

**TOWN OF LINCOLN, MASSACHUSETTS
ANNUAL TOWN MEETING MOTIONS
Saturday, March 24, 2018**

Note: Motions under articles 3, 4, 6, 11, 12, 13, 17, 18, 20, 21, 22, 23, and 24 are to be found on the green Consent Calendar.

Motion under ARTICLE 2 Selectmen

Moved: That Mary Sheldon, Nancy Marshall and Virginia Rundell be elected Fence Viewers, and that Melinda Abraham, Virginia Reiner, Peyton Marshall and Eric Harris be elected Measurers of Wood and Bark, for the ensuing year.

Motion under ARTICLE 5 Selectmen

Moved: That the Town raise and appropriate the sum of \$57,500 by taxation to fund the Town's Senior Tax Work-off Program, as established pursuant to Massachusetts General Laws, Chapter 59, Section 5K.

Motion under ARTICLE 7 Finance Committee

Moved: That the Town adopt as the FY19 budget appropriation the recommendations listed in the report of the Finance Committee, printed on pages 49-55 inclusive, of the Financial Section and Warrant for the 2018 Annual Town Meeting, with the following exceptions:

And that all items be raised by taxation except to the following extent:

- Dept. 1491 **Cemetery Department-Expenses-** \$5,000 to be transferred from Cemetery Perpetual Care Trust Fund Income-Expendable Trust.

- Dept. 1171 **Conservation Commission- Personnel Services-** \$15,000 to be transferred from the Wetlands Protection Fees-Receipts Reserved for Appropriation.

- Dept. 1290 **Town Offices- Personnel Services-** \$71,000 to be transferred from the Hanscom Fund.

- Dept. 1290 **Town Offices- Personnel Services-** \$60,000 to be transferred from the Water Enterprise Fund.

- Dept. 1331 **Lincoln Sudbury Regional High School- Assessment-**\$9,000 to be transferred from the PEG Access Cable Fund, contingent upon the approval of Article 21.

- Dept. 176-17754 **Debt Service- Principal & Interest-** \$16,549 to be transferred from various Premium on the Sale of Bonds accounts.

- Dept. 61451 **Water Department**
 - Personnel Services-** \$418,585 to be transferred from the Water Enterprise Fund
 - Expenses-** \$538,300 to be transferred from Water Enterprise Fund
 - Debt Service-** \$180,000 to be transferred from Water Enterprise Fund

- Dept. 614513 **Water Department- Emergency Reserve-** \$50,000 to be transferred from Water Enterprise Retained Earnings (Water Surplus).

Motion under ARTICLE 8 Capital Planning Committee

Moved: That the Town accept the report of the Capital Planning Committee and that the following amounts (items A - P) be appropriated as stated in the table below for the following purposes, including, in each instance, all costs incidental and related thereto:

FY19 CAPITAL PROJECTS				
	ITEM	\$ AMT	SPONSOR	FUNDING SOURCE
A	To fund the purchase of a medium dump truck for the DPW, and any related equipment.	\$80,000	Selectmen	Raise and appropriate by taxation
B	To fund the replacement of existing guardrail.	\$25,000	Selectmen	Raise and appropriate by taxation
C	To fund replacement fire hose.	\$15,200	Selectmen	Raise and appropriate by taxation
D	To fund the replacement of the IT firewall at Town Offices.	\$16,000	Selectmen	Raise and appropriate by taxation
E	To fund the migration of email to the cloud.	\$26,000	Selectmen	Raise and appropriate by taxation
F	To fund the replacement of the Library air conditioning system, and any related equipment.	\$305,000	Library Trustees	Raise and appropriate by taxation
G	To fund the purchase of a district-wide safety/security radio system for the Lincoln Public Schools, and any related equipment.	\$39,104	School Committee	Raise and appropriate by taxation
H	To fund the purchase and installation of instructional technology-display & audio for the Lincoln Public Schools, and any related equipment.	\$36,361	School Committee	Raise and appropriate by taxation
I	To fund the purchase of additional CCTV security cameras at Lincoln-Sudbury High School, and any related equipment.	\$7,717	Lincoln-Sudbury School Committee	Raise and appropriate by taxation
J	To fund the replacement of a water heater at Lincoln-Sudbury Regional High School, and any related equipment.	\$7,504	Lincoln-Sudbury School Committee	Raise and appropriate by taxation
K	To fund the replacement of the phone system at Lincoln-Sudbury Regional High School, and any related equipment.	\$11,224	Lincoln-Sudbury School Committee	Raise and appropriate by taxation
L	To fund an engineering assessment of the culverts at the Pierce House.	\$15,000	Pierce House Committee	Raise and appropriate by taxation

M	To fund the purchase and equipping of one replacement marked cruiser for the Police Department, and any related equipment, and to authorize the disposal of, by sale or otherwise, any related excess vehicles or equipment.	\$40,575	Selectmen	Raise and appropriate by taxation
N	To fund the purchase and equipping of one replacement unmarked cruiser for the Police Department, and any related equipment, and to authorize the disposal of, by sale or otherwise, any related excess vehicles or equipment.	\$34,600	Selectmen	Raise and appropriate by taxation
O	To fund the replacement of five (5) portable radios for the Communications Department, and any related equipment.	\$13,785	Selectmen	Raise and appropriate by taxation
P	To fund the services of a radio communications consultant to assess our current public safety radio system infrastructure for our Communications Department and its related equipment.	\$14,000	Selectmen	Raise and appropriate by taxation

Motion under ARTICLE 9 Selectmen

Moved: That the Town raise and appropriate \$600,000 by taxation, for the purpose of purchasing a new Fire Department engine, including all costs incidental and related thereto; provided, however, that the vote taken hereunder shall be made contingent upon approval by the voters of the Town at an election of a “capital outlay exclusion” in accordance with the provisions of Massachusetts General Laws, Chapter 59, Section 21C(i½), otherwise known as Proposition 2 ½, so-called.

