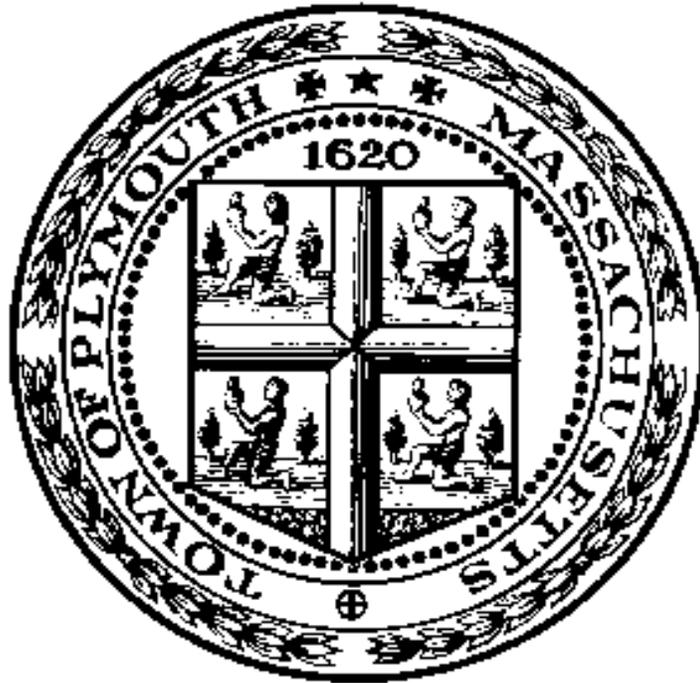


TOWN OF PLYMOUTH

REPORT
& RECOMMENDATIONS
OF THE
ADVISORY AND FINANCE
COMMITTEE



Presented at the
October 15, 2016

FALL
TOWN MEETING

FALL TOWN MEETING

OCTOBER 15, 2016

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REPORT & RECOMMENDATIONS

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

Fall Town Meeting – October 15, 2016

ARTICLE 1: To see if the Town will vote to amend the Classification and Compensation Plans and the Personnel By-Law and Collective Bargaining Agreements contained therein, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (5-4-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 1. Town Meeting approval of this article will amend the Personnel Bylaw in regard to the Executive Group (Department Heads). This change would allow that group to buy-back 5 days of earned time each fiscal year while reducing the number of earned days each employee is allowed to accrue from 45 days to 40 days. The amendment also includes a longevity stipend of \$2,000 for those in the Executive Group with 25 years or more of service to the town. The longevity table currently maxes out at \$1,000 at 15 years or more of service. The cost for these new options is approximately \$25,000 per year. Savings will be realized over time because they will be paid five days at their current salary rather than at a higher rate later when they retire. Those opposed to the Article focused on the number of days that accrue and can be carried over, suggesting the benefit remains excessive and significantly out-of-step with the private sector and the benefits that most taxpayers receive in their own employment.

ARTICLE 2A: To see if the Town will vote to amend the vote taken under Article 7A of the 2016 Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$247,200 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 2A. Amendments to the General Fund Budget, voted as Article 7A at the April Annual Town Meeting, total \$247,200. Increases include \$679,500 Member Benefits, \$150,000 Legal Expenses (sewer lawsuit), and \$4,500 Moderator's Expenses (electronic voting). Savings include \$194,800 Non-Enterprise Debt, \$167,000 All Town Insurance, \$150,000 Veterans Expenses, and \$75,000 Fuel & Utilities. Funding sources are: \$23,464 Municipal Waterways, \$105,411 Meals Tax Fund, \$225,857.38 Premium for Debt Exclusion, and a decrease of \$107,532.38 to the amount to be raised by the 2017 Tax Levy.

ARTICLE 2B: To see if the Town will vote to amend the votes taken under Article 7B, 7C, 7D and 7E of the 2016 Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing enterprise departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (\$87,502) (11-1-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 2B. Amendments to the Enterprise Fund Budgets, voted as Articles 7B, 7C, 7D, and 7E at the April Annual Town Meeting, total a decrease of \$87,502. Decreases include \$93,906 Debt Service (ATM Article 7B: Water Enterprise Fund), \$8,982 Debt Service (ATM Article 7C: Sewer Enterprise Fund), \$3,114 Debt Service (ATM Article 7E: Airport Enterprise Fund). Amendments to ATM Article 7D: Solid Waste Enterprise Fund total a net increase of \$18,500: Decrease of \$20,000 Personal Services, Increase of \$38,500 All Other Expenses. In addition to this the Solid Waste Enterprise Fund budget will also require an amendment to the funding sources to cover the shortfall of \$111,000 which arose from last year's rates being set lower than anticipated costs. This money will come from a combination of the Special Purpose Stabilization Fund for Solid Waste and Solid Waste Retained Earnings.

ARTICLE 3: No Motion No Action

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

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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 and/or replacement of departmental buildings and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows:

- A. Fiber Loop
- B. Wastewater Treatment Plant Audit
- C. Parking Deck
- D. Pumping Engine
- E. Plymouth Beach Revetment
- F. Plymouth Beach Sea Wall
- G. GPS Field Survey Grade equipment
- H. Airport Delta Taxiway

or take any other action relative thereto.

BOARD OF SELECTMEN

4A RECOMMENDATION: Approval \$100,000 (12-0-0)

The Advisory & Finance Committee advises Town Meeting approve Article 4A. Approval of this article will appropriate \$100,000 to relocate the fiber loop from the existing Town Hall to the new Town Hall. It will also provide fiber connection to the new Plymouth South High School. The funding is being requested now because there is a back log of fiber supply, requiring a wait of up to six months for delivery. While we would have preferred to have this expense included in the scope of construction for both projects, and had the Meals Tax and MSBA fund them, that is not the way these projects have been structured in the past. Fiber for the Plymouth North High School, Senior Center, and Emergency Operations Center were all done separately outside the scope of the construction project. The town will consider including this expense in the scope of any future construction projects.

4B RECOMMENDATION: Approval \$200,000 (Unanimous, 14-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4B. Town Meeting approval of this article will fund a study to evaluate current infrastructure conditions at the Wastewater Treatment Plant and the five municipal lift stations: Holmes Point, Water Street, Hedge Road, Industrial Park, and Long Pond. These facilities are operated and maintained by Veolia North America under an agreement that expires on June 30, 2021. The assessment of current conditions is essential since it will identify item(s) needing to be addressed and the estimated cost, allowing the town to effectively and efficiently address any deficiencies that may be observed. Veolia is required to transition the plant and all of the stations back to the town in good working order and in compliance with all legal requirements, subject to normal wear and tear, consistent with good industry practice.

4C RECOMMENDATION: Approval \$3,918,000 (12-0-0)

The Advisory & Finance Committee advises Town Meeting approve Article 4C. Approval of this article will authorize construction of a \$3.9 million parking deck adjacent to the new Town Hall on South Russell Street. Although the Town will borrow the required funds through the bond process, the Plymouth Growth and Development Corporation will make the debt service payments, completely funding the project out of revenue from parking operations. This approach is being used since the Town can realize a considerably better interest rate on the borrowing than the PGDC. In addition, the PGDC will pay approximately 23.5% of the total project cost (\$590,000 in up-front soft costs and 10% down payment on the construction cost (\$332,800) from its cash reserves. The architectural design of the parking deck is consistent with the new Town Hall and sensitive to the surrounding historical area, including preservation of the views from Burial Hill. In addition, the design has sought to minimize cost of the facility by utilizing the existing parking lot, with some modest leveling, as the top deck and inserting a lower deck underneath; each level will provide direct access to the street, eliminating the need for elevators, and the decks will be accessed from two separate, dedicated entries, eliminating an

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

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internal ramp and maximizing the number of parking spaces, yielding 152 spaces out of an area that currently provides 63. This is an exciting step for the town to construct its first parking structure after more than 40 years of discussion on the matter and the architectural renderings suggest it will be an attractive and sensitive addition to the Downtown area. Town management acknowledges that residents should be able to conduct business at Town Hall without paying for parking and is pursuing discussions with the PGDC to ensure that is the case during high-volume business periods at Town Hall, such as tax payment “season” and annual permit purchasing periods. There also is plenty of on-street parking and other free parking lots around the new Town Hall, but effective enforcement of parking space turnover within posted limitations is a key success factor.

4D RECOMMENDATION: Approval \$598,600 (12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4D. Approval of this article will appropriate \$598,600 to purchase and equip a new pumping engine for the Fire Department. Engine 6 is ready for replacement. The engine was built in 2006, has 369,000 calculated miles, and was not the preferred heavy duty pumper when purchased because two pumpers were purchased that year and costs needed to be cut. Engine 6 was out of service 33 times last year and 19 times already this year and needs to be moved from “front line” to reserve. The vendor has announced a 4% price increase beginning in November this year so the town will save just under \$20,000 by ordering the new pumping engine by the end of October. The purchase will be funded out of Free Cash.

4E RECOMMENDATION: Approval \$815,000 (12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4E. Approval of this article will repair and reconstruct portions of 720 linear feet of revetment at Plymouth Beach. The project is already designed and permitted. A grant application has been submitted for funding from the Massachusetts Dam and Seawall Program. If the grant is approved, the town will borrow \$815,000 and then receive reimbursement through the Dam and Seawall grant. In addition to that funding, the town already has approximately \$250,000 set aside for this project, \$50,000 of which was received from 2 private donors. If the grant application is not approved, the project will not move forward. Repairing the revetment, the boulders in front of and providing protection to the seawall, is much less costly than having to repair the seawall itself. This is a necessary expense to protect the seawall and all of the infrastructure at and along Plymouth Beach.

