Payment in Lieu of Parking, (j) Visitor Center Capital Stabilization Fund, (k) Affordable Housing Capital Stabilization Fund, (l) Water System Capital Stabilization Fund, and (m) Ambulance Stabilization Fund; determine whether the money shall be provided by the tax levy, by transfer from available funds, from fees, charges or gifts, or by any combination of these methods; and further, to accept paragraph four of Section 5B of Chapter 40 of the Massachusetts General Laws, dedicating certain fees, charges, gifts or receipts to a stabilization fund; or act in any other manner in relation thereto.

(Inserted by the Board of Selectmen)

FUNDS REQUESTED: Unknown at press time.

DESCRIPTION: This Article proposes to establish, and/or fund Stabilization Funds for specific purposes and to appropriate funds therefrom. Money in those funds may be invested and the interest may then become a part of the particular fund. These funds may later be appropriated for the specific designated purpose, by a two-thirds vote of an Annual or Special Town Meeting, for any lawful purpose.

**TMMA Summary**

At the 2007 Annual Town Meeting, various stabilization funds were created as repositories for money to be reserved for later use for specific purposes as appropriated at subsequent Town Meetings. Additional stabilization funds were approved in 2008 and 2012, including the Capital Stabilization Fund. Funds received by the Town since the last Town Meeting for purposes designated under any of the existing specified stabilization funds are recommended for appropriation into those funds under this article.

This article reflects payments made per negotiated Memorandum of Understanding (MOU) zoning agreements. The amounts are those that have been received by the Town since the Annual Town Meeting. The agreements resulting in the payments to the stabilization funds are:

**Transportation Demand Management Stabilization Fund**  $94,070

from Pinnacle Park, Avalon Bay, Watertown Savings Bank and the LexPlace Condo Trust.

**Transportation Management Overlay District Fund**  $4,766

from the developers of 3 Maguire Road as their first payment under the MOU.

Additionally, $45,004 is requested to be appropriated to the Capital Stabilization Fund per Article 6.

A new Ambulance Stabilization Fund has been established to meet future ambulance needs. It is anticipated that National Development will make a payment of $150,000 as per the signed MOU.
To see if the Town will vote to amend the Zoning Bylaw and Map to convert the current CD-1 District to the CSX District, said District currently consisting of Town of Lexington Assessors’ Map 84, Lot 81 located at 7 Hartwell Avenue and as shown on a GIS plan obtained from the Town of Lexington real property database on file with the Lexington Town Clerk.

(Inserted by 7 Hartwell, LLC)

DESCRIPTION: The article requests an amendment to the Zoning Bylaw and Map in order to allow additional uses at the site. The location of the property is shown on a GIS plan obtained from the Town of Lexington real property database, and on file with the Lexington Town Clerk and the Lexington Planning office. The current CD-1 District was adopted with limited and narrow use provisions which limits the opportunity of the property to integrate uses that are responsive to the current needs of the community and marketplace and prohibits the Applicant’s principal use – a school not exempt by statute.

TMMA Summary

Most of Hartwell Avenue is in the CM Manufacturing district, and the lot across Hartwell is in the CRO Regional Office district, but this small lot is zoned CD-1 as planned commercial. A “school not exempt by statute” is permitted by right in the CM and CRO zones, but not in a CD-1 district. The Russian School of Mathematics (“RSM”) is an afterschool math program for K-12 students. RSM currently leases property in Lexington and have many clients, many of whom are residents of Lexington, who have expressed a desire to have such a school in the community. The Russian School of Mathematics is currently operating in a leased building in the CM zone at 24 Hartwell Avenue a short distance away from 7 Hartwell Avenue. The lot is too small to just be rezoned as CM or CRO due to required dimensional standards for area, setbacks etc. A potential problem with changing the CD-1 zoning to CSX is that if the school were to leave, or not occupy, the property, it would then be open to any other permitted uses in a CSX district. The Planning Board is concerned about the traffic pattern because of the location near the Hartwell Ave. Bedford Street intersection at rush hours, even though the same amount of total traffic exists on Hartwell already due to the current location of the school further from the intersection at 24. The building currently has some legal offices, and at one time had a bank.