Motion under ARTICLE 10 Community Preservation Committee

Moved: That the Town receive and act upon a report from the Community Preservation Committee and that the following amounts (items A-U) be appropriated or reserved from Fiscal Year 2019 Community Preservation Fund Revenues, or transferred from prior year’s revenues for Community Preservation purposes as specified:

CPA Article	Project	Total Appropriation	Source of Appropriation
	Appropriations:		
A	To fund, for historic preservation purposes, the FY19 debt service payment for the town offices renovation project.	\$392,575	\$392,575 from FY19 CPA projected revenues
B	To fund, for historic preservation purposes, a back-up generator for the Pierce House.	\$16,480	\$16,480 from CPA historic reserves
C	To fund, for historic preservation purposes, decking and other carpentry repairs at the Pierce House.	\$25,000	\$25,000 from general CPA fund balance
D	To fund, for historic preservation purposes, an inspection and replacement study of the wood gutters at the Pierce House.	\$1,000	\$1,000 from general CPA fund balance
E	To fund, for historic preservation purposes, chimney repair at the Pierce House.	\$12,000	\$12,000 from general CPA fund balance

F	To fund, for historic preservation purposes, the replacement of the fire detection system at the Codman Farm Barn.	\$1,500	\$1,500 from CPA historic reserves
G	To fund, for historic preservation purposes, a study to determine locations for wayfindings on the historic Battle Road Byway.	\$1,000	\$1,000 from general CPA fund balance
H	To fund, for open space purposes, the placement of 2 Conservation Restrictions totaling approximately 8 acres at 241 and 247 Old Concord Road.	\$100,000	\$100,000 from general CPA fund balance
I	To fund, for affordable housing purposes, a transfer of money to the Affordable Housing Trust Fund.	\$278,329	\$278,329 from CPA community housing reserves
J	To fund, for historic preservation purposes, the preservation of the Plan of the Town of Lincoln 1830.	\$895	\$895 from CPA historic reserves
K	To fund, for historic preservation purposes, the preservation of the Plan of Concord Road to Cambridge.	\$3,445	\$3,445 from CPA historic reserves
L	To fund, for historic preservation purposes, the preservation of Assessors Valuation Lists 1861 and 1865.	\$5,746	\$5,746 from CPA historic reserves
M	To fund, for historic preservation purposes, the preservation of the Plan of New County Road from Lincoln Meetinghouse to Watertown.	\$3,785	\$3,785 from CPA historic reserves
N	To fund, for historic preservation purposes, the restoration of the Lincoln Library's 1884 entrance.	\$6,500	\$6,500 from FY19 CPA projected revenues
O	To fund FY19 debt service payments due on permanent borrowing for previously voted CPA projects.	\$127,550	\$127,550 from FY19 CPA projected revenues
P	To fund CPC administrative expenses	\$3,000	\$3,000 from FY19 CPA projected revenues
	Project Appropriation Subtotal	\$978,805	
	Reserves:		
Q	Housing Reserve	\$92,235	from additional FY18 state revenue and FY19 CPA projected revenues
R	Open Space/Land Acquisition Reserve	\$0	
S	Historic Preservation Reserve	\$0	
T	Recreation Reserve	\$0	
	Reserves Subtotal	\$92,235	
	Additional Appropriation:		
	Grand Total of all CPA funded Appropriations:	\$1,071,040	

U	To amend votes previously taken to transfer a sum of money to the Affordable Housing Trust Fund for the purpose of purchasing affordable housing buy-downs, to instead provide that such funds be used for land and/or property acquisitions for the purpose of affordable housing.	\$140,000	Amend use of \$140,000 currently in the Affordable Housing Trust Fund
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**Article 10
Explanations**

This article proposes projects recommended by the Community Preservation Committee under Lincoln’s Community Preservation Act (CPA) passed at the March, 2002 Annual Town Meeting and the November, 2002 Election. The descriptions of the proposed projects/actions are contained below:

- A. **Debt Service on Town Offices Renovation-** The 2011 Town Meeting approved project costs of \$6.8 million to renovate the Town Office Building. Of that total, \$1,000,000 was appropriated from CPA funds to reduce the Town borrowing. The annual debt service on the bond is \$392,575. It is recommended that CPA funds be used for this historic purpose in FY 2019.
- B. **Pierce House Back-up Generator-**The purchase of a back-up generator for the Pierce House insures the preservation of the historic integrity of the house in the event of a power-outage. It will also allow for continuous operations of the house to serve those whom the Pierce House has contracted with for special events.
- C. **Pierce House Carpentry & Decking Repairs-**Repairs to the exterior decking are necessary to preserve the historic aesthetics of the house, as well as preserve the structural integrity of the deck for safety reasons. Interior carpentry repairs include, but are not limited to, the repair of interior pocket doors that were previously nailed shut and are needed to preserve the historic value and function of the house.
- D. **Pierce House Wood Gutter Inspection and Replacement Study-** Many areas of the existing wood gutters are found to be deteriorating and lacking in structure. The deterioration was found during the 2017 Pierce House exterior painting project. A gutter system is needed to properly handle rainwater run-off to keep the envelope of the house in good stead.
- E. **Pierce House Chimney Repair-** Breakdown and rebuild portions of the chimney to remedy existing deterioration and to preserve the aesthetic and historic value of the home. These funds will be combined with the FY2018 CPC allocation of \$5,000 for a total project cost of \$17,000. After a deeper inspection of the chimney was performed, it was deemed more extensive than originally planned.
- F. **Codman Farm Barn Fire Detection System-** Installation of a new fire detection system is necessary to protect the Barn from injury, harm or destruction. All of the existing heat detectors in the fire alarm system are past their life expectancy by more than 5 years.
- G. **Battle Road Byway Wayfinding Study-** The Battle Road Byway traces the route of the Colonial and British soldiers during the American Revolution. The Byway Committee includes the Towns of Arlington, Lexington, Concord and Lincoln as well as the Minute Man National Historical Park. The wayfinding study is a collaborative effort among the four Towns and the Park to determine locations for wayfinding to guide visitors along this historic byway. Each entity has been asked to contribute an amount according to its size and population.