4F: See Supplement I

4G RECOMMENDATION: Approval \$25,000 (12-2-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4G. Town Meeting approval of this article will fund the replacement of GPS Field Survey Grade Equipment for the Engineering Division. The current equipment is 16 years old and has ceased communications with current satellite technology, rendering the equipment obsolete. The manufacturer no longer supports this equipment or provides parts, so repair is not an option. This equipment is essential to the functioning of the Engineering Division. Once again, the Committee asks that requests for large purchases be accompanied by an analysis of purchase versus leasing options.

4H RECOMMENDATION: Approval \$1,700,000 (Unanimous, 14-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4H. Town Meeting approval of this article will complete the “Delta” taxiway at Plymouth Airport. Grants from the Federal Aviation Administration and the Massachusetts Department of Transportation will fund \$1,615,000 of the project costs with the \$85,000 balance being funded from Airport Enterprise Retained Earnings. This project will connect the existing delta taxiway to the end of Runway 24, correcting an existing safety concern where currently aircraft based on the south side of the airport have to cross the active runway to taxi and takeoff on runway 24. This new “Delta” taxiway will allow aircraft to taxi directly to the end of runway 24 without having to cross the active runway first. Time is of the essence as FAA funds become available at the start of the federal fiscal year which is October.

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ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money, and to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, and to accept the deed to the property and building located at 15 Hedge Road, Plymouth, on such terms and conditions as the Board of Selectmen deems appropriate, and to accept a deed to the Town of Plymouth of a fee simple interest for the premises at 15 Hedge Road, Plymouth, shown on Assessors’ Map 6 Lot 60 D and Parcel No. 006-000-060D-000, for the purposes of locating Public Safety facilities thereon, said land or interest to be managed by the Board of Selectmen, and to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate the purposes of this Article; or to take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$325,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 5. Approval of this article will fund the purchase of 15 Hedge Road in North Plymouth. The town has been searching for a lot large enough to site a new fire station because the current north Plymouth fire station is inadequate. As you will recall from last Fall’s Town Meeting, the newer fire engines have to be specially fitted with smaller side mirrors so the engine can just squeeze through the doors to the fire station. That Town Meeting appropriated \$25,000 to place a deposit once a suitable property was found. The purchase price of this property is \$350,000, so this article will fund the remaining \$325,000. It is important to move forward with this purchase now as large parcels in north Plymouth are increasingly difficult to find. Town Meeting will see an article in the future to design and build the new fire station, but that may be some time down the road.

ARTICLE 6: Withdrawn

ARTICLE 7: 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.

Parcel ID
113-000-004-000 Map 113 Lot 4
113-000-007-000 Map 113 Lot 7
113-000-008-000 Map 113 Lot 8
113-000-011-000 Map 113 Lot 11
113-000-021-000 Map 113 Lot 21
114-000-020-027 Map 113 Lot 20-27
114-000-020-045D Map 114 Lot 20-45D
114-000-024-000 Map 114 Lot 24
114-000-025-000 Map 114 Lot 25
114-000-033-000 Map 114 Lot 33

OPEN SPACE COMMITTEE

RECOMMENDATION: Approval (8-1-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 7. Town Meeting approval of this article will transfer the parcels from the Town Treasurer to the Conservation Commission for conservation and open space purposes. The three parcels were taken by the Town through a tax lien proceeding. The parcels comprise a total of nearly 116 acres. While approving this Article the Committee did express concerns about the amount of property being put into conservation year after year. The Committee asked that the Open Space plan be updated and more specific targets be developed for all conservation land not just that controlled by the Town.

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

Fall Town Meeting – October 15, 2016

ARTICLE 8: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, or otherwise, and to accept the deed to the parcel of land containing 4.37 acres, more or less, located off LONG RIDGE ROAD in the Town of Plymouth shown as Assessor’s Parcel Number 078B-000-000A-266, on such terms and conditions as the Board of Selectmen deems appropriate, for the purposes of open space and conservation, said land or interest to be managed by the Board of Selectmen, and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

BOARD OF SELECTMEN

See Supplement I

ARTICLE 9A: To see if the Town will vote to revise the funding sources and thereby amend the vote taken under Article 16A of the 2014 Spring Annual Town Meeting for the restoration of the 1820 Court House, as previously amended, by reducing the amount to be borrowed and transferring a sum of money from Fiscal Year 2017 Community Preservation Act estimated annual revenues, undesignated fund balance or other CPA reserves for such purposes, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Approval (Unanimously, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 9A. Town Meeting approval of this article will authorize a \$500,000 reduction to the remaining \$3,500,000 borrowing authorization for the restoration of the 1820 Court House and authorize the Community Preservation Committee to set aside \$500,000 of FY17 CPA revenue for 1820 Court House restoration expenses. This will enable the Community Preservation Committee to reduce borrowing for the project, thereby saving the Town money on interest costs.

ARTICLE 9B: To see if the Town will vote to appropriate from the Community Preservation Fund Historical Reserve Fund, estimated annual revenues, undesignated fund balance, or reserves, borrow, or otherwise fund, a total sum of money for the preservation, rehabilitation and restoration of the Steinway Library at the Pilgrim Hall Museum located at 75 Court Street, including all incidental and related costs, in accordance with the terms and provisions of a Grant Agreement; or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Approval \$125,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 9B. Approval of this article will appropriate \$125,000 from the Community Preservation Fund for Historic Resources. These funds will be used to preserve, rehabilitate and restore the Steinway Library at the Pilgrim Hall Museum. The plan is to repair the tile ceiling, flooring, UV, plaster, windows, equipment and technology. The restoration will help expand the potential and vitality of a nationally visible anchor institution, and will create new economic and educational benefits for the upcoming 2020 celebrations. This project would be contingent upon an agreement to allow free access to Town residents for 5 years and use of the Library by the Town for community meetings from time to time subject to availability.

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

Fall Town Meeting – October 15, 2016

ARTICLE 9C: To see if the Town will vote to appropriate from the Community Preservation Fund Housing Reserve Fund, estimated annual revenues, undesignated fund balance, or reserves, borrow, or otherwise fund, a total sum of money to fund a grant to the Plymouth Housing Authority or its designee or assignee for the construction and/or renovation of Mount Pleasant School at 22.5 Whiting St., Parcel ID 022-000-073-000 , Map 22, Lot 73 for senior affordable housing, provided, however, that such funds shall not be expended until the following conditions are met: a) the property described above shall be transferred to the Plymouth Housing Authority for no consideration; b) any alterations to the facade shall be approved by the Plymouth Historical Commission; c) public access to the pocket park known as the “Hollow” containing 2 acres more or less and to the children’s play area, which park and play area are shown on a sketch plan on file with the Town Clerk, shall be permanently protected through an easement or easements, and to authorize the Board of Selectmen to grant such easement or easements; and d) the Plymouth Housing Authority shall grant to the Town a permanent affordable housing restriction dedicating the property to senior affordable housing and meeting the requirements of G.L. c.184, §§31-33, and to authorize the Board of Selectmen to accept such restriction, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Not Approve \$1,028,000 (4-7-1)

The Advisory & Finance Committee advises Town Meeting to not approve Article 9C. Approval of this article will appropriate \$1,028,000 from the Community Preservation Fund for Community Housing, to fund a grant to the Plymouth Housing Authority for the renovation of Mount Pleasant School into eight senior affordable housing units. The Advisory & Finance Committee agrees there is a tremendous need for affordable housing and that the Town is well below the state’s standard to provide a minimum of 10% of housing inventory as affordable. The Committee also understands the significant history of this building. At the same time, the Committee believes this project does not offer “enough bang for the buck”. The Committee also felt that this Article is premature. There should be a discussion about the future of this building and the tradeoffs involved. Use of the building for senior affordable housing should be compared with selling the Mount Pleasant School to a developer and placing it on the tax rolls. The majority saw no need to fund the Article prior to that community discussion.

ARTICLE 9D: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest of land located off Old Sandwich and State Road in the Town of Plymouth comprised of 11.5 acres more or less being made up of lot 6F-U and shown on Assessors Map 61, parcel ID 061-000-006F-000 said land to be held under the care, custody and control of the Conservation Commission, to appropriate a total sum of money for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, or borrow or otherwise fund said total sum pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority, provided, however, that such borrowing authority shall be reduced by the amount of any grants received by the Town prior to such borrowing; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

COMMUNITY PRESERVATION

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

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RECOMMENDATION: Approval \$250,000 (Unanimous, 11-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 9D. Approval of this article will appropriate \$250,000 from the Community Preservation Fund for Open Space to acquire 11.5 acres off Old Sandwich Road and State Road for open space and recreational purposes. The acquisition of this property is intended to protect water quality in Savery Pond, a major freshwater contributor to Ellisville Harbor. The pond is rated “impaired” with the highest levels of pollutants of 38 Plymouth ponds recently studied. The cranberry bog located on the property will be taken out of production, its Pool A Ocean Spray rights will be sold, and its equipment moved to the Center Hill Bog location. This property is located within an area of approximately 375 acres of CPA land just across the pond and is almost entirely within a Commonwealth of MA designated “Interim Wellhead Protection Area”. This land will be held in the care and control of the Conservation Commission.

ARTICLE 9E: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest of land located off Beaver Dam Road in the Town of Plymouth comprised of 127.8 acres more or less being made up of lot 8, 24-20 and lot 28E shown on Assessors Map 76 said land to be held under the care, custody and control of the Conservation Commission, to appropriate a total sum of money for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow or otherwise fund said total sum pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; provided, however, that any such borrowing authority shall be reduced by the amount of any grants received by the Town prior to such borrowing; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

COMMUNITY PRESERVATION

RECOMMENDATION: Approval \$599,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 9E. Approval of this article will appropriate \$599,000 from the Community Preservation Fund for Open Space, CPC budgeted reserve, and undesignated funds. These funds will be used to acquire 127.8 acres off Beaver Dam Road, known as Tidmarsh Farms West, for open space and recreational purposes. The acquisition of this property is intended to preserve the waters of Beaver Brook which runs to Bartlett Pond and to White Horse Beach. The land is comprised of cranberry bog upland woodlands, extensive frontage on Beaver Dam Road, and the “Church Lot” which sits at over 300 feet in elevation and is part of the highest elevated landscape on the eastern seaboard south of Acadia National Park. The land will be held in the care, custody and control of the Conservation Commission. The Massachusetts Audubon Society is purchasing approximately 190 acres of land to the east and is planning to build a Nature Visitor Center.

