

**COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To the Constables of the Town of Winchester,

GREETING:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the inhabitants of the Town of Winchester to meet at the Winchester High School Auditorium located at 80 Skillings Road on

**THURSDAY, THE EIGHTH DAY OF NOVEMBER, 2018**

at 7:30 p.m. for the Fall Annual Town Meeting at which time and place the following articles are to be acted upon and determined exclusively by representative Town Meeting Members in accordance with the Winchester Home Rule Charter.

**ARTICLE 1.** To hear the reports of the Town Officers and the Finance Committee; or take any other action in relation thereto.

(Select Board)

**ARTICLE 2.** To see if the Town, acting under Article 2, Section 2.5 (c) of the Winchester Home Rule Charter, and upon the recommendations of the Committee on Rules pursuant to Chapter 2, Section 4.4.3 of the Code of By-Laws of the Town of Winchester, will vote to declare vacant the seats of certain Town Meeting Members for failure to attend one half or more of the total number of sessions of the Winchester Town Meeting held during the previous 12 month period, Fall 2017 and Spring 2018; or take any other action in relation thereto.

(Committee on Rules)

**ARTICLE 3.** To see if the Town will vote to authorize the Select Board to petition the General Court to enact legislation regarding licenses for the sale of all alcoholic beverages in restaurants in substantially in the form below, and further to authorize the Select Board to approve amendments to the bill before enactment by the General Court that shall be within the scope of the general public objectives of the petition; or take any other action in relation thereto.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Section 1 of Chapter 123 of the Acts of 2009 is hereby amended by striking the phrase “70 persons” and inserting in its place the phrase “30 persons.”

**SECTION 2.** Notwithstanding section 11 of chapter 138 of the General Laws, Section 1 of Chapter 183 of the Acts of 1996 is hereby amended by striking the phrase “not less than one hundred” and inserting in its place the phrase “not less than thirty.”

**SECTION 3.** Notwithstanding section 11 of chapter 138 of the General Laws, Section 1 of Chapter 908 of the Acts of 1977 is hereby amended by striking the phrase “not less than 100 persons” and inserting in its place the phrase “not less than thirty persons.”

**SECTION 4.** This act shall take effect upon its passage.

(Select Board)

**ARTICLE 4.** To see if the Town will vote to authorize the Select Board to petition the General Court to enact legislation regarding licenses for the sale of all alcoholic beverages without food in substantially in the form below, and further to authorize the Select Board to approve amendments to the bill before enactment by the General Court that shall be within the scope of the general public objectives of the petition; or take any other action in relation thereto.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** Notwithstanding sections 11 and 17 of chapter 138 of the General Laws, the licensing authority of the town of Winchester may grant not more than six (6) general on-premises licenses for the sale of all alcoholic beverages without food pursuant to section 12 of said chapter 138. All such licenses may be granted to not-for-profit organizations only, and shall be subject to prior approval of the Alcoholic Beverages Control Commission. The licenses shall be subject to all of said chapter 138, except said section 17.

**SECTION 2.** This act shall take effect upon its passage.

(Select Board)

**ARTICLE 5.** To see if the Town will vote to amend Chapter 8, Section 21 of the Code of By-Laws by deleting the text of the Section and replacing it with the following; or take any other action in relation thereto.

**Section 21. PUBLIC DRINKING OF ALCOHOL**

1. Except as otherwise set forth in Section 21.2, no person shall consume any alcoholic beverage, or possess an open container of any alcoholic beverage, as defined in Massachusetts General Laws, Chapter 138, Section 1, while in or upon any public street, sidewalk, park, playground, or other public place in the town.
2. The Select Board, in its capacity as local licensing authority, may authorize the consumption and possession of alcoholic beverages in or upon any public street, sidewalk, or park, to the extent permitted by state law.
3. No person shall consume any alcoholic beverage, or possess an open container of any alcoholic beverage, in or upon any private land or place in the town without the consent of the owner or authorized person in control thereof.

