

SPECIAL TOWN MEETING WARRANT
April 3, 2010

To any of the constables of the Town of Plymouth, Commonwealth of Massachusetts:

GREETINGS:

In the name of the Commonwealth, you are directed to notify and warn the Inhabitants of Plymouth, qualified to consider and vote on articles at a Special Town Meeting, to meet at Plymouth North High School on the third of April, 2010, at 8:00 AM, to act on the following articles to wit:

ARTICLE 1: Withdrawn

ARTICLE 2A: To see if the Town will vote to transfer a sum of money to be added to funds already appropriated under Article 7 of the 2009 Annual Town Meeting for the purpose of supplementing departmental expenses, or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 3: To see if the Town will vote to raise and appropriate or transfer a sum of money to pay certain unpaid bills, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the construction and/or repair and/or purchase and/or lease of buildings and/or replacement of departmental buildings, and/or equipment and/or capital facilities for various departments of the Town and/or for feasibility and other types of studies as follows:

- a. Airport Runway additional funds
- b. Police Cruiser Recovery Account
- c. Fire Station Generator
- d. Fire Tanker Rehab
- e. Fire Equipment

or take any other action relative thereto

BOARD OF SELECTMEN

ARTICLE 5: To see if the Town will vote borrow funds for the construction of roadway, utilities and other appurtenant facilities associated with the North Plymouth Cordage project through the ARRA funds, or take any other action relative thereto.

BOARD OF SELECTMEN.

ARTICLE 6: Withdrawn

ARTICLE 7: To see if the Town will vote to raise and appropriate, transfer or borrow available funds, including those received as a Local Acquisitions for Natural Diversity (LAND) grant, or otherwise, the sum of \$465,000, more or less, for the acquisition of a parcel of land containing 36 acres more or less, located off of Long Pond and Boot Pond Roads in Plymouth,

Massachusetts, and shown as Assessors Map 88, Lot 26H, for the purposes of open space and such alternative energy generation and transmission purposes as the Board of Selectmen may approve, such land to be held by the Conservation Commission of the Town of Plymouth and to authorize the Board of Selectmen or the Conservation Commission to acquire such land by gift, purchase or eminent domain on such terms and conditions as they may determine, and to authorize the Conservation Commission to file on behalf of the Town of Plymouth any and all applications deemed necessary for grants and or reimbursements from the Commonwealth of Massachusetts deemed necessary under Chapter 132A, Section 11 and or any other enabling authority related to the scope of this article, and to authorize the Board of Selectmen and the Conservation Commission to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said purchase, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer or borrow a sum of money for the purposes of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners; including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise, or take any other action relative thereto.

OFFICE OF COMMUNITY DEVELOPMENT

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the purpose of preparing road layout or improvements to unaccepted roads and conducting studies associated therewith; and further, to authorize the Board of Selectmen to seek special legislation for the purpose of implementing a road improvement program for unaccepted roads, provided, however, that the General Court to 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, and to authorize the Board of Selectmen to approve amendments which shall be within the scope of the general public's objectives of this petition, or take any other action relative thereto.

ROADS ADVISORY COMMITTEE

ARTICLE 10: To see if the Town will vote to transfer a parcel of land containing .170 acres more or less, shown on Assessor's Map 57, Lot 60A-8, identified as 217 Roxy Cahoon Road, from the Town Treasurer for the purpose of sale to the Board of Selectmen for the purpose of conveyance, and further to authorize the Board of Selectmen convey said parcel of land to the Plymouth Redevelopment Authority for the development of affordable housing thereon, and to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said conveyance, subject to such terms and conditions as the Board of Selectmen may determine appropriate, including the payment of nominal consideration, or take any other action relative thereto.

REDEVELOPMENT AUTHORITY

ARTICLE 11: To see if the Town will vote to transfer a parcel of land shown on Assessor's , Map 61, Lot 30 Mountain Hill Road, from the Town Treasurer for the purpose of sale to the

Board of Selectmen for any municipal use, including the potential siting for wind, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 12: To see if the Town will vote to transfer a parcel of land with buildings thereon shown on Assessor's Map 46, Lots H181-16A and H181-015, identified as 29 Manomet Road, from the Town Treasurer for the purpose of sale to the Board of Selectmen for the purpose of conveyance, and further to authorize the Board of Selectmen, to convey said parcel of land and buildings thereon to the Plymouth Municipal Affordable Housing Trust for the purpose of developing affordable housing, and to authorize the Board of Selectmen to enter into all agreements and to execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said conveyance, subject to such terms and conditions as the Board of Selectmen deem appropriate, including payment of nominal consideration, or take any other action relative thereto.