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ARTICLE 10: To see if the Town will vote to transfer the care, custody, management and control of the land and building located on 22 ½ Whiting Street, Plymouth, commonly known as the Mount Pleasant Street School, shown as Lot 73 on Plymouth Assessors’ Map 22, parcel no. 022-000-073-000 on file with the Town Clerk, from the School Committee for school purposes to the Board of Selectmen for the purposes of sale or lease or transfer, and to authorize the Board of Selectmen to sell or lease or transfer 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.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$325,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 10. Approval of this article will transfer care, custody, management and control of the Mount Pleasant Street School from the School Department to the Board of Selectmen. The article states “for the purposes of sale or lease or transfer.” The town is keeping its options open at this point. There is a lot of interest in this property and it will involve a public process to decide the future of this historic building.

ARTICLE 11 : To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation providing that after the effective date of such legislation the positions of Police Chief and Police Captain shall 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:

AN ACT EXEMPTING CERTAIN POSITIONS IN THE POLICE DEPARTMENT OF THE TOWN OF PLYMOUTH FROM THE CIVIL SERVICE LAW

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

Section 1. Notwithstanding any general or special law to the contrary, the positions of police chief and police captain within the police department of the town of Plymouth shall be exempt from chapter 31 of the General Laws.

Section 2. Section 1 shall not impair the civil service status of any person employed on a permanent basis as police chief and police captain of the town of Plymouth on the effective date of this act.

Section 3. This act shall take effect upon its passage.

or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 9-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 11. Approval of this article will authorize the Board of Selectmen to petition the General Court for special legislation that would exempt the positions of Police Chief and Police Captain, appointed after passage of the Act, from the Civil Service statute. Plymouth has had difficulty finding enough officers to sign up for the test required for promotion to these higher positions. If the minimum do not register for the test, Civil Service cancels the test and reschedules it the following year and opens it up to the next lowest rank. The Civil Service process has faltered and is underfunded. By removing these positions from Civil Service, it would allow Plymouth to develop its own fair, and more efficient, process for evaluating personnel for promotion. This is not a move to go outside to hire; Town employees are qualified and ready. The Police Chief supports this Article.

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

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ARTICLE 12 : To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation providing that after the effective date of such legislation the positions of Fire Chief and Deputy Fire Chief shall 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:

AN ACT EXEMPTING CERTAIN POSITIONS IN THE FIRE DEPARTMENT OF THE TOWN OF PLYMOUTH FROM THE CIVIL SERVICE LAW Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same as follows:

Section 1. Notwithstanding any general or special law to the contrary, the positions of fire chief and deputy fire chief within the fire department of the town of Plymouth shall be exempt from chapter 31 of the General Laws.

Section 2. Section 1 shall not impair the civil service status of any person employed on a permanent basis as fire chief or deputy fire chief in the town of Plymouth on the effective date of this act.

Section 3. This act shall take effect upon its passage.

or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 9-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 12. Approval of this article will authorize the Board of Selectmen to petition the General Court for special legislation that would exempt the positions of Fire Chief and Deputy Fire Chief, appointed after passage of the Act, from the Civil Service statute. Plymouth has had difficulty finding enough firemen to sign up for the test required for promotion to these higher positions. If the minimum do not register for the test, Civil Service cancels the test and reschedules it the following year and opens it up to the next lowest rank. The Civil Service process has faltered and is underfunded. By removing these positions from Civil Service, it would allow Plymouth to develop its own fair, and more efficient, process. This is not a move to go outside to hire; Town employees are qualified and ready. The Fire Chief supports this Article.

ARTICLE 13: To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, to authorize the Board of Selectmen and Board of Assessors to negotiate and enter into an agreement for payment-in-lieu-of-taxes (“PILOT”) for the following projects:

LLC (or its affiliates, successors, or assignees)	Type & Anticipated MWAC/DC (more or less)	Location
A Renewable Energy Development Partners	Ground 1.0 MWAC	Map 97 Lot 10-2 Adjacent to airport
B Renewable Energy Development Partners	Ground 0.5 MWAC	Map 99 Lot 1C Off Federal Furnace Road
C WITHDRAWN		
D 46 Shops Plymouth Solar	Roof 1.11 MWDC	Map 83 Lot 3C-3 46 Shops at 5 Way
E 978 Solar Development	Ground 1.338 MWDC	Map 114 Lot 5 9 River Run Way
F 978 Solar Development	Ground 1.338 MWDC	Map 114 Lots 7-2 & 7-8 5 River Run Way
G 978 Solar Development	Ground 2.77 MWDC	Map 115 Lot A-1 3 River Run Way
H 978 Solar Development	Ground 1.32 MWDC	Map 90 Lot 17-5 57 Black Cat Road

each for a period of up to 20 years, upon such terms and conditions as the Board of Selectmen and Board of Assessors shall deem to be in the best interest of the Town, or take any other action relative thereto.

BOARD OF SELECTMEN

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

Fall Town Meeting – October 15, 2016

RECOMMENDATION: Approval (Unanimous, 10-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 13. Approval of this article will allow the Town to negotiate seven PILOT agreements. The various projects are listed in the article language. The agreements all contain 20 year terms and an annual escalator of 2.5%. PILOT agreements are beneficial to both the developer and the town. There is a set stream of payments known at the beginning of the project which helps the developer with cost evaluation and financing. The town also benefits by the set steam of payments since transaction costs are reduced by avoiding certification and valuation appraisals every 3 years; in addition, contract terms protect the Town from certain risks, including tax default, valuation disagreements, and the potential for abatement requests.

ARTICLE 14: Withdrawn

ARTICLE 15: Withdrawn

ARTICLE 16: Withdrawn

ARTICLE 17: Withdrawn

ARTICLE 18: Withdrawn

ARTICLE 19: Withdrawn

ARTICLE 20: Withdrawn

ARTICLE 21: To see if the Town will vote to amend its Zoning Bylaw, Section 205-58. Floodplain District by amending the text related to Flood Insurance Rate Maps and State Building Code references and by adopting revised Flood Insurance Rate Maps (FIRM) for the Town of Plymouth, Massachusetts, Plymouth County as well as to amend associated sections, provisions, definitions, tables, charts, and procedures pertaining, on file with the Town Clerk, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 10-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 21. Approval of this article will amend Plymouth’s Zoning Bylaw, Section 205-58. Floodplain District by amending the text related to Flood Insurance Rate Maps and State Building Code references and by adopting revised Flood Insurance Rate Maps (FIRM). FEMA flood maps, which dictate where flood zones are, were last set in 2006. The Town must adopt this new set of maps to ensure continuation of flood insurance availability for Plymouth residents. Overall, the town saw 0.2 square miles removed from the flood zone and 0.6 square miles added, bringing total land in the flood velocity zone to 14.8 square miles. The most significant changes to the maps were in the White Horse Beach area.

ARTICLE 22: To see if the Town will vote to accept and allow the alteration of the layout as a public way of the following streets or portions thereof as ordered by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, upon such terms and conditions as it deems appropriate, such interests in land within said altered layout and abutting lands sufficient to use said ways for all purposes for which public ways are used in the Town of Plymouth, and to raise and appropriate, transfer from available funds, or borrow a sum of money for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out such acquisition or take any other action relative thereto

Resnik Road (portion of)

Water Street (portion of)

BOARD OF SELECTMEN

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

Fall Town Meeting – October 15, 2016

RECOMMENDATION: Approval (Unanimous, 13-0-1)

The Advisory & Finance Committee advises Town Meeting to approve Article 22. Town Meeting approval of this article will accept easements and correlating road layout alterations for two separate projects, one on Water Street and one on Resnik Road.

- Water Street: The Town will be improving Water Street infrastructure as part of the preparation for 2020. This easement will allow the town to utilize this area for widening the sidewalk and roadway. The property owner, Water Street Cafe, has agreed to grant the Town easement for highway purposes. The road layout alteration adds this easement to the road layout.
- Resnik Road: The property owner of the medical building at the corner of Resnik Road and Industrial Park Road has made roadway improvements to Resnik Road. Parts of the roadway infrastructure are located outside of the roadway layout. The property owner has agreed to grant the Town easement for highway purposes. The road layout alteration adds this easement to the road layout.

ARTICLE 23: Withdrawn

ARTICLE 24: To see if the Town will vote to accept and allow the layout as a public way of the following street or portions thereof as laid out by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, upon such terms and conditions as it deems appropriate, such interests in land within said layout and abutting lands sufficient to use said ways for all purposes for which public ways are used in the Town of Plymouth, and to raise and appropriate, transfer from available funds, or borrow a sum of money for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out such acquisition or take any other action relative thereto

Loring Boulevard
Commerce Way (portion of)
Carver Road (portion of)
BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 13-0-1)

The Advisory & Finance Committee advises Town Meeting to approve Article 24. Town Meeting approval of this article will accept and allow the layout as public way of three roads:

Loring Boulevard, the entrance road to Cordage, a portion of Commerce Way, and a portion of Carver Road.

