



MEMORANDUM

Date: April, 2014
To: Board and Committee Chairpersons
From: Peter J. Haley, Moderator
Subject: Spring Annual Town Meeting, April 28, 2014

The Spring Town Meeting will be notably different this year in one respect, we will be without the services of John Sullivan who has so ably and remarkably served the Town and led the Town Meeting for over 37 years. To list just the substantive matters that were accomplished by the Town Meeting under John's leadership would otherwise exhaust the space allotted. It suffices to state, for purposes of this letter, that although we shall conduct the Meeting without John physically at the lectern, we shall do our best to emulate and carry out the same ethos of service and fairness that has proved so very helpful to the conduct of the Meeting, and the stewardship of the Town, under his leadership.

The speakers under the motion on Article 1 To Hear and Act on Reports of the Town Officers and the Finance Committee "to receive the reports and place them on file," shall be heard in the following order:

- Board of Selectmen
- School Committee
- Finance Committee
- Planning Board
- Library Trustees
- Town Manager
- Committee on Government Regulations
- Committee on Rules

The speaker's time will be limited to five (5) minutes.

I look forward to seeing everyone on April 28th.



Preliminary Motions

MOVED AND SECONDED that the following preliminary motions be voted as one:

1. That Richard C. Howard, Town Manager; Stacie Ward, Comptroller; Wade M. Welch, Town Counsel; and Mark J. Twogood, Assistant Town Manager, who are not Town Meeting Members, be permitted to sit at the front of the auditorium with the Board of Selectmen during all sessions of this Town Meeting.
2. That all members of the Finance Committee and their secretary, whether Town Meeting Members or not, be permitted to sit together at the front of the auditorium during all sessions of this Town Meeting.
3. That the Town Clerk or her designee or the Assistant Town Clerk be permitted to occupy a desk on the platform during all sessions of this Town Meeting.
4. That the Moderator be authorized to permit members of various town boards, commissions, committees, department heads, and petitioners of special articles to sit at the front of the auditorium during consideration of appropriate articles.
5. That unless it be otherwise ordered, all adjourned sessions of this Town Meeting shall be held on successive Thursday and Monday evenings at 7:30 P.M. in the Winchester High School Auditorium, until the work of this Town Meeting is completed.
6. That action on all motions involving appropriations shall be contingent upon compliance with the provisions of Massachusetts General Laws Chapter 59, Section 21C, a law known as the
7. 2-1/2 Tax Limitation.
8. That cable television coverage shall be permitted at all sessions of this Town Meeting.

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	<i>**2/3 if Reconsideration</i>			

Town of Winchester
Annual Spring Town Meeting



ARTICLE 1

To hear and act upon the reports of the Town Officers and the Finance Committee, or take any other action in relation thereto.

(Board of Selectmen)

MOTION:

MOVED AND SECONDED, that the reports of Town Officers and Finance Committee be received and filed.

Majority vote required

Annual Spring Town Meeting



ARTICLE 2

To see if the Town will vote to amend the November 10, 1988 Fall Town Meeting vote under Article 20 to specify that one of the thirteen members of the Housing Partnership Board shall be a representative of the Winchester Commission on Disabilities Issues (aka, Disability Access Commission).

Strike out:

2. Composition: Term of Office: - The Housing Partnership Board shall consist of thirteen voters. Seven of the members shall be appointed by the Moderator and shall be voters who hold no other town office. Terms of those members shall be for three years each, so arranged that as nearly equal a number of terms as possible expire each year. There shall also be one member from and designated by each of the following: the Board of Selectmen, the Planning Board, the Housing Authority, the Council on Aging, the Conservation Commission and the School Committee.

and insert in place thereof:

2. Composition: Term of Office: - The Housing Partnership Board shall consist of thirteen voters. Six of the members shall be appointed by the Moderator and shall be voters who hold no other town office. Terms of those members shall be for three years each, so arranged that an equal number of terms expire each year. There shall also be one member from and designated by each of the following: the Board of Selectmen, the Planning Board, the Housing Authority, the Council on Aging, the Conservation Commission, the School Committee, and the Commission on Disabilities Issues.

Or take any other action in relation thereto.

(Housing Partnership Board)

MOTION:

MOVED AND SECONDED, that the Town vote to amend the November 10, 1988 Fall Town Meeting vote under Article 20 to specify that one of the thirteen members of the Housing Partnership Board shall be a representative of the Winchester Commission on Disabilities Issues (aka, Disability Access Commission).

by striking out:

2. Composition: Term of Office - The Housing Partnership Board shall consist of thirteen voters. Seven of the members shall be appointed by the Moderator and shall be voters who hold no other town office. Terms of those members shall be for three years each, so arranged that as nearly equal a number of terms as possible expire each year. There shall also be one member from and designated by each of the following: the Board of Selectmen, the Planning Board, the Housing Authority, the Council on Aging, the Conservation Commission and the School Committee.

and inserting in place thereof:

2. Composition: Term of Office - The Housing Partnership Board shall consist of thirteen voters. Six of the members shall be appointed by the Moderator and shall be voters who hold no other town office. Terms of those members shall be for three years each, so arranged that an equal number of terms expire each year. There shall also be one member from and designated by each of the following: the Board of Selectmen, the Planning Board, the Housing Authority, the Council on Aging, the Conservation Commission, the School Committee, and the Commission on Disabilities Issues.

ARTICLE 2 BACKGROUND:

The Housing Partnership Board was established by Town Meeting in 1987 for the purpose of recommending “overall strategies and specific proposals for the development of affordable housing.” In 1988, Town Meeting increased the size from seven to thirteen members, including one member each from the Board of Selectmen, Planning Board, Housing Authority, Council on Aging, Conservation Commission, and School Committee.

The Commission on Disabilities Issues was created by Town Meeting in 1996 with the mission “to protect the rights and facilitate the inclusion of individuals with disabilities in all aspects of community life within Winchester.” In 2008, the Commission began using the name Disability Access Commission (DAC).

In the work of both the Housing Partnership Board and the Disability Access Commission, providing housing choices that are accessible for people with disabilities has emerged as a priority issue deserving increased attention and implementation effort. For the past year, a member of the Disability Access Commission has attended meetings of the Housing Partnership Board as a non-voting guest. Approval of this motion will provide the Disability Access Commission with voting privilege and equal status with other town boards represented on the Housing Partnership Board.

Majority vote required

Spring Annual Town Meeting



ARTICLE 3

To see if the Town of Winchester will **DELETE** Section 7.2 CLUSTER RESIDENTIAL HOUSING in its entirety and retain the Section 7.2 to remain “intentionally left blank”

Section 7.2 presently reads as follows:

“7.2 CLUSTER RESIDENTIAL HOUSING

7.2.1 Purpose. This Section has been enacted:

1. To permit maximum flexibility for developing land for single-family homes;
2. To promote open space;
3. To promote private recreational facilities for the exclusive use of the occupants of the Cluster Residential Housing and their guests; and
4. To regulate related off-street parking and landscaping.

- 7.2.2 Applicability. Tracts of land consisting of 20 acres or more in the RDA District and 10 acres or more in the RDB District may be developed as Cluster Residential Housing provided the number of dwelling units shall approximate the number permitted in the district, and maximum density shall be determined as provided herein.
- 7.2.3 Special Permit Required. To afford the Town of Winchester ample assurance that such developments will not tend to degrade the amenities of the neighborhoods in which they occur, or of the Town as a whole, and to insure that objectionable congestion of traffic is not created, Cluster Residential Housing may only be constructed under a special permit granted by the Board of Appeals as hereinafter defined and limited, within such districts as are established with the vote of Town Meeting.
- 7.2.4 Procedures. The owner or owners of a parcel of land in the RDA or RDB District which is of sufficient size to allow cluster residential housing, as defined in Section 7.2.2, shall submit to the Board of Appeals an application for a special permit, together with plans and a filing fee, in accordance with the provisions in Section 9.4 of this Bylaw and in accordance with the additional provisions of this Section 7.2.
- 7.2.5 Referral to Planning Board. The Planning Board shall review all Cluster Residential Housing applications submitted to it by the Board of Appeals. The Planning Board shall report its recommendations for approval or disapproval, together with reasons therefore and any additional requirements, to the Board of Appeals within 30 days of receipt of the application and plan. Reasonable requirements may be recommended to the Board of Appeals by the Planning Board for the protection of adjoining residential property. The Planning Board shall recommend approval of the Cluster Residential Housing application and plan only if it finds the Cluster Residential Housing satisfies all of the following standards.
- 7.2.6 General Standards
1. The permitted uses in the Cluster Residential Housing may include single-family homes, open space, private recreational facilities for the exclusive use of the occupants of the Cluster Residential Housing and their guests and related off-street parking and landscaping.
 2. The Cluster Residential Housing shall provide for an effective and unified treatment of the development possibilities on the project site making appropriate provision for the preservation of scenic features and amenities of the site and the surrounding areas.
 3. The Cluster Residential Housing shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.
 4. More than one building is permitted on tracts of lots held by one owner or in common ownership.
 5. The uniqueness of each proposal for a Cluster Residential Housing requires that the specifications for the width and surfaces of streets ways for public utilities, for curbs, gutters, sidewalks, street lights, storm water drainage, water supply and distribution, sanitary sewers and sewage collection and treatment shall be subject to modification from the specifications established in the Rules and Regulations Governing the Subdivision of Land in the Town of Winchester, Massachusetts and as amended from time to time. The Planning Board may recommend that the specifications otherwise applicable for a particular public facility may be waived or modified (provided that such modification shall not apply to the materials of said construction and shall not produce construction of inferior quality to that required in the Rules and Regulations

Governing Subdivision) when such waiver or modification is not inconsistent with generally approved design standards.

6. The Planning Board shall recommend the installation or the furnishing of a performance guarantee in lieu thereof, of all or any of the following improvements it may deem to be necessary or appropriate: street grading, pavement, gutters, curbs, sidewalks, street lighting, shade trees, landscaping, surveyor's monuments, water mains, culverts, bridges, storm sewers, sanitary sewers or other means of sewage disposal, drainage facilities or structures and other improvements as the Planning Board require or deem necessary in the public interest. The Planning Board may recommend phases for the completion of improvements in sections of the Planned Residential Development and recommend minimum improvement completion requirements necessary for the issuance of Certificates of Use and Occupancy.

7.2.7 Design Standards

1. All buildings in the layout and design shall be an integral part of the development and have convenient access to and from adjacent uses and roadways.
2. Except to the extent regulated by the provisions of the state building code, individual buildings shall be related to each other in design, mass, materials, placement and connections to provide a visually and physically integrated development.
3. Buildings shall be separated by a minimum of 20 feet or 0.75 percent of the building height times its length measured in feet, whichever is greater.
4. Treatment of the sides and rear of all buildings within the Cluster Residential Housing shall be comparable in amenities and appearance to the treatment given to street frontages of these same buildings.
5. All buildings walls shall be so oriented as to insure adequate light and air exposures to the rooms within.
6. All buildings shall be arranged so as to avoid undue exposure to concentrated loading or parking facilities wherever possible, and shall be oriented so as to preserve visual and audible privacy between adjacent buildings.
7. All buildings shall be arranged as to be accessible to emergency vehicles.
8. All utilities shall be placed underground.

7.2.8 Landscape Design Standards

1. Landscape treatment for plazas, road, paths, service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area.
2. Primary landscape treatment shall consist of shrubs, ground cover and trees, and shall be combined with appropriate walks and street surfaces to provide an attractive development pattern. Landscape materials selected should be appropriate to the local growing conditions.
3. Whenever appropriate, existing trees shall be preserved and integrated into the landscape design plan.

4. All streets contained within and bordering the project area shall be planted at appropriate intervals with street trees.
5. Whenever possible the existing terrain shall be preserved and land moving shall be kept to a minimum.

7.2.9 Circulation System Design Standards

1. There shall be an adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading spaces.
2. Roads, pedestrian walks, and open space shall be designed as an integral part of the overall site design. They shall be properly related to existing and proposed buildings and appropriately landscaped.
3. There shall be an adequate amount, in a suitable location, of pedestrian walks, malls and landscaped spaces in order to discourage pedestrian use of vehicular ways and parking and loading spaces; and to separate pedestrian walks, malls and public transportation loading spaces from general vehicular circulation facilities.
4. Buildings and vehicular circulation open spaces shall be arranged so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic.
5. Landscaped, paved and comfortably graded pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas and adjacent buildings.
6. The location and design of pedestrian walks should emphasize desirable views of new and existing developments in the area.
7. The maximum separation of private automobiles and service vehicles shall be provided through the use of separate service lanes.
8. Materials and design of paving, lighting fixtures, retaining walls, bulkheads, fences, curbs, benches, etc., shall be of good appearance easily maintained and indicative of their function.

7.2.10 Parking and Loading Design Standards

1. Off-street parking and loading facilities shall conform to the provisions of Sections 5.1 and 5.2 of this Bylaw. Parking facilities shall be landscaped and screened from public view to the extent necessary to eliminate unsightliness and to the monotony of parked vehicles.
2. Pedestrian connections between parking areas and buildings shall be via special pedestrian walkways and or elevators.
3. Parking facilities shall be designed with careful regard to arrangement, topography, landscaping, and ease of access and shall be developed as an integral part of an overall site design.
4. Any above grade loading facility should be screened from public view to the extent necessary to eliminate unsightliness.

7.2.11 Common Open Space. A minimum of 25 percent of a Cluster Residential Housing site area shall be developed as open space, including walkways, plazas, landscaped areas, recreation areas, tennis courts, pools and fountains. Parking areas and vehicle access facilities shall not be considered in calculating open space. A maximum of 40 percent of the Cluster Residential Housing site area shall be covered by impervious waterproof surface.

1. Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements in the common open space must be appropriate to the uses which are authorized for the common open space.
2. The development schedule must coordinate the improvement of the common open space and the construction of residential dwellings.
3. All land shown on that site plan as common open space shall be subject to covenants approved by the Board of Appeals, which covenants shall include, without limitation, restrictions prohibiting (a) the use of the common open space for uses other than those specified on the site plan and (b) the development of the common open space for residential use or accessory uses such as parking or roads, such portion to be kept in an open or natural state. The restrictions contained in subsection (b) shall be enforceable by and be for the sole benefit of the Town of Winchester and may be modified or released by Town Meeting. Further, in addition to requiring the imposition of such covenants, title to the common open space shall be conveyed either to a nonprofit organization, the principal purpose of which is the conservation of open space or to a corporation or trust owned or to be owned by the owners of the lots within the Cluster Residential Housing Development, provided the interest of the individual lot owner in such corporation or trust is appurtenant to the owner's interest in the lot and passes with title to the individual lot. In lieu of a conveyance to such a nonprofit organization or such a corporation or trust, title to the common open space may be conveyed to the Town of Winchester, provided the Board of Appeals recommends the acceptance of such conveyance and the same is accepted by Town Meeting, in which event the restrictions otherwise mandated by this section shall not be applicable.

7.2.12 Buffer Zone Requirements. A buffer zone within 50 feet of all external lot lines of a designated Cluster Residential Housing shall be provided except that portion which fronts upon an existing external street or roadway. Said buffer zone shall be kept in its natural state where wooded, and, when its natural vegetation is sparse or nonexistent, the landowner may be required to provide a year-round visual screen as recommended by the Planning Board. Within said buffer zone, no principal or accessory structure, nor any off-street parking or loading areas or other use shall be permitted. Within said buffer zone, utility easements and streets may be provided if necessary to insure continuity with adjoining properties, subject to the recommendations of the Planning Board.

1. Said buffer zone area may be utilized for the purpose of computing the Cluster Residential Housing open space requirements of this Ordinance. The requirements of this paragraph may be modified or eliminated where two Cluster Residential Housing developments abut or adjoin one another.

7.2.13 Setbacks. A minimum setback from all external lot lines of a Cluster Residential Housing from all existing streets and thoroughfares for all buildings, structures and uses of no less than 75 feet or a distance equal to twice the height of any structure or building within the development, whichever is greater, shall be provided.” and

b. To see if the Town of Winchester will **DELETE** all references to Section 7.2 CLUSTER RESIDENTIAL HOUSING in their entirety and retain those numbered sections in numbers 1, 2, 4 and 5 as “intentionally left blank” with the remaining number 3 being deleted as noted. The sections where references are to be *deleted* are as follows:

1.) Table of Contents “**7.2 Cluster Residential Housing** **7-2**”;

2.) 4.1.2 Notes to Table of Dimensional Requirements. “**g. See Section 7.2 for Cluster Residential Housing**”;

3.) 4.1.3 Erection of More Than One Principal Structure on a Lot. Delete a portion of the phrase in #1 as follows: “, **except under the provisions of Cluster Residential Housing in an RDA-20 or RDB District as permitted by Special Permit**”;

4.) “**4.2.5 Allowed Density; Cluster Residential Development. The maximum number of dwelling units in the Cluster Residential Development in the Residential Districts RDA-20 and RDB-10 shall be computed as follows:**

1. In the RDA-20, divide the gross lot area by 25,000 square feet.

2. In the RDB-10, divide the gross lot area by 12,500 square feet.”;

5.) Section 5.1.3 Table of Off-Street Parking Requirements. Delete from Group I-

Residential Uses, “**Use 9. “Cluster Residential Housing**”:

Or take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED to see if the Town of Winchester will **DELETE** Section 7.2 CLUSTER RESIDENTIAL HOUSING in its entirety and retain the Section 7.2 to remain “intentionally left blank”

Section 7.2 presently reads as follows:

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1. To permit maximum flexibility for developing land for single-family homes;

2. To promote open space;

3. To promote private recreational facilities for the exclusive use of the occupants of the Cluster Residential Housing and their guests; and

4. To regulate related off-street parking and landscaping.

7.2.2 Applicability. Tracts of land consisting of 20 acres or more in the RDA District and 10 acres or more in the RDB District may be developed as Cluster Residential Housing

provided the number of dwelling units shall approximate the number permitted in the district, and maximum density shall be determined as provided herein.