PLANNING AND DEVELOPMENT

ARTICLE 13A: To see if the Town will vote, pursuant to G.L. c. 44B, to appropriate from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, the amount of \$500,000.00 to the Plymouth Housing Trust to fund the affordable rental housing development program for the creation and support of low and moderate income housing for affordable rental housing in existing vacant space in the village centers of Plymouth subject to a grant agreement between the Town and the Plymouth Housing Trust outlining the purposes and conditions upon which the funds may be expended, and further to authorize the Board of Selectmen to enter into such grant agreement and to accept one or more deed restrictions meeting the requirements of G.L. c. 184 on the properties purchased through this program, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 13B: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, for conservation purposes pursuant to G.L. c.44B, the fee interest in a certain parcel of land containing 36 acres more or less shown on Assessor's Map 88, Lot 26H off Long Pond Road and Boot Pond Roads, Plymouth, on such terms and conditions as the Board of Selectmen deem appropriate, and to accept a deed to the Town of Plymouth, and as funding therefor, to transfer from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, or otherwise fund, the sum of \$140,300.00; and further, to authorize the Board of Selectmen to enter into all agreements and to execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said purchase and to grant one or more conservation restrictions meeting the requirements of G.L. c. 184, § 31, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 13C: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, for conservation purposes pursuant to G.L. c.44B, the fee interest in a certain parcel of land containing 14 acres more or less shown on Assessor's Map 55, Lot 35, on such terms and conditions as the Board of Selectmen deem appropriate, and to accept a deed to the Town of Plymouth, and as funding therefor, to transfer from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, or otherwise fund, the sum of \$64,000.00; and further, to authorize the Board of Selectmen to enter into all agreements and to execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said purchase and to grant one or more conservation

restrictions meeting the requirements of G.L. c. 184, § 31, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 13D: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, for conservation purposes pursuant to G.L. c.44B, the fee interest in a certain parcel of land containing 52 acres more or less shown on Assessor's Map 68, Lot 4a, on such terms and conditions as the Board of Selectmen deem appropriate, and to accept a deed to the Town of Plymouth, and as funding therefor, to transfer from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, or otherwise fund, the sum of \$250,000.00; and further, to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary or convenient on behalf of the Town of Plymouth to affect said purchase and to grant one or more conservation restrictions meeting the requirements of G.L. c. 184, § 31, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 14: Withdrawn

ARTICLE 15: To see if the Town will vote to authorize the Board of Selectmen to amend the Easement dated December 27, 1968, recorded with Plymouth County Registry of Deeds in Book 3492, Page 419 granted to Boston Edison Company, succeeded by NSTAR Electric Company, on a 300' wide portion of the property between Jordan Road and Long Pond Road (the "Easement Area") by granting to NSTAR and its successor and assigns, the perpetual easement to install, operate, maintain, repair, replace, change, upgrade and access telecommunication facilities including wireless telecommunication facilities on the transmissions towers and around the base of the towers within the Easement Area, including electric and telephone utilities necessary for the operation of such facilities within the Easement Area, on such terms and conditions and for such consideration as the Selectmen may determine, or take any action relative thereto.

BOARD OF SELECTMEN

ARTICLE 16: To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, or otherwise, for general municipal purposes pursuant to G.L. c.40, section 14, a certain parcel of land containing 1,524 square feet more or less and associated easements located on South Spooner Street and shown as Lot 3-8 on a plan entitled "Plan to Accompany Petition to the Plymouth Zoning Board of Appeals in Plymouth, Massachusetts" prepared by Flaherty & Stefani, Inc. and dated September 15, 2009, and further to authorize the Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary to affect said purchase, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 17: To see if the Town will vote to authorize the Board of Selectmen to accept a perpetual easement for nominal consideration over the property of Augustino Diodata located at 220 Carver Road and known as Plymouth Assessor's Parcel No. 106-000-017-000, for public way purposes, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 18: To see if the Town will vote to amend its Zoning Bylaw, Section 205-56. Highway Commercial Section E, Special Permits subject to environmental design conditions, and table 5, by adding to Section E new and used automobile sales as a special permit use subject to environmental design conditions as well as Table 5 and other associated definitions, procedures, and schedules, or take any other action relative thereto.

PLANNING AND DEVELOPMENT

And you are hereby required to serve this warrant in the manner prescribed by vote of the Town by posting notice thereof fourteen days at least before such meeting in the Town Office Building and make return thereof with your doings thereon at the time and place above mentioned.

Given under our hands this the ____ day of March 2010.

Approved as to Legal
Form

BOARD OF SELECTMEN

TOWN COUNSEL

Richard J. Quintal, Jr., Chairman

David F. Malaguti, Vice Chairman

Daniel "Butch" Machado

John T. Mahoney

William Hallisey