- Loring Boulevard: The entrance road to Cordage Park
- Commerce Way: The section built as part of the Cranberry Crescent project, extending Commerce Way from Plympton Road (Route 80) to Carver Road.
- Carver Road: Adding an easement for highway purposes and accepting the improvements made by the Cranberry Crescent developer in front of that property.

ARTICLE 25: To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, and upon such terms and conditions as it deems appropriate, such temporary and permanent easements for highway and utility purposes in lands along Taylor Avenue as are necessary to carry out the proposed reconstruction/improvement of Taylor Avenue in accordance with the Easement Plan prepared for such project, which plan has been placed on file with the Town Clerk, and further to raise and appropriate, transfer, or borrow a sum of money as may be required for the acquisition of the aforesaid interests in land, or take any other action relative thereto.

BOARD OF SELECTMEN

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

Fall Town Meeting – October 15, 2016

RECOMMENDATION: Approval (Unanimous, 14-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 25. Town Meeting approval of this article will allow the Board of Selectman to begin the process that will lead to the acceptance of temporary and permanent easements either through donation, purchase or eminent domain required to receive funding from the state and federal governments for the reconstruction and improvement of Taylor Avenue. The process is regulated by the Town’s bylaws Article 11 and MGL Chapter 79. The project, funded and overseen by the Massachusetts Department of Transportation, will consist of a bridge replacement and significant roadway and pedestrian improvements. The easements are for grading, driveway aprons, set back of utility poles, corners, and, in some cases, sidewalk widening to meet ADA requirements. The total project cost nears \$10 million and has taken 12 years to get to this point. It is scheduled to be advertised by the Massachusetts Department of Transportation in April 2017, with work commencing later in 2017.

ARTICLE 26: To see if the Town will vote to amend the Zoning Bylaw by adopting a bylaw entitled, “Ground Mounted Solar Installations”, authorizing the installation of ground-mounted solar systems in certain districts and under certain conditions and establishing definitions, procedures, and provisions for said installations, on file with the Town Clerk, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (10-2-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 26. Approval of this article will amend the Zoning Bylaw by adopting a bylaw entitled, “Ground Mounted Solar Installations”, authorizing the installation of ground-mounted solar systems in certain districts and under certain conditions. Currently, there is no mention of solar in Plymouth’s bylaws. Having a Solar Bylaw on record is necessary since there are currently three court appeals in progress. Without the bylaw that number may continue to grow, potentially costing the town tens of thousands of dollars or more annually in litigation fees and staff time. The Committee recognizes that this bylaw may not be perfect and has veered from its general principle of not recommending bylaws that may need future amending. The majority felt it was more important to have a bylaw in place than to wait for a perfect one. The bylaw was modified and reheard after changes and amendments, suggested by the Committee, were incorporated into it. This bylaw protects Plymouth’s citizens and their property values. The bylaw provides maximum size limits, requirements for screening, and requirements for abutter notification.

ARTICLE 27: To see if the Town will vote to receive a document entitled “West Plymouth Village Center Master Plan Update”, dated October 2016, on file with the Town Clerk, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 27. Approval of this article will accept the “West Plymouth Village Center Master Plan Update” dated October 2016. The last plan was created in 1993. The West Plymouth Village Steering Committee, working with Planning staff and the Planning Board, have updated the plan to reflect current conditions and future goals for the West Plymouth Village Center. The Master Plan will be used to guide public investments and private development over the next decade. There are five village master plans and each supports the overall Plymouth Strategic Plan.

ARTICLE 28: To see if the Town will vote to amend the General By-Laws by adopting a bylaw entitled “Plastic Bag Ban” as follows: or take any other action relative thereto:

SECTION 1 – DEFINITIONS

CARRYOUT BAG:

A carryout bag is a thin film plastic bag of a thickness less than 3 mils with handles provided to a customer by an establishment and is used to transport merchandise from the establishment. Carryout bags do not include bags typically without handles used to contain dry cleaning, newspaper, small bags to contain fish, meats, produce or other products selected by the consumer to deliver items to the point of sale.

REUSABLE CARRYOUT BAG

A Reusable Carryout meets all of the following requirements:

[1] Is made solely of or in a combination of natural cloths, synthetic fibers, other washable material; or of a non-toxic plastic as defined by applicable state and federal regulations that is no less than 3 mils thick and has the word “Reusable” or “Reuse” printed on the outside of the bag in a visible manner.

[2] Is specifically designed for multiple reuse and has handles.

RECYCLABLE PAPER BAG

A paper bag that [1] is 100% recyclable and [2] contains at least 40% post-consumer recycled paper content.

ESTABLISHMENT:

An Establishment means any business selling goods, articles, or personal services to the public, including restaurants, with a gross interior space of 3000 square feet or larger; or has at least two (2) locations under the same ownership or brand name within the Town of Plymouth.

SECTION 2: Findings, Purpose, and Declaration

(a) Findings. The town meeting finds and determines that:

1. Thin plastic bags are harmful to the environment.
2. Thin plastic bags are part of litter resulting in the Town being a less desirable place in which to reside and do business.
3. Thin plastic bags are a danger to marine and land animal life.

(b) Purpose. The purpose of this bylaw is:

1. To help lessen the deterioration of the environment.
2. To further educate the public regarding the importance of using biodegradable materials.
3. To provide additional enforcement to protect public and private property from litter.
4. To encourage the use of reusable carryout bags and thereby decrease plastic waste.

(c) Declaration. The town meeting declares that these plastic bags are a nuisance which must be abated according to the provisions and regulations herein contained.

SECTION 3. PLASTIC BAG BAN/PROHIBITION

No Establishment in the Town of Plymouth, as defined in Section 1, shall provide thin film plastic carryout bags as defined in Section 1. Establishments in the Town of Plymouth, as defined in Section 1, shall only provide Reusable Carryout Bags that comply with the definition in Section 1. Nothing in this section shall be read to preclude any Establishment from utilizing Recyclable Paper Bags, with or without handles, at the point of sale.

SECTION 4. ENFORCEMENT

This Bylaw may be enforced by any agent of the Board of Health.

All of the requirements set forth in this by-law shall take effect within six months of the approval of the bylaw by the Office of the Massachusetts State’s Attorney General and satisfaction of the posting/publication requirements of G.L. c. 40, § 32. However, if a retail establishment cannot comply with the effective date of this by-law due to economic hardship, the establishment may petition the Board of Health for an extension of six months.

This Bylaw may be enforced through any lawful means in law or in equity, including, but limited to, non-

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

Fall Town Meeting – October 15, 2016

criminal disposition pursuant to M.G.L c.40, Section 21D and the appropriate chapter of the Town’s General By-laws. If a non-criminal disposition is elected, then any Establishment that violates any provision of this Bylaw shall be subject to the following penalties:

- First Offense: Written Warning
- Second Offense: \$50 fine
- Third Offense: \$100 fine
- Subsequent offenses: \$200 fine

SECTION 5: SEVERABILITY

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.

BY PETITION: Kenneth Stone and Lee Burns et al.

RECOMMENDATION: Approval (7-3-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 28. Approval of this article will amend the General By-Laws by adopting a bylaw entitled “Plastic Bag Ban”. The goal of this ban is to reduce waste, litter, death of birds and ocean life, and toxins leaching into the environment from the breakdown of plastic bags. 36 Massachusetts towns have plastic bag bans. This bylaw applies only to businesses of more than 3,000 square feet or with more than 1 location in Plymouth, so most independent retailers will be exempt. These larger stores are familiar with and comfortable with the transition away from plastic. Paper bags will still be provided to consumers and consumers are encouraged to utilize reusable shopping bags, often given out as free promotions. After considerable discussion and deliberation, the majority felt that this could be a step toward cleaning up the town and protecting its environment for future generations.

ARTICLE 29: 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 Assessors’ Map 103 from Light Industrial (LI) to Mixed commerce (MC) or take any action relative thereto.

BY PETITION: Edward Santos et al.

RECOMMENDATION: Approval (Unanimous, 9-0-1). The Advisory & Finance Committee advises Town Meeting to approve Article 29. Approval of this article will amend the Official Zoning Map of the Town of Plymouth by changing the zoning designation of one lot of land on Resnik Road (Map 103 Lot 14K-123) from Light Industrial to Mixed Commerce. This is currently a vacant lot with frontage on Commerce Way and the potential purchaser petitioned this article. Mixed commerce would allow for retail and restaurant space. Allowing retail and restaurant development would increase the value of the property and increase tax revenue to the town.

ARTICLE 30: To see if the town will vote to install the following bylaw into Plymouth Zoning Ordinance: Any tree equal or greater than 8 inches in caliper* that is removed during site preparation for any project within all districts of Plymouth shall be replaced with a tree of a smaller caliper within or without the site of the project as a mitigation of the damage to the natural environment. If the site of the project cannot accommodate replanted trees the owner may either plant those trees on the public land of Plymouth, or remunerate the cost of the removed trees to the Town of Plymouth under the directions from Tree Warden of Plymouth. One and two family residential properties are exempt from this bylaw.

*Caliper of a tree is a diameter of a tree trunk measured at the height of 24 inches from the finished grade at the base of the trunk.

Or take any action relative thereto.

BY PETITION: Anatol Zukerman et al.

See Supplement I

ARTICLE 31: To see if the town will vote to install the following bylaw into Plymouth Zoning Ordinance: Any tree equal to or greater than 8 inches in diameter during site preparation for any project within all zones in the Town of Plymouth shall be replaced with trees of smaller or equal diameter within suitable areas as a mitigation of deforestation, or take any action relative thereto.

BY PETITION: Anatol Zukerman et al.

See Supplement I

ARTICLE 32: To see if the Town will vote to raise and appropriate the sum of \$13,500 for the purpose of treating the weeds at Billington Sea or take any action relative thereto.

BY PETITION: Michael T. Leary et al.