- 7.2.3 Special Permit Required. To afford the Town of Winchester ample assurance that such developments will not tend to degrade the amenities of the neighborhoods in which they occur, or of the Town as a whole, and to insure that objectionable congestion of traffic is not created, Cluster Residential Housing may only be constructed under a special permit granted by the Board of Appeals as hereinafter defined and limited, within such districts as are established with the vote of Town Meeting.
- 7.2.4 Procedures. The owner or owners of a parcel of land in the RDA or RDB District which is of sufficient size to allow cluster residential housing, as defined in Section 7.2.2, shall submit to the Board of Appeals an application for a special permit, together with plans and a filing fee, in accordance with the provisions in Section 9.4 of this Bylaw and in accordance with the additional provisions of this Section 7.2.
- 7.2.5 Referral to Planning Board. The Planning Board shall review all Cluster Residential Housing applications submitted to it by the Board of Appeals. The Planning Board shall report its recommendations for approval or disapproval, together with reasons therefore and any additional requirements, to the Board of Appeals within 30 days of receipt of the application and plan. Reasonable requirements may be recommended to the Board of Appeals by the Planning Board for the protection of adjoining residential property. The Planning Board shall recommend approval of the Cluster Residential Housing application and plan only if it finds the Cluster Residential Housing satisfies all of the following standards.
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3. Buildings shall be separated by a minimum of 20 feet or 0.75 percent of the building height times its length measured in feet, whichever is greater.
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5. All buildings walls shall be so oriented as to insure adequate light and air exposures to the rooms within.
6. All buildings shall be arranged so as to avoid undue exposure to concentrated loading or parking facilities wherever possible, and shall be oriented so as to preserve visual and audible privacy between adjacent buildings.
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7.2.8 Landscape Design Standards

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2. Primary landscape treatment shall consist of shrubs, ground cover and trees, and shall be combined with appropriate walks and street surfaces to provide an attractive development pattern. Landscape materials selected should be appropriate to the local growing conditions.
3. Whenever appropriate, existing trees shall be preserved and integrated into the landscape design plan.

4. All streets contained within and bordering the project area shall be planted at appropriate intervals with street trees.
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7.2.9 Circulation System Design Standards

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7. The maximum separation of private automobiles and service vehicles shall be provided through the use of separate service lanes.
8. Materials and design of paving, lighting fixtures, retaining walls, bulkheads, fences, curbs, benches, etc., shall be of good appearance easily maintained and indicative of their function.

7.2.10 Parking and Loading Design Standards

1. Off-street parking and loading facilities shall conform to the provisions of Sections 5.1 and 5.2 of this Bylaw. Parking facilities shall be landscaped and screened from public view to the extent necessary to eliminate unsightliness and to the monotony of parked vehicles.
2. Pedestrian connections between parking areas and buildings shall be via special pedestrian walkways and or elevators.
3. Parking facilities shall be designed with careful regard to arrangement, topography, landscaping, and ease of access and shall be developed as an integral part of an overall site design.
4. Any above grade loading facility should be screened from public view to the extent necessary to eliminate unsightliness.

7.2.11 Common Open Space. A minimum of 25 percent of a Cluster Residential Housing site area shall be developed as open space, including walkways, plazas, landscaped areas, recreation areas, tennis courts, pools and fountains. Parking areas and vehicle access facilities shall not be considered in calculating open space. A maximum of 40 percent of the Cluster Residential Housing site area shall be covered by impervious waterproof surface.

1. Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements in the common open space must be appropriate to the uses which are authorized for the common open space.
2. The development schedule must coordinate the improvement of the common open space and the construction of residential dwellings.
3. All land shown on that site plan as common open space shall be subject to covenants approved by the Board of Appeals, which covenants shall include, without limitation, restrictions prohibiting (a) the use of the common open space for uses other than those specified on the site plan and (b) the development of the common open space for residential use or accessory uses such as parking or roads, such portion to be kept in an open or natural state. The restrictions contained in subsection (b) shall be enforceable by and be for the sole benefit of the Town of Winchester and may be modified or released by Town Meeting. Further, in addition to requiring the imposition of such covenants, title to the common open space shall be conveyed either to a nonprofit organization, the principal purpose of which is the conservation of open space or to a corporation or trust owned or to be owned by the owners of the lots within the Cluster Residential Housing Development, provided the interest of the individual lot owner in such corporation or trust is appurtenant to the owner's interest in the lot and passes with title to the individual lot. In lieu of a conveyance to such a nonprofit organization or such a corporation or trust, title to the common open space may be conveyed to the Town of Winchester, provided the Board of Appeals recommends the acceptance of such conveyance and the same is accepted by Town Meeting, in which event the restrictions otherwise mandated by this section shall not be applicable.

7.2.12 Buffer Zone Requirements. A buffer zone within 50 feet of all external lot lines of a designated Cluster Residential Housing shall be provided except that portion which fronts upon an existing external street or roadway. Said buffer zone shall be kept in its natural state where wooded, and, when its natural vegetation is sparse or nonexistent, the landowner may be required to provide a year-round visual screen as recommended by the Planning Board. Within said buffer zone, no principal or accessory structure, nor any off-street parking or loading areas or other use shall be permitted. Within said buffer zone, utility easements and streets may be provided if necessary to insure continuity with adjoining properties, subject to the recommendations of the Planning Board.

1. Said buffer zone area may be utilized for the purpose of computing the Cluster Residential Housing open space requirements of this Ordinance. The requirements of this paragraph may be modified or eliminated where two Cluster Residential Housing developments abut or adjoin one another.

7.2.13 Setbacks. A minimum setback from all external lot lines of a Cluster Residential Housing from all existing streets and thoroughfares for all buildings, structures and uses of no less than 75 feet or a distance equal to twice the height of any structure or building within the development, whichever is greater, shall be provided.” and

b. To see if the Town of Winchester will **DELETE** all references to Section 7.2 CLUSTER RESIDENTIAL HOUSING in their entirety and retain those numbered sections in numbers 1, 2, 4 and 5 as “intentionally left blank” with the remaining number 3 being deleted as noted. The sections where references are to be *deleted* are as follows:

- 1.) Table of Contents “**7.2 Cluster Residential Housing** 7-2”;
- 2.) 4.1.2 Notes to Table of Dimensional Requirements. “g. *See Section 7.2 for Cluster Residential Housing*”;
- 3.) 4.1.3 Erection of More Than One Principal Structure on a Lot. Delete a portion of the phrase in #1 as follows: “; *except under the provisions of Cluster Residential Housing in an RDA-20 or RDB District as permitted by Special Permit*”;
- 4.) “**4.2.5 Allowed Density; Cluster Residential Development. The maximum number of dwelling units in the Cluster Residential Development in the Residential Districts RDA-20 and RDB-10 shall be computed as follows:**
 1. *In the RDA-20, divide the gross lot area by 25,000 square feet.*
 2. *In the RDB-10, divide the gross lot area by 12,500 square feet.*”;
- 5.) Section 5.1.3 Table of Off-Street Parking Requirements. Delete from Group I-Residential Uses, “**Use 9. “Cluster Residential Housing**”:

ARTICLE 3 BACKGROUND:

This section of the Winchester Zoning Bylaw has never been used since its adoption in the 1970s. Today, there are a number of elements that do not work within this bylaw, including the fact that the method for calculation for residential cluster units generates fewer units than a standard subdivision; 20 acres are required to use this bylaw and there is a requirement for a 75 foot buffer zone around the entire site which may not be appropriate given the land configuration. The Attached Residential Cluster Development Overlay District (ARCDOD) has superseded the Cluster bylaw and is the preferred bylaw for open space/cluster development.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 4

To see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw, Section 3.1 Table of Use Regulations as follows:

- a. In Group I- Residential Uses:
 - 1.) Delete from #1., the words “Single-family detached dwelling on a separate lot” and replace with “*Dwelling, single family*”;
 - 2.) Delete from #2, the words “Two-family attached dwelling on a separate lot” and replace with “*Dwelling, two-family*”;
 - 3.) Delete from #5 the words “*Group or*”;
 - 4.) Add to #5, the words “*or Dwelling, Multiple-Family*” after the words “Town house”;
 - 5.) Delete from #6. the words “Mid-rise apartments” and replace with “*Apartment House.*” and
- b. To amend Section 10 Definitions as follows:
 - (1) To **delete** the definition of “*Group House*” in its entirety. Said definition presently reads as follows: “**GROUP HOUSE.** A row of not less than three (3) nor more than ten (10) attached dwelling units contained in one (1) building and separated by common or party walls. The words “Group House” and “Town House” are synonymous”;
 - (2) To **delete** within the definition of “**Town House**” the last sentence which reads: “*The words “Group House” and “Town House” are synonymous*”.

Or take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED to see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw, Section 3.1 Table of Use Regulations as follows:

- a. In Group I- Residential Uses:
 - 1.) Delete from #1., the words “Single-family detached dwelling on a separate lot” and replace with “Dwelling, single family”;
 - 2.) Delete from #2, the words “Two-family attached dwelling on a separate lot” and replace with “Dwelling, two-family”;
 - 3.) Delete from #5 the words “Group or”;
 - 4.) Add to #5, the words “or Dwelling, Multiple-Family” after the words “Town house”;
 - 5.) Delete from #6. the words “Mid-rise apartments” and replace with “Apartment House.” and
- b. To amend Section 10 Definitions as follows:
 - 1.) To delete the definition of “Group House” in its entirety. Said definition presently reads as follows: “**GROUP HOUSE.** A row of not less than three (3) nor more than ten (10) attached dwelling units contained in one (1) building and separated by common or party walls. The words “Group House” and “Town House” are synonymous”;
 - 2.) To delete within the definition of “Town House” the last sentence which reads: “The words “Group House” and “Town House” are synonymous”.

ARTICLE 4 BACKGROUND

This article reconciles the names and definitions of the housing types within the Table of Uses and Definitions. In several instances housing uses were noted in the Table of Uses without a definition of the use. For example, mid-rise apartments was noted in the Table of Uses but no definition was given in Section 10 (Definitions). In one instance, the definition of the use has changed in meaning over the years. Today, “Group House” usually means a non-profit educational organization, which houses disabled citizens (and is covered under MGL 40A, Section 3) and is not synonymous with “townhouse”. This article is intended to correct these inconsistencies.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 5

To see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw as follows:

- a. To amend Section 4.1.2 Notes to the Table of Dimensional Requirements, by:

- 1.) Deleting Note c., which presently reads “Buildings shall be surrounded by fire lanes. (See definitions.);” and
- 2.) Replacing Note c. with the following language: “ Under CMR 527 10.03 (10) the head of the fire department shall require and designate public or private fire lanes as deemed necessary for the efficient and effective use of fire apparatus. “

b. To amend Section 10 Definitions by:

- 1.) Deleting the definition of “Fire Lane” in its entirety; and
- 2.) Replacing the definition of “Fire lane” with the following language: “FIRE LANE. In accordance with CMR 527 (10), fire lanes shall be an open area, with a minimum width of 18’, and shall be maintained free of obstructions and vehicles. Designated lanes shall be marked in an approved manner and shall be maintained with signs and markings in a clean and legible condition at all times and replaced when necessary to insure adequate visibility.”

Or to take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED to see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw as follows:

- a.** To amend Section 4.1.2 Notes to the Table of Dimensional Requirements, by:
 - 1.) Deleting Note c., which presently reads “Buildings shall be surrounded by fire lanes. (See definitions.);” and
 - 2.) replacing Note c. with the following language: “ Under **527 10.03 (10)** CMR the head of the fire department shall require and designate public or private fire lanes as deemed necessary for the efficient and effective use of fire apparatus. “

b. To amend Section 10 Definitions by:

- 1.) Deleting the definition of “Fire Lane” in its entirety; and
- 2.) Replacing the definition of “Fire lane” with the following language: “FIRE LANE. In accordance with **527 10.03 (10)** CMR fire lanes shall be an open area, with a minimum width of 18’, and shall be maintained free of obstructions and vehicles. Designated lanes shall be marked in an approved manner and shall be maintained with signs and markings in a clean and legible condition at all times and replaced when necessary to insure adequate visibility.”

ARTICLE 5 BACKGROUND:

These two amendments relating to fire lanes eliminate any conflicts between the Winchester Zoning Bylaw and the State Board of Fire Prevention Regulations that the Fire Department must adhere to regarding fire lanes.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 6

To see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw, Section 4.1.1 Table of Dimensional Requirements by including footnote (i) in the column entitled “CBD-1” and in the row entitled “Min. Yard adj. to SCI & Residential Dist. (in feet) so the Table reads as follows:

DISTRICT								CBD (n)
Min. Yard adj. to SCI & Residential Dist. (in feet)								20 (i)

or to take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED to see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw, Section 4.1.1 Table of Dimensional Requirements by including footnote (i) in the column entitled “CBD” and in the row entitled “Min. Yard adj. to SCI & Residential Dist. (in feet)” so the Table reads as follows:

DISTRICT								CBD (n)
Min. Yard adj. to SCI & Residential Dist. (in feet)								20 (i)

(i) If lot abuts or is within 15 feet of the district boundary, the 15 feet nearest such boundary shall be unpaved, shall not be used for parking, driveways or outdoor storage and shall contain only grass, plants, shrubs, trees and fences.

ARTICLE 6 BACKGROUND:

Footnote (i) was omitted from the 2009 recodification of the Winchester Zoning Bylaw. This article is a corrective measure.

2/3 vote required
 Town of Winchester
 Spring Annual Town Meeting



ARTICLE 7

- a. To see if the Town of Winchester will **DELETE** Section 8.6 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD) in its entirety and retain the Section 8.6 to remain “intentionally left blank”

Section 8.6 presently reads as follows:

“8.6 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD)

- 8.6.1 Purpose. In order to permit maximum flexibility in employing the latest techniques for developing land for multiple family dwelling units, tracts of land consisting of 20 acres or more within the RDA-20 district and 10 acres or more in the RDB-10 district may be rezoned by the Winchester Town Meeting for a Planned Residential District (PRD). To afford the Town of Winchester ample assurance that such developments will not tend to degrade the amenities of the neighborhoods in which they occur, or of the town as a whole, and to insure that objectionable congestion and density of traffic is not created, a Planned Residential Development (PRD) may only be constructed after rezoning and under a special permit granted by the Board of Appeals as hereinafter defined and limited.
- 8.6.2 Procedure. The owner or owners of a parcel of land which has been zoned for a Planned Residential District shall submit to the Board of Appeals an application for a special permit, together with plans and a filing fee in accordance with the provisions for Site Plan Review in Section 9.5 of this Bylaw and in accordance with the additional provisions of this Section 8.6.
- 8.6.3 Planning Board Review. The Planning Board shall review all Planned Residential Development applications submitted to it by the Board of Appeals. The Planning Board shall report its recommendations for approval or disapproval, together with reasons therefore and any additional requirements, to the Board of Appeals within 30 days of receipt of the application and plan. Reasonable requirements may be recommended to the Board of Appeals by the Planning Board for the protection of adjoining residential property. The Planning Board shall recommend approval of the Planned Residential Development application and plan only if it finds the Planned Residential Development satisfies all of the standards set forth below.
- 8.6.4 Standards; Uses. The permitted uses in the Planned Residential Development (PRD) may include single-family homes, garden apartments and town houses, of three stories (40 feet) or less, open space, private recreational facilities for the exclusive use of the occupants of the Planned Residential Development (PRD) and their guests, and related off-street parking and landscaping.
- 8.6.5 General Standards. The Planned Residential Development (PRD) shall provide for an effective and unified treatment of the development possibilities on the project site making appropriate provision for the preservation of scenic features and amenities of the site and the surrounding areas. The Planned Residential Development (PRD) shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.
1. More than one building is permitted on tracts of lots held by one owner or in common ownership.
 2. The uniqueness of each proposal for a Planned Residential Development (PRD) requires that the specifications for the width and surfaces of streets, ways for public utilities, for curbs gutters, sidewalks, street lights, storm water drainage, water supply and distribution, sanitary sewers and sewage collection and treatment shall be subject to modification from the specifications established in the Rules and Regulations Governing the Subdivision of Land in the Town of Winchester, Massachusetts and as amended from time to time. The Planning Board may recommend that the specifications otherwise applicable for a particular public facility may be waived or modified (provided that such modification shall not apply to the material of said

construction and shall not produce construction of inferior quality to that required in the Rules and Regulations Governing Subdivision) when such waiver or modification is not inconsistent with generally approved design standards.

