

## ARTICLE 2: Heritage Districts

### MOTION FOR AMENDMENT:

**MOVED AND SECONDED** to see if the Town of Winchester will **AMEND**, Article 2 of the Spring Annual Town Meeting as follows (Additions in **bold**, deletions in ~~strikethrough~~):

#### 19.1.4

##### b. Heritage District Proposal

A Heritage District Proposal may be filed by a governmental body of the Town of Winchester, ~~or an owner or owners of property in a proposed Heritage District or any other interested party with the Winchester Town Clerk and the Winchester Town Planner or the Winchester Town Manager, in the absence of the Town Planner, and shall include (i) a proposed new or amended section of this Chapter 19 specifically applicable to the proposed Heritage District and (ii) a list of suggested members of the Heritage District Commission for the proposed Heritage District.~~ No formal Heritage District Proposal shall be required for any Heritage District that is established by the Town Meeting at which this Section 1 of this Chapter 19 is adopted or by a subsequent Town Meeting if the Heritage District had been previously presented to the Town Meeting at which this Section 1 of this Chapter 19 was adopted.

##### f. Public Notice of Heritage District Proposal (Paragraph 3)

Individual notice to the owners of properties proposed to be included in the Heritage District shall be made both by hand delivery of the notice with a copy of the Heritage District Proposal to the properties proposed to be included in the Heritage District (if physically possible) and by mailing by the Town Planner, ~~by certified registered mail return receipt,~~ with respect to each property proposed to be included in the Heritage District, to the person or entity and to the address that are listed in the Winchester tax assessment records for the property as of the date of the notice. In addition, the delivery of the individual notice may be made in the manner provided for service of a summons in civil actions in Massachusetts under Massachusetts Civil Procedure Rule 4 (d)(1) through 4(d)(6) or any successor rule for service of summons.

The individual notice shall include a quotation of the following paragraph of this section 19.1.4.f. of this Chapter 19.

No property may be included in a proposed Heritage District unless, at least five days (and no more than six months) before the closing of the Town Meeting warrant that includes an article to establish the Heritage District, an owner of the property or a duly authorized representative of an owner of the property, identified on the records of the Winchester tax assessor as of the date of the notice provided above, has confirmed that the property is to be included in the Heritage District, by (a) signing the petition to include the article on the warrant for the Town Meeting or (b) signing another writing filed with the Town Planner or the Winchester Town Manager, in the absence of the Town Planner, in either case (a) or (b) stating that he or she is an owner of the property or a duly authorized representative of an owner of the property and that the property is to be included in the Heritage District. The property identified in the notice shall then be included in the bylaw and map in the warrant article for the proposed Heritage District. The other signed writing referred to in (b) above may be of any form that meets the stated requirements including, for example, a form provided by the Town Planner for purposes of this section 19.1.4.f.

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19.1.4

**h. Warrant Article**

**No provision of this Chapter 19 shall be construed to alter or expand the parties who may request articles concerning Heritage Districts to be placed on warrants of the Town Meeting as identified in section 2-12 (a) of the Home Rule Charter of the Town of Winchester.**