RECOMMENDATION: Approval \$13,500 (Unanimous, 13-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 32. Approval of this article will appropriate \$13,500 to treat weeds at Billington Sea. The Town owns 45% of the property around Billington Sea and \$13,500 is the pro rata portion of the total cost to treat the weeds. The Billington Sea Association will pay the remaining 55% of the total cost. In 2011 Town Meeting approved funding for a similar project. A product called Sonar will again be used. It is a benign product that is used to treat weeds in lakes, ponds and even reservoirs. Controlling noxious weeds on Billington Sea, which flows to Town Brook and into Plymouth Harbor, protects the fishing industry and recreational revenue streams at Morton Park and town beaches.

ARTICLE 33: To see if the Town will vote to amend Chapter 23 of the Bylaws of the Town of Plymouth to add: ARTICLE 5 Poultry.

§23-28 DEFINITIONS

For the purposes of this article, the following terms shall have the meanings indicated.

Poultry means domesticated birds including chickens, turkeys, ducks, geese other than wild species, guinea, fowl, pheasants, and pigeons of any age and any size. Chickens: male (roosters) and females (hens & meat birds).

§23-29 RESTRICTIONS OF ROOSTERS AND POULTRY

- A) No rooster shall be permitted on a property less than 2 acres, and
- B) Properties may have no more than 6 poultry per ¼ acre, and no more than 4 poultry for property less than ¼ acre.

§23-30 MANURE STORAGE

A ventilated, watertight storage facility constructed of concrete or other durable materials for the storage of poultry waste shall be provided and so located as to promote regular removal of manure from any premises housing poultry.

§ 23-31 VARIANCE PROCEDURES

- A) Variance request must be submitted in writing to the Plymouth Board of Health for consideration and a properly advertised public hearing.
- B) For a variance to be considered, abutters within a 200 foot radius of coop and run must be notified by Certified Mail, Return Receipt requested, 10 days prior to the variance hearing.

or take any action relative thereto.

BY PETITION: Lynn Holdsworth et al

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

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RECOMMENDATION: Not Approve (Unanimous, 0-12-1)

The Advisory & Finance Committee advises Town Meeting to not approve Article 33. Approval of this article would amend Chapter 23 of the Bylaws by adding Article 5: Poultry. The committee believes this petitioned article would have benefitted from receiving input from the poultry owners as well as going through the normal public hearing process, allowing all concerned citizens to participate before rights are restricted. The bylaw seems overly strict and concern was raised that limiting some families to 4 poultry was insufficient to maintain a healthy egg-producing flock. It seems that there may be some problem poultry owners causing noise, smell and rat issues in certain neighborhoods. However, there may be others that are acting in a fair-minded and responsible manner. The public hearing process is designed to deal with all this. The Advisory & Finance Committee sympathizes with the neighbors and urges the Town to provide a resolution soon.

ARTICLE 34: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise fund \$25,000,000.00 in improvements to Public and Unaccepted Roads including all costs necessary and related to the following:

Resurfacing, Crack Sealing, Aggregate/or Recycled Pavement. Drainage (include engineering expenses related to water road runoff management), Pavement Markings, Guardrails, Sidewalks, Street Lighting, Traffic Control, (including signage), Berms and Curbs, Right of Way Acquisition, Bicycle Lanes/Paths, Bridges, Tree/Planting/Landscaping associated with the project or take any action relative thereto.

BY PETITION: Christopher L. Fava

RECOMMENDATION: Approval \$25,000,000 (10-4-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 34. Town Meeting approval of this article will approve a phased bond issuance totaling \$25 million. The money the town currently invests in roads is insufficient to keep up with normal wear and tear. Roads are deteriorating at a faster pace than we are repairing them. The goal is to make roads a significant factor for the Town to consider as it is setting its spending priorities. The Town presently spends \$2 million annually, comprised of approximately \$1.5 million in annual Chapter 90 funds and \$500,000 funded by the Town for unaccepted road maintenance. The phased borrowing will enable the town to add \$5 million to its annual road maintenance budget, bringing the total to \$7 million per year, which is the level at which the DPW believes it can handle the workload with present personnel and equipment. The minority was concerned about the expense to the Town.

ARTICLE 35: To see if the Town will vote to grant an access easement over parcel: 114-000-002B-000 appurtenant to parcel: 114-000-004A-000 or take any action relative thereto.

BY PETITION: Salvatore Viscariello et al

RECOMMENDATION: Not Approve (Unanimous, 0-13-0)

The Advisory & Finance Committee advises Town Meeting to not approve Article 35. Approval of this article would grant an easement over a town-owned parcel (114-000-002B) to a private parcel (114-000-004A), both off Wareham Road. This article was petitioned by the owner of a private lot who is interested in building a solar field. Typically easements over town property are negotiated with town administrators and involve compensation, then are presented to Town Meeting for approval. This article, seeking a free easement via Town Meeting alone, is not appropriate.

REPORT & RECOMMENDATIONS FO THE ADVISORY & FINANCE COMMITTEE

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ARTICLE 36: To see if the Town will vote to Amend the bylaw on noise by adding Part D Section 120-1 to read “That all public establishments performing live entertainment must keep shut all exterior windows and doors of any kind closed as not to disturb residents or business” or take any action relative thereto.

BY PETITION: Thomas Bruce et al

RECOMMENDATION: Not Approve (1-12-0)

The Advisory & Finance Committee advises Town Meeting to not approve Article 36. Approval of this article will amend the Bylaw on Noise by adding Part D Section 120-1 to read “That all public establishments performing live entertainment must keep shut all exterior windows and doors of any kind closed as not to disturb residents or business”. Town counsel believes the current proposed by-law as drafted, is overly broad and vague in many respects. Counsel believes that even if the Attorney General were to approve the same, enforcement of such a bylaw would be problematic. The Advisory & Finance Committee understands that one bar in particular may be the genesis of this bylaw as it has been alleged to allow its live music to spill over to outside at an unacceptable level. That establishment is granted a permit from the Board of Selectmen and the Board has the authority to revoke the permit for failure to adhere to the policies of the permit. The Committee believes it is neither fair nor reasonable to punish all establishments providing live music because of the actions of one establishment.

ARTICLE 37: To see if the Town will vote a **Senior Resident Property Tax Rate Cap**. The seniors of Plymouth are being taxed out of their homes. The property tax rate has increased nearly seventy (70) percent in the last eight (8) years. Seniors on a fixed income can no longer afford to live in “America’s Home Town.” The eligible recipient will have his/her Property Tax Rate capped at the rate established by the town as of July 1st.of the year of eligibility. Or take any other action relative thereto... Eligibility requirements listed below: **Must** be at least 70 years of age by July 1 of year applying **Must** be a Plymouth homeowner **Must** reside in same property, for at least twenty years (20) by July 1 of year applying. **Must** have paid property taxes on said property for at least twenty (20) years **Must** reside in said property full time (no rental, snow birds or seasonal property ownership eligible) **Must** be a registered voter **Must** renew request for **SRTRC** each year by July 1 **Must** be retired or not working at any full time employment

BY PETITION: Keven Joyce et al

RECOMMENDATION: Not Approve (1-12-0)

The Advisory & Finance Committee advises Town Meeting to not approve Article 37. Approval of this article would authorize a Senior Resident Property Tax Rate Cap. Property tax exemptions in Massachusetts are established by statute or special act. According to Town Counsel, the Town may not grant exemptions except in accordance with and pursuant to an applicable statutory exemption. For that reason, the Advisory & Finance Committee can not recommend this article to Town Meeting. In addition, this article lacks clarity in several areas making it seemingly impossible to implement. The Town of Plymouth has already adopted Tax Deferral Clause 41A, which is an option for seniors to defer local property tax until the house is sold or the property is transferred to another party. This may be a good option to pursue for seniors who are struggling to pay their taxes. Taxes are deferred which means the town will still collect the taxes eventually which, from the perspective of taxpayers in aggregate, is better than a tax cap which would limit revenue to the town.

ROLL CALL VOTING CHARTS

ADVISORY & FINANCE COMMITTEE - ROLL CALL VOTING CHART

Y - For
N - Against
A - Abstain
X - Absent
Ch - Chair didn't vote

ARTICLES																VOTE TOTAL	
	Kevin Canty	Betty Cavacco	Robert Cote	Judith Fitzgerald	Harry Helm	Ethan Kusmin	Mike Lincoln	Peter Mador	Christopher Merrill	John Moody	Patrick O'Brien	Harry Salerno	Sheila Sheridan	Marc Sitrice	Scott Stephenson	FOR-AGAINST-ABSTAIN	
1	Personnel Bylaw	N	X	Y		N	Y	X	N	X	Ch	Y	Y	X	Y	N	5 - 4 - 0
2A	Departmental Budgets	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	X	Y	Y	Y	12 - 0 - 0
2B	Enterprise Budgets	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	X	Y	Y	N	11 - 1 - 0
4A	Capital: Fiber Loop	Y	Y	Y	Y	Y	X	Y	Y	X	Ch	Y	Y	Y	Y	Y	12 - 0 - 0
4B	Capital: Wastewater Treatment Plant Audit	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	Y	Y	14 - 0 - 0
4C	Capital: Parking Deck	Y	Y	Y	Y	Y	X	Y	Y	X	Ch	Y	Y	Y	Y	Y	12 - 0 - 0
4D	Capital: Pumping Engine	Y	Y	Y	Y	Y	X	Y	Y	X	Ch	Y	Y	Y	Y	Y	12 - 0 - 0
4E	Capital: Plymouth Beach Revetment	Y	Y	N	Y	Y	X	Y	Y	X	Ch	N	Y	Y	Y	N	9 - 3 - 0
4F	Capital: Plymouth Beach Sea Wall	See Supplement I															
4G	Capital: GPS Field Survey Equipment	Y	Y	Y	Y	N	Y	Y	Y	N	Ch	Y	Y	Y	Y	Y	12 - 2 - 0
4H	Capital: Airport Delta Taxiway	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	Y	Y	14 - 0 - 0
5	15 Hedge Road	Y	Y	Y	Y	Y	X	Y	Y	X	Ch	Y	Y	Y	Y	Y	12 - 0 - 0
7	Transfer Properties - Conservation Commis	N	X	Y		Y	Y	X	Y	X	Ch	Y	Y	X	Y	Y	8 - 1 - 0
8	Long Ridge Road	See Supplement I															
9A	CPC-Reduce Borrowing 1820 CH	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	X	Y	Y	Y	12 - 0 - 0
9B	CPC-Steinway Library	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	X	Y	Y	Y	12 - 0 - 0
9C	CPC-Mt Pleasant	N	Y	Y	A	N	N	N	X	N	Ch	N	X	Y	Y	N	4 - 7 - 1
9D	CPC-Old Sandwich / State Rd	Y	Y	Y	Y	X	Y	Y	X	Y	Ch	Y	X	Y	Y	Y	11 - 0 - 0
9E	CPC-Beaver Dam Rd	Y	Y	Y	Y	Y	Y	Y	X	Y	Ch	Y	X	Y	Y	Y	12 - 0 - 0
10	Mt Pleasant School	Y	Y	Y	Y	Y	X	Y	Y	X	Ch	X	Y	Y	X	Y	10 - 0 - 0