3. The Planning Board shall recommend the installation or the furnishing of a performance guarantee in lieu thereof, of all or any of the following improvements it may deem to be necessary or appropriate: street grading, pavement, gutters, curbs, sidewalks, street lighting, shade trees, landscaping, surveyor's monuments, water mains, culverts, bridges, storm sewers, sanitary sewers or other means of sewage disposal, drainage facilities or structures and other improvements as the Planning Board may require or deem necessary in the public interest.
4. The Planning Board may recommend phases for the completion of improvements in sections of the Planned Residential Development (PRD) and recommend minimum improvement completion requirements necessary for the issuance of Certificates of Zoning Compliance in any section.

8.6.6 Design Standards. All buildings in the layout and design shall be in integral part of the development and have convenient access to and from adjacent uses and roadways.

1. Except to the extent regulated by the provisions of the state building code, individual buildings shall be related to each other in design, mass, materials, placement and connections to provide a visually and physically integrated development.
2. Buildings shall be separated by a minimum of 20 feet or 0.75 percent of the building height times its length whichever is greater.
3. Treatment of the sides and rear of all buildings within the Planned Residential Development shall be comparable in amenities and appearance to the treatment given to street frontages of these same buildings.
4. All buildings walls shall be so oriented as to insure adequate light and air exposures to the rooms within.
5. All buildings shall be arranged so as to avoid undue exposure to concentrated loading or parking facilities wherever possible, and shall be oriented so as to preserve visual and audible privacy between adjacent buildings.
6. All buildings shall be arranged as to be accessible to emergency vehicles.
7. All utilities shall be placed underground.

8.6.7 Landscape Design Standards. Landscape treatment for plazas, roads, paths, service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area.

1. Primary landscape treatment shall consist of shrubs, ground cover and trees, and shall be combined with appropriate walks and street surfaces to provide an attractive development pattern. Landscape materials selected should be appropriate to the local growing conditions.
2. Whenever appropriate, existing trees shall be preserved and integrated into the landscape design plan.

3. All streets contained within and bordering the project area shall be planted at appropriate intervals with street trees. Cul-de-sacs shall have landscaped islands.
 4. Whenever possible the existing terrain shall be preserved and land moving shall be kept to a minimum.
- 8.6.8 Circulation System Design Standards. There shall be an adequate, safe and convenient arrangement of pedestrian circulation facilities, driveways, roadways, off-street parking and loading spaces.
1. Roads, pedestrian walks, and open space shall be designed as an integral part of the overall site design. They shall be properly related to existing and proposed buildings and appropriately landscaped.
 2. There shall be an adequate amount, in a suitable location, of pedestrian walks, malls, and landscaped spaces in order to discourage pedestrian use of vehicular ways and parking and loading spaces; and to separate pedestrian walks, malls and public transportation loading spaces from general vehicular circulation facilities.
 3. Buildings and vehicular circulation open spaces shall be arranged so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic.
 4. Landscaped, paved and comfortably graded pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas and adjacent buildings.
 5. The location and design of pedestrian walks should emphasize desirable views of new and existing development in the area.
 6. The maximum separation of private automobiles and service vehicles shall be provided through the use of separate service lanes.
 7. Materials and design of paving, lighting fixtures, retaining walls, bulkheads, fences, curbs, benches, etc., shall be of good appearance easily maintained and indicative of their function.
- 8.6.9 Parking and Loading Design Standards. Off-street parking and loading facilities shall conform to the provisions of Section 5.1 and 5.2 of this Bylaw.
1. Parking facilities shall be landscaped and screened from public view to the extent necessary to eliminate unsightliness and the monotony of parked vehicles.
 2. Pedestrian connection between parking areas and buildings shall be via special pedestrian walkways and/or elevators.
 3. Parking facilities shall be designed with careful regard to arrangement, topography, landscaping, ease of access, and shall be developed as an integral part of an overall site design.
 4. Any above grade loading facility should be screened from public view to the extent necessary to eliminate unsightliness.
- 8.6.10 Common Open Space. A minimum of 25 percent of a Planned Residential Development (PRD) site area shall be developed as open space, including walkways, plazas, landscaped

areas, recreation areas, tennis courts, pools and fountains. Parking areas and vehicle access facilities shall not be considered in calculating open space.

1. A maximum of 40 percent of the Planned Residential Development (PRD) site area shall be covered by impervious waterproof surface.
2. Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements in the common open space must be appropriate to the uses which are authorized for the common open space.
3. The development schedule must coordinate the improvement of the common open space and the construction of residential dwellings.
4. All land shown on that site plan as common open space shall be subject to covenants approved by the Board of Appeals, which covenants shall include, without limitation, restrictions prohibiting (a) the use of the common open space for uses other than those specified on the site plan and (b) the development of the common open space for residential use or accessory uses such as parking or roads, such portion to be kept in an open or natural state. The restrictions contained in subsection (c) shall be enforceable by and be for the sole benefit of the Town of Winchester and may be modified or released by Town Meeting. Further, in addition to requiring the imposition of such covenants, title to the common open space shall be conveyed either to a nonprofit organization, the principal purpose of which is the conservation of open space or to a corporation or trust owned or to be owned by the owners of the lots within the Planned Residential Development, provided the interest of the individual lot owner in such corporation or trust is appurtenant to the owner's interest in the lot and passes with title to the individual lot. In lieu of a conveyance to such a nonprofit organization or such a corporation or trust, title to the common open space may be conveyed to the Town of Winchester, provided the Board of Appeals recommends the acceptance of such conveyance and the same is accepted by Town Meeting, in which event the restrictions otherwise mandated by this section shall not be applicable.

8.6.11 Buffer Zone Standards. A buffer zone within 50 feet of all external lot lines of a designated Planned Residential Development shall be provided except that portion which fronts upon an existing external street or roadway. Said buffer zone shall be kept in its natural state where wooded, and, when its natural vegetation is sparse or nonexistent, the landowner may be required to provide a year-round visual screen as recommended by the Planning Board.

1. Within said buffer zone, no principal or accessory structure, nor any off-street parking or loading areas or other use shall be permitted. Within said buffer zone, utility easements and streets may be provided if necessary to insure continuity with adjoining properties, subject to the recommendations of the Planning Board.
2. Said buffer zone area may be utilized for the purpose of computing the planned residential development open space requirements of this Section.
3. The requirements of this paragraph may be modified or eliminated where two planned residential unit developments abut or adjoin one another.

8.6.12 Setbacks. A minimum setback from all external lot lines of a Planned Residential Development from all existing streets and thoroughfares for all buildings, structures and uses of no less than 75 feet or a distance equal to twice the height of any structure or building within the development, whichever is greater, shall be provided.

8.6.13 Setbacks. The minimum lot frontage of a Planned Residential Development (PRD) shall be 200 feet. The minimum lot width shall be 200 feet;" and

b. To see if the Town of Winchester will **DELETE** all references to Section 8.6 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD) in their entirety and retain those sections in numbers 1, 2 and 3 below as "intentionally left blank" with the remaining references to PRD in numbers 4 and 5 below to be deleted. The sections where references are to be *deleted* are as follows:

- 1.) Table of Contents "*8.6 Planned Residential Development District..... 8-26*";
- 2.) "*Section 2.2.6 Planned Residential District (PRD). See Section 8.6.*";
- 3.) "*4.2.4 Allowed Density; PRD District. In the Planned Residential District (PRD) the density of dwelling units shall not exceed two (2) units per acre unless the applicant designates at least 15 percent of the units above the two units per acre standard for use in conjunction with one or more state or federal housing assistance programs; see Section 7.1.3 for a complete description of the required affordable housing criteria and procedures. In no instance shall the total number of dwelling units exceed a density of three (3) dwelling units per acre in any PRD special permit project*";
- 4.) 5.1.3 Table of Off-Street Parking Requirements. Delete the term "**PRD**" from:

Group I Residential Uses

1. Single-family dwelling;
2. Two-family dwelling;
- 4 and 5. Group, garden apartment, townhome

Group II- Educational, Institutional, Recreational and Agricultural Uses

1. Educational institution, exempt
2. Child care facility
8. Private Lodge, club
9. Country club, sporting grounds, outdoor recreation; and

5.) 5.4.3 Applicability. Delete the term "**PRD**" from this section.

Or to take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED to see if the Town of Winchester will **DELETE** Section 8.6 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD) in its entirety and retain the Section 8.6 to remain "intentionally left blank"

Section 8.6 presently reads as follows:

"8.6 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD)

- 8.6.1 Purpose. In order to permit maximum flexibility in employing the latest techniques for developing land for multiple family dwelling units, tracts of land consisting of 20 acres or more within the RDA-20 district and 10 acres or more in the RDB-10 district may be rezoned by the Winchester Town Meeting for a Planned Residential District (PRD). To afford the Town of Winchester ample assurance that such developments will not tend to degrade the amenities of the neighborhoods in which they occur, or of the town as a whole, and to insure that objectionable congestion and density of traffic is not created, a Planned Residential Development (PRD) may only be constructed after rezoning and under a special permit granted by the Board of Appeals as hereinafter defined and limited.
- 8.6.2 Procedure. The owner or owners of a parcel of land which has been zoned for a Planned Residential District shall submit to the Board of Appeals an application for a special permit, together with plans and a filing fee in accordance with the provisions for Site Plan Review in Section 9.5 of this Bylaw and in accordance with the additional provisions of this Section 8.6.
- 8.6.3 Planning Board Review. The Planning Board shall review all Planned Residential Development applications submitted to it by the Board of Appeals. The Planning Board shall report its recommendations for approval or disapproval, together with reasons therefore and any additional requirements, to the Board of Appeals within 30 days of receipt of the application and plan. Reasonable requirements may be recommended to the Board of Appeals by the Planning Board for the protection of adjoining residential property. The Planning Board shall recommend approval of the Planned Residential Development application and plan only if it finds the Planned Residential Development satisfies all of the standards set forth below.
- 8.6.4 Standards; Uses. The permitted uses in the Planned Residential Development (PRD) may include single-family homes, garden apartments and town houses, of three stories (40 feet) or less, open space, private recreational facilities for the exclusive use of the occupants of the Planned Residential Development (PRD) and their guests, and related off-street parking and landscaping.
- 8.6.5 General Standards. The Planned Residential Development (PRD) shall provide for an effective and unified treatment of the development possibilities on the project site making appropriate provision for the preservation of scenic features and amenities of the site and the surrounding areas. The Planned Residential Development (PRD) shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.
1. More than one building is permitted on tracts of lots held by one owner or in common ownership.
 2. The uniqueness of each proposal for a Planned Residential Development (PRD) requires that the specifications for the width and surfaces of streets, ways for public utilities, for curbs gutters, sidewalks, street lights, storm water drainage, water supply and distribution, sanitary sewers and sewage collection and treatment shall be subject to modification from the specifications established in the Rules and Regulations Governing the Subdivision of Land in the Town of Winchester, Massachusetts and as amended from time to time. The Planning Board may recommend that the specifications otherwise applicable for a particular public facility may be waived or modified (provided that such modification shall not apply to the material of said construction and shall not produce construction of inferior quality to that required in the Rules and Regulations Governing Subdivision) when such waiver or modification is not inconsistent with generally approved design standards.

3. The Planning Board shall recommend the installation or the furnishing of a performance guarantee in lieu thereof, of all or any of the following improvements it may deem to be necessary or appropriate: street grading, pavement, gutters, curbs, sidewalks, street lighting, shade trees, landscaping, surveyor's monuments, water mains, culverts, bridges, storm sewers, sanitary sewers or other means of sewage disposal, drainage facilities or structures and other improvements as the Planning Board may require or deem necessary in the public interest.
 4. The Planning Board may recommend phases for the completion of improvements in sections of the Planned Residential Development (PRD) and recommend minimum improvement completion requirements necessary for the issuance of Certificates of Zoning Compliance in any section.
- 8.6.6 Design Standards. All buildings in the layout and design shall be in integral part of the development and have convenient access to and from adjacent uses and roadways.
1. Except to the extent regulated by the provisions of the state building code, individual buildings shall be related to each other in design, mass, materials, placement and connections to provide a visually and physically integrated development.
 2. Buildings shall be separated by a minimum of 20 feet or 0.75 percent of the building height times its length whichever is greater.
 3. Treatment of the sides and rear of all buildings within the Planned Residential Development shall be comparable in amenities and appearance to the treatment given to street frontages of these same buildings.
 4. All buildings walls shall be so oriented as to insure adequate light and air exposures to the rooms within.
 5. All buildings shall be arranged so as to avoid undue exposure to concentrated loading or parking facilities wherever possible, and shall be oriented so as to preserve visual and audible privacy between adjacent buildings.
 6. All buildings shall be arranged as to be accessible to emergency vehicles.
 7. All utilities shall be placed underground.
- 8.6.7 Landscape Design Standards. Landscape treatment for plazas, roads, paths, service and parking areas shall be designed as an integral part of a coordinated landscape design for the entire project area.
1. Primary landscape treatment shall consist of shrubs, ground cover and trees, and shall be combined with appropriate walks and street surfaces to provide an attractive development pattern. Landscape materials selected should be appropriate to the local growing conditions.
 2. Whenever appropriate, existing trees shall be preserved and integrated into the landscape design plan.
 3. All streets contained within and bordering the project area shall be planted at appropriate intervals with street trees. Cul-de-sacs shall have landscaped islands.

4. Whenever possible the existing terrain shall be preserved and land moving shall be kept to a minimum.
- 8.6.8 Circulation System Design Standards. There shall be an adequate, safe and convenient arrangement of pedestrian circulation facilities, driveways, roadways, off-street parking and loading spaces.
1. Roads, pedestrian walks, and open space shall be designed as an integral part of the overall site design. They shall be properly related to existing and proposed buildings and appropriately landscaped.
 2. There shall be an adequate amount, in a suitable location, of pedestrian walks, malls, and landscaped spaces in order to discourage pedestrian use of vehicular ways and parking and loading spaces; and to separate pedestrian walks, malls and public transportation loading spaces from general vehicular circulation facilities.
 3. Buildings and vehicular circulation open spaces shall be arranged so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic.
 4. Landscaped, paved and comfortably graded pedestrian walks shall be provided along the lines of the most intense use, particularly from building entrances to streets, parking areas and adjacent buildings.
 5. The location and design of pedestrian walks should emphasize desirable views of new and existing development in the area.
 6. The maximum separation of private automobiles and service vehicles shall be provided through the use of separate service lanes.
 7. Materials and design of paving, lighting fixtures, retaining walls, bulkheads, fences, curbs, benches, etc., shall be of good appearance easily maintained and indicative of their function.
- 8.6.9 Parking and Loading Design Standards. Off-street parking and loading facilities shall conform to the provisions of Section 5.1 and 5.2 of this Bylaw.
1. Parking facilities shall be landscaped and screened from public view to the extent necessary to eliminate unsightliness and the monotony of parked vehicles.
 2. Pedestrian connection between parking areas and buildings shall be via special pedestrian walkways and/or elevators.
 3. Parking facilities shall be designed with careful regard to arrangement, topography, landscaping, ease of access, and shall be developed as an integral part of an overall site design.
 4. Any above grade loading facility should be screened from public view to the extent necessary to eliminate unsightliness.

8.6.10 Common Open Space. A minimum of 25 percent of a Planned Residential Development (PRD) site area shall be developed as open space, including walkways, plazas, landscaped areas, recreation areas, tennis courts, pools and fountains. Parking areas and vehicle access facilities shall not be considered in calculating open space.

1. A maximum of 40 percent of the Planned Residential Development (PRD) site area shall be covered by impervious waterproof surface.
2. Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures and improvements in the common open space must be appropriate to the uses which are authorized for the common open space.
3. The development schedule must coordinate the improvement of the common open space and the construction of residential dwellings.
4. All land shown on that site plan as common open space shall be subject to covenants approved by the Board of Appeals, which covenants shall include, without limitation, restrictions prohibiting (a) the use of the common open space for uses other than those specified on the site plan and (b) the development of the common open space for residential use or accessory uses such as parking or roads, such portion to be kept in an open or natural state. The restrictions contained in subsection (c) shall be enforceable by and be for the sole benefit of the Town of Winchester and may be modified or released by Town Meeting. Further, in addition to requiring the imposition of such covenants, title to the common open space shall be conveyed either to a nonprofit organization, the principal purpose of which is the conservation of open space or to a corporation or trust owned or to be owned by the owners of the lots within the Planned Residential Development, provided the interest of the individual lot owner in such corporation or trust is appurtenant to the owner's interest in the lot and passes with title to the individual lot. In lieu of a conveyance to such a nonprofit organization or such a corporation or trust, title to the common open space may be conveyed to the Town of Winchester, provided the Board of Appeals recommends the acceptance of such conveyance and the same is accepted by Town Meeting, in which event the restrictions otherwise mandated by this section shall not be applicable.

8.6.11 Buffer Zone Standards. A buffer zone within 50 feet of all external lot lines of a designated Planned Residential Development shall be provided except that portion which fronts upon an existing external street or roadway. Said buffer zone shall be kept in its natural state where wooded, and, when its natural vegetation is sparse or nonexistent, the landowner may be required to provide a year-round visual screen as recommended by the Planning Board.