- H. **Conservation Land Acquisition-** This appropriation will place a conservation restriction of approximately 4 acres at 241 Old Concord Road and another conservation restriction, also approximately 4 acres, at 247 Old Concord Road. These abutting properties include valuable floodplain, wetlands, and forested habitat along Fairhaven Bay and their protection will complete a significant and permanently preserved contiguous riparian corridor. RLF, the Historic Commission, and FOMA will contribute to placing an Historic Preservation Easement on 241 Old Concord Road, in addition to a Trail Easement.
- I. **Affordable Housing Trust Transfer-** In 2006, Town Meeting authorized the creation of an Affordable Housing Trust to create and preserve affordable housing. Since then, the Housing Trust in collaboration with the Lincoln Housing Commission and Community Preservation Committee (CPC) added 21 units to Lincoln's Subsidized Housing Inventory. In addition to adding units, the Trust and CPC worked together to preserve the affordability of 125 units at Lincoln Woods by placing a permanent deed restriction to ensure the units remain on Lincoln's Subsidized Housing Inventory in perpetuity. Lastly, in collaboration with the Lincoln Foundation the Trust and CPC "bought down" 7 units at Battle Road Farm to preserve their affordability. This allocation and transfer represents community preservation funds previous year's 10% set aside for community housing purposes, and, if approved, will authorize the transfer of funds from the CPA Fund to the Affordable Housing Trust Fund for the purpose of purchasing property and/or land for community housing purposes, to continue to mitigate the impacts of 40B's and to add to the Town's SHI.
- J. **Plan of the Town of Lincoln 1830-**Lincoln was a rural town at its inception in 1754. Over time the character of the Town became more suburban. When did that happen? How did that happen? By preserving and digitizing the Plan of the Town of Lincoln 1830, researchers will have information about how Lincoln looked nearly 200 years ago.
- K. **Plan of the Concord Road to Cambridge-** This Plan describes what is assumed to be the road that became Route 2A. By preserving and digitizing the Plan of the Concord Road to Cambridge researchers will be able to study how one plan became a major thoroughfare in Lincoln.
- L. **Assessors Valuation Lists 1861 and 1865-** This historic information consists of handwritten lists of residents and an itemized list of their worth, including monetary amounts, livestock, and furniture. These lists offer valuable historical insight concerning the Town. For example, was Lincoln a community with average incomes? Who were the wealthiest Lincoln residents?
- M. **Plan of New County Road from Lincoln Meetinghouse to Watertown-**This plan describes an anticipated roadway beginning at the Meeting House located at the corner of Sandy Pond and Bedford Roads. Once constructed, it eventually became the thoroughfare we know today as Trapelo Road.
- N. **Lincoln Library 1884 Entrance-**The Library is located at the center of Lincoln and the original entrance of the Library is highly visible. Preserving the original entrance of this historic town landmark is important to preserving Lincoln's character. The current condition of the original entrance is severely weather damaged. To restore the original entrance, the wood must be sanded, stained, and given six coats of marine varnish. New weather stripping will be added.
- O. **FY19 Debt Service Payments-** Debt payment costs associated with the second year of permanent financing for previously voted CPA project pursuant to Article 11 of the March 25, 2017 Town Meeting for the purchase of land and development of an athletic field.
- P. **Administrative Expenses-**These funds will be used primarily to pay the annual membership dues in the Community Preservation Coalition, a statewide organization that represents the interests of CPA communities. Other administrative expenses include costs associated with public information, mailings and public hearings. Any funds not spent prior to the end of FY19 will be returned to the CPA Fund.

- Q. **Housing Reserve-** The CPA requires that a minimum of 10% of annual revenues be spent or set aside for affordable housing.
- R. **Open Space/Land Acquisition Reserve-** The CPA requires that a minimum of 10% of annual revenues be spent or set aside for open space/land conservation. The required minimum for FY2019 has been satisfied.
- S. **Historic Preservation Reserve-** The CPA requires that a minimum of 10% of annual revenues be spent or set aside for historic preservation. The required minimum for FY2019 has been satisfied.
- T. **Recreation Reserve-** The CPA permits, but does not require, the Town to spend or set aside funds for recreational purposes. No funds are reserved for recreational purposes at this time.
- U. **Affordable Housing Trust Remove Buy-down Restriction-**At three previous town meetings (2010, 2011 and 2012), \$140,000 in Community Preservation Funds were appropriated and transferred to the Affordable Housing Trust Fund for the purpose of purchasing affordable housing buy-downs. The CPC is recommending removing the restriction on these funds and amending the agreement to instead provide that such funds be used for land and/or property acquisitions in order to give the Affordable Housing Trustees more flexibility when presented with affordable housing opportunities.

MOTION under ARTICLE 14 Finance Committee

Moved: That the Town raise and appropriate the sum of \$625,807 by taxation to add funds to the Debt Stabilization Fund, so called, previously established pursuant to the March 26, 2011 Town Meeting, Article 19, in accordance with Massachusetts General Laws, Chapter 40, Section 5B, for the purpose of funding future capital expenditures and debt service payments; and to transfer to the Debt Stabilization Fund the sum of money appropriated under Article 7 for the Lincoln-Sudbury Regional High School that exceeds the final Lincoln assessment for FY 2019 that is voted, no later than July 31st, by the Lincoln-Sudbury Regional High School Committee for FY 2019 in accordance with law.