The CSX District allows the following uses by right:
• Office uses (3 types)
• Outpatient medical clinic
• Real estate uses
• Travel, insurance, or ticket agencies
• General retail (2 classes)
• Grocery store
• Clothing store
• Home goods (home appliances, furnishings)
• Artisan work
This article would add one more by right use to the CSX District
• School not exempt by statute
The CSX District, allows the following uses by special permit:
• Sit down restaurants
• Fast food restaurants
• Package stores
• Office uses (when one entity occupies an entire building)

The CD-1 District allows the following uses by right:
• Real estate development, management
• Finance, credit, investment but not a bank
• Medical, dental, psychiatric office, but not a clinic (with related laboratory)
• Professional services such as law, engineering, architecture, consulting service
• Advertising, editing, composition, but not including printing or other reproduction service
• Employment agency, office of a business, professional, labor, civic or social association
• Office of manufacturer’s representative or salesman with no sales or storage and distribution of products from the premises
• Other business or administrative office, not elsewhere classified
• Bank, credit union: (a) with automatic teller machine (principal use or accessory) and (b) drive-up window or auto-oriented branch bank

TMMA Questions:

1. How many other parcels in Town have been rezoned due to a request by an article sponsor and what is to limit other businesses or homeowners from requesting rezoning?

2. What zoning is currently used by other tutoring organizations in Lexington?

3. What proposed uses in a CSX zone require Planning Board site plan review, e.g., traffic analysis, building height and setbacks, landscaping, etc.?

4. What proposed uses in a CSX zone do not require a site plan review?

5. How would changing the zone to CSX fit in with the planning which has been done for Hartwell Avenue?
ARTICLE 10  
AMEND ZONING BYLAW – 55 & 56 Watertown Street (Owner Petition)

To see if the Town will vote to amend the Zoning Map and Bylaw of the Town to create Planned Development District PD-3, based on the information provided in the applicant's Preliminary Site Development and Use Plan (“PSDUP”) for the property commonly known as Town Assessors' Map 3, Lot 2A and Map 1, Lot 2A, addressed as 55 and 56 Watertown Street; or to act in any other manner relative thereto.

(Inserted by Ted Tye, authorized signatory of ND Acquisitions LLC with the consent of the property owner, Belmont Country Club)

DESCRIPTION The article requests rezoning and approval of a Preliminary Site Development and Use Plan for an approximately 17.70 +/- acre property identified in the Article. The property is shown on the plans entitled: “PROPOSED REZONING OF LAND TO THE PLANNED DEVELOPMENT DISTRICT (PD-3)” dated September 28, 2018, prepared by Control Point Associates, Inc. and on a plan entitled: “Locus Plan – Belmont Country Club” stamped on June 8, 2018 prepared by Control Point Associates, which are both on file with the Town Clerk and the Planning Office.

TMMA Summary

As part of voting on the PSDUP, Town Meeting will also be approving a Memorandum of Understanding (MOU) with the Developer, which has been negotiated [and unanimously approved] by the Board of Selectmen. The type of development under a PSDUP and MOU is “what you see is what you get” zoning. In other words, if PD-3 is approved, the Developer will be obligated to build essentially what is shown in the PSDUP materials and voted on by Town Meeting or return to Town Meeting for new approvals.

The two lots to be rezoned, which are both currently owned by the Belmont Country Club, are zoned RO residential. The Lot on the east side of Watertown Street is currently used for equipment and materials storage while the lot on the west side of Watertown Street is largely unused today except for some maintenance activities. Both parcels are adjacent to Route 2 ramps, and the one on the east side is adjacent to residences on Golden Avenue and Bowman Street. The next closest homes to the property in Lexington are approximately 750’ away on the opposite side of Route 2. Under the existing zoning, approximately 13 single-family homes could be developed on the two lots by right. See the two “proof plans” below. Extensive documentation is located on the Town’s Planning Board web site at: 
https://www.lexingtonma.gov/planning-office/pages/waterstone-and-bridges-lexington-pd-3-1
and on National Development’s Courbanize web site at:
https://courbanize.com/projects/waterstonebridgeslex/information

The proposal is to construct a 48 unit memory care assisted living residence (Bridges at Lexington, 56 Watertown Street) in one building on an approximately 4.35 acre parcel on the east side of Watertown Street, and a 116 unit independent living residence and a 40 unit assisted living facility in a building (Waterstone at Lexington, 55 Watertown Street) on a portion of a 14 acre parcel abutting the golf course on the west side of Watertown Street (this lot was recently subdivided from a larger 64 acres parcel owned by the Country Club.). All residents, except in rare cases those requiring memory care assisted living, will be 62 years or older.

As part of the final MOU, the developer is required to provide 18 affordable independent living residential units (which is roughly 15.5% of the total) with preference to local residents provided to the maximum extent allowed by law. The MOU will also obligate the Developer to provide a green buffer zone deeded as conservation restriction totaling more than 6.5 acres on the Waterstone at Lexington site.
Furthermore, Belmont Country Club has agreed to contribute a minimum of an additional 10.5 acres of its adjacent undeveloped land. In total, the development of the project would provide for setting aside a minimum of 17 acres as deed-restricted, permanent conservation land. In addition, the MOU requires a 30’ buffer zone at the edge of the Bridges property adjacent to Golden Avenue consisting primarily of existing mature trees. Additional responsibilities and commitments of the Developer are set forth in the MOU.