1. Within said buffer zone, no principal or accessory structure, nor any off-street parking or loading areas or other use shall be permitted. Within said buffer zone, utility easements and streets may be provided if necessary to insure continuity with adjoining properties, subject to the recommendations of the Planning Board.
2. Said buffer zone area may be utilized for the purpose of computing the planned residential development open space requirements of this Section.
3. The requirements of this paragraph may be modified or eliminated where two planned residential unit developments abut or adjoin one another.

8.6.12 Setbacks. A minimum setback from all external lot lines of a Planned Residential Development from all existing streets and thoroughfares for all buildings, structures and

uses of no less than 75 feet or a distance equal to twice the height of any structure or building within the development, whichever is greater, shall be provided.

8.6.13 Setbacks. The minimum lot frontage of a Planned Residential Development (PRD) shall be 200 feet. The minimum lot width shall be 200 feet;” and

b. To see if the Town of Winchester will **DELETE** all references to Section 8.6 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD) in their entirety and retain those sections in numbers 1, 2 and 3 below as “intentionally left blank” with the remaining references to PRD in numbers 4 and 5 below to be deleted. The sections where references are to be *deleted* are as follows:

- 1.) Table of Contents “*8.6 Planned Residential Development District 8-26*”;
- 2.) “*Section 2.2.6 Planned Residential District (PRD). See Section 8.6.*”;
- 3.) “*4.2.4 Allowed Density; PRD District. In the Planned Residential District (PRD) the density of dwelling units shall not exceed two (2) units per acre unless the applicant designates at least 15 percent of the units above the two units per acre standard for use in conjunction with one or more state or federal housing assistance programs; see Section 7.1.3 for a complete description of the required affordable housing criteria and procedures. In no instance shall the total number of dwelling units exceed a density of three (3) dwelling units per acre in any PRD special permit project*”;
- 4.) 5.1.3 Table of Off-Street Parking Requirements. Delete the term “**PRD**” from:

Group I Residential Uses

1. Single-family dwelling;
2. Two-family dwelling;
- 4 and 5. Group, garden apartment, townhome

Group II- Educational, Institutional, Recreational and Agricultural Uses

1. Educational institution, exempt
2. Child care facility
8. Private Lodge, club
9. Country club, sporting grounds, outdoor recreation; and

5.) 5.4.3 Applicability. Delete the term “**PRD**” from this section.

ARTICLE 7 BACKGROUND:

The proposal to delete this section from the Winchester Zoning Bylaw has been generated for the following reasons:

- Twenty acres are required to use this bylaw. At present there is only one property in town that could qualify to use this provision. There are dimensional requirements, such as buffer

zones, that make the bylaw not as “user friendly” as the ARCDOD bylaw and the required buffer zones are not necessarily appropriate in terms of the best layout on the land.

- The Attached Residential Cluster Development Overlay District (ARCDOD) has superseded the PRD bylaw.

This section of the bylaw has been used only once (The Ledges). The removal of this bylaw would require a special permit for any changes to the development. Since the development, when originally permitted, required a special permit, there is no change in the permitting process.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 8

To see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw, Section 5.1 Off-Street Parking Requirements as follows:

- a. To amend Section 5.1.6 *Design of All Off-Street Parking Facilities*, by **deleting** 5.1.6 in its entirety. This language reads as follows:

5.1.6 Design of All Off-Street Parking Facilities

1. Parking facilities shall be occupied only by passenger cars and commercial vehicles not exceeding seven and one half (7.5) feet in width and 18 feet in length, unless the special standards provided in Section 5.1.8 are met.
2. Stall width shall be at least nine (9) feet.
3. Stall depth shall be at least 19 feet for all angle parking and 22 feet for parallel parking. Such dimension may include no more than two feet of any landscape setback area adjacent to the front and rear of a stall and used for bumper overhang.
4. Minimum width of aisles providing access to stalls for one-way traffic only, varying with the angle of parking, shall be:

Table of Minimum Parking Aisle Width

ANGLE OF PARKING	MINIMUM AISLE WIDTH
Parallel	12 feet
30 Degrees	11 feet
45 Degrees	13 feet
60 Degrees	18 feet
90 Degrees	20 feet

5. Minimum width of aisles providing access to stalls for two-way traffic shall be 24 feet, except that aisles providing access primarily for overnight parking may be a minimum of 22 feet.
6. Parking facilities shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle. The Board of Appeals, however, may by special permit modify this requirement, and the dimensional requirements of paragraphs 2 through 5 of this Section 5.1.6 where a parking facility is under full-time attendant supervision.
7. The width of entrance and exit drives, except as permitted in paragraph 5 of Section 5.1.9 shall be: (1) A minimum of 12 feet for one-way use only; (2) A minimum of 20 feet for two-way use, except that driveways providing access primarily for overnight parking, with incidental daytime use, may be a minimum of 12 feet wide and (3) A maximum of 20 feet at the street lot line in residence districts, and 30 feet in business and industrial districts. In the GBD-2 and GBD-3 districts the maximum width shall be 24 feet, except as otherwise specified in herein; (4) A maximum of 30 feet at the street line in the GBD-2 or GBD-3 districts for a combined access drive where two or more business property owners with adjoining lots agree to share access to their adjoining properties, provide binding evidence of that agreement, and request such a combined access drive from the Board of Appeals. The Board of Appeals, by Special Permit under Section 9.4, may authorize such a combined access drive subject

to assurance that anticipated traffic volumes and turning movements can be accommodated by such a combined access drive, as it may deem adequate.

8. Setbacks for parking areas in all districts, except as permitted in paragraph 5 of Section 5.1.9 shall be as follows: parking stalls in parking lots shall be set back from the street lot line to whatever extent may be necessary in the specific situation, as determined by the Zoning Enforcement Officer to avoid the probability of cars backing or otherwise maneuvering on the sidewalk upon entering or leaving the stalls. In no case shall parking lots be designed to require or encourage cars to back into a public or private way in order to leave the lot; except for parking stall the sole access to which is an alley adjacent to rear lot lines and so arranged that there is at least 20 feet of clear backing between the rear line of the parking stall at the opposite and more distant line of the alley.
9. In all residential districts, the surfaced area of a parking lot shall be set back: (1) from the front lot line, except where an access driveway crosses the street lot line, the distance specified for building setback in the Table of Dimensional Requirements; (2) from the side lot line one third the distance specified for minimum side yard setback of the district in the Table of Dimensional Requirements, except in the Multiple Family RA-120 district, where the minimum setback shall be 20 feet; (3) from the side and rear lot lines in the rear yard, a minimum of five feet. Such setback shall be seven (7) feet where two (2) feet of setback area is included in a minimum stall depth as provided in paragraph 3 of this Section 5.1.6.
10. In the Apartment House RB-20 District, from an RDA, RDB, RDC and RG District Boundary a minimum of 25 feet in side or rear yards where the buildings and other structures (other than fences) located in the RB-20 District are set back at least 50 feet; provided that no surface parking shall be permitted within side or rear yards in the RB-20 District, where the buildings or other structures are set back less than 50 feet pursuant to note (d) in Section 4.1.2.
11. In all districts, barriers shall be provided to prevent motor vehicles from being parked within required setback areas, or beyond the boundaries of the lot where no setback is required.
12. In the GBD-2 District, on lots where new buildings, additions, or structures are constructed, parking shall not be allowed within 15 feet of the front property line. Furthermore, this 15-foot zone nearest to the front property line shall either be landscaped or landscaped and fenced (up to four (4) feet high) to visually screen any parking beyond this 15-foot zone from view from the adjoining public right-of-way.
13. In the GBD-3 District, on lots where new buildings, additions, or structures are constructed after November 2000, parking shall not be allowed within 15 feet of the front property line. Furthermore, this 15-foot zone nearest to the front property line shall either be landscaped or landscaped and fenced (up to four (4) feet high) to visually screen any parking beyond this 15-foot zone from view from the adjoining public right-of-way. Additionally, on lots where new buildings, additions, or structures are constructed, parking shall not be allowed in front of the principal front wall plane of such buildings or structures.

- b. and replacing with the following language:

5.1.6 Design of All Off-Street Parking Facilities

1. Parking facilities shall be occupied only by passenger cars and commercial vehicles not exceeding seven and one half (7.5) feet in width and 18 feet in length, unless the special standards provided in Section 5.1.8 are met.
2. Stall width shall be a minimum of nine (9) feet for standard spaces.
3. Stall depth shall be a minimum of 19 feet for all angle parking and a minimum of 22 feet for parallel parking. Such dimension may include no more than two feet of any landscape setback area adjacent to the front and rear of a stall and used for bumper overhang.
4. Minimum width of aisles providing access to stalls for one-way traffic only, varying with the angle of parking, shall be:

Table of Minimum Parking Aisle Width

ANGLE OF PARKING	MINIMUM AISLE WIDTH
Parallel	12 feet
30 Degrees	11 feet
45 Degrees	13 feet
60 Degrees	18 feet
90 Degrees	20 feet

5. Minimum width of aisles providing access to stalls for two-way traffic shall be 24 feet, except that aisles providing access primarily for overnight parking may be a minimum of 22 feet.
6. Parking facilities shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle. The Board of Appeals, however, may by special permit modify this requirement, and the dimensional requirements of paragraphs 2 through 5 of this Section 5.1.6 where a parking facility is under full-time attendant supervision.
7. The width of entrance and exit drives and driveway slope, except as permitted in paragraph 5 of Section 5.1.9 shall be:
 - (1) For single family dwellings: A maximum driveway width of 20 feet as measured at the street line at each point of access. One driveway shall be permitted per single family dwelling. A second point of access to the driveway on a single lot may be permitted if a minimum of 40 feet of separation space is provided between access points and the maximum width at the street line is no more than 12 feet at each point of access. The separation space between access driveways shall be defined by granite curbing, change in elevation and/or other means so that vehicles may not be able to drive over the separation space.
 - (2) For two-family and multi-family dwellings: A maximum driveway width of 20 feet as measured at the street line. Two driveways may be permitted per lot. A minimum of

ten feet separation space between the driveways is required. The separation space between access driveways shall be defined by granite curbing, change in elevation and/or other means so that vehicles may not be able to drive over the separation space.

(3) For all other residential uses in residential districts, driveways shall have a maximum width of 12 feet for one-way use only, with a maximum of 20 feet for two-way access per property.

(4) For business and industrial districts: A maximum driveway width of 30 feet as measured at the street line for a combined access drive where two or more business property owners with adjoining lots agree to share access to their adjoining properties, provide binding evidence of that agreement, and request such a combined access drive from the Board of Appeals. The Board of Appeals, by Special Permit under Section 9.4, may authorize such a combined access drive subject to assurance that anticipated traffic volumes and turning movements can be accommodated by such a combined access drive, as it may deem adequate.

(5) In the GBD-2 and GBD-3 districts the maximum width shall be 24 feet except as otherwise specified in herein.

(6) In all zoning districts the maximum driveway slope shall not exceed 12%.

(7) All access points or driveways shall be located to minimize conflict with traffic and pedestrian movement on public and private streets and to maximize good visibility and sight distances. Access points or driveways shall not be located closer than 50 feet from the curb line of an intersecting street and shall be setback five feet from the property line.

8. Setbacks for parking areas in all districts, except as permitted in paragraph 5 of Section 5.1.9 shall be as follows:

(1) parking stalls in parking lots shall be set back from the street lot line a minimum of five (5) feet, as otherwise noted in this section or to whatever extent may be necessary in the specific situation, as determined by the Zoning Enforcement Officer or Zoning Board of Appeals to avoid the probability of cars backing or otherwise maneuvering on the sidewalk upon entering or leaving the stalls. In no case shall parking lots be designed to require or encourage cars to back into a public or private way in order to leave the lot; except for parking stall the sole access to which is an alley adjacent to rear lot lines and so arranged that there is at least 20 feet of clear backing between the rear line of the parking stall at the opposite and more distant line of the alley.

9. In all residential districts, the surfaced area of a parking lot shall be set back:

(1) from the front lot line, except where an access driveway crosses the street lot line, the distance specified for building setback in the Table of Dimensional Requirements;

(2) from the side lot line one third the distance specified for minimum side yard setback of the district in the Table of Dimensional Requirements, except in the Multiple Family RA-120 district, where the minimum setback shall be 20 feet;

(3) from the side and rear lot lines in the rear yard, a minimum of five feet. Such setback shall be seven (7) feet where two (2) feet of setback area is included in a minimum stall depth as provided in paragraph 3 of this Section 5.1.6.

10. In the Apartment House RB-20 District, from an RDA, RDB, RDC and RG District Boundary a minimum of 25 feet in side or rear yards where the buildings and other structures (other than fences) located in the RB-20 District are set back at least 50 feet; provided that no surface parking shall be permitted within side or rear yards in the RB-20 District, where the buildings or other structures are set back less than 50 feet pursuant to note (d) in Section 4.1.2.
11. In all districts, barriers shall be provided to prevent motor vehicles from being parked within required setback areas, or beyond the boundaries of the lot where no setback is required.
12. In the GBD-2 District, on lots where new buildings, additions, or structures are constructed, parking shall not be allowed within 15 feet of the front property line. Furthermore, this 15-foot zone nearest to the front property line shall either be landscaped or landscaped and fenced (up to four (4) feet high) to visually screen any parking beyond this 15-foot zone from view from the adjoining public right-of-way.
13. In the GBD-3 District, on lots where new buildings, additions, or structures are constructed after November 2000, parking shall not be allowed within 15 feet of the front property line. Furthermore, this 15-foot zone nearest to the front property line shall either be landscaped or landscaped and fenced (up to four (4) feet high) to visually screen any parking beyond this 15-foot zone from view from the adjoining public right-of-way. Additionally, on lots where new buildings, additions, or structures are constructed, parking shall not be allowed in front of the principal front wall plane of such buildings or structures.” and

c. To amend Section 10 Definitions, the definition of “Parking Space” by deleting the existing definition in its entirety and replacing it with the following words and numbers so that the new definition of Parking Space would be as follows: “

PARKING SPACE. An area in a building or on a lot available for parking one motor vehicle and laid out in accordance with 5.1.6 of this bylaw. Said area shall be exclusive of passageways and driveways appurtenant thereto and with free and unimpeded access to a street over unobstructed passageways or driveways;” and

d. To amend Section 10 Definitions, by adding the following definitions in correct alphabetical order:

“**PARKING FACILITY.** A portion of a building or a lot which is located off-street and contains one or more motor vehicle parking spaces and access thereto including driveways. A parking facility may be a garage, an area of a lot or a parking lot. A parking facility may be an accessory use or a principal use or any combination thereof;”

Or take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED to see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw, Section 5.1 Off-Street Parking Requirements as follows:

- a. To amend Section 5.1.6 *Design of All Off-Street Parking Facilities*, by **deleting** 5.1.6 in its entirety. This language reads as follows:

5.1.6 Design of All Off-Street Parking Facilities

1. Parking facilities shall be occupied only by passenger cars and commercial vehicles not exceeding seven and one half (7.5) feet in width and 18 feet in length, unless the special standards provided in Section 5.1.8 are met.
2. Stall width shall be at least nine (9) feet.
3. Stall depth shall be at least 19 feet for all angle parking and 22 feet for parallel parking. Such dimension may include no more than two feet of any landscape setback area adjacent to the front and rear of a stall and used for bumper overhang.
4. Minimum width of aisles providing access to stalls for one-way traffic only, varying with the angle of parking, shall be:

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5. Minimum width of aisles providing access to stalls for two-way traffic shall be 24 feet, except that aisles providing access primarily for overnight parking may be a minimum of 22 feet.
6. Parking facilities shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle. The Board of Appeals, however, may by special permit modify this requirement, and the dimensional requirements of paragraphs 2 through 5 of this Section 5.1.6 where a parking facility is under full-time attendant supervision.
7. The width of entrance and exit drives, except as permitted in paragraph 5 of Section 5.1.9 shall be: (1) A minimum of 12 feet for one-way use only; (2) A minimum of 20 feet for two-way use, except that driveways providing access primarily for overnight parking, with incidental daytime use, may be a minimum of 12 feet wide and (3) A maximum of 20 feet at the street lot line in residence districts, and 30 feet in business and industrial districts. In the GBD-2 and GBD-3 districts the maximum width shall be 24 feet, except as otherwise specified in herein; (4) A maximum of 30 feet at the street line in the GBD-2 or GBD-3 districts for a combined access drive where two or more business property owners with adjoining lots agree to share access to their adjoining properties, provide binding evidence of that agreement, and request such a combined access drive from the Board of Appeals. The Board of Appeals, by Special Permit under Section 9.4, may authorize such a combined access drive subject

to assurance that anticipated traffic volumes and turning movements can be accommodated by such a combined access drive, as it may deem adequate.