MOTION under ARTICLE 15 Finance Committee

Moved: That the Town raise and appropriate the sum of \$950,000 by taxation, to add funds to the Group Insurance Liability Fund established by Chapter 474 of the Acts of 2008, which Fund will help offset the Town’s so-called “other post-employment benefits” liability established by the Statements 43 and 45 of the Governmental Accounting Standards Board.

MOTION under ARTICLE 16 Finance Committee

Moved: That the Town raise and appropriate the sum of \$49,996 by taxation, to add funds representing Lincoln’s proportionate share of the contribution recommended by the Lincoln Sudbury Regional High School Committee, to the Lincoln Sudbury Regional School District Retirees Health Insurance Trust Fund, established by the acceptance of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 68, Section 57 of the Acts of 2011, for Lincoln Sudbury Regional High School, which Fund will help offset the High School’s so-called “other post-employment benefits” liability established by Statements 43 and 45 of the Governmental Accounting Standards Board.

MOTION under ARTICLE 19 Selectmen

Moved: That the Town act on a recommendation from the Board of Selectmen and Finance Committee and present the annual Bright Light Award to Beth Ries for decades of thoughtful and devoted service to her Town including, most recently, several terms on both the Personnel Board and the Roadway & Traffic Committee, and to transfer from Free Cash the sum of \$500 to support this award.

MOTION under ARTICLE 25 Finance Committee

Moved: That the Town transfer from free cash the sum of \$_____ to reduce the total amount to be raised by taxation pursuant to the votes previously taken under Article 7 of this Warrant, or any other article of this Warrant authorizing the appropriation of funds.

MOTION under ARTICLE 26 Board of Selectmen/School Committee

Moved: That the Town hear a report from the School Building and Community Center Committees.

MOTION under ARTICLE 27 Planning Board

Moved: That the Town amends the Zoning By-Law, Section 17.7.3 as follows, with proposed deletions to the bylaw language shown in ~~strikethrough~~ text and additions shown in ***bolded italic*** text.

~~17.7.3 Procedures. The Planning Board encourages a preliminary meeting with prospective site plan applicants prior to commencement of any design activities including but not limited to: siting and design of all proposed buildings, structures, septic systems, or proposed renovations to existing buildings. At the preliminary meeting a mutually agreeable process will be established that will expedite the permitting process for the applicant and facilitate fulfillment of the Planning Board's responsibilities under **Section 17.7**. For additions, new construction, or reconstruction exceeding 4,000 square feet of Calculated Gross Floor Area, modifications to septic systems, removal of vegetation from areas exceeding 2,000 square feet, or grade changes in excess of four feet, a preliminary meeting is mandatory.~~

The Planning Board encourages an applicant to have at least one preliminary meeting with the Planning staff to review any proposed project for compliance with zoning and site plan review requirements. This review will include, but will not be limited to, the siting of buildings and other structures, septic systems, drainage, landscaping, and lighting. At the discretion of the Planning staff, a preliminary meeting with the Planning Board may be required.

Except as otherwise provided in **Section 17**, the procedure applicable to the issuance of a special permit pursuant to **Section 21** (notice, hearing, etc.) shall be applicable in all respects to the review of a site plan under **Section 17.7**, ***except that notice by publication in a newspaper of general circulation in the Town will not be required.*** Within ten (10) business days of its receipt of application for site plan approval, the Planning Board or its agent shall determine whether or not the application is complete in accordance with **Section 17.7** or otherwise agreed to by the applicant and the Planning Board. If the Planning Board finds that the submission is incomplete because all requisite information has not been included, it shall promptly notify the applicant in writing and the site plan shall not be considered filed until the Planning Board determines that the site plan application is complete. The Planning Board shall hold a public hearing in accordance with the procedures set forth in **Section 9 of M. G. L. 40A** which pertain to special permits except that the Planning Board shall hold a hearing on the site plan within 45 days of receipt of a completed submission and shall make a decision within 30 days of the closing of the public hearing.

Applicants may request that the Planning Board approve amendments to a site plan in which case the Planning Board shall review any such amendment in accordance with the same standards and procedures as an initial submission, unless it deems the modification to be of a minor nature, in which case, a determination may be made at a Planning Board meeting instead of at a public hearing.

Residential properties where the calculated gross floor area of all the structures on the lot is less than 6500 square feet, which have received Site Plan Approvals under this section and have had Certificates of Occupancy issued for 5 or more years shall no longer be subject to Site Plan Review except that all special conditions contained in any site plan approval shall remain in full force and effect. Further, in all cases, the requirements for site plan approval under Section 6.02 shall apply to future construction where the calculated gross floor area thresholds of that section are triggered. Such calculated gross floor area shall be the sum of the existing structures on the lot and any proposed addition to such existing structures and/or proposed additional accessory structure.

MOTION under ARTICLE 28 Historic District Commission/FOMA

Moved: That the Town vote to add 17 properties to the existing Town of Lincoln Historic District under Section 1 of Article XXV (Historic District) of the Town of Lincoln General By-Laws, the locations and boundaries of which proposed additions are shown on plans are filed with the Lincoln Town Clerk and the Massachusetts Historical Commission and to be recorded with the Middlesex South Registry of Deeds. (Map/Parcel Nos. 146-16-0; 152-39-0; 139-2-0; 139-3-0; 163-10-0; 149-20-0; 163-7-0; 163-12-0; 163-16-0; 169-10-0; 146-5-0; 186-32-0; 182-7-0; 186-23-0; 189-2-0; 121-36-0; 135-4-0).

