

PLYMOUTH BOARD OF SELECTMEN

TUESDAY, AUGUST 23, 2016

MAYFLOWER ROOM, TOWN HALL, 11 LINCOLN STREET, PLYMOUTH, MA 6:30 P.M.

6:30 p.m. Executive Session

The Board of Selectmen will hold an Executive Session pursuant to Massachusetts General Laws, Chapter 30A, Section 21, Paragraph 6; to consider the purchase, exchange, lease or value of real property, if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the governmental body.

- ❖ Chapter 61 – Pinehills
- ❖ Hedge Road

7:00 p.m. Call to Order

7:02 p.m. Public Comment

7:03 p.m. Town Manager's Report

7:05 p.m. Public Hearing (*The Farmer's Table – New Liquor License*)

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, notice is hereby given that a Public Hearing will be held at the Plymouth Town Hall, 11 Lincoln Street, Plymouth, MA on August 23, 2016 at 7:05pm to consider the application for a New All Alcohol Restaurant License for The Farmer's Table LLC d/b/a The Farmer's Table, Lynn E. Tripp, Manager.

Anyone wishing to be heard on this matter should plan to attend this meeting.

7:10 p.m. Public Hearing (*Marshland Restaurant – Transfer Stocks*)

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, notice is hereby given that a Public Hearing will be held at the Plymouth Town Hall, 11 Lincoln Street, Plymouth MA on August 23, 2016 at 7:10pm to consider the application for a Transfer of Stock from Marshland Group, Inc. d/b/a/ Marshland 3A, holder of a New Annual All Alcohol Restaurant License, 986 State Road, Kim Babiarcz as Manager.

Anyone wishing to be heard on this matter should plan to attend this meeting.

7:15 p.m. Public Hearing (*Cedarville Wine & Spirits – Transfer License*)

In accordance with Chapter 138 of the Massachusetts General Laws, as amended, notice is hereby given that a Public Hearing will be held at the Plymouth Town Hall, 11 Lincoln Street, Plymouth, MA on August 23, 2016 at 7:15pm to consider the application for a transfer of an Annual All Alcohol Package Store License from Sharon Sorcenelli d/b/a Cedarville Wine and Spirits, 2245 State Road, Sharon Sorcenelli, Manager, to Skippy Corporation d/b/a Cedarville Wine and Spirits, 2245 State Road, Jay Sorcenelli, Manager.

Anyone wishing to be heard on this matter should plan to attend this meeting.

7:20 p.m.

Article 6:

Revolving Funds (*Derek Brindisi*)

To see what action the Town will take under the provisions of G.L c.44, §53E ½ regarding the establishment, annual re-authorization, or renewal as the case may be of revolving funds, or take any other action relative thereto.

7:25 p.m.

Article 7:

Open Space Land (*Betsy Hall*)

To see if the Town will vote to transfer the care, custody, management and control of the property shown below from the Town Treasurer for tax title purposes to the Conservation Commission for conservation purposes pursuant to G.L. c.40, Section 8C; and further to authorize the Conservation Commission to execute any and all instruments as may be necessary to effectuate the vote taken hereunder, or take any other action relative thereto.

7:30 p.m.

Article 10:

22 Whiting Street (*Melissa Arrighi*)

To see if the Town will vote to transfer the land and building located at 22 Whiting Street, Plymouth, commonly known as the Mount Pleasant Street School, shown as Lot XXX on Plymouth Assessor's Map XXX, from the School Committee and/or Board of Selectmen to sell or lease such land and building for a sum and upon conditions to be determined by the Board of Selectmen and pursuant to the requirements of G.L. c.30B, or take any other action relative thereto.

7:35 p.m.

Article 11:

Civil Service Police (*Mike Botieri*)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special litigation providing that the positions of Police Chief and Police Captain appointed after passage of the Act not be subject to the Civil Service statute, all as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve sch amendments.

7:40 p.m.

Article 12:

Civil Service Fire (*Ed Bradley*)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special litigation providing that the positions of Fire Chief and Deputy Fire Chief appointed after passage of the Act not be subject to the Civil Service statute, all as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments.