ADVISORY & FINANCE COMMITTEE - ROLL CALL VOTING CHART

Y - For
N - Against
A - Abstain
X - Absent
Ch - Chair didn't vote

ARTICLES																VOTE TOTAL			
	Kevin Canty	Betty Cavacco	Robert Cote	Judith Fitzgerald	Harry Helm	Ethan Kusmin	Mike Lincoln	Peter Mador	Christopher Merrill	John Moody	Patrick O'Brien	Harry Salerno	Sheila Sheridan	Marc Sirrico	Scott Stephenson	FOR	AGAINST	ABSTAIN	
11	Civil Service - Police Chief & Captain	Y	X	Y		Y	Y	X	Y	X	Ch	Y	Y	X	Y	Y	9	0	0
12	Civil Service - Fire Chief & Deputy Chief	Y	X	Y		Y	Y	X	Y	X	Ch	Y	Y	X	Y	Y	9	0	0
13	PILOT Agreements	Y	Y	Y	Y	Y	X	Y	Y	X	Ch	X	Y	Y	Y	Y	11	0	0
21	Zoning - Floodplain	Y	Y	X	Y	Y	X	Y	Y	Y	X	X	Ch	Y	Y	Y	10	0	0
22	Road Layout - Resnik & Water	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	A	Y	Y	Y	13	0	1
24	Road Layout-Loring, Commerce, Carver	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	A	Y	Y	Y	13	0	1
25	Easements - Taylor Ave	Y	Y	Y	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	Y	Y	14	0	0
26	Zoning - Ground Mounted Solar	Y	Y	Y	N	Y	Y	Y	X	Y	Ch	Y	X	N	Y	Y	10	2	0
27	West Plymouth Master Plan	Y	Y	Y	Y	Y	Y	X	Y	Y	Ch	Y	X	Y	Y	Y	12	0	0
28	Petitioned - Plastic Bag Ban	N	Y	N		Y	X	Y	Y	Y	X	X	Ch	Y	Y	N	7	3	0
29	Petitioned - Zoning - Resnik	Ch	Y	Y		Y	X	Y	Y	Y	X	X	A	Y	Y	Y	9	0	1
30	Petitioned - Zoning - Trees	See Supplement I																	
31	Petitioned - Zoning - Trees	See Supplement I																	
32	Petitioned - Weeds Billington Sea	Y	Y	X	Y	Y	Y	Y	Y	Y	Ch	Y	Y	Y	Y	Y	13	0	0
33	Petitioned - Bylaw - Poultry	N	A	X	N	N	N	N	N	N	Ch	N	N	N	N	N	0	12	1
34	Petitioned - Road Improvements	Y	Y	Y	N	N	N	Y	Y	Y	Ch	Y	Y	Y	N	Y	10	4	0
35	Petitioned-Easemnt Wareham Rd	N	N	X	N	N	N	N	N	N	Ch	N	N	N	N	N	0	13	0
36	Petitioned - Bylaw - Live Entertainment	N	N	X	Y	N	N	N	N	N	Ch	N	N	N	N	N	1	12	0
37	Petitioned - Senior Property Tax Cap	N	N	X	N	N	N	N	N	N	Ch	N	N	N	N	Y	1	12	0

CAPITAL
IMPROVEMENTS
COMMITTEE
RECOMMENDATIONS



TOWN OF PLYMOUTH

11 Lincoln Street
Plymouth, Massachusetts 02360
FAX (508) 830-4062
(508) 747-1620

TO: Board of Selectmen
Advisory and Finance Committee
Town Meeting

FROM: Pamela D. Hagler

DATE: September 13, 2016

RE: Capital Improvements Committee Recommendation

As required by Bylaw 38, Capital Improvements, the Capital Improvements Committee met on September 12, 2016, to review the following articles for Town Meeting consideration:

- Article 4A - Fiber Installation
- Article 4B - Wastewater Facilities Condition Assessment
- Article 4C - South Russell Street Parking Deck
- Article 4D - Purchase & Equip Replacement Pumping Engine
- Article 4E - Warrens Cove Revetment Repair
- Article 4F - Long Beach Seawall Repairs
- Article 4G - CPS Field Survey Grade Equipment
- Article 4H - Airport Delta Taxiway
- Article 5 - Purchase Land and Building at 15 Hedge Road
- Article 34 - Improvements to Public and Unaccepted Roads

The requesting departments presented on the projects. Attached to this memo is the revised Capital Improvement Plan that incorporates these projects.

Although not part of the Capital Improvement Plan, other articles meeting the criteria of the Bylaw were evaluated to move forward for Town Meeting action. At this meeting, the requests below from the Community Preservation Committee were presented:

- Article 9B CPC - Restoration of the Steinway Library
- Article 9C CPC - Renovation of Mt. Pleasant School
- Article 9D CPC - Purchase Land off Little Herring Pond
Sandwich and State Roads
- Article 9E CPC - Purchase Land off Beaver Dam Road

Please contact me if you have any questions. Thank you.



TOWN OF PLYMOUTH FY17 CAPITAL IMPROVEMENT PLAN REQUESTS PRIORITIZED BY CAPITAL IMPROVEMENTS COMMITTEE ON JANUARY 14, 2016,
WITH STM REQUEST VOTED BY CIC ON MARCH 28, 2016 AND FATM REQUESTS VOTED BY CIC ON SEPTEMBER 12, 2016

DEPT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	RANK	FUNDING SOURCES							
						TOWN MANAGER RECOMMENDED PROJECT FUNDING	FREE CASH	GRANTS & OTHER	SEWER FUND	WATER FUND	AIRPORT FUND	DEBT	
	Federal Furnace	Resurface Gym Floor	\$ 36,000										
	West	Design and Create Additional Parking	\$ 50,000										
	Federal Furnace	Replace Exterior Windows in Classrooms & Cafeteria	\$ 231,106										
	PSMS	Repave Asphalt Areas	\$ 67,800										
	PSMS	Carpet Replacement in Specified Areas	\$ 37,672										
	PCIS	Add Additional Card Readers to Exterior Doors	\$ 22,891										
	Nathaniel Morton	Refurbish and Refinish Wood Floors	\$ 84,800										
	PCIS	Replace IMC Carpet with Vinyl Tile	\$ 59,825										
	PCIS	Replace Classroom Curtains with Vertical Blinds	\$ 15,042										
	PCIS	Field Renovations	\$ 50,125										
	422 DPW-Maintenance	Town Building Repair Program:		\$ 2,698,351	8	\$ 653,281	\$ 534,631.34	\$ 118,649.66					
A18		Replace Floor Drains & Oil/Water Separator at 159 Camelot Dr	\$ 264,550										
A19		Brick Re-Pointing at Memorial Hall	\$ 28,407										
A20		Repair Brick Veneer at Memorial Hall	\$ 17,910										
A21		Masonry Sealing at Memorial Hall	\$ 39,714										
A22		Replace HVAC Controls at Memorial Hall	\$ 32,560										
A23		Replace ADA Ramp at Manomet Youth Center	\$ 70,180										
		Repairs to the Following Buildings per Facilities Assessment Report											
A24		1749 Court House	\$ 118,000										
A25		Animal Shelter	\$ 21,000										
		Camp Denen (Hedges Pond Main Building)	\$ 34,000										
		Cedarville Garage	\$ 43,308										
		DPW Annex	\$ 276,559										
		Fire Station 1 - HQ	\$ 26,927										
		Fire Station 2 - W. Plymouth	\$ 31,127										
		Fire Station 3 - Pine Hills	\$ 2,948										
		Fire Station 4 - Bourne Rd	\$ 11,451										
		Fire Station 5 - Manomet	\$ 48,363										
		Fire Station 6 - Cedarville	\$ 1,716										
A26		Fresh Pond Bath House	\$ 33,007										
		Harbor Master Building	\$ 52,242										
		Highway Building	\$ 108,105										
		Library - Main Branch	\$ 626,503										
		Library - Manomet Branch	\$ 23,959										
		Little Red Schoolhouse	\$ 7,497										
		Manomet Youth Center	\$ 64,508										
		Memorial Hall	\$ 58,284										
A27		Morton Park Bath House	\$ 10,364										
A28		Plymouth Beach Restrooms	\$ 17,589										
		Police Station	\$ 102,300										
		Senior Center	\$ 34,054										
		Stephens Field Concession/Restroom Facility	\$ 15,628										
		Town Hall	\$ 292,888										
		Vine Hills Cemetery Office	\$ 159,151										
		Visitor Center	\$ 23,552										
A29	220 Fire Department	Replace and Equipment Command Vehicles C7, C14, and C1		\$ 120,000	9	\$ 120,000	\$ 120,000						
A30	411 DPW-Engineering	Robotic Surveying Instrument		\$ 33,000	10	\$ 33,000	\$ 33,000						
F4G	411 DPW-Engineering	**Replace GPS Field Survey Grade Equipment		\$ 25,000	10A	\$ 25,000	\$ 25,000						
	300 School Department	School Vehicle & Equipment Replacement Program		\$ 297,633	11	\$ 170,733	\$ 170,733						
A31	DW Facilities	Replace 2004 Trash Compacting Truck	\$ 125,133										
A32	DW Facilities	Replace 1999 Dump Truck 946	\$ 45,600										
	DW Facilities	Replace 2006 Utility Truck 945	\$ 45,600										
	DW Food Service	Replace Food Service Box Truck	\$ 40,000										