8. Setbacks for parking areas in all districts, except as permitted in paragraph 5 of Section 5.1.9 shall be as follows: parking stalls in parking lots shall be set back from the street lot line to whatever extent may be necessary in the specific situation, as determined by the Zoning Enforcement Officer to avoid the probability of cars backing or otherwise maneuvering on the sidewalk upon entering or leaving the stalls. In no case shall parking lots be designed to require or encourage cars to back into a public or private way in order to leave the lot; except for parking stall the sole access to which is an alley adjacent to rear lot lines and so arranged that there is at least 20 feet of clear backing between the rear line of the parking stall at the opposite and more distant line of the alley.
9. In all residential districts, the surfaced area of a parking lot shall be set back: (1) from the front lot line, except where an access driveway crosses the street lot line, the distance specified for building setback in the Table of Dimensional Requirements; (2) from the side lot line one third the distance specified for minimum side yard setback of the district in the Table of Dimensional Requirements, except in the Multiple Family RA-120 district, where the minimum setback shall be 20 feet; (3) from the side and rear lot lines in the rear yard, a minimum of five feet. Such setback shall be seven (7) feet where two (2) feet of setback area is included in a minimum stall depth as provided in paragraph 3 of this Section 5.1.6.
10. In the Apartment House RB-20 District, from an RDA, RDB, RDC and RG District Boundary a minimum of 25 feet in side or rear yards where the buildings and other structures (other than fences) located in the RB-20 District are set back at least 50 feet; provided that no surface parking shall be permitted within side or rear yards in the RB-20 District, where the buildings or other structures are set back less than 50 feet pursuant to note (d) in Section 4.1.2.
11. In all districts, barriers shall be provided to prevent motor vehicles from being parked within required setback areas, or beyond the boundaries of the lot where no setback is required.
12. In the GBD-2 District, on lots where new buildings, additions, or structures are constructed, parking shall not be allowed within 15 feet of the front property line. Furthermore, this 15-foot zone nearest to the front property line shall either be landscaped or landscaped and fenced (up to four (4) feet high) to visually screen any parking beyond this 15-foot zone from view from the adjoining public right-of-way.
13. In the GBD-3 District, on lots where new buildings, additions, or structures are constructed after November 2000, parking shall not be allowed within 15 feet of the front property line. Furthermore, this 15-foot zone nearest to the front property line shall either be landscaped or landscaped and fenced (up to four (4) feet high) to visually screen any parking beyond this 15-foot zone from view from the adjoining public right-of-way. Additionally, on lots where new buildings, additions, or structures are constructed, parking shall not be allowed in front of the principal front wall plane of such buildings or structures.

- b. and replacing with the following language:

5.1.6 Design of All Off-Street Parking Facilities

1. Parking facilities shall be occupied only by passenger cars and commercial vehicles not exceeding seven and one half (7.5) feet in width and 18 feet in length, unless the special standards provided in Section 5.1.8 are met.
2. Stall width shall be a minimum of nine (9) feet for standard spaces.
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5. Minimum width of aisles providing access to stalls for two-way traffic shall be 24 feet, except that aisles providing access primarily for overnight parking may be a minimum of 22 feet.
6. Parking facilities shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle. The Board of Appeals, however, may by special permit modify this requirement, and the dimensional requirements of paragraphs 2 through 5 of this Section 5.1.6 where a parking facility is under full-time attendant supervision.
7. The width of entrance and exit drives and driveway slope, except as permitted in paragraph 5 of Section 5.1.9 shall be:
 - (1) For single family dwellings: A maximum driveway width of 20 feet as measured at the street line at each point of access. One driveway shall be permitted per single family dwelling. A second point of access to the driveway on a single lot may be permitted if a minimum of 40 feet of separation space is provided between access points and the maximum width at the street line is no more than 12 feet at each point of access. The separation space between access driveways shall be defined by granite curbing, change in elevation and/or other means so that vehicles may not be able to drive over the separation space.

(2) For two-family and multi-family dwellings: A maximum driveway width of 20 feet as measured at the street line. Two driveways may be permitted per lot. A minimum of ten feet separation space between the driveways is required. The separation space between access driveways shall be defined by granite curbing, change in elevation and/or other means so that vehicles may not be able to drive over the separation space.

(3) For all other residential uses in residential districts, driveways shall have a maximum width of 12 feet for one-way use only, with a maximum of 20 feet for two-way access per property.

(4) For business and industrial districts: A maximum driveway width of 30 feet as measured at the street line for a combined access drive where two or more business property owners with adjoining lots agree to share access to their adjoining properties, provide binding evidence of that agreement, and request such a combined access drive from the Board of Appeals. The Board of Appeals, by Special Permit under Section 9.4, may authorize such a combined access drive subject to assurance that anticipated traffic volumes and turning movements can be accommodated by such a combined access drive, as it may deem adequate.

(5) In the GBD-2 and GBD-3 districts the maximum width shall be 24 feet except as otherwise specified in herein.

(6) In all zoning districts the maximum driveway slope shall not exceed 12%.

(7) All access points or driveways shall be located to minimize conflict with traffic and pedestrian movement on public and private streets and to maximize good visibility and sight distances. Access points or driveways shall not be located closer than 50 feet from the curb line of an intersecting street and shall be setback five feet from the property line.

8. Setbacks for parking areas in all districts, except as permitted in paragraph 5 of Section 5.1.9 shall be as follows:

(1) parking stalls in parking lots shall be set back from the street lot line a minimum of five (5) feet, as otherwise noted in this section or to whatever extent may be necessary in the specific situation, as determined by the Zoning Enforcement Officer or Zoning Board of Appeals to avoid the probability of cars backing or otherwise maneuvering on the sidewalk upon entering or leaving the stalls. In no case shall parking lots be designed to require or encourage cars to back into a public or private way in order to leave the lot; except for parking stall the sole access to which is an alley adjacent to rear lot lines and so arranged that there is at least 20 feet of clear backing between the rear line of the parking stall at the opposite and more distant line of the alley.

9. In all residential districts, the surfaced area of a parking lot shall be set back:

(1) from the front lot line, except where an access driveway crosses the street lot line, the distance specified for building setback in the Table of Dimensional Requirements;

(2) from the side lot line one third the distance specified for minimum side yard setback of the district in the Table of Dimensional Requirements, except in the Multiple Family RA-120 district, where the minimum setback shall be 20 feet;

(3) from the side and rear lot lines in the rear yard, a minimum of five feet. Such setback shall be seven (7) feet where two (2) feet of setback area is included in a minimum stall depth as provided in paragraph 3 of this Section 5.1.6.

10. In the Apartment House RB-20 District, from an RDA, RDB, RDC and RG District Boundary a minimum of 25 feet in side or rear yards where the buildings and other structures (other than fences) located in the RB-20 District are set back at least 50 feet; provided that no surface parking shall be permitted within side or rear yards in the RB-20 District, where the buildings or other structures are set back less than 50 feet pursuant to note (d) in Section 4.1.2.
11. In all districts, barriers shall be provided to prevent motor vehicles from being parked within required setback areas, or beyond the boundaries of the lot where no setback is required.
12. In the GBD-2 District, on lots where new buildings, additions, or structures are constructed, parking shall not be allowed within 15 feet of the front property line. Furthermore, this 15-foot zone nearest to the front property line shall either be landscaped or landscaped and fenced (up to four (4) feet high) to visually screen any parking beyond this 15-foot zone from view from the adjoining public right-of-way.
13. In the GBD-3 District, on lots where new buildings, additions, or structures are constructed after November 2000, parking shall not be allowed within 15 feet of the front property line. Furthermore, this 15-foot zone nearest to the front property line shall either be landscaped or landscaped and fenced (up to four (4) feet high) to visually screen any parking beyond this 15-foot zone from view from the adjoining public right-of-way. Additionally, on lots where new buildings, additions, or structures are constructed, parking shall not be allowed in front of the principal front wall plane of such buildings or structures.” and

- c. To amend Section 10 Definitions, the definition of “Parking Space” by deleting the existing definition in its entirety and replacing it with the following words and numbers so that the new definition of Parking Space would be as follows: “

PARKING SPACE. An area in a building or on a lot available for parking one motor vehicle and laid out in accordance with 5.1.6 of this bylaw. Said area shall be exclusive of passageways and driveways appurtenant thereto and with free and unimpeded access to a street over unobstructed passageways or driveways;” and

- d. To amend Section 10 Definitions, by adding the following definitions in correct alphabetical order:

“PARKING FACILITY. A portion of a building or a lot which is located off-street and contains one or more motor vehicle parking spaces and access thereto including driveways. A parking facility may be a garage, an area of a lot or a parking lot. A parking facility may be an accessory use or a principal use or any combination thereof;”

ARTICLE 8 BACKGROUND:

The goal of these proposed changes is to address driveway access points per property, providing minimums and maximums, address duplex units with 40' wide proposed driveways and, generally, to work to control the amount of curb cuts allowed from a street right of way. Additionally, the existing bylaw does not address off-sets or distances of driveways from a street intersection, so additional language has been added to try to address driveway installations on corner lots in order to provide for enhanced public safety.

The change in the definition of parking space is to eliminate confusion regarding the mandatory size of a parking space. Recent litigation brought to the Board's attention that parking spaces can be various dimensions which result in less than 200 square feet per parking space, however the definition of "parking space" required 200 square feet per space.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 9

To see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw as follows:

- a. To amend Section 5.1.6 Design of All Off-Street Parking Facilities as follows:
 - 5.1.6 #2. To add the words and numbers “eight (8) feet for compact spaces and” after the word “of” and before the words “a minimum” so the section reads

Stall width shall be a minimum of eight (8) feet for compact spaces and a minimum of nine (9) feet for standard spaces”;

- 5.1.6 #3. To add the words and numbers “17 feet for compact spaces,” after the word “of” and before the words “a minimum” so that the section reads

“Stall depth shall be a minimum of 17 feet for compact spaces, a minimum of 19 feet for all angle parking and a minimum of 20 feet for parallel parking. Such dimension may include no more than two feet of any landscape setback area adjacent to the front and rear of a stall and used for bumper overhang.”

- b. To amend Section 10 Definitions, by adding the following definition in correct alphabetical order:

“COMPACT CAR. A automobile smaller than a mid-size car but larger than a subcompact car and as defined by the United States Environmental Protection Agency (EPA) in terms of cubic feet and cargo volume capacity:”

- c. To amend Section 5.1.4 Notes to Table of Off-Street Parking Requirements by adding a new subsection 9. which reads as follows:

“9. In all commercial, industrial and SCI zoning districts 10% of the required parking requirements may be compact parking spaces in accordance with the following provisions:”

- (a) Compact parking spaces, unless restricted for use by and located adjacent to a dwelling unit, shall be located in one (1) or more contiguous areas and shall not be intermixed with spaces designed for full sized cars.

- (b) Compact parking spaces shall be clearly designated by pavement markings and labeled as “compact cars only.”

Or take any other action in relation thereto.

(Planning Board)

MOTION:

MOVED AND SECONDED to see if the Town of Winchester will vote to amend the Winchester Zoning Bylaw as follows:

- a. To amend Section 5.1.6 Design of All Off-Street Parking Facilities as follows:

5.1.6 2. To add the words and numbers “eight (8) feet for compact spaces and” after the word “of” and before the words “a minimum” so the section reads

Stall width shall be a minimum of eight (8) feet for compact spaces and a minimum of nine (9) feet for standard spaces”;

5.1.6 3. To add the words and numbers “17 feet for compact spaces,” after the word “of” and before the words “a minimum” so that the section reads

“Stall depth shall be a minimum of 17 feet for compact spaces, a minimum of 19 feet for all angle parking and a minimum of 20 feet for parallel parking. Such dimension may include no more than two feet of any landscape setback area adjacent to the front and rear of a stall and used for bumper overhang.”

b. To amend Section 10 Definitions, by adding the following definition in correct alphabetical order:

“COMPACT CAR. An automobile smaller than a mid-size car but larger than a subcompact car and as defined by the United States Environmental Protection Agency (EPA) in terms of cubic feet and cargo volume capacity:”

c. To amend Section 5.1.4 Notes to Table of Off-Street Parking Requirements by adding a new subsection 9. which reads as follows:

9. In all commercial, industrial and SCI zoning districts 10% of the required parking requirements may be compact parking spaces in accordance with the following provisions:”

(a) Compact parking spaces, unless restricted for use by and located adjacent to a dwelling unit, shall be located in one (1) or more contiguous areas and shall not be intermixed with spaces designed for **standard** cars.

(b) Compact parking spaces shall be clearly designated by pavement markings and labeled as “compact cars only”.

ARTICLE 9 BACKGROUND:

The Planning Board has been requested by several town departments to include provisions for compact parking spaces in the Winchester Zoning Bylaw. While more urban locations have included compact space provisions for years, Winchester’s parking provisions have seen few changes. This proposed zoning amendment would allow 10% of the parking within a commercial, industrial or SCI zoned parking lot to be compact parking spaces. (For comparison purposes, Cambridge’s zoning allows for 30% compact spaces).

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 10

To see if the Town will vote to authorize the Board of Selectmen to acquire certain parcels of land and / or rights in certain parcels of land for the purpose of obtaining a secure and public right of way for the construction and roadway safety improvements of the Tri-Community Bikeway. Further that the Selectmen may acquire these parcels, or modification of these parcels or other required parcels through all legal means including donations, purchase or eminent domain. The subject parcels are currently identified on a plan entitled "*Massachusetts Department of Transportation – Highway Department – Plan and Profile of Tri-Community Bikeway in the Municipalities of Winchester, Woburn, and Stoneham, Middlesex County – Preliminary Right of Way*" dated February 2014 on file in the Town Engineer's Office. Further to raise and appropriate or transfer from available funds sums of money to defray any associated right of way expenses connected with this project, or take any other action in relation thereto.

(Board of Selectmen)

MOTION:

MOVED AND SECONDED that the Town authorize the Board of Selectmen to acquire certain parcels of land and / or rights in certain parcels of land for the purpose of obtaining a secure and public right of way for the construction and roadway safety improvements of the Tri-Community Bikeway. Further that the Selectmen may acquire these parcels, or modification of these parcels or other required parcels through all legal means including donations, purchase or eminent domain. The subject parcels are currently identified on a plan entitled "*Massachusetts Department of Transportation – Highway Department – Plan and Profile of Tri-Community Bikeway in the Municipalities of Winchester, Woburn, and Stoneham, Middlesex County – Preliminary Right of Way*" dated February 2014 on file in the Town Engineer's Office.

ARTICLE 10 BACKGROUND:

Since the mid-1990's, the Town of Winchester has worked cooperatively with the City of Woburn and Town of Stoneham to develop an approximately 6-mile Tri-Community Bikeway/Greenway. The goal of this project is to provide a safe, multi-modal trail that connects the three communities and is accessible to all users, including those with physical handicaps. The path will provide improved access and connection to parks, recreational fields, schools, commuter rail stations, commercial districts, and civic buildings within the three communities, including connections with Winchester's historic Town Center.

In 1999, Winchester Town Meeting authorized the Town to take the lead in a Memorandum of Agreement (MOU) with Woburn and Stoneham to collaborate on the design and construction of the path. Since that time, the communities have received approximately \$785,000 from State and Federal resources to complete the design for the project. Construction funding for the project has been programmed in the FY15 Transportation Improvement Program (TIP), again using 100% State and Federal funds. In order to prepare the project for advertising, the Town is required to obtain the necessary temporary and permanent easements on State, Town, and private property. This article authorizes the Board of Selectmen to take the actions necessary to secure the right of way for this project.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 11

To see if the Town will otherwise authorize the Board of Selectmen to extend the Term of it its current lease dated April 15, 1937, amend its current lease, or enter into a new lease with The Commonwealth of Massachusetts for a certain parcel of land situated in Winchester known as Ginn Field as shown on a plan entitled “Commonwealth of Massachusetts Metropolitan District Commission, Parks Division, Mystic Valley Parkway, Winchester Plan of Ginn Field, to be Transferred to the Town of Winchester for Care and Control (including Police Protection), October 27,1936” on file at the Town’s Engineer Office, or take any other action in relation thereto.

(Board of Selectmen)

MOTION:

MOVED AND SECONDED that the Town authorize the Board of Selectmen to extend the Term of it its current lease dated April 15, 1937, amend its current lease, or enter into a new lease with The Commonwealth of Massachusetts for a certain parcel of land situated in Winchester known as Ginn Field as shown on a plan entitled “Commonwealth of Massachusetts Metropolitan District Commission, Parks Division, Mystic Valley Parkway, Winchester Plan of Ginn Field, to be Transferred to the Town of Winchester for Care and Control (including Police Protection), October 27,1936” on file at the Town’s Engineer Office.

ARTICLE 11 BACKGROUND:

Since the mid-1990’s, the Town of Winchester has worked cooperatively with the City of Woburn and Town of Stoneham to develop an approximately 6-mile Tri-Community Bikeway/Greenway. The goal of this project is to provide a safe, multi-modal trail that connects the three communities and is accessible to all users, including those with physical handicaps. The path will provide improved access and connection to parks, recreational fields, schools, commuter rail stations, commercial districts, and civic buildings within the three communities, including connections with Winchester’s historic Town Center.

In 1999, Winchester Town Meeting authorized the Town to take the lead in a Memorandum of Agreement (MOU) with Woburn and Stoneham to collaborate on the design and construction of the path. Since that time, the communities have received approximately \$785,000 from State and Federal resources to complete the design for the project. Construction funding for the project has been programmed in the FY15 Transportation Improvement Program (TIP), again using 100% State and Federal funds. A portion of the proposed path crosses through Ginn Field, which is owned by the Department of Conservation and Recreation (DCR), but is subject to a 99-year care and control agreement between the Town and DCR, signed in 1937. This article authorizes the Board of Selectmen to extend the term of its current lease, which is required by the Massachusetts Department of Transportation (MassDOT), prior to advertising the project for construction.