(Select Board)

**ARTICLE 6.** To see if the Town will vote to amend the Winchester Zoning Bylaw by changing all references to the “Board of Selectmen” to “Select Board”; or take any other action in relation thereto.

(Planning Board)

**ARTICLE 7.** To see if the Town will vote to amend the Winchester Zoning Bylaw regarding dormers and skylights as follows (proposed language in bold):

(a) Add the following definitions to Section 10:

**DORMER. A projecting structure on a pitched roof with a window or windows set vertically.**

**SKYLIGHT. A glazed opening in a ceiling of an interior space.**

and

(b) Amend Section 4.2.5 as follows (deleted language struck through; proposed language in bold):

~~Intentionally left blank~~

**In the RDA, RDB, RDC and RG Districts, in order to maintain the appearance of the top of the building as a half story, the total width of all dormers on a single roof plane above the second story shall not exceed 50% of the width of that roof plane without a Special Permit under Section 9.4.2., and no other projections that increase habitable space above the second story shall be allowed.**

; or take any other action in relation thereto.

(Planning Board)

**ARTICLE 8.** To see if the Town will vote to amend Section 3.0, Table of Use Regulations Group I – Residential Uses, # 3 of the Winchester Zoning Bylaw by replacing all references to “attached dwelling” with “dwelling”; or take any other action in relation thereto.

(Planning Board)

**ARTICLE 9.** To see if the Town will vote to amend Section 9.5.7 of the Winchester Zoning Bylaw as follows (deleted language struck through):

1. Minimize unreasonable departure from the character, materials, and scale of buildings in the vicinity, ~~as viewed from public ways and places;~~

; or take any other action in relation thereto.

(Planning Board)

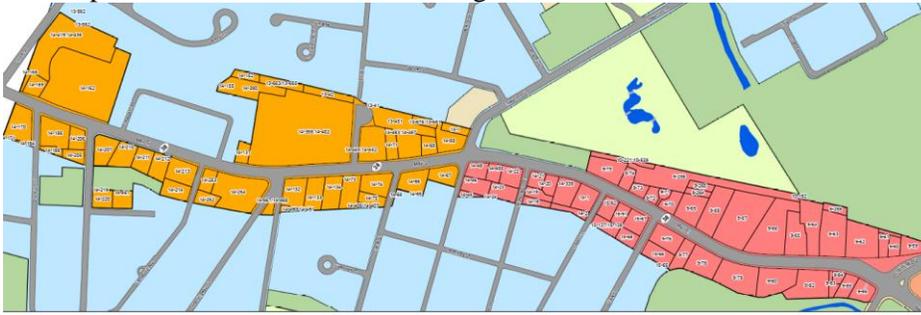
**ARTICLE 10.** To see if the Town will vote to amend the definition of Parking Space in Section 10 of the Winchester Zoning Bylaw as follows (deleted language struck through; proposed language in bold):

**An area in a building or on a lot available for parking one motor vehicle, having a width of not less than nine feet and an area of not less than ~~200~~171 square feet, exclusive of passageways and driveways appurtenant thereto and with free and unimpeded access to a street over unobstructed passageways or driveways.**

; or take any other action in relation thereto.

(Planning Board)

**ARTICLE 11.** To see if the Town will vote to amend the Official Zoning Map of the Town by re-zoning certain parcels as shown on the following chart:



Address	Parcel ID	Current Zoning	Proposed Zoning
Border St 10	14-171	RG and GBD-3	RG
Canal St 11	14-75	GBD-3	RG
Canal St 15-17	14-406,14-407	RG and GBD-3	RG
Clark St 15-17	15-68	GBD-2	RG
Clark St 18-20	15-66	GBD-2	RG
Cobblestone Dr 3-5	13-663 to 13-665	RG and GBD-3	RG
Glenwood Ave 6	14-252	RG and GBD-3	GBD-3
Glenwood Ave 9-11	14-214	GBD-3	RG
Hemingway St 8 and 96	14-467,14-468	RG and GBD-3	RG
Hemingway St 99-101	14-490,14-491	RG and GBD-3	RG
Main St 920	14-73	RG and GBD-3	GBD-3
Main St 924-926	14-134	RG and GBD-3	GBD-3
Off Russel Rd	14-152	RG and GBD-3	RG
Richardson St 12	14-18	RG and GBD-2	RG
Richardson St 6-8	14-19	GBD-2	RG
Richardson St 9-11	14-23	GBD-2	RG
Salem St 11	14-2	RG and GBD-2	RG
Salem St 12	15-137,15-138	RG and GBD-2	RG
Sheridan Cr 5-7	14-205	RG and GBD-3	RG
Sheridan Cr 87	14-188	RG and GBD-3	RG
Sheridan Cr 88	14-184	RG and GBD-3	RG
Swanton St 171	13-42	RG and GBD-3	RG
Swanton St 259	13-1	IL and GBD-3	GBD-3
Water St 8	14-46	GBD-2	RG
Water Street 10	14-45	RG and GBD-2	RG
Watson Pl 2	14-220	GBD-3	RG
Watson Pl 6	14-461	GBD-3	RG
White St 30	13-676 to 13-681	RG and GBD-3	RG

Total parcels 39

; or take any other action in relation thereto.

(Planning Board)

**ARTICLE 12.** To see if the Town will vote to amend Section 9.5.1, subsections 4-6 of the Winchester Zoning Bylaw as follows (proposed language in bold):

4. New construction or expansion of one or more buildings resulting in **either (a)** floor area equal to or greater than 6,000 square feet **or (b) an increase in floor area of 50% or more** (including garage and any floor area with head room of 7 feet or higher, excluding basement) in the RDA-20 zoning district;
5. New construction or expansion of one or more buildings resulting in **either (a)** floor area equal to or greater than 5,000 square feet **or (b) an increase in floor area of 50% or more** (including garage and any floor area with head room of 7 feet or higher, excluding basement) in the RDB-10 zoning district;
6. New construction or expansion of one or more buildings resulting in **either (a)** floor area equal to or greater than 3,600 square feet **or (b) an increase in floor area of 50% or more** (including garage and any floor area with head room of 7 feet or higher, excluding basement) in the RG-6.5 zoning district;

; or take any other action in relation thereto.

(Planning Board)

**ARTICLE 13.** To see if the Town will vote to authorize the Select Board to lease, sell, convey, release, or otherwise dispose of any interests in a portion of the land located at 20 Glenwood Avenue in the Town, containing approximately 2,800 sf, which land is shown as Board of Assessors Map 14 Block 247 lot 0 (the “Town Property”); provided that such lease or disposition be subject to the Town’s acquiring a restriction requiring that the Property be used for affordable housing purposes; and that such lease or disposition be on such other terms and conditions as the Select Board deems appropriate, which may include the reservation of easements and restrictions over, along or through the Town Property; or take any other action in relation thereto.