TOWN OF PLYMOUTH FY17 CAPITAL IMPROVEMENT PLAN REQUESTS PRIORITIZED BY CAPITAL IMPROVEMENTS COMMITTEE ON JANUARY 14, 2016,
WITH STM REQUEST VOTED BY CIC ON MARCH 28, 2016 AND FATM REQUESTS VOTED BY CIC ON SEPTEMBER 12, 2016

DEPT	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION	COMPONENT COST	PROJECT COST	RANK	FUNDING SOURCES								
						TOWN MANAGER RECOMMENDED PROJECT FUNDING	FREE CASH	GRANTS & OTHER	SEWER FUND	WATER FUND	AIRPORT FUND	DEBT		
	Technical Studies	Replace 2001 12-Passenger Van	\$ 41,300											
B1	421 DPW Admin	Water Street Promenade - South Phase	\$ 3,900,000	\$ 3,900,000	12	\$ 3,900,000	\$ 110,173.10					\$ 3,789,826.90		
B2	411 DPW-Engineering	Newfield St. Bridge Construction	\$ 3,400,000	\$ 3,400,000	13	\$ 3,400,000						\$ 3,400,000		
B3	411 DPW-Engineering	Town Center Sidewalk Rehabilitation (3 phases)	\$ 500,000	\$ 500,000	14	\$ 500,000						\$ 500,000		
A33	411 DPW-Engineering	Seven Hills Rd. Drainage Improvements	\$ 300,000	\$ 300,000	15									
	492 DPW-Rec-Parks	Brewster Garden Stair Replacement	\$ 69,900	\$ 69,900	16	\$ 69,900								
	411 DPW-Engineering	Wicking Well Manomet Ave.	\$ 180,000	\$ 180,000	17									
A34	492 DPW-Parks	Restroom Trailer	\$ 25,000	\$ 25,000	18	\$ 25,000								
	491 DPW-Cem	Hearse House and Entry Renovations	\$ 600,000	\$ 600,000	19									
	492 DPW-Rec-Parks	Veterans Park Design	\$ 45,000	\$ 45,000	20									
	491 DPW-Cem	Replace Entrance Fencing in Oak Grove Cemetery	\$ 18,500	\$ 18,500	21									
A35	220 Fire Department	Fire Station Alerting System	\$ 150,000	\$ 150,000	22	\$ 150,000	\$ 150,000							
A36	210 Police Department	CAD RMS System	\$ 320,537	\$ 320,537	23	\$ 320,537	\$ 320,537							
	220 Fire Department	Replace Thermal Imaging Cameras	\$ 100,800	\$ 100,800	24									
	210 Police Department	Police Scheduling Software System	\$ 34,387	\$ 34,387	25									
A37	210 Police Department	Locker Replacement	\$ 175,755	\$ 175,755	26	\$ 175,755	\$ 175,755							
	210 Police Department	Police Station Access Control System	\$ 101,255	\$ 101,255	27									
	492 DPW-Rec-Parks	Replace Sidewalks at the Training Green	\$ 60,000	\$ 60,000	28									
	411 DPW-Engineering	Bartlett Rd. Bridge Design	\$ 300,000	\$ 300,000	29									
	300 School Dept.-West	Roof Replacement	\$ 1,178,800	\$ 1,178,800	30									
	300 School Dept-Indian F	Roof Replacement	\$ 1,306,803	\$ 1,306,803	31									
	220 Fire Department	Replace Emergency Generator at Station 4, Bourne Road	\$ 53,495	\$ 53,495	32									
	630 DPW-Rec-Parks	Hedges Pond Restroom Roof Replacement	\$ 25,000	\$ 25,000	33									
	411 DPW-Engineering	Bridge & Culvert Inspection	\$ 100,000	\$ 100,000	34									
	492 DPW-Parks	Structural Inspection of Jenney & Billington Foot Bridges	\$ 25,000	\$ 25,000	35									
	411 DPW-Engineering	Town Wide Signal Inspection	\$ 120,000	\$ 120,000	36									
	492 DPW-Parks	Brewster Garden Wood Fence Replacement	\$ 55,000	\$ 55,000	37									
	411 DPW-Engineering	Town Square Public Space Improvements Plan-Engineering Design	\$ 80,000	\$ 80,000	38									
	491 DPW-Cem	Replace Water Line & Paving in Vine Hills Cemetery	\$ 24,000	\$ 24,000	39									
	220 Fire Department	Replace and Equip Brush Breaker 171	\$ 429,000	\$ 429,000	40									
	427 Marine & Environ	Harbor Bulkhead Facility Study	\$ 25,000	\$ 25,000	41									
	491 DPW-Cem	Fence Replacement on Samoset St.	\$ 38,200	\$ 38,200	42									
	411 DPW-Engineering	FFES Sidewalk Design & Construction (5 phases)	\$ 3,000,000	\$ 3,000,000	43									
	411 DPW-Engineering	West Plymouth Sidewalk Construction (5 phases)	\$ 3,000,000	\$ 3,000,000	44									
	421 DPW Admin	Materials Management Plan	\$ 175,000	\$ 175,000	45									
F4A	155 Information Techn	**Fiber Installation	\$ 100,000	\$ 100,000	45A	\$ 100,000	\$ 100,000							
F34	Petitioned	**Improvements to Public & Unaccepted Roads	\$ 25,000,000	\$ 25,000,000	45B	\$ 25,000,000	\$ 25,000,000					\$ 25,000,000		
					TOTAL GENERAL FUND PROJECTS					\$ 109,004,915	\$ 4,239,572.51	\$ 1,429,591.59	\$ 200,000.00	\$ 64,895,226.90

ARTICLE
SUPPORTING
DOCUMENTATION

ARTICLE 1:

ARTICLE 1: To see if the Town will vote to amend the Classification and Compensation Plans and the Personnel By-Law and Collective Bargaining Agreements contained therein, or take any other action relative thereto.
BOARD OF SELECTMEN

RECOMMENDATION: Approval (5-4-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 1. Town Meeting approval of this article will amend the Personnel Bylaw in regard to the Executive Group (Department Heads). This change would allow that group to buy-back 5 days of earned time each fiscal year while reducing the number of earned days each employee is allowed to accrue from 45 days to 40 days. The amendment also includes a longevity stipend of \$2,000 for those in the Executive Group with 25 years or more of service to the town. The longevity table currently maxes out at \$1,000 at 15 years or more of service. The cost for these new options is approximately \$25,000 per year. Savings will be realized over time because they will be paid five days at their current salary rather than at a higher rate later when they retire. Those opposed to the Article focused on the number of days that accrue and can be carried over, suggesting the benefit remains excessive and significantly out-of-step with the private sector and the benefits that most taxpayers receive in their own employment.



TOWN OF PLYMOUTH

BOARD OF SELECTMEN / TOWN MANAGER
11 LINCOLN STREET, PLYMOUTH, MA 02360
PHONE (508) 747-1620 EXTENSIONS 106 AND 100
FAX (508) 830-4140

MEMORANDUM

TO: BOARD OF SELECTMEN
FINANCE AND ADVISORY COMMITTEE

FROM: DEREK S. BRINDISI, ASSISTANT TOWN MANAGER

SUBJECT: PERSONNEL BY-LAW AMENDMENT

DATE: AUGUST 18TH 2016

Please be advised that the Town Manager's Office is requesting that an amendment be made to the Personnel By-Law. The proposed amendment would specifically provide a new incentive for the Executive Group by allowing all employees within this classification to buy-back five (5) days of earned time each fiscal year while reducing the number of earned days each employee is allowed to accrue from 45-40 days. The proposed amendment also includes a longevity stipend of \$2,000 for employees with twenty-five (25) years or more of service to the Town.

These proposed amendments will distinguish the department heads from all other groups by offering this incentive to the Town's top level executives only. This program is aimed at minimizing the number of days each year a department head will be absent from managing the Town's complex departments. By only allowing an accrual of 40 days earned, the Town will realize a savings over the long term by buying back the five days at today's current salary versus a higher retirement salary in future years. Additionally, this amendment rewards the Town's long time Executive employees who have dedicated their careers to serving this town for over 25 years.

The proposed amendments are as followed:

Personnel By-Law:

By adding under: under SECTION 15: EARNED TIME a new paragraph

(d) Once per fiscal year, the Executive may buy back up to 5 days of earned time at his/her current rate of pay- effective January 1st 2017.