MOTION under ARTICLE 29 Historic District Commission/FOMA

Moved: That the Town vote to create a new historic district, consisting of 11 properties in the Brown's Wood neighborhood, under Section 1 of Article XXV (Historic District) of the Town of Lincoln General By-Laws, the locations and boundaries of which proposed historic district are shown on a plan are filed with the Lincoln Town Clerk and the Massachusetts Historical Commission and to be recorded with the Middlesex South Registry of Deeds. (Map/Parcel Nos. 169-23-0; 169-22-0; 181-14-0; 181-22-0; 181-15-0; 181-21-0; 181-16-0; 181-20-0; 181-17-0; 181-18-0; 181-19-0).

The following provision shall be added to Section 1 of Article XXV (Historic District) of the Town of Lincoln General By-Laws:

1.2 A Brown's Wood Historic District (the Brown's Wood District) is hereby established in the Town of Lincoln, Massachusetts, in accordance with provisions of MGL, Chapter 40C of the Commonwealth. The Brown's Wood District consists of areas, the locations and boundaries of which are as shown on a plan to be filed with the Lincoln Town Clerk and the Massachusetts Historical Commission and to be recorded with the Middlesex South Registry of Deeds. The Brown's Wood District is intended to preserve and protect as a permanent legacy the significant historical areas and distinctive architectural characteristics of the Town of Lincoln in their settings.

The following provision shall be added to Subsection 2.1 of Article XXV (Historic District) of the Town of Lincoln General By-Laws:

Further, a Brown's Wood Historic District Commission (the Brown's Wood Commission) is hereby established for the Brown's Wood District, consisting of seven members, all residents of Lincoln appointed by the Selectmen. Appointments shall be made as provided in this Section 2 for the Historic District Commission, provided that at least one member of the Brown's Wood Commission shall be a resident or property owner of the Brown's Wood District. Some or all of the members of the Historic District Commission may also be appointed as members of the Brown's Wood Commission. All members shall serve without compensation.

The following provision shall be substituted for Subsection 3.3 of Section 3 (Definitions) of Article XXV (Historic District) of the Town of Lincoln General By-Laws:

3.3 Commission. Except as used in Subsection 2.1 of Article XXV of the By-Law, the word "Commission" as used in Article XXV of the By-Law shall refer both to the Historic District Commission and the Brown's Wood Historic District Commission.

The following provision shall be added to Section 3 (Definitions) of Article XXV (Historic District) of the Town of Lincoln General By-Laws:

3.7 Historic District or District. Except as used in Subsections 1.1, 1.2, 2.1, and 5.3 of Article XXV of the By-Law, the words "Historic District" and "District" as used in Article XXV of the By-Law shall refer both to the Historic District and the Brown's Wood Historic District.

The following provision shall be added to Section 5 of Article XXV (Historic District) of the Town of Lincoln General By-Laws:

5.3 Standards Applicable to the Brown's Wood District

- a. General Objectives of the Brown's Wood District:
 - (i) The maintenance and enhancement of the Modern design ideas and characteristics that inform the homes of the Brown's Wood District, while supporting the updating of its homes and the diversity of the characteristic architectural expression of the Brown's Wood District.
 - (ii) The preservation of the woodland landscape, ensuring that the houses fit into that landscape rather than dominate it. The woodland is a major unifying factor that ties this Brown's Wood District together, establishing its setting and context.

- b. General Description of Neighborhood, Architectural and Historical Characteristics of the Brown's Wood District:
 - (i) The absence of traditional or historical architectural styles as it was put by the founding homeowners in the 1950s: "no colonials and no ranches."
 - (ii) The diversity of the architectural forms within the Modern architectural idiom.
 - (iii) The dominance of the natural landscape, topography and woodland setting.
 - (iv) Houses are sited within the landscape and topography, with massing and scale that are reflective of the sites, fit into the woodland and embrace nature, rather than competing with it.
 - (v) Houses are set in the woods, rather than set on a lot surrounded by yard space. The houses are seen through a natural screen of trees and woodland.
 - (vi) Property lines are generally invisible, without fences or large landscaped areas separating properties.
 - (vii) Lawns and formal landscaping do not extend to the street. Large trees and natural woodland vegetation are preserved, and landscaping and plantings are natural or naturalized, maintaining the woodlands character.
 - (viii) Varying setbacks, orientation and massing are used to minimize impacts and maximize privacy and access to nature. Houses are sited and oriented without reference to the streets of the neighborhood, and avoid the typical suburban relationship of houses to street.
 - (ix) Houses are generally horizontal and low in their massing, utilizing flat or low-pitch roofs, either eave-less or with deep overhanging eaves.
 - (x) Windows often serve to connect the inside and outside, bringing the outside into the house, rather than walling it off, economically expanding the apparent living areas.
 - (xi) Houses have little in the way of decorative elements (shutters, gables etc.), so that decoration and interest arises out of the form, the materials used and especially the setting and surroundings.

- (xii) Houses have incorporated and experimented with new technologies and forms, in particular reflecting an early interest in sustainable design, including the use of industrial materials, sensitive siting, passive and active solar and efficient use of space and materials.

MOTION under ARTICLE 30 Housing Commission & Affordable Housing Trust

Moved: That the Town vote to amend the Zoning Bylaws in order to establish a North Lincoln Overlay District within the NL-North Lincoln Planned Development District pursuant to the provisions of Section 12.5 of the Zoning Bylaw, by undertaking the following action:

- (i) Amending the Zoning Map to include the North Lincoln Planned Development District No. 6 for Oriole Landing located at 0 and 1 Mary’s Way consisting of a 60-Unit mixed income Rental Development including 15 affordable units (25%) , thus meeting Department of Housing and Community Development (DHCD) requirements to place all 60 units on the Town of Lincoln’s Subsidized Housing Inventory and having boundaries encompassing 6 acres, more or less, and being more particularly shown and described on a plan entitled “1 Mary’s Way, Lincoln, MA Tax Map 111 - Lots 10 & 11 – Abutter Summary” prepared for Civico Development by Allen & Major Associates, Inc. and dated 1/23/18; and
- (ii) Approving a Preliminary Development and Use Plan for the North Lincoln Planned Development District No. 6, a proposed version of which plan entitled “Oriole Landing, 1 Mary’s Way, Lincoln, MA, Tax Map 111 - Lots 10 & 11 – Context Plan”, prepared by Allen & Major Associates, Inc. and dated 1/23/18 as revised 3/9/18 has been prepared and submitted by the owners of the premises to be included in said district.