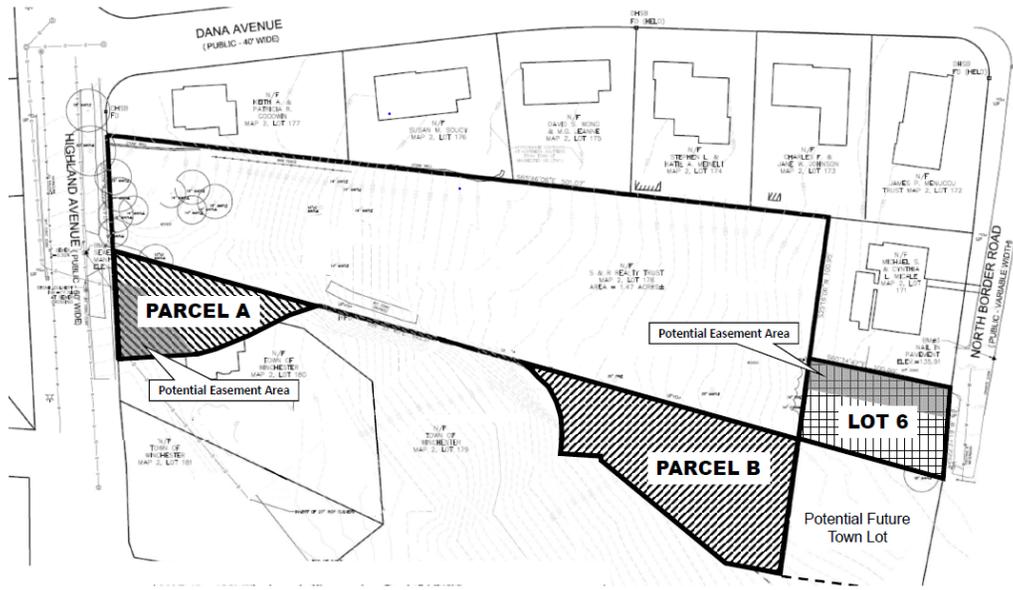
(Select Board)

**ARTICLE 14.** To see if the Town will vote to authorize the Select Board to acquire a mortgage or other security interest in the real estate known and numbered as 160 Forest Street in the Town (the “Property”) in order to secure the payment of Four Thousand Eight Hundred and Sixty Dollars (\$4,860.00) to the current owner of the Property for deferred maintenance repairs, and to accept a gift of the fee in such Property; on such terms and conditions as the Select Board deems appropriate; or take any other action in relation thereto.

(Select Board)

**ARTICLE 15.** To see if the Town will vote to authorize the Select Board to lease, sell, convey, release, or otherwise dispose of any interests in two parcels shown as Parcels A and B on the Plan: Land off Highland Avenue (the “Parcels”), comprising parts of the parcels shown as Lots 2-179 and 2-180 off 22 Highland Avenue on the Board of Assessors Map and containing approximately 16,300 square feet; provided that such disposition be on such terms and conditions as the Select Board deems appropriate, which may include the reservation of easements and restrictions over, along or through the Parcels; or take any other action in relation thereto.

**Plan: Land off Highland Avenue**



(Select Board)

**ARTICLE 16.** To see if the Town will vote to authorize the Select Board to acquire by purchase, donation, eminent domain or otherwise the parcel shown as Parcel Lot 6 on the Plan: Land off Highland Avenue, subject to an easement for the installation, maintenance, repair and replacement of a water line across that parcel to North Border Road, and on such other terms and conditions as the Select Board may determine; or take any other action in relation thereto.

(Select Board)

**ARTICLE 17.** To see if the Town will vote to amend the Official Zoning Map of the Town by re-zoning the parcels shown as Parcels A and B on the plan entitled Plan: Land Off Highland Avenue from the SCI District to the RDB-10 District; or take any other action in relation thereto.

(Planning Board)

**ARTICLE 18.** To see if the Town will vote to appropriate, or transfer from available funds, a sum of money for the demolition of the house at 22 Highland Avenue and associated site costs, said appropriation to be made from Free Cash or other available funds; or take any other action in relation thereto.

(Select Board)

**ARTICLE 19.** To see if the Town will vote to authorize the Select Board, for purposes of establishing, constructing, operating and maintaining a traffic signal at the intersection of Johnson Road and Ridge Street, to acquire by purchase, donation, eminent domain or otherwise (a) fee, easement, leasehold, license or other real property interests in, on, over, across, under and along all or any portion of the land shown on that certain plan identified as "Massachusetts Department of Transportation Highway Division, Preliminary Right of Way Plans, Johnson Road and Ridge Street, in the Town of Winchester, Middlesex County," prepared by Howard Stein Hudson, and originally dated August 16, 2018, as such plan may be further amended, the original of which plan is on file with the Office of the Town Engineer (the "Property"), and (b) abutting and underlying properties as necessary for clearing title to the Property and constructing, operating and maintaining said traffic signal, on such terms and conditions as the Select Board may

determine, and further to see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$75,000, or any other sum, or accept gifts for these purposes; or take any other action in relation thereto.