By adding that in bold.

a. EXEMPT EMPLOYEES

EIGIBILITY	ANNUAL ACCRUED EARNED TIME	MAXIMUM ALLOWABLE DAYS IN LTIA (W/O LTD)	MAXIMUM ALLOWABLE ACCRUED EARNED TIME
Year 1 through 4	33 days	180 (200) days	45 40*
Year 5 through 9	38 days	180 (200) days	45 40*
Year 10	40 days	180 (200) days	45 40*
Year 20	45 days	180 (200) days	45 40*
			* Executive Group

c. Usage

(3.) When an employee's earned time account reaches the maximum of ~~45~~ **40 days for the Executive Group and 45 days for all other Groups**, additional accrual shall be disposed of, at the employee's election, as follows:

By adding under: SECTION 13. LONGEVITY PAY

Years of Service	Longevity Pay	
25	\$2000	Executive Group

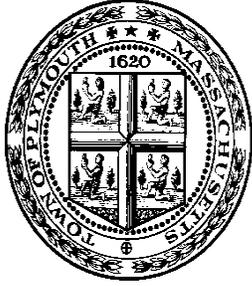
ARTICLE 2A:

ARTICLE 2A: To see if the Town will vote to amend the vote taken under Article 7A of the 2016 Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$247,200 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 2A. Amendments to the General Fund Budget, voted as Article 7A at the April Annual Town Meeting, total \$247,200. Increases include \$679,500 Member Benefits, \$150,000 Legal Expenses (sewer lawsuit), and \$4,500 Moderator's Expenses (electronic voting). Savings include \$194,800 Non-Enterprise Debt, \$167,000 All Town Insurance, \$150,000 Veterans Expenses, and \$75,000 Fuel & Utilities. Funding sources are: \$23,464 Municipal Waterways, \$105,411 Meals Tax Fund, \$225,857.38 Premium for Debt Exclusion, and a decrease of \$107,532.38 to the amount to be raised by the 2017 Tax Levy.



TOWN OF PLYMOUTH
 ACCOUNTING & FINANCE DEPARTMENT
 11 LINCOLN STREET, PLYMOUTH, MA 02360
 PHONE (508) 747-1620 EXTENSION 177
 FAX (508) 830-4133

TO: ADVISORY & FINANCE COMMITTEE
 BOARD OF SELECTMEN

FROM: LYNNE A. BARRETT
 DEPARTMENT OF FINANCE

SUBJECT: FATM ARTICLE 2A – GENERAL FUND BUDGET AMENDMENT

DATE: AUGUST 24, 2016

Below are the following areas of the Fiscal 2017 General Fund budget that need to be amended from what was previously voted at the annual town meeting in April:

Article 2A - General Fund Budget Amendment:	Town Meeting Budget Line	FATM Adjustments Needed
Medicare Part B Penalty	Member Benefits	(7,000)
Medicare Part B Premium	Member Benefits	82,000
Workers Comp	Member Benefits	242,000
Deferred Comp	Member Benefits	15,000
Employer Medicare	Member Benefits	(55,000)
Life Insurance	Member Benefits	(35,000)
Managed Blue	Member Benefits	437,500
	Member Benefits - Line 46	679,500
Veterans Benefits	Veterans Expenses - Line 14	(150,000)
All Town Insurance	All Town Insurance - Line 52	(167,000)
Moderator's Expense	Finance Exps - Line 10	4,500
Fuel & Utilities	Fuel & Utilities - Line 39	(75,000)
Legal Expense	Town Manager Exps - Line 2	150,000
Short-Term Interest	Non-Enterprise Debt - Line 53	(194,800)
	General Fund Total	247,200

Explanations for increases and (decreases) are as follows:

Member Benefits:

Medicare Part B Penalty – Enrollment numbers are down even though penalty amounts have increased due to increased federal Medicare premium amounts.

Medicare Part B Premium – Even though the town’s Medicare Reimbursement rate has decreased over the previous year the amount of eligible retirees increased over the amount that we had budgeted for. There were 20 more on the town side and 98 more on the school side.

Workers Comp – the increase in premium is due to updated audited payrolls being used for the Fiscal 2017 year and an estimated increase that will be due when they complete the audit for Fiscal 2016.

Deferred Comp – increase is based on current participants estimated out for the year. The new FIRE contract included a match that they did not have before.

Employer Medicare – anticipating not needing as much as we had budgeted based on estimated payrolls and settled contracts.

Life Insurance – budget was based on an increased life insurance benefit that has not gone into effect yet because all groups are not settled yet.

Managed Blue – Increase due to the rise in number of retirees turning age 65; same as the reason above for the Medicare Part B premium.

Veterans Benefits - The number of veteran’s claims has decreased over the last two years; currently they are trending at spending approximately \$630,000 in FY17 based on current claims. This decrease will leave them with \$650,000 which the Veterans Agent is comfortable with.

All Town Insurance – we insure our property / casualty and workers comp with MIIA. Due to the large increase in our Workers Comp premium they “smoothed” out the overall increase in our total insurance products by not increasing the property / casualty by as much as we had anticipated.

Moderators Expense – the cost of the services we require at Plymouth’s town meetings merited an increase with the electronic voting vendor.

Fuel & Utilities – the trend in this line item has decreased over the last two years in addition to our 3rd contract for Solar coming online at the end of fiscal 2016.

Legal Expenses – the cost of pursuing the sewer litigation is reflected in this number.

Short-Term Interest – decrease is due to a combination of interest rates and a decrease in the overall amount that we ended up borrowing.

Also, as part of Article 2A, General Fund Budget amendment, the motion for funding the overall total needs to be modified to include the funding sources for the T-Wharf short term interest from Municipal Waterways, Town Hall short term interest from Meals Tax Fund and Plymouth South High School short term interest from Premium for Debt Exclusion; see below:

SUMMARY OF VOTE FOR 7A		April ATM Totals	FATM 10/15/2016 Art 2A	FATM Grand Totals
Total General Fund Operating Budget	(Item #1-54)	\$ 197,522,205	247,200.00	197,769,405.00
Title V - Betterment Program		\$ 173,458		173,458.00
State Boat Ramp Revolving Fund		\$ 10,360		10,360.00
Recreation Revolving Fund		\$ 45,953		45,953.00
Memorial Hall Revolving Fund		\$ 10,083		10,083.00
Plymouth Beach Revolving Fund		\$ 9,866		9,866.00
Fire Safety & Prevention Revolving Fund		\$ 7,731		7,731.00
Fire Alarm Master Box Services Revolving Fund		\$ 9,856		9,856.00
Cemetery Perpetual Care		\$ 23,863		23,863.00
Municipal Waterways		\$ 130,000	23,464.00	153,464.00
Meals Tax Fund		\$ 270,000	105,411.00	375,411.00
Premium for Debt Exclusion		\$ 198,648	225,857.38	424,505.38
General Fund Free Cash for OPEB Fund		\$ 500,000		500,000.00
Less Total Transfers		\$ 1,389,818	354,732.38	1,744,550.38
To be raised by the 2017 Tax Levy		\$ 196,132,387	(107,532.38)	196,024,854.62
(General Fund revenues & other sources)				

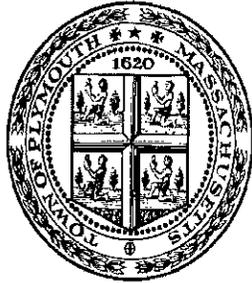
If there are any questions regarding this please let me know and I recommend your support.

ARTICLE 2B:

ARTICLE 2B: To see if the Town will vote to amend the votes taken under Article 7B, 7C, 7D and 7E of the 2016 Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer or borrow funds for the purpose of supplementing enterprise departmental expenses, and/or to reduce certain departmental expenses or otherwise amend said vote, or take any other action relative thereto.
BOARD OF SELECTMEN

RECOMMENDATION: Approval (\$87,502) (11-1-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 2B. Amendments to the Enterprise Fund Budgets, voted as Articles 7B, 7C, 7D, and 7E at the April Annual Town Meeting, total a decrease of \$87,502. Decreases include \$93,906 Debt Service (ATM Article 7B: Water Enterprise Fund), \$8,982 Debt Service (ATM Article 7C: Sewer Enterprise Fund), \$3,114 Debt Service (ATM Article 7E: Airport Enterprise Fund). Amendments to ATM Article 7D: Solid Waste Enterprise Fund total a net increase of \$18,500: Decrease of \$20,000 Personal Services, Increase of \$38,500 All Other Expenses. In addition to this the Solid Waste Enterprise Fund budget will also require an amendment to the funding sources to cover the shortfall of \$111,000 which arose from last year's rates being set lower than anticipated costs. This money will come from a combination of the Special Purpose Stabilization Fund for Solid Waste and Solid Waste Retained Earnings.



TOWN OF PLYMOUTH
 ACCOUNTING & FINANCE DEPARTMENT
 11 LINCOLN STREET, PLYMOUTH, MA 02360
 PHONE (508) 747-1620 EXTENSION 177
 FAX (508) 830-4133

TO: ADVISORY & FINANCE COMMITTEE
 BOARD OF SELECTMEN

FROM: LYNNE A. BARRETT
 DEPARTMENT OF FINANCE

SUBJECT: FATM ARTICLE 2B – ENTERPRISE FUND BUDGET AMENDMENTS

DATE: AUGUST 26, 2016

The following Enterprise fund budgets need amendments due to changes to short term interest decreases for the bond anticipation note we did back in May 2016:

ARTICLE 7B: WATER ENTERPRISE FUND		April ATM Totals	FATM 10/15/2016 Art 2B	FATM Grand Totals
Personal Services	(Item #62)	\$ 1,123,375		1,123,375.00
All Other Expenses	(Item #63)	\$ 1,246,458		1,246,458.00
Debt Service	(Item #64)	\$ 1,139,917	(93,906.00)	1,046,011.00
Appropriated for Direct Costs		\$ 3,509,750	(93,906.00)	3,415,844.00
Indirect Costs - Charged to Enterprise Fund from General Fund	