MOTION under ARTICLE 31 Green Energy Committee

Moved: That the Town vote to initiate the process to aggregate electrical load pursuant to M.G.L. c. 164, s. 134, and, further, to grant the Board of Selectmen, or its designee, authority to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in the Town and for other related services, independently, or in joint action with other municipalities, retaining the right of individual residents and businesses to opt-out of the aggregation program.

MOTION under ARTICLE 32 Citizens’ Petition

Moved: That the Town amend the General Bylaws by adopting a bylaw entitled “Plastic Bag Ban” as follows:

Section I Findings and Purpose

Plastic check-out bags have a significant impact on the marine and terrestrial environment, including but not limited to: 1) harming marine and terrestrial animals through ingestion and entanglement; 2) polluting and degrading the terrestrial and marine environments; 3) clogging storm drainage systems; 4) creating a burden for solid waste disposal and recycling facilities; 5) requiring the use of non-renewable fossil-fuel in their composition. Studies have shown that even alternative “compostable” or “biodegradable” bags require very specific and controlled conditions in order to biodegrade, and have potentially negative environmental effects similar to conventional plastic bags. Such bags should therefore be subject to the same restrictions as conventional plastic check-out bags.

The purpose of this Bylaw is to protect the Town’s unique natural beauty and irreplaceable natural resources by reducing the number of single-use plastic checkout bags that are distributed in the Town of Lincoln and to promote the use of reusable bags.

Section II Definitions

The following words shall, unless the context clearly requires otherwise, have the following meanings:

“Check-out bag” shall mean a bag provided by a store to a customer at the point of sale. Checkout bags shall not include bags, whether plastic or not, in which loose produce or products are placed by the consumer to deliver such items to the point of sale or check out area of the store.

“Health Agent” shall mean the Health Agent for the Lincoln Board of Health or his/her designee.

“Recyclable paper bag” shall mean a paper bag that is 100% recyclable and contains at least 40% post-consumer recycled content, and displays in a visible manner on the outside of the bag (1) the word “recyclable” or a symbol identifying the bag as recyclable and (2) a label identifying the bag as being made from post-consumer recycled content and the percentage of postconsumer recycled content in the bag.

“Reusable Check-out bag” shall mean a sewn bag with stitched handles that is specifically designed for multiple reuse and that (1) can carry 25 pounds over a distance of 300 feet; (2) is machine washable; and, (3) is either (a) made of natural fibers (such as cotton or linen); or (b) made of durable, non-toxic plastic other than polyethylene or polyvinyl chloride that is generally considered a food-grade material that is more than 4 mils thick.

“Retail Establishment” shall mean any business facility that sells goods directly to the consumer whether for or not for profit, including, but not limited to, retail stores, restaurants, pharmacies, convenience and grocery stores, liquor stores, seasonal and temporary businesses.

“Thin-Film, Single-Use Plastic Check-Out Bags” shall mean those bags typically with handles, constructed of high-density polyethylene (HDPE), low density polyethylene (LDPE), linear low density polyethylene (LLDPE), polyvinyl chloride (PVC), polyethylene terephthalate (PET), or polypropylene (other than woven and non-woven polypropylene fabric), if said film is less than 4.0 mils in thickness.

Section III Regulated Conduct

- a. No Retail Establishment in the Town of Lincoln shall provide Thin-Film, Single-Use Plastic Check-Out Bags to customers after January 1, 2019.
- b. If a Retail Establishment provides or sells Check-Out Bags to customers, the bags must be one of the following:
 1. Recyclable paper bag; or
 2. Reusable Check-Out bag. For reusable bags, public information advising customers to sanitize reusable bags to prevent food-borne illness must be displayed at point of checkout.
- c. Charges.
 1. Retail Establishments which provide Recyclable Paper Bags or Compostable Plastic Bags shall charge for each such bag, a reasonable amount to cover cost. The Checkout Bag charge shall be retained by the Retail Establishment.
 2. Any charge for a Checkout Bag shall be separately stated on a receipt provided to the customer at the time of sale and shall be identified as the “Checkout Bag Charge” thereon.

Section IV Exemption

Thin-film plastic bags typically without handles which are used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items, and other similar merchandise are not prohibited under this bylaw.

Section V Enforcement

Police officers and Health Agents shall have the authority to enforce this bylaw. This bylaw may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the General Bylaws. Violations of this bylaw are punishable by a fine of up to \$200 per violation.

If non-criminal disposition is elected, then any Retail Establishment that violates any provision of this bylaw shall be subject to the following penalties:

First Offense: written warning

Second Offense: \$50 penalty

Third and subsequent offense: \$200 penalty

Section VI Exemptions

The Board of Health may exempt a Retail Establishment from the requirements of this bylaw for a period of up to six months upon a finding by the Director that (1) the requirements of this section would cause undue hardship; or (2) a Retail Establishment requires additional time in order to draw down an existing inventory of thin-film, single-use check-out plastic bags.

Section VII Regulations

The Board of Health may adopt and amend rules and regulations to effectuate the purposes of this bylaw.

Section VIII Severability

If any provision of this bylaw is declared invalid or unenforceable the other provisions shall not be affected thereby.