Approximately 7,000 seniors age 75 or older will be in the area within five years and the population will continue to grow. Comparable senior housing options in the area have nearly full occupancy and often long waiting lists. Assisted living residences are for frail and/or impaired individuals who do not require 24-hour skilled nursing care. Assistance with dressing, bathing, eating, housekeeping, medicine monitoring and other activities of daily living may be provided, along with an array of services, from meal to social and wellness activities. An independent living residence is one that provides residential accommodations for senior adults. These residences may include common areas, a common dining area, and space for the provision of social, psychological, and educational programs. Home health care or other community based services may be used on an individual basis. Meals, linen and housekeeping services may be offered. There is no medical staff, except as contracted directly by a resident for that resident’s own use. A memory care assisted living residence is a managed residential community consisting of private residential units that provides assistance with activities of daily life such as meal services, laundry service, housekeeping, social activities, transportation and personal services in a group setting, to persons with Alzheimer’s disease and other forms of permanent memory impairment. It is not a nursing home or convalescent facility.

Permitted uses under the current RO zoning are single-family dwellings, but also include bed and breakfast homes, rooming units (not to exceed 3) and basic accessory apartments by right. By special permit, congregate living facility or a balanced housing development, public benefit development, or site sensitive development uses are permitted as well as expanded accessory apartments. Some other uses, including religious structures, child care facilities or schools, are also permitted in RO districts. See the Zoning bylaws for all the assorted other less likely uses.

### Dimensional Standards in the PSDUP for the proposed development zoning:

Below are minimum dimensional standards for each element of the project. Actual dimensions for the proposed two facilities will comply with plans included in the PSDUP.

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<tr>
<td>Maximum Number of Living Units</td>
<td>48</td>
<td></td>
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</tbody>
</table>
55 Watertown Street (Lot B-1) PSDUP RO Zoning
Lot Area 13 acres 30,000 sq. ft. min
Minimum Frontage 150 feet 150 feet
Minimum Front Yard Setback 50 feet 30 feet
Minimum Side Yard Setback 50 feet 15 feet
Minimum Rear Yard Setback 200 feet 15 feet
Maximum Building Height 79 feet 40 feet
Maximum Number of Living Units 156

SITE PLAN OF PROPOSED PERMANENT CONSERVATION AREAS
(indicating approximate conservation area acreage):

TMMA Questions:
1. If 15% (17 apartments) of the 116 independent living apartments are affordable does this increase the Town’s Subsidized Housing Inventory (SHI) by 17 or 116?
   If the development does not have 25% or 20% affordability, only the affordable units count toward the 10% Chapter 40B SHI threshold. In the Bridges and Waterstone proposal with 116 total units and 15% being affordable, this would contribute 17 (or 18) units as opposed to 116 units toward the 10% DHCD target.

2. With Lexington being above the Chapter 40B 10% threshold, what would the Town’s SHI drop to if we lose Katahdin Woods in the count?

3. What entity will control the affordable housing units in this project?

4. Part of the Belmont County Club property is currently under a conservation restriction. Does that expire upon a sale to a developer, or is it a restriction on the area proposed to continue as restricted in this development?
Summary of Parliamentary Procedures

Rules of order for the conduct of Town Meeting business are Article V of the Town Bylaws. Where rules are not dictated by statute, Bylaw or tradition, Roberts’ Rules of Parliamentary Practice govern. The Town Moderator serves as Parliamentarian.

Rules of Debate
No person may speak more than once on a question if others who have not previously spoken desire to speak. No person may speak more than ten minutes at any one time without being again recognized by the Moderator.

Without first obtaining permission of the meeting, no member may speak more than twice on any issue except to correct a mistake or to make an explanation. If, however, a motion contains distinct sections dealing with dissimilar subjects which get discussed and amended separately (as is the case in Article 4) this rule of speaking once applies only to each new section and not the entire motion. Also, speaking to an amendment does not count as time toward speaking to the main motion.

Interrupting Debate
A speaker may be interrupted for:
1. a POINT OF ORDER where a member has a question about the procedures or the proceedings. The Moderator then rules on the question raised.
2. a NOTICE OF RECONSIDERATION of an article which has been previously debated and voted upon.
3. a PRIVILEGED MOTION which may be to recess, adjourn or a question of privilege.