2/3 vote required

Town of Winchester
Annual Spring Town Meeting



ARTICLE 12

To see if the Town will vote to confirm that all or a portion of the Northeast Parcel within the Wright-Locke Farm (a/k/a Hamilton Farm) land located at 78 & 82 Ridge Street in Winchester, that is a 2.5 acre parcel of land and buildings and shown as the "Additional Premises" on the plan included with this Article as Exhibit A, and that was included in the original acquisition by the Town of the Wright-Locke Farm following a vote by the Town at a Special Town Meeting held on February 26, 2007 that authorized the purchase of Hamilton Farm for "historic, conservation, and/or development and other general municipal purposes", is and shall be held and used for the same purposes and consistent with the uses of the 7.6 acres of land included in the Hamilton Farm purchase that are presently leased to the Wright-Locke Farm Conservancy, Inc. by lease dated December 12, 2011 (the "WLFC Lease") as approved by the town at the 2011 Annual Fall Town Meeting, or take any other action in relation thereto.

(E. James Whitehead, President, Wright-Locke Farm Conservancy, Inc. et al)

MOTION

MOVED AND SECONDED that the Board of Selectmen shall hold the Town-owned land included in the Wright-Locke Farm (a/k/a Hamilton Farm) parcel and shown as the Additional Premises on the plan attached to this Article for historic, conservation, agricultural, educational and community-use purposes, for the benefit of the residents of the Town of Winchester, consistent with the uses of the 7.6 acres of land included in the Hamilton Farm purchase that are presently leased to the Wright-Locke Farm Conservancy, Inc. by lease dated December 12, 2011 as approved by the town at the 2011 Annual Fall Town Meeting.

ARTICLE 12 BACKGROUND:

The Wright-Locke Farm Master Plan Committee created by vote of Town Meeting in the 2007 Fall Town Meeting recommended that certain land be set aside for the benefit of the community and that the Wright-Locke Farm Conservancy be created to operate and maintain said property. At that time parking and the need for safe public access to the property were recognized as issues that remained to be resolved even though parking needs at that time were limited to accommodation of the raspberry pickers and the occasional user of the trails.

As the Conservancy has expanded the opportunities for the community to enjoy and interact with the Farm the need for parking and safe access has increased dramatically. The Conservancy's operations now include a farm stand selling eggs, vegetables, and other farm products, a farm education program that brings approximately 80 vehicles per day to the farm, and events such as our Family Farm Nights which draw hundreds of residents to the farm for picnics and entertainment. The number of daily visitors to the farm has also risen as parents and grandparents visit the farm with their children to view our animals.

The present lease permits the Conservancy to use the Northeast Parcel for parking until such time as the land is sold. However, as the Conservancy has grown we have come to understand the importance of that parking to the viability of the Conservancy's operations and, as the Board of Selectmen are once again moving towards issuing a Request for Development Proposals, the Conservancy wishes to ensure that the land we are currently using for parking and safe, accessible access to the farm remains available. The only alternative is to use the Mullen Field parking lot, but that is frequently full and access to the farm

requires traversing the extremely busy and dangerous Lockland Road/Ridge Street intersection.

By means of this article the Conservancy and the citizens who have petitioned for this article to appear on the warrant, desires to confirm that the land was purchased for historic, conservation, agricultural, educational, and community-use purposes, for the benefit of the residents of the Town of Winchester and to limit the purpose of the “additional premises” to those uses, and only those uses.

Additional informational materials will be distributed under separate cover.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 13

To see if the Town will vote to amend the existing lease (the "WLFC Lease") between the Town of Winchester and the Wright-Locke Farm Conservancy, Inc. (the "Conservancy") dated December 12, 2011 of premises comprising 7.6 acres of land and the buildings thereon located at 78 Ridge Street and shown as Lots A and C on plans referred to in the WLFC Lease, by the grant of a lease of additional land and buildings (the "Additional Premises") to be included in the premises leased to the Conservancy under the WLFC Lease, or take any other action in relation thereto. The Additional Premises are shown on the plan included with this Article as Exhibit A, and are comprised of the 2.5 acre parcel of land and buildings thereon and known as the Northeast Parcel being a portion of the Wright-Locke Farm (a/k/a Hamilton Farm) located at 78 and 82 Ridge Street in Winchester acquired by the Town in 2007 by deeds recorded with Middlesex South District Registry of Deeds in Book 49784, page 548 and Book 49784, page 563. The lease of the Additional Premises shall be subject to and with the benefit of the terms and conditions of the WLFC Lease (including being coterminous with the term of the WLFC Lease).

(E. James Whitehead, President, Wright-Locke Farm Conservancy, Inc. et al)

MOTION

MOVED AND SECONDED to authorize the Board of Selectmen to enter into an agreement to amend the existing lease between the Town of Winchester and the Wright-Locke Farm Conservancy, Inc. dated December 12, 2011 (the "WLFC Lease") by the grant of a lease of additional land and buildings (the "Additional Premises") to be included in the premises leased to the Conservancy under the WLFC Lease, the additional land and buildings (the "Additional Premises"). The Additional Premises are shown on the plan attached as Exhibit A, and are comprised of the 2.5 acre parcel of land and buildings thereon and known as the Northeast Parcel being a portion of the Wright-Locke Farm (a/k/a Hamilton Farm) located at 78 and 82 Ridge Street in Winchester acquired by the Town in 2007 by deeds recorded with Middlesex South District Registry of Deeds in Book 49784, page 548 and Book 49784, page 563. The lease of the Additional Premises shall be subject to and with the benefit of the terms and conditions of the WLFC Lease (including being coterminous with the term of the WLFC Lease) as such lease may be amended from time to time.

ARTICLE 13 BACKGROUND:

The Wright-Locke Farm Master Plan Committee created by vote of Town Meeting in the 2007 Fall Town Meeting recommended that certain land be set aside for the benefit of the community and that the Wright-Locke Farm Conservancy be created to operate and maintain said property. At that time parking and the need for safe public access to the property were recognized as issues that remained to be resolved even though parking needs at that time were limited to accommodation of the raspberry pickers and the occasional user of the trails.

As the Conservancy has expanded the opportunities for the community to enjoy and interact with Farm the need for parking and safe access has increased dramatically. The Conservancy's operations now include a farm stand selling eggs, vegetables, and other farm products, a farm education program that brings approximately 80 vehicles per day to the farm, and events such as our Family Farm Nights which draw hundreds of residents to the farm for picnics and entertainment. The number of daily visitors to the farm has also risen as parents and grandparents visit the farm with their children to view our animals.

The present lease permits the Conservancy to use the Northeast Parcel for parking until such time as the Town sells the land to a developer. However, as the Conservancy has grown we have come to understand

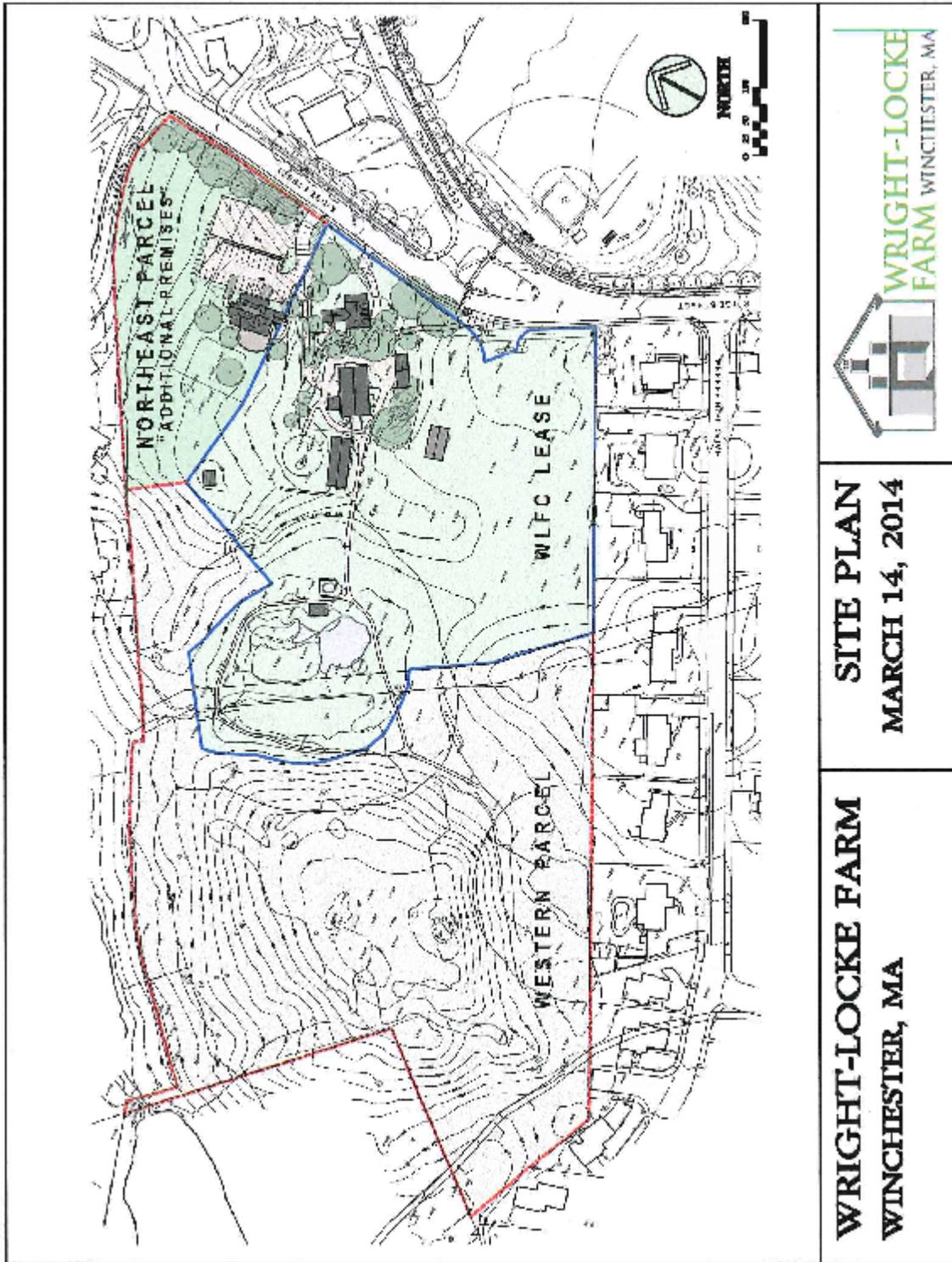
the importance of that parking to the viability of the Conservancy's operations and, as the Board of Selectmen are once again moving towards issuing a Request for Development Proposals, the Conservancy wishes to ensure that the land we are currently using for parking and safe, accessible access to the farm remains. The only alternative is to use the Mullen Field parking lot, but that is frequently full and access to the farm requires traversing the extremely busy and dangerous Lockland Road/Ridge Street intersection.

Adding this parcel to the existing lease will also give the Conservancy access to the currently abandoned house on the 82 Ridge Street property. It is the intention of the Conservancy to renovate that building so as to permit the Conservancy to operate its education programs year-round, thus ensuring long-term economic sustainability. The planned renovations and site development will also improve accessibility, making the farm more visitor- friendly.

The Conservancy believes the proposed amendment to the Lease will not reduce the value of the remaining land. The ARCDOD cluster zoning will remain valid owing to the fact that 10 contiguous acres remain in the Western Parcel as shown on the plan attached hereto as Exhibit A. There is clear access to the most easily developed portion of the Western Parcel via the existing stub road off Edward Drive.

Additional informational materials, including the proposed amendment to the lease, will be distributed under separate cover.

2/3 vote required



**WRIGHT-LOCKE FARM
WINCHESTER, MA**

**SITE PLAN
MARCH 14, 2014**



**WRIGHT-LOCKE
FARM**
WINCHESTER, MA



ARTICLE 14

To see if the Town will vote to amend the WLFC Lease (described in Article 13) to grant an option to the Tenant, the Wright-Locke Farm Conservancy, Inc. to purchase the Additional Premises (described in Article 12) upon inclusion in the leased Premises under the WLFC Lease for a purchase price of One Million Dollars (\$1,000,000) per acre, such option to purchase to expire, if not exercised, two (2) years from the date it is granted, or take any other action in relation thereto.

(E. James Whitehead, President, Wright-Locke Farm Conservancy, Inc. et al)

MOTION:

MOVED AND SECONDED to authorize the Board of Selectmen to amend the existing lease between the Town of Winchester and the Wright-Locke Farm Conservancy, Inc. dated December 12, 2011 (the "WLFC Lease"), as it may be amended to include the Additional Premises described in Article 13, by adding to the WLFC Lease an option that may be exercised by the Tenant, to purchase the Additional Premises for a purchase price of One Million Dollars (\$1,000,000) per acre, such option to purchase to expire, if not exercised, two (2) years from the date it is granted.

ARTICLE 14 BACKGROUND:

This Article 14 is conditioned on the approval of Article 13 and is intended to provide the Town with a fair market price for the land and, in so doing, provide revenue to be used to pay down the debt incurred to purchase the farm in 2007. The Conservancy is prepared to purchase this land as soon as the necessary permits are obtained.

Additional informational materials will be distributed under separate cover.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 15

To see if the Town will approve the establishment of a committee to evaluate and propose terms for the disposition, by lease or sale, or other use of all or a portion of the Northeast Parcel of the Wright-Locke Farm (a/k/a Hamilton Farm), such committee to be comprised of five members, with one member to be appointed by the Board of the Wright-Locke Farm Conservancy, one member to be appointed by the Selectmen, and three members to be appointed by the Town Moderator. Said committee shall consider the value of the Northeast Parcel to the Town, balancing the return of the town's investment with the benefits of conservation, open space, preservation, and community access, and including any recommendations for preservation or other restrictions to be imposed on the land. The report of the Committee and its recommendations for disposition or other use shall be submitted for approval at the Fall 2014 Town Meeting, or take any other action in relation thereto.

(E. James Whitehead, President, Wright-Locke Farm Conservancy, Inc. et al)

MOTION:

MOVED AND SECONDED that a committee to be comprised of five members, with one member to be appointed by the Board of the Wright Locke Farm Conservancy, one member to be appointed by the Selectmen, and three members to be appointed by the Moderator be created for the purpose of evaluating options and proposing terms for the disposition, by lease or sale, or other use of all or a portion of the Northeast Parcel of the Wright-Locke Farm (a/k/a Hamilton Farm). This committee shall consider the value of the Northeast Parcel to the Town, balancing the return of the town's investment with the benefits of conservation, open space, preservation, and community access, and including any recommendations for preservation or other restrictions to be imposed on the land. The report of the Committee and its recommendations for disposition or other use shall be submitted for approval at the Fall 2014 Town Meeting.

ARTICLE 15 BACKGROUND:

The Wright-Locke Farm Master Plan Committee created by vote of Town Meeting in the 2007 Fall Town Meeting recommended that certain land be set aside for the benefit of the community and that the Wright-Locke Farm Conservancy be created to operate and maintain said property. At that time parking and the need for safe public access to the property were recognized as issues that remained to be resolved. At that time parking needs were limited to those of raspberry pickers and the occasional user of the trails.

As the Conservancy has expanded the opportunities for the community to enjoy and interact with the Farm the need for parking and safe access has increased dramatically. The Conservancy's operations now include a farm stand selling eggs, vegetables, and other farm products, a farm education program that brings approximately 80 vehicles per day to the farm, and events such as our Family Farm Nights which draw hundreds of residents to the farm for picnics and entertainment. The number of daily visitors to the farm has also risen as parents and grandparents visit the farm with their children to view our animals.

The present lease permits the Conservancy to use the Northeast Parcel (the "Additional Premises") for

parking until such time as the Town disposes of the land to a third party other than the Conservancy. However, as the Conservancy has grown the importance of that parking to the viability of the Conservancy's operations has increased and, as the Board of Selectmen are once again moving towards issuing a Request for Development Proposals, the Conservancy wishes to ensure that adequate consideration of those needs is incorporated into any decision regarding the disposition of that land as it is currently being used for parking and safe, accessible access to the farm. The alternative is to use the Mullen Field parking lot, but that is frequently full and access to the farm requires traversing the extremely busy and dangerous Lockland Road/Ridge Street intersection.

The Conservancy also wishes to secure the currently abandoned house on the 82 Ridge Street parcel and renovate that building to permit the Conservancy to operate its farm education programs year-round, thus ensuring the long-term economic sustainability of the Conservancy. The planned renovations and site development will also improve accessibility, making the farm more visitor-friendly.

The Conservancy further believes that purchasing the Northeast Parcel at a fair market price will not reduce the value of the remaining land. The ARCDOD cluster zoning will remain valid owing to the fact that 10 contiguous acres remain in the Western Parcel as shown on the plan attached hereto as Exhibit A. There is clear access to the most easily developed portion of the Western Parcel via the existing stub road off Pepper Hill Drive as shown in the Dodson Flinker Report available for viewing on the town's website.

The expectation is that the committee created under this Article 15 will consider the above and other information provided to it in making its recommendations regarding the disposition and future uses of the Northeast Parcel. And, as the current cost to carry the debt will remain low until the BANs come due in July 2017 it is appropriate that Town Meeting take the time to consider a decision that will determine the future of the land for the foreseeable future.