MOTION under ARTICLE 33 Citizens' Petition

Moved: That the Town vote to amend the General Bylaws by adopting a bylaw entitled "The Regulation of Sale and Use of Bottled Water" as follows:

Section I. Findings and Purpose

Plastic "disposable" water bottles made of polyethylene terephthalate (PET) contribute hazards to human health, societal economies, wildlife, and the environment. Examples of these problems include:

1. Americans discard more than 30 million tons of plastic a year. Only 8 percent of that gets recycled. The rest ends up in landfills, is incinerated, or becomes the invasive species known as 'litter.' The amount of solid waste created by one-use plastic water bottles is staggering.
2. Chemicals leached by plastics are in the blood and tissue of nearly all of us. Exposure to them is linked to cancers, birth defects, impaired immunity, endocrine disruption and other ailments.
3. There are thousands of landfills in the United States. Buried beneath each one of them, plastic leachate full of toxic chemicals is seeping into groundwater and flowing downstream into lakes and rivers.
4. Manufacturers' additives in plastics, like flame retardants, BPAs and PVCs, can leach their own toxicants. These oily poisons repel water and stick to petroleum-based objects like plastic debris.
5. Entanglement, ingestion and habitat disruption all result from plastic ending up in the spaces where animals live. In our oceans alone, plastic debris outweighs zooplankton by a ratio of 36-to-1. Plastic cannot biodegrade; it breaks down into smaller and smaller pieces over time, but is still plastic.
6. In the face of a growing global water crisis, water bottling corporations are turning water into a profit-driven commodity when it needs to be regarded as a human right.

The town of Lincoln has high quality tap water, and provides regular governmental reports on its quality. The recommended eight glasses of water a day, at U.S. tap rates equals about \$.49 per year; that same amount of bottled water is about \$1,400.

The purpose of this Bylaw is to protect the town's beauty, reduce litter, protect the health of present and future generations, and save the citizens of the Town money that is needlessly spent on packaged water from distant sources in one-use bottles.

SECTION II. Regulated Conduct

It shall be unlawful to sell non-reusable polyethylene terephthalate (PET) bottles of 1 litre (34 ounces) or less containing uncarbonated, unflavored drinking water in the Town of Lincoln on or after the effective date of this bylaw. Water may be provided for free in any form.

In the event of a declaration (by Emergency Management Director, other duly-authorized Town, Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water to Lincoln residents, citizens and officials shall be exempt from this bylaw until seven days after such declaration has ended.

SECTION III. Enforcement

This shall be enforced by the Town Administrator and/or his/her designees. Police officers and Health Agents shall have the authority to enforce this bylaw. This bylaw may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the General Bylaws.

Violations of this bylaw are punishable by a fine of up to \$200 per violation.

If non-criminal disposition is elected, then any person that violates any provision of this bylaw shall be subject to the following penalties:

First Offense: written warning

Second Offense: \$50 penalty

Third and subsequent offense: \$200 penalty

SECTION IV.

If any provision of this bylaw shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this bylaw, which shall remain in full force and effect.

Proposed effective date of this bylaw: January 1st, 2019

MOTION under ARTICLE 34 Citizens' Petition

Moved: That the Town vote to amend the General Bylaws by adopting a bylaw entitled "The Regulation of Sale and Use of Bottled Water" as follows:

The Regulation of Sale and Use of Bottled Water

Section I. Findings and Purpose

Plastic "disposable" water bottles made of polyethylene terephthalate (PET) contribute hazards to human health, societal economies, wildlife, and the environment. Examples of these problems include:

1. Americans discard more than 30 million tons of plastic a year. Only 8 percent of that gets recycled. The rest ends up in landfills, is incinerated, or becomes the invasive species known as 'litter.' The amount of solid waste created by one-use plastic water bottles is staggering.
2. Chemicals leached by plastics are in the blood and tissue of nearly all of us. Exposure to them is linked to cancers, birth defects, impaired immunity, endocrine disruption and other ailments.

3. There are thousands of landfills in the United States. Buried beneath each one of them, plastic leachate full of toxic chemicals is seeping into groundwater and flowing downstream into lakes and rivers.
4. Manufacturers' additives in plastics, like flame retardants, BPAs and PVCs, can leach their own toxicants. These oily poisons repel water and stick to petroleum-based objects like plastic debris.
5. Entanglement, ingestion and habitat disruption all result from plastic ending up in the spaces where animals live. In our oceans alone, plastic debris outweighs zooplankton by a ratio of 36-to-1. Plastic cannot biodegrade; it breaks down into smaller and smaller pieces over time, but is still plastic.
6. In the face of a growing global water crisis, water bottling corporations are turning water into a profit-driven commodity when it needs to be regarded as a human right.

The town of Lincoln has high quality tap water, and provides regular governmental reports on its quality. The recommended eight glasses of water a day, at U.S. tap rates equals about \$.49 per year; that same amount of bottled water is about \$1,400.

The purpose of this Bylaw is to protect the town's beauty, reduce litter, protect the health of present and future generations, and save the citizens of the Town money that is needlessly spent on packaged water from distant sources in one-use bottles.

SECTION II. Regulated Conduct

It shall be unlawful to: a) sell, or b) bring onto schools, conservation land, recreational fields, public buildings, or any other land or buildings owned or under the control of the Town of Lincoln, non-reusable polyethylene terephthalate (PET) bottles of 1 litre (34 ounces) or less containing uncarbonated, unflavored drinking water in the Town of Lincoln on or after the effective date of this bylaw. Proposed effective date of this bylaw: January 1st, 2019 Water may be provided for free in any form.

In the event of a declaration (by Emergency Management Director, other duly-authorized Town Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water to Lincoln residents, citizens and officials shall be exempt from this bylaw until seven days after such declaration has ended.

SECTION III. Enforcement

Police officers and Health Agents shall have the authority to enforce this bylaw. This bylaw may be enforced through any lawful means in law or in equity, including but not limited to, noncriminal disposition pursuant to G.L. c. 40 § 21D and Article VI of the General Bylaws.