(Select Board)

**ARTICLE 20.** To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 38H, to ratify payment in lieu of tax (PILOT) agreements, as approved by the Select Board, with the operator of solar photovoltaic energy-generating facilities to be developed and installed on rooftops of Town-owned buildings, consisting of the Vinson-Owen School and Department of Public Works Building; or take any other action in relation thereto.

(Select Board)

**ARTICLE 21.** To see if the Town will vote to appropriate a sum of money for the purchase of safety railings for fall protection for the VO School Roof including all costs incidental or related thereto; said appropriation to be from Free Cash or other available funds; or take any other action in relation thereto.

(Select Board)

**ARTICLE 22.** To see if the Town will vote to appropriate a sum of money to supplement the appropriations to the Eversource account number 0397252 appropriated at previous Town Meetings for the purpose of engineering and associated consultations pertaining to the location of the electronic transmission lines in Winchester as proposed by Eversource in accordance with its petitions to the Energy Facility Siting Board, Department of Public Utilities EFSB 15-04/DPU 15-140, 141 and EFSB 15-03/DPU 15-64, 65; said appropriation to be made from Free Cash or any other available funds; or take any other action in relation thereto.

(Select Board)

**ARTICLE 23.** To see if the Town will vote to transfer from Free Cash or other available funds, a sum of money to supplement or reduce appropriations previously voted for Fiscal Year 2019 budgets; or take any other action in relation thereto.

(Finance Committee)

**ARTICLE 24.** To see if the Town will vote to increase the FY2019 Water and Sewer Enterprise budget to reflect increased costs and revenues, and to reduce or increase the General Fund subsidy, and reduce or increase the use of retained earnings; or take any other action in relation thereto.

(Finance Committee)

**ARTICLE 25.** To see if the Town will vote to increase the FY2019 Recreation Enterprise budget to reflect increased costs and revenues, and to reduce or increase the General Fund subsidy, and reduce or increase the use of retained earnings; or take any other action in relation thereto.

(Finance Committee)

**ARTICLE 26.** To see if the Town will vote to appropriate a sum of money from the Parking Meter Fund to the Wedgemere Parking account 0396912 to pay for expenses associated with the operation of the Wedgemere Commuter Station Parking Lot; or take any other action in relation thereto.

(Select Board)

**ARTICLE 27.** To see if the Town will appropriate a sum of money for traffic mitigation studies, design and engineering in support of the Town’s Traffic and Transportation Advisory Committee (TTAC) and Engineering Department to improve the safety and effectiveness of all transportation facilities, operations and services, including roadways, bikeways, walkways, parking and transit facilities including all costs incidental or related thereto; said appropriation to be from Free Cash or other available funds; or take any other action in relation thereto.

(Select Board/TTAC)

**ARTICLE 28.** To see if the Town will vote to appropriate a sum of money for the acquisition of a van to be used by the Council on Aging; including all costs incidental or related thereto; said appropriation to be made from Free Cash or other available funds; or take any other action in relation thereto.

(Select Board)

**ARTICLE 29.** To see if the Town will vote to amend the water and sewer rates currently in effect in accordance with Chapter 7, Section 3 of the Code of By-Laws; or take any other action in relation thereto.

(Select Board)

**ARTICLE 30.** To see if the Town will vote to appropriate an additional sum of money for the McCall Middle School Expansion project and related purposes as set forth in the vote of the Town passed March 8, 2018 (Article 1), including all costs incidental or related thereto; which sum shall be expended in addition to the amount appropriated under such vote for the project; to determine whether this appropriation shall be raised by borrowing, transfer from available funds or otherwise; or to take any other action in relation thereto.

(School Committee/EFPBC)

**ARTICLE 31.** To see if the Town will vote to hear and act on the report of the Capital Planning Committee regarding the proposed Capital Plan for FY2020 and place the report on file; or take any other action in relation thereto.

(Capital Planning Committee)

**ARTICLE 32.** To see if the Town will vote to appropriate a sum of money for the following projects:

1. Library HVAC Replacement: \$600,000
2. Lynch School Cafeteria – Floor & Ceiling Abatement & Replacement: \$100,000
3. Lincoln School Exterior Maintenance & Repair of Flatwork, Exterior Stairs & Walkway: \$50,000
4. DPW M5 Dump Truck - \$60,000
5. DPW Dump Truck #24 - \$60,000

said appropriation to be made from Free Cash, the Building Stabilization Fund, the Capital Stabilization Fund established under Chapter 69 of the Acts of 2002, or any other available fund; or take any other action in relation thereto.

(Capital Planning Committee)

**ARTICLE 33.** To see if the Town will vote to appropriate a sum of money for the Swanton Street Bridge improvement project (Project 8 of the Aberjona River Flood Mitigation Program), consisting of the replacement of the bridge, including all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

**ARTICLE 34.** To see if the Town will vote to appropriate a sum of money for design, engineering, permitting and construction of the Saw Mill Brook drainage system upgrades and North Reservoir Spillway, including all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing, transfer of available funds or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

**ARTICLE 35.** To see if the Town will vote to appropriate a sum of money for the following projects:

1. Small Municipal Separate Storm Sewer System (MS4s) Permit Year 1 - \$27,000
2. Stormwater Utility establishment - \$30,000
3. North Reservoir Dam and Low Level Outlet Engineering - \$160,000

said appropriation to be made from the Water and Sewer Retained Earnings or otherwise; or take any other action in relation thereto.

(Capital Planning Committee)

**ARTICLE 36.** To see if the Town will vote to appropriate a sum of money to supplement Account 0397522, DPW Maintenance Building Roof, appropriated under Article 14 at the Spring 2017 Town Meeting, for the purpose of replacing the roofs at the Building Maintenance Building and Parks Department Building at the Department of Public Works; said appropriation to be made from the Building Stabilization or Capital Stabilization Fund established under Chapter 69 of the Acts of 2002; or take any other action in relation thereto.

(Capital Planning Committee)

**ARTICLE 37.** To see if the Town will vote to hear and act on the report of the Personnel Board and take any action in connection with recommendations as to: wages and salaries; working conditions; new or revised rates of wages and salaries; changes, additions, adjustments or revisions of wages and salaries; changes, additions, adjustments or revisions in classifications and definitions; and amending, revising and adding to the Personnel Policy Guide as well as in other matters related thereto. Further, to appropriate money for any adjustments or revisions of wages and salaries of employees subject and not subject to collective bargaining agreements or in any job classifications, and to provide for salary or wage adjustments not otherwise provided for, said monies to be expended by the departments affected, said appropriation to come from Unallocated Wage Reserve or other available funds; or take any other action in relation thereto.

(Personnel Board)

**ARTICLE 38.** To see if the Town will vote to accept committee reports, dissolve old committees, authorize new committees; or take any other action in relation thereto.

(Select Board)

And you are hereby directed to serve this warrant by mailing a printed copy thereof, by you attested, to every occupied dwelling house in said Town and by posting on the Town bulletin board at least ten days before the holding of said meeting.

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

Given under our hands and seals this 15<sup>th</sup> day of October two thousand eighteen.

LANCE R. GRENZEBACK, CHAIRMAN  
MARIANO GOLUBOFF, VICE CHAIRMAN  
DAVID P. ERRICO  
MICHAEL BETTENCOURT  
JACQUELINE WELCH

Select Board  
Town of Winchester

A true copy:  
ATTEST:  
Gregory Quill, Constable