Closing Debate
Debate may be closed by MOVING THE PREVIOUS QUESTION. It is NOT DEBATABLE. The Moderator then asks “Shall the main question now be put?” or “Shall the question on the amendment now be put?” If a majority is in favor, debate ends. (See Practices and Procedures)

The Main Motion
A main motion is made under each article by a Town Meeting member. The Moderator states “The motion is the one before you dated . . . and on file with the town clerk.” The Moderator summarizes the motion; the proposing member then states I so move.” Usually the wording of the motion differs from the wording of the article printed in the warrant in that more information is given, specific action requested and the amount and source of funding specified. The motion cannot exceed the scope of the warrant article. By custom no second is required. A copy of each main motion is provided to each Town Meeting member and projected on a screen for those in the audience and viewing at home on Cable TV.

Amending the Motion
A main motion may be amended, but the amendment cannot exceed the scope of the article. An amendment may be amended only once before being put to a vote. A substitute motion is an amendment which replaces the entire original motion. A simple majority carries an amendment, and it then becomes part of the main motion. An amendment is a subsidiary motion and is governed by the limits on debate as set forth below.

Subsidiary Motions
A person may speak only once for no longer than three minutes on a subsidiary motion. Debate is limited to ten minutes except for an amendment which may be debated for 30 minutes unless changed by vote of Town Meeting. Subsidiary motions are listed below in order of precedence.
1. TO LAY UPON THE TABLE or TO TAKE FROM THE TABLE—the former means to end debate on the question to such time as a member moves to “take from the table” and resume debate. Both are NOT DEBATABLE.

2. TO MOVE THE PREVIOUS QUESTION is used to close debate and put the main motion and, or, an amendment to a vote. NOT DEBATABLE.

3. TO CLOSE THE DEBATE AT A SPECIFIED TIME sets a limit to the length of debate. To date this has been rarely used in Lexington.

4. TO POSTPONE TO A TIME CERTAIN is to postpone action until a specified time or a specific article has been acted upon.

5. TO COMMIT, OR RECOMMIT, OR REFER sends the article to a specified Town board, committee or commission for further consideration, usually with directions to report to a future session of the meeting or to a future Town Meeting.

6. TO AMEND.

7. TO POSTPONE INDEFINITELY means to dismiss the article from consideration by the current Town Meeting. It ‘kills’ the article and is often used by the article sponsors when they have decided not to bring the matter up before the meeting.

VOTES
A QUORUM (100 members) is assumed and all votes valid, unless a member rises to doubt the quorum before the results of the vote on a motion have been declared, and a count shows that fewer than 100 members are present.

If a MOTION is readily susceptible of DIVISION it may be divided and a vote taken on each part separately if the Moderator deems best or 25 members present so request.

A SIMPLE MAJORITY VOTE is required for most articles. The Moderator will announce when more is required, e.g., the two-thirds required for eminent-domain land takings, zoning Bylaws and bond-issue authorizations.

Usually a voice vote is called first. A standing vote is called if the Moderator is in doubt or if 20 members stand to question the Moderator’s interpretation of the voice vote for a question requiring a majority, or if seven members stand for a question requiring a two-thirds vote. The tellers (currently the precinct clerks) report the count to the Town Clerk and the Moderator who announces the votes as they are reported from each precinct.

A RECORDED VOTE is taken if requested by 50 or more members. The recorded vote may be by roll call or in writing. In the latter case a list of the members is circulated in each precinct. Members record their votes in the appropriate places and affix their signatures beside their names. The recorded votes are posted in the Town Office Building within 24 hours and remain there for two weeks.

RECONSIDERATION OF MOTIONS
A member MUST SERVE NOTICE OF RECONSIDERATION OF AN ARTICLE AT THE SAME SESSION OF THE MEETING AND WITHIN 30 MINUTES OF THE VOTE. Any member may serve notice. The member stands at their seat and says “Mme./Mr. Moderator, I serve notice or reconsideration of Article . . .” and the Clerk records the fact and time. The Moderator usually allows the server of the notice to make the actual motion for reconsideration if he/she chooses, but any other member may do so if the server does not. Debate on a motion to reconsider is limited to 30 minutes, and no one may speak for more than FIVE minutes at one time nor more than once without leave of the meeting. When a motion of reconsideration is decided that decision shall not be reconsidered and no question shall be
twice reconsidered. Reconsideration is not permitted for motions to ‘adjourn,’ ‘the previous question,’ ‘to lay’ or ‘take from the table,’ and to ‘close debate at a specified time.’

**Dissolution of the Meeting**

The motion to dissolve the meeting is made by the Selectmen after all the articles in the warrant have been acted upon.

Please consult the *Town Meeting in Lexington* handbook to review Lexington Town Meeting Practices and Procedures.