Any person who violates any provision of this bylaw shall be subject to the following penalties:

First Offense: written warning

Second Offense: \$25 penalty

Third and subsequent offenses: \$50 penalty

SECTION IV.

If the Town Administrator determines that the cost of implementing and enforcing this Bylaw has become unreasonable, then the Town Administrator shall so advise the Board of Selectmen and the Board of Selectmen shall conduct a Public Hearing to inform the citizens of such costs. Subsequent to the Public Hearing, the Board of Selectmen may continue this Bylaw in force or may suspend it permanently or for such length of time as the Board may determine.

SECTION V.

If any provision of this bylaw shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions of this bylaw, which shall remain in full force and effect.

Proposed effective date of this bylaw: January 1st, 2019.

MOTION under ARTICLE 35 Citizens' Petition

Moved: That the Town adopt the following resolution relative to Protecting Consumers of Gas and Electricity from Paying for Leaked and Unaccounted for Gas, to wit:

WHEREAS...The cost of leaked and unaccounted for natural gas (UFG) is typically passed down from providers to consumers, and costs consumers over \$90 million annually in the Commonwealth, and

WHEREAS...The main component of natural gas is methane, which is the second largest contributor to global warming after carbon dioxide. Methane captures 84 times as much heat in the atmosphere over a twenty year period and 28 times as much over a 100 year period, and

WHEREAS...Leaking gas in the ground is harmful to vegetation and can kill valuable shade trees by depriving roots of oxygen, and

WHEREAS...Methane is a precursor to ozone formation that can decrease lung function and aggravate asthma, and

WHEREAS...There are 25,000 unrepaired gas leaks in the Commonwealth including 64 in Lincoln, and

WHEREAS...The town of Lincoln supports any measures regarding rapid repair of unrepaired gas leaks by utilities and strongly urges the Massachusetts Legislature to take action to support any measure to protect consumers and the environment regarding natural gas leaks, and

WHEREAS... Massachusetts House Bill 2683/Senate Bill 1845 is "An Act Relative to Protecting Consumers of Gas and Electricity from paying for Leaked and Unaccounted for Gas " that seeks to protect all gas and electricity consumers, whether businesses, manufacturers, homeowners and municipalities or other gas users, from paying for UFG by prohibiting providers from including the cost of UFG, as well as the costs of reducing or remedying loss, in the rate base;

WHEREAS... According to H. 2683/S.1845, "Unaccounted for Gas" or "Lost and Unaccounted for Gas" (LAUF) represents the difference between the total gas available from all sources and the total gas accounted for as sales, net interchange, or company use and includes leakages or loss by other means, discrepancies in measuring and monitoring, variations of temperatures or pressures and other variations, and

WHEREAS... H.2683/S.1845 will provide economic incentive to gas providers to develop improved technologies and practices for transportation, distribution and storage; and

WHEREAS...Twelve other states, including California, Connecticut, New Hampshire, New York, Ohio, Pennsylvania, and Texas have caps on how much customers pay for lost and leaking gas;

THEREFORE,

BE IT RESOLVED that Town Meeting requests the Board of Selectmen to endorse House Bill 2683/Senate Bill 1845, or other similar legislation, and to urge the Massachusetts Legislature to take action to support this measure, and others like it, to protect consumers and the environment by forwarding an embossed copy of this resolution to State Senators Michael

Barrett and Jamie Eldridge, House Representative Thomas Stanley, House Speaker Robert DeLeo and Acting Senate President Harriette Chandler.

MOTION under ARTICLE 36 Citizens' Petition

Moved: That the Town vote to adopt a resolution declaring Lincoln to be a Welcoming, Safe Town which resolves to make all residents, workers and visitors feel safe and secure regardless of immigration status.

Whereas: Lincoln's Vision Statement states our goals of fostering economic, racial/ethnic and age diversity among our citizenry through educational, housing and other public policies.

Whereas: The people of the Town of Lincoln have been involved in important moral and humanitarian issues for hundreds of years – including anti-slavery work in the 1830's, women's right to vote 40 years before passage of the 19th Amendment, and Sanctuary for Vietnam War draft resisters and Central American refugees fleeing wars and violence.

Whereas: In 2018, when discrimination and harassment based on race, color, religion and national origin continues, and is abetted by the federal government, we must: reaffirm our commitment to respect each person's dignity; lawfully decline to become agents who enforce federal immigration law; help people in our town feel safe and able to call upon us in times of need; and honor and comply with the decisions of our Massachusetts Supreme Judicial Court.

Therefore, be it resolved that:

We, the people of Lincoln affirm and support the policies adopted by the Board of Selectmen and the Lincoln Police to abide by the SJC's July 24, 2017 decision in *Lunn v. Commonwealth*, which declared that "Massachusetts law provides no authority for Massachusetts court officers to arrest and hold an individual solely on the basis of a Federal civil immigration detainer, beyond the time that the individual would otherwise be entitled to be released from State custody";

We, the people of Lincoln declare Lincoln to be a Welcoming, Safe Town, and we all shall work to make all residents, workers and visitors feel safe and secure regardless of immigration status;

This Resolution is consistent with the Town of Lincoln's obligations under state and federal law, including 8 U.S.C. §§1373 and 1644. This Resolution shall be interpreted as to not violate any requirements of state or federal law, including 8 U.S.C. §§1373 and 1644; and

We, the people of Lincoln request the Board of Selectmen to endorse S. 1305 or comparable legislation, the Massachusetts Safe Communities Act, and to send copies of this Resolution to Governor Baker, State Senators Michael Barrett and Jamie Eldridge, Acting Senate President Harriette Chandler, State Representative Thomas Stanley, and Speaker of the House, Tom DeLeo.