Additional informational materials, including the proposed amendment to the lease, will be distributed under separate cover

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 16

To see if the Town will request the Winchester Board of Selectmen to postpone the increase in the Winchester retirees' share of their health insurance premiums to take effect on July 1, 2014; and to appoint a committee to (1) assess the impact of the proposed increase, (2) examine alternative approaches, and (3) report back to Town Meeting at the 2014 Fall Town Meeting, or take any other action in relation thereto.

(Colin G. Simson, et al)

MOTION:

MOVED AND SECONDED that the Town Meeting advise the Board of Selectmen to delay the proposed increase in health care premiums for retirees of the Town of Winchester, as voted by the Board of Selectmen on November 5, 2012; and further that the more recently discussed alternate increase in health care premiums for retirees of the Town of Winchester not be implemented while the Massachusetts Great and General Court considers extending the moratorium on retiree contributions.

ARTICLE 16 BACKGROUND:

On November 5, 2012, the Selectmen voted to increase the percentage of health insurance premiums paid by all retired town employees to 50%, the maximum allowed by state law. This decision was made without notification of or input from the retirees.

1. In their vote to increase the health insurance premium for all Town retirees on November 5, 2012, the Selectmen have addressed only a portion of Winchester's overall reported OPEB liability. They have determined how they would cut expenses, but they haven't decided how they are going to fund the remainder of the OPEB liability. Their action puts the burden of solving only a portion of the OPEB problem solely on the backs of those retired Town employees who can least afford the increases and who no longer have a negotiating voice.
2. The Town Manager and the Selectmen began to study the impact this 50% increase would have on the retirees and on the Town's OPEB liability in mid-February, 2014. At that time Representative Jason Lewis arranged for the retirees to meet with the Selectmen on two occasions. A draft proposal to mitigate the devastating effects of the increase of the health insurance premium for all Town retirees was developed by the Selectmen and sent to all the retirees in mid-March. Although the Selectmen may vote for this alternate proposal on April 22, the Retiree Health Insurance Committee still has major concerns regarding the impact that proposal will have on the oldest retirees and the retirees who are not on Medicare. Additional time is needed to determine the best way of paying forward the OPEB liability without breaking the backs of both the retirees and the town resources.
3. Citizens of the town need time to be properly educated on this very complex issue. Time is needed to determine the impact these changes will have on the retirees as well as on the

community. Study committees have been formed for every other major issue in town. This issue requires further study because it drastically impacts the lives of 512 retired town workers, especially the 53 retirees who are 85 or older.

4. The Winchester School Committee and the Winchester Personnel Board need time to study and research the continuing loss of many fine administrators, teachers, and town workers to other towns. Increasing health insurance premiums for retirees can have a negative impact on recruiting and retaining the best candidates.
5. In February 2011, the Massachusetts Taxpayers Foundation recognized that a change to 50% premium share could be disruptive to retirees, and they therefore recommended that municipalities phase down their contribution rates over a long period of time. Winchester needs more time to study the value of phasing in increases and how this would affect the retirees.
6. Further, the Massachusetts House of Representatives has inserted language in its 2015 budget that extends the moratorium on retiree contribution changes for two more years (July 2016). The argument being discussed is that the State needs more time to analyze the impact of changes in retiree contributions, and cities and towns should also take advantage of this additional time.
7. The Town's retirees may be ultimately asked to be part of a comprehensive response to the reported OPEB liability that Winchester appears to face. However, the Town retirees feel that, until a comprehensive plan includes more than just the involuntary unilateral sacrifice of the Town's retirees, no change should be made to retirees' health premium contributions.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 17

To see if the Town will vote to authorize the Treasurer, with the approval of the Town Manager and the Board of Selectmen, to borrow money from time to time in anticipation of revenue for the fiscal year beginning July 1, 2014 in accordance with Massachusetts General Law, Chapter 44, Section 4 as amended and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with the provisions of Massachusetts General Law, Chapter 44, Section 17, or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED that the Town authorize the Treasurer with the approval of the Town Manager and the Board of Selectmen, to borrow money from time to time in anticipation of revenue for the fiscal year beginning July 1, 2014 in accordance with Massachusetts General Law, Chapter 44, Section 4 as amended and to issue a note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with the provisions of Massachusetts General Law, Chapter 44, Section 17.

ARTICLE 17 BACKGROUND:

This is a boilerplate article which allows the Treasurer to borrow funds in anticipation of revenue for FY2015. Since the Town adopted quarterly tax billing, there has been no need to borrow in anticipation of revenue

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 18

To see if the Town will vote to raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Town for the financial period beginning July 1, 2014 and especially for or relating to all or any of the officers, boards or departments and for all purposes authorized by law, vote to fix the salary and compensation of all elective officers of the Town as provided in Massachusetts General Law, Chapter 41, Section 108 as amended and to appropriate funds into the General Stabilization Fund, or take any other action in relation thereto.

(Finance Committee)

Finance Committee Report to be distributed under separate cover

ARTICLE 18 BACKGROUND:

This is the article that will encompass the multiple motions making up the Town's budget for Fiscal Year 2015. The recommendations and review of the budget will be incorporated within a detailed report of the Finance Committee sent to Town Meeting Members under separate cover. The Town's By-Law prevents Town Meeting from acting on the budget prior to the first Monday in May.

Majority vote required

2/3 on Stabilization Funds

Town of Winchester
Spring Annual Town Meeting



ARTICLE 19

To see if the Town will vote to appropriate a sum of money to the Capital Stabilization Fund and/or the Building Stabilization Fund established under Chapter 69 of the Acts of 2002, or take any other action in relation thereto.

(Finance Committee)

MOTION #1: MOVED AND SECONDED that the Town appropriate \$496,000 to the Capital Stabilization Fund under Chapter 69 of the Acts of 2002.

MOTION #2: MOVED AND SECONDED that the Town appropriate \$30,000 to the Building Stabilization Fund under Chapter 69 of the Acts of 2002.

ARTICLE 19 BACKGROUND:

This article seeks to appropriate and transfer additional funds to the Stabilization Funds in order to meet the Town's obligations to finance its long-term capital improvement plan. The Building Stabilization Fund and the Capital Stabilization Fund were established in 2002 by a special act of the Legislature and funded through a dedicated property tax override.

MOTION #1 BACKGROUND: Prior to the creation of these funds, the Town's debt service was funded through the General Fund. The Finance Committee adopted a policy in 2010 that as these older (Non-Proposition 2½ excluded) bonds mature and debt service declines, amounts that were formerly committed to capital project debt service will be transferred each year to the Capital Stabilization Fund to support new capital projects. This practice supplements the annual \$3.45M appropriations to the Stabilization Funds and allows the Town to maintain a consistent ratio of spending on capital maintenance projects over time.

MOTION #2 BACKGROUND: This motion is referred to the Energy Champion Rebate, and reimburses the Stabilization Funds for the debt service on incremental capital expenditures required in order to minimize the total life-cycle cost of a project. In FY2012 the Building Stabilization Fund financed the installation of a new energy-efficient boiler at the Muraco School. The Capital Planning Committee did not choose the least expensive option from a capital funding perspective, but instead chose one that would further reduce energy consumption on an ongoing basis. This new boiler was projected to save \$44,000 per year in energy costs. It is proposed that a portion of the savings, \$30,000, be transferred from the General Fund to the Building Stabilization Fund to help support the debt service on the bonds.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 20

To see if the Town will vote to appropriate a sum of money from the Special Education Stabilization Fund, in accordance with Section 5B of Chapter 40 of the Massachusetts General laws, to the Fiscal Year 2014 School Department Budget under Account #3110-Education to fund the costs of unanticipated special education out-of-district tuition and transportation costs incurred by the School Department during the 2013-2014 school year, or take any other action in relation thereto.

(School Committee)

MOTION:

MOVED AND SECONDED, that **\$100,000** is appropriated from the Special Education Stabilization Fund in accordance with Section 5B of Chapter 40 of the Massachusetts General Laws and that to meet this appropriation **\$100,000** be transferred to the FY 2014 Education Budget Account #3110.

ARTICLE 20 BACKGROUND:

The Special Education Stabilization Fund was created by vote of the Town Meeting in 2012 with an initial appropriation of \$200,000 funded from the FY2012 School Department Budget – account #3110. An additional appropriation, which was funded in the same manner as the initial appropriation in 2012, was approved by Town Meeting in 2013. This fund was established for the purpose of supporting unanticipated and unbudgeted special education costs that may arise from year to year. Special Education funding is difficult to project given the changing nature of the need for mandated special education services and especially for out-of-district tuition and transportation expenses related to unforeseen placement of both in-district students and students who may move into town subsequent to the annual budget being adopted. The use of these funds may be appropriated for the designated purposes by a two-thirds vote of Town Meeting as required by the statute.

Prior to the start of the 2013-2014 school year (FY14), the School Department experienced a number of unanticipated and therefore unbudgeted changes in the estimated FY14 special education and transportation budget lines. These changes, totaling approximately \$100,000, were the result of changes in student placement and some resulting transportation cost increases. The School Department's plan has been to attempt to fund this deficit through the operating budget by not funding some FTE's that had been part of the original budget plan. Recently, there have been additional unanticipated tuition expenses in the amount of \$77,000 that will not be able to be covered by the FY14 appropriation. In addition, there is possible exposure of \$70,000 – \$170,000 related to five unilateral outside placements made by parents at the start of this school year. The \$100,000 request will provide a sufficient buffer in case there are other unanticipated or unknown special education expenses that are realized between the time of Town Meeting and the close of the fiscal year on June 30, 2014.

2/3 vote required
Town of Winchester
Spring Annual Town Meeting



ARTICLE 21

To see if the Town will raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Water and Sewer Division of the Department of Public Works for the fiscal year beginning July 1, 2013, and to appropriate and transfer free cash into the Water Sewer Enterprise Account, or take any other action in relation thereto.

(Finance Committee)

Finance Committee Report to be distributed under separate cover

ARTICLE 21 BACKGROUND:

This is a companion article to the budget article (Article 18) and provides funding for the Water and Sewer Division Enterprise Account. The recommendations and review of the budget will be incorporated within a detailed report of the Finance Committee sent to Town Meeting Members under separate cover. The Town's By-Law prevents Town Meeting from acting on the budget prior to the first Monday in May.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 22

To see if the Town will raise and appropriate, or transfer from available funds, sums of money to defray the expenses of the Recreation Department for the fiscal year beginning July 1, 2014, and to appropriate and transfer free cash into the Recreation Enterprise Account, or take any other action in relation thereto.

(Finance Committee)

Finance Committee Report to be distributed under separate cover

ARTICLE 22 BACKGROUND:

This is a companion article to the budget article (Article 18) and provides funding for the Recreation Department Enterprise Account. The recommendations and review of the budget will be incorporated within a detailed report of the Finance Committee sent to Town Meeting Members under separate cover. The Town's Charter prevents Town Meeting from acting on the budget prior to the first Monday in May.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 23

To see if the Town will transfer a sum of money from the Health Insurance Expense budget (#9140) to establish a special purpose appropriation for a Health Reimbursement Arrangement program titled “Employee Health Care Mitigation Fund”, or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED that \$184,450 or the amount remaining in the Health Insurance Expense Budget (#9140) be transferred to a special purpose appropriation for a Health Reimbursement Arrangement program titled “Employee Health Care Mitigation Fund”.

ARTICLE 23 BACKGROUND:

In December 2012, the Board of Selectmen accepted Chapter 69 of the Acts of 2011 which allowed the Town to redesign the healthcare plan for active employees and non-Medicare retirees.

This redesign which allowed for co-payment and deductible features similar to the most commonly chosen plan administered by the State’s Group Insurance Commission (GIC) resulted in a savings to both the Town and the employees and non-Medicare retirees who are subscribers to the Town’s health care plan.

The law required that 25-percent of the estimated savings by set aside for the benefit of employees and non-Medicare retirees to reimburse them for possible increased costs for co-payments and deductibles for certain procedures. The Town and the committee representing active employees and non-Medicare retirees agreed that \$195,675 represented 25-percent of the estimated savings that would result in the plan redesign. Beginning on July 1, 2013, that amount was set aside in the FY2014 budget within the Health Insurance line item. To date, approximately \$11,225 has been paid in reimbursements. This Article seeks to now set aside the remainder for the special purpose of continuing to pay reimbursements in accordance with the agreement until the fund is depleted. The Town Manager and Comptroller will report, annually, on the status of the fund.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 24

To see if the Town will vote to transfer from available funds a sum of money for the installation and maintenance of parking meters, maintenance of parking lots and other costs associated with the collection and enforcement of parking ticket revenue at the various parking lots in the Town Center, or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED that the Town appropriate the sum of \$25,000 from surpluses in the Parking Meter Fund #8725 to the Town Center Parking Article Account.

ARTICLE 24 BACKGROUND:

Management has continued to implement changes within the Town Center Business District around parking. We believe we are at the point to recommend metered parking availability to the Board of Selectmen for certain key areas in the Town Center, most preferably in the upper Aberjona Parking Lot area, the Laraway Street parking area and the Shore Drive/Cullen Parking Lot area. If these recommendations are approved, this funding would allow for the initial lease (and auxiliary costs) of several parking pay stations for these areas. These machines would be similar to the devices that have been utilized in the Wedgemere Parking Lot.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 25

To see if the Town will vote to appropriate a sum of money for the installation of LED streetlights, including planning, design, engineering, and any other costs incidental or related thereto; to determine whether this appropriation shall be raised by a transfer from available funds, borrowing, or through lease financing, or any combination of the foregoing or otherwise; or to take any other action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED that further consideration of Article 25 be indefinitely postponed.

The Capital Planning Committee will be submitting background information under separate cover.

Majority vote required

Town of Winchester
Annual Spring Town Meeting



ARTICLE 26

To see if the Town will vote to appropriate a sum of money from unexpended capital accounts, which projects are complete, to the Capital Stabilization Fund and/or the Building Stabilization Fund established under Chapter 69 of the Acts of 2002, or take any action in relation thereto.

(Capital Planning Committee)

MOTION:

MOVED AND SECONDED, that the Town appropriate the sum of \$108,510.51 from surpluses in previously appropriated capital projects to the Capital Stabilization Fund established under Chapter 69 of the Acts of 2002 as follows:

Project	Account #	Balance
Trash Trailer	0396592	\$2,275.00
School Safety Signs	0396622	\$3,272.56
Transfer Station Gate House	0396582	\$102,962.95

ARTICLE 26 BACKGROUND:

This article seeks to add a sum of money to the Capital Stabilization Fund representing surpluses from prior year capital appropriations.

The Capital Planning Committee will be submitting background information under separate cover.

2/3 vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 27

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

1. Police Department Firing Range
2. Fire Department Ambulance

Said appropriation shall be made from free cash, or take any other action in relation thereto.

(Capital Planning Committee)

MOTION #1: **MOVED AND SECONDED** that \$150,000 be appropriated for the Police Department Firing Range located in the Public Safety Building, including engineering, construction and all other incidental costs, said appropriation shall be made from free cash.

MOTION #2: **MOVED AND SECONDED** that \$215,000 be appropriated for the purchase of a new Fire Department Ambulance and all other incidental costs, said appropriation shall be made from free cash.

The Capital Planning Committee will be submitting background information under separate cover.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 28

To see if the Town will vote to increase the FY2014 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/Town Manager)

MOTION #1: MOVED AND SECONDED that the Recreation Department Enterprise Fund appropriation for FY2014 Personal Services be increased by \$45,000 and Other Expenses be increased by \$50,000.

MOTION #2: MOVED AND SECONDED that the final Recreation Enterprise Fund appropriation for FY2014 is \$1,829,324 of which Personal Services is \$946,000 and Other Expenses are \$617,100, and further that the final indirect costs appropriation allocated to the Recreation Enterprise Fund from the General Fund at the Spring 2013 Town Meeting for FY2014 is \$266,224.

MOTION #3: MOVED AND SECONDED that the final Recreation Enterprise Fund appropriation for FY2014 be funded as follows: \$1,585,000 from Recreation Program Receipts, \$149,324 from the General Fund (transfer in), and \$95,000 from General Fund Free Cash (transfer in).

ARTICLE 28 BACKGROUND:

This article increases the final Recreation Enterprise Fund appropriation for FY2014 Personal Services by \$45,000 and for Other Expenses by \$50,000. The final Recreation Enterprise Fund appropriation for FY2014 is \$1,563,100 of which Personal Service is \$946,000 and Other Expenses are \$617,100. The final indirect costs appropriation allocated to the Recreation Enterprise Fund from the General Fund at the Spring 2013 Town Meeting for FY2014 is \$266,224. The final Recreation Enterprise Fund appropriation for FY2014 is funded as follows: \$1,585,000 from Recreation Program Receipts, \$149,324 from the General Fund (transfer in), and \$95,000 from General Fund Free Cash (transfer in).

In FY2014, the Recreation Department had increased enrollment in its Pre-School and After-School Programs. These programs are licensed by the State's Department of Early Education and Care and must follow strict rules and regulations with child to teacher ratios. The Recreation Department needed to hire 3 additional staff members to meet the State ratios. This caused an increase in our Personal Services budget.