7:45 p.m. Article 26:

Solar Zoning Bylaw (*Lee Hartmann*)

To see if the Town will vote to amend the Zoning Bylaw to create a Solar Bylaw that allows the installation of ground-mounted solar systems while establishing definitions, procedures, and provisions for said installations, or take any other action relative thereto.

8:05 p.m. Article 28:

Plastic Bags (*Ken Stone and Lee Burns*)

To see if the Town will vote to amend the General Bylaws by adopting a Bylaw entitled “Plastic Bag Ban” as follows: or take any other action relative thereto.

8:15 p.m. Article 29:

Resnik Road Zoning (*Lee Hartmann and Henry Stout*)

To see if the Town will vote to amend the Official Zoning Map of the Town of Plymouth by changing the zoning designation of Land on Resnik Road shown as Lot 14K-123 on Assessor’s Map 103 from Light Industrial (LI) to Mixed Commerce (MC) or take any other action relative thereto.

8:20 p.m. Licenses and Administrative Notes

❖ Licenses

MAR Productions, 10 Pimental Street, Michelle Riley is requesting a One Day Wine and Malt License for a Mixed Martial Arts Event being held on August 27, 2016 from 5:00pm to 12:00am at Memorial Hall.

Plymouth Guild, 11 North Street, Richard Mulcahy is requesting a One Day Wine and Malt License for a Reception being held on September 23, 2016 from 6:00pm to 11:00pm at the Art Center.

Plymouth Guild, 11 North Street, Richard Mulcahy is requesting a One Day Wine and Malt License for a Jazz Concert being held on October 22, 2016 from 6:00pm to 11:00pm at the Art Center.

J James Auctioneers & Appraisers, 84 Court Street, Kimberly English is requesting a One Day Wine and Malt License for an Art and Antique Auction being held on September 24, 2016 from 2:00pm to 6:00pm at Memorial Hall.

OS Golf Management LLC, 35-39 Double Brook Road and 44 Talcott Pines, Lloyd Gillespie, Manager is requesting a New Common Victualler License for Radio and TV.

J James Auctioneers & Appraisers, 84 Court Street, Joshua Rioux is requesting a Special Auctioneer Permit for an Auction being held on September 24, 2016 from 10:00am to 6:00pm at Memorial Hall.

Marshland Group, Inc. d/b/a Marshland 3A, 986 State Road, Kim Babiarz is requesting a Change of Officers/Directors. (See Attached)

NSTAR/Verizon is requesting a Pole Petition 2096308 to cover the relocation of one (1) pole on Newfield Street in Plymouth, MA. This pole relocation is necessary to accommodate the Town of Plymouth with the dam removal and bridge installation.

The Farmer’s Table LLC d/b/a The Farmer’s Table, One Greenside Way North, Lynn E. Tripp, Manager is requesting the following licenses in conjunction with a Public Hearing for their request for a Transfer of an All Alcohol Restaurant License:

- Early Sunday Sales – 10:00am
- Extension of Hours – 1:00am

❖ Administrative Notes

1. The Board will approve the Department of Public Works Director to apply for the 2017 MassWorks Grant for the purpose of being used for the Water Street Promenade.
2. The Board will vote to approve speed limit changes on Halfway Pond Road.
3. The Board will approve the Open Meeting Minutes from the August 9, 2016 Selectmen's Meeting.
4. The Board will approve and execute a zero percent Interim Loan Note in the amount of \$30,202,980 to be used for the Emergency Sewer Line Repair.
5. The Board will support the Parking Violation Fine Increase as proposed by the Plymouth Growth and Development Corporation (PDGC) and the Park Plymouth Program.
6. The Board will terminate the *Lease Agreement* dated July 1, 1981, and all subsequent amendments thereto, between the Town of Plymouth (as "Lessor") and Reliable Fish Company, Inc. (as "Lessee") for the use of Town-owned property at 16-18 Town Wharf, contingent and effective upon the satisfaction of all obligations to lenders and mortgagees and the documented completion of the sale transaction between Reliable Fish Company, Inc. and Shanty Rose, Inc.
7. The Board will approve and execute the following documents pertaining to the approval of a *Lease Agreement* between the Town of Plymouth (as "Lessor") and Shanty Rose, Inc. (as "Lessee") for the use of Town-owned property at 16-18 Town Wharf, contingent and effective upon the satisfaction of all obligations to lenders and mortgagees and the documented completion of the sale transaction between Reliable Fish Company, Inc. and Shanty Rose, Inc.:
 - *Lease Agreement* between the Town of Plymouth (as "Lessor") and Shanty Rose, Inc. (as "Lessee") for the use of Town-owned property at 16-18 Town Wharf
 - *Notice of Lease* between the Town of Plymouth (as "Lessor") and Shanty Rose, Inc. (as "Lessee") for the use of Town-owned property at 16-18 Town Wharf
 - *Rent Agreement* between the Town of Plymouth (as "Lessor") and Shanty Rose, Inc. (as "Lessee") for the use of Town-owned property at 16-18 Town Wharf
8. The Board will recommend Article 21, amending the Zoning Bylaw, Section 205-58, Floodplain District by amending text related to Flood Insurance Rate Maps and State Building Code references and b adopting revised Floodplain Insurance Rate Maps for the Town of Plymouth, Massachusetts, Plymouth County.
9. The Board will approve and grant an Aquaculture License to Katherine Dory of 71 Standish Avenue, Plymouth, for a term of three years, commencing on August 24, 2016 and terminating on August 23, 2019, for use of a 0.7-acre area within Plymouth Harbor described by the following coordinates:

Northwest Corner:
N 41° 59' 14.786"
W 70° 40' 49.97"

Southwest Corner:
N 41° 59' 12.524"
W 70° 40' 47.987"

Southeast Corner:
N 41° 59' 13.796"
W 70° 40' 45.381"

10. The Board will approve and grant an Aquaculture License to Kevin Dory of 71 Standish Avenue, Plymouth, for a term of three years, commencing on August 24, 2016 and terminating on August 23, 2019, for use of a 2-acre area within Plymouth Harbor described by the following coordinates:

Northwest Corner:
N 41° 59' 12.266"
W 70° 40' 36.904"

Northeast Corner:
N 41° 59' 13.805"
W 70° 40' 34.283"

Southwest Corner:
N 41° 59' 9.601"
W 70° 40' 34.414"

Southeast Corner:
N 41° 59' 11.229"
W 70° 40' 31.673"

11. The Board will approve and grant an Aquaculture License to John Nickerson of 237 Long Pond Road, Plymouth, for a term of three years, commencing on August 24, 2016 and terminating on August 23, 2019, for use of a 1.5-acre area within Plymouth Harbor described by the following coordinates:

Northwest Corner:
N 41° 59' 21.552"
W 70° 40' 32.648"

Northeast Corner:
N 41° 59' 20.676"
W 70° 40' 30.949"

Southwest Corner:
N 41° 59' 19.008"
W 70° 40' 35.525"

Southeast Corner:
N 41° 59' 17.518"
W 70° 40' 33.301"

12. The Board will approve and grant an Aquaculture License to Matthew Nickerson of 420 Long Pond Road, Plymouth, for a term of three years, commencing on August 24, 2016 and terminating on August 23, 2019, for use of a 1.8-acre area within Plymouth Harbor described by the following coordinates:

Northwest Corner:
N 41° 59' 23.009"
W 70° 40' 35.423"

Northeast Corner:
N 41° 59' 21.974"
W 70° 40' 33.465"

Southwest Corner:
N 41° 59' 21.374"
W 70° 40' 39.356"

Southeast Corner:
N 41° 59' 19.417"
W 70° 40' 36.445"

13. The Board will vote to execute a temporary License Agreement with NSTAR Electric Company d/b/a Eversource Energy for the installation and maintenance of electric transmission equipment that will service Town-owned property identified as Lot 2 on Assessor's Map 19 (new Town Hall / 1820 Courthouse complex).

8:30 p.m. Committee Liaison / Designee Update

8:35 p.m. Old Business / Letters / New Business
Chapter 61 - Bourne Road

8:40 p.m. Adjournment