The Recreation Department has implemented a number of new programs in FY2014 that were not budgeted for FY2013. These programs were created to meet the needs of the community. The Vinson Owen Elementary School requested the Recreation Department assist with after-school enrichment program for FY2014. This increased the Professional Services Budget by bringing in independent contractors and purchasing equipment for new programs offered by the Recreation Department's Program Coordinator. The Recreation Department offered new leagues in FY2014 that were very successful. The Flag Football League had over 150 participants, Basketball League had over 80 participants, and the T-Ball League has over 120 participants. These new leagues increased expenses in the Professional Service Budget with uniforms and equipment. The Recreation Department is continuously reviewing their program offerings and making changes, additions and eliminations when needed. Through this review process the Recreation Department plans programs for future seasons based on the wants and needs of the

community, past popularity of a program and revenue of the program. However, programs that do not meet the minimum number of participants are cancelled. The Recreation Department cannot guarantee that programs will be successful year to year or season to season. The Recreation Department needs to continue to offer new programs to meet the community's changing needs.

Majority vote required

Informational			
		TM Voted	
Expenditures	This Request	Budget	Difference
Pers Serv	\$ 946,000.00	\$ 901,000	\$ 45,000.00
Oth Exp	\$ 617,100.00	\$ 567,100	\$ 50,000.00
Equip	\$ -	\$ -	
Total Appropriation	\$ 1,563,100.00	\$ 1,468,100	\$ 95,000.00
Indirect Costs	\$ 266,224.00	\$ 266,224	
Total Expenditures	\$ 1,829,324.00	\$ 1,734,324	
Revenues			
Recreation Program Receipt	\$ 1,585,000.00	\$ 1,585,000	
Transfer in from Tax Levy	\$ 149,324.00	\$ 149,324	
General Fund Free Cash	\$ 95,000.00	\$ -	\$95,000.00
Total Revenues	\$ 1,829,324.00	\$ 1,734,324	

Town of Winchester
Spring Annual Town Meeting



ARTICLE 29

To see if the Town will raise and appropriate any sums of money to be used with such sum or sums as may be made available from the State Highway Fund or allotted by the County Commissioners for maintenance, repair, alteration, relocation or other improvements of Town or County ways, together with the acquisition of easements for the payment of damages and expenses in connection therewith, as well as to authorize the transfer and use for said purposes of any unused balances, or take any other action in relation thereto.

(Board of Selectmen)

MOTION:

MOVED AND SECONDED that the Town be authorized to accept and expend funds from the Commonwealth of Massachusetts State Highway Fund for maintenance, repair, alteration, relocation and other improvements to Town ways and/or purchase of equipment, acquisition of easements and payments of damages and expenses in connection therewith and to authorize the transfer and use for said purposes of any unused balances.

ARTICLE 29 BACKGROUND:

This article authorizes the Town to accept and expend funds from the Commonwealth of Massachusetts for improvements to Town ways, the purchase of equipment, acquisition of easements, and payments for damages and expenses. These funds are commonly referred to as "Chapter 90 Funds". In FY2015 we are anticipating an allocation of \$530,359.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 30

To see if the Town will vote to continue a revolving fund for the Archival Center in accordance with Massachusetts General Laws Chapter 44 Section 53E½ in order to receive monies, grants, or gifts and fees associated with the sale of reproductions of historical items; that funds derived from the sale of such items be expended by authorization of the Town Manager and that the amount of the fund be limited to \$5,000 in FY2015, or take any other action in relation thereto.

(Town Manager)

MOTION:

MOVED AND SECONDED that the Town continue a revolving fund for the Archival Center in accordance with Massachusetts General Laws Chapter 44 Section 53E½ in order to receive monies, grants, or gifts and fees associated with the sale of reproductions of historical items; that funds derived from the sale of such items be expended by authorization of the Town Manager and that the amount of the fund be limited to \$5,000.

ARTICLE 30 BACKGROUND:

The revolving fund for the Archival Center was established at the 2008 Spring Annual Town Meeting to enable the Archival Center to retain fees that it receives through the sale of reproductions from its collections or other products. This revenue stream permits the Archival Center to fund other projects consistent with its mission to acquire and retain historical documents pertaining to the Town of Winchester.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 31

To see if the Town will continue a revolving fund in accordance with Massachusetts General Laws Chapter 44 Section 53E½ in order to receive fees associated with the use of energy in school and municipal buildings; that funds derived from the assessment of fees for such use may be expended by authorization of the Town Manager for projects that conserve energy in the operation of the Town's buildings and infrastructure, and that the amount of the fund be limited to \$80,000, or take any other action in relation thereto.

(Board of Selectmen and School Committee)

MOTION:

MOVED AND SECONDED that the Town will continue a revolving fund in accordance with Massachusetts General Laws Chapter 44 Section 53E½ in order to receive fees associated with the use of energy in school and municipal buildings; that funds derived from the assessment of fees for such use may be expended by authorization of the Town Manager for projects that conserve energy in the operation of the Town's buildings and infrastructure and that the amount of the fund be limited to \$80,000

ARTICLE 31 BACKGROUND:

This revolving fund was established at the 2008 Spring Annual Town Meeting to enable the Town to assess and retain revenue from energy surcharges on the rental of space in municipal and school buildings. The revenue is used to invest in modest improvements designed to reduce energy usage or otherwise improve the energy efficiency in municipal or school buildings and infrastructure. This fund is an essential element of a policy recommended by the Energy Management Committee and adopted jointly by the Board of Selectmen and School Committee. The primary source for income to the Revolving Fund is the Energy Rental Surcharge Fee. Attached is a table outlining FY2014 Energy Conservation Projects funded through the Energy Revolving Fund.

Majority vote required

Article 31 – Energy Revolving Fund – FY14 Actual Expenses

Facility	Project	Annual Svngs (kWh)	Annual Elect Svngs (\$)	Annual Net Svngs (\$)	Installed Total Cost (\$)	Energy Revolving Fund FY14	Utility Funding	Simple Payback (Years)	Other Funding Source(s)	Utility
DPW	Lighting upgrade; improved working conditions.	18,495	\$ 3,532	\$ 70,000	\$ 25,100	\$ 19,278	\$ 5,800	5.5	AECom \$200	Nstar
Lincoln School	Auditorium, Library & pump VFDs onto Johnson Controls	N/A	N/A	Oil savings not quantified	\$ 21,495	\$ 3,695	\$ -	N/A	RPOConnell \$1000; reversion \$16,800	Oil
Street Lighting*	Audit/Design in preparation to replace cobraheads with LED	259,878	\$ 49,637	\$ 55,193	\$ 42,000	\$ 20,000	\$ -	0.4	Reserve Fund Transfer \$22,000	Nstar
Grand Total		278,373	\$ 53,169	\$ 125,193	\$ 88,595	\$ 42,973	\$ 5,800	0.3		

*Savings numbers reflect actual results of audit/design and have been submitted to NStar for incentive.

Town of Winchester
Spring Annual Town Meeting



ARTICLE 32

To see if the Town will vote to continue a revolving fund in accordance with Massachusetts General Law, Chapter 44, Section 53E½, in order to receive monies, grants or gifts and fees charged for public health programs, such as clinics, sponsored by the Board of Health, and further, to authorize the Board of Health to administer and expend funds for these and related programs, such as medical services, up to a limit of \$60,000 in FY2015, or take any other action in relation thereto.

(Board of Health)

MOTION:

MOVED AND SECONDED that the Town will vote to continue a revolving fund in accordance with Massachusetts General Law, Chapter 44, Section 53E½, in order to receive monies, grants or gifts and fees charged for public health programs, such as clinics, sponsored by the Board of Health, and further, to authorize the Board of Health to administer and expend funds for these and related programs, such as medical services, up to a limit of \$60,000 in FY2015, or take any other action in relation thereto.

ARTICLE 32 BACKGROUND:

This revolving account is used by the Board of Health to sponsor vaccine clinics and other health programs that provide for health screenings and immunizations such as, for flu, pneumonia, etc. Expenses include the cost of the vaccine, printing costs, staff time, and other supplies.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 33

To see if the Town will vote to continue a revolving fund in accordance with Massachusetts General Law, Chapter 44, Section 53E ½ in order to receive monies, grants or gifts and fees charged for grass field permits sponsored by the Field Management Committee, and further, to authorize the Town Manager, based on recommendations by the Field Management Committee, to administer and expend funds in FY2015, any remaining funds will remain in this account and not rolled into the General Fund at close of the fiscal year, or take any other action in relation thereto.

(Field Management Committee)

MOTION:

MOVED AND SECONDED that the Town vote to continue the Grass Field Revolving Fund in accordance with Massachusetts General Law, Chapter 44, Section 53E1/2 in order to receive monies, grants or gifts and fees charged for Grass Field Permits sponsored by the Field Management Committee, and further, to authorize the Town Manager, based on recommendations of the Field Management Committee, to administer and expend funds received for natural grass, playgrounds, tennis and basketball permits and that the amount of the fund be limited to \$50,000. Any remaining funds will remain in this account and not rolled into the General Fund at close of the fiscal year

ARTICLE 33 BACKGROUND:

The purpose of the article is to permit the funding of maintenance, and supplement capital expenses and salaries for town grass fields in FY15.

The Field Management Committee is requesting the continuation of two Revolving Accounts that would be authorized by the Town Manager, based on recommendations of the Field Management Committee and Town Personnel. One Revolving Account, Article 33, would continue for the Grass Fields Revolving Fund and the second Revolving Fund, Article 34, would continue the Synthetic Turf Revolving Fund. These funds would give the town additional revenue to offset any maintenance issues and supplement Capital projects for fields, McDonald and Leonard Tennis Courts and basketball courts and playgrounds and give the Town funds to supplement a new synthetic carpet. The fees will allow the additional hiring of a Knowlton Turf employee. This position will be like a custodian for the Turf field by greeting users, monitoring the facility and cleaning after events. The fees will also compensate the Recreation Director's time handling permitting and scheduling conflicts for field, playground, McDonald and Leonard Tennis Courts and basketball courts.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 34

To see if the Town will vote to continue a revolving fund in accordance with Massachusetts General Law, Chapter 44, Section 53E ½ in order to receive monies, grants or gifts and fees charged for the synthetic turf field permits sponsored by the Field Management Committee, and further, to authorize the School Committee and Athletic Director to administer and expend funds received in FY2015, any remaining funds will remain in this account and not rolled into the General Fund at close of the fiscal year, or take any other action in relation thereto.

(Field Management Committee)

MOTION:

MOVED AND SECONDED that the Town vote to continue the Synthetic Turf Revolving Fund in accordance with Massachusetts General Law, Chapter 44, Section 53 E 1/2 in order to receive monies, grants or gifts and fees charged for Synthetic Turf Field Permits sponsored by the Field Management Committee, and further, to authorize the Town Manager, based on recommendations by the Field Management Committee, to administer and expend funds received for maintenance and salaries for Knowlton Turf Field permits and funds be limited to \$50,000. Any remaining funds will remain in this account and not rolled into the General Fund at close of the fiscal year.

ARTICLE 34 BACKGROUND:

The purpose of the article is to permit the funding of maintenance, and supplement capital expenses and salaries for town synthetic turf field in FY 2015.

The Field Management Committee is requesting continuation of two Revolving Accounts that would be authorized by the Town Manager, based on recommendations by the Field Management Committee and Town Personnel. One Revolving Account, Article 33, would be continued for the natural grass fields and the second Revolving Fund, Article 34, would be continued for the Synthetic Turf. These funds would give the town additional revenue to offset any maintenance issues and supplement Capital projects for fields, McDonald and Leonard Tennis Courts and basketball courts and playgrounds and give the Town funds to supplement a new synthetic carpet. The fees will allow the additional hiring of a Knowlton Turf employee. This position will be like a custodian for the Turf field by greeting users, monitoring the facility and cleaning after events. The fees will also compensate the Recreation Director's time handling permitting and scheduling conflicts for field, playground, tennis and basketball courts.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 35

To see if the Town will vote to appropriate or transfer from available funds to the “Other Post-Employment Benefits Liability Trust Fund” in order to reduce the unfunded actuarial liability of health care and other post-employment benefits for which the Town is obligated, or take any other action in relation thereto.

(Finance Committee)

MOTION:

MOVED AND SECONDED that the Town vote to appropriate \$800,000 to the Other Post-Employment Benefits (OPEB) Liability Trust Fund established under Massachusetts General Law Chapter 32B, Section 20 in order to offset the anticipated cost of healthcare for retired employees, and the eligible surviving spouse or dependents of deceased employees.

ARTICLE 35 BACKGROUND:

The Government Accounting Standards Board (GASB) issued a statement (GASB45) that required all cities and towns to disclose their unfunded financial liability for retiree health insurance benefits beginning in FY2009. This liability is derived using systematic, accrual-based measurement based on actuarial projections of future healthcare benefits committed by the Town for its current and future retirees. In particular, the GASB sought to address the following shortcomings in municipal financial statements, namely failures to:

- Recognize the *cost* of benefits in periods when the related services are received by the employer.
- Provide information about the *actuarial accrued liabilities* for promised benefits associated with past services and whether and to what extent those benefits have been funded.
- Provide information useful in assessing potential demands on the employer’s future cash flows.

The Town is required to perform an actuarial analysis of its other post-employment benefits every two years. The last full evaluation was performed by Buck Consulting on June 30, 2013 and identified the Town's Unfunded Actuarial Liability at \$59 Million. Included in the consultant’s report is a table presenting the annual funding required to bring the liability to fully funded status over thirty years. This funding level is call the Annual Required Contribution (ARC) and is the sum of the normal costs (i.e., the expense attributed to the fiscal year) and a portion for amortization of the unfunded amount. Funding this ARC means paying for the current and past levels of services, rather than transferring those costs to future generations.

The ARC is funded through two separate line items in the Town’s budget: retiree health care premiums (included an item in the health insurance budget line) and the GASB 45 line. When the sum of these two figures equals the ARC, the annual funding requirement is met.

As part of the FY2012 budgeting process, when this long term liability was less than 1% funded, the Finance Committee presented a plan to fully fund the (ARC) by FY 2016, putting the Town on a path to fund the liability by 2046. The GASB 45 Advisory Committee was established in the summer of 2011 to investigate ways in which the Town might decrease this large liability. This group delivered its

recommendations to the Board of Selectmen and the Finance Committee in March, 2013, endorsing the Finance Committee goal of fully funding the ARC by FY2016 or sooner.

Since the June 30, 2011 evaluation, the Town has changed health plans twice, and the Board of Selectmen has voted to move the retiree contribution percent to be in line with the State law. These changes have reduced the Town's current and future funding commitments, thereby reducing the OPEB liability and lowering the ARC. While this contribution change will not take place until after June 30, 2014, the OPEB Trust funding number recommended here reflects this change and represents the full funding of the ARC as calculated in by Buck Consulting in June 2013. Given a decline in the Town's FY2015 retiree healthcare expense the Finance Committee has used those recovered savings to fully fund the ARC in FY2015.

There is always some uncertainty around the ARC. It is a moving target, like a pension or any other long term retirement savings. Laws will change; retiree ages, expected rates of return, growth of healthcare expenses, all of these will be adjusted, some positively for the Town, some negatively. The Town's current actuarial analysis uses a favorable 8% investment growth rate assumption, and is likely to be a negative change in the future; the age to receive benefits might be increased to 60, a positive change. We will never know exactly what we'll need in the future, which is no excuse or reason not to plan. We do know we will need tens of millions of dollars, and there is no risk of overfunding OPEB this at this time.

Article 35 represents the seventh annual effort to contribute funds to other post-employment benefit (OPEB) costs and meets the ARC associated with full pre-funding as indicated on the June 2013 actuarial analysis. It assumes a 50% retiree premium contribution rate which is the rate as currently voted. This OPEB funding appropriation further assumes \$200,000 in FY2015 retiree mitigation, and that final mitigation plans will not increase the ARC. The sum of this line item plus the retiree component of the proposed FY2015 health insurance budget is \$2.9M – which represents a 2.1% increase over FY2014's budget.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 36

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 and in classifications and definitions, and in amending, revising and adding to the Personnel Policy Guide as well as in other matters thereto related; and to raise and 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; determine in what manner the monies shall be raised by taxation or otherwise, or take any other action in relation thereto.

(Personnel Board)

The motions and background on this article will be incorporated within the Report of the Personnel Board and sent to Town Meeting Members under separate cover.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 37

To see if the Town will vote to raise and appropriate, or transfer from available funds, a sum or sums of money to supplement or reduce appropriations previously voted for Fiscal Year 2014 Budgets, or take any other action in relation thereto.

(Town Manager)

Materials to be provided under separate cover

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 38

To see if the Town will authorize and direct the Board of Assessors to take any sum of money from available funds to reduce the tax levy for the current financial term and/or transfer funds to or from the Stabilization Fund, or take any other action in relation thereto.

(Town Manager)

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 39

To see if the Town will vote to take appropriate or necessary actions to comply with the provisions of Massachusetts General Law Chapter 59 Section 21C, a law known as the “2 ½ Tax Limitation” or any State legislative acts or executive orders supplementary or amendatory thereto, or take any other action in relation thereto.

(Finance Committee)

MOTION:

MOVED AND SECONDED, that further consideration of Article 39 be indefinitely postponed.

Majority vote required

Town of Winchester
Spring Annual Town Meeting



ARTICLE 40

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

(Board of Selectmen)

At the time of publication of this booklet, no motions have been received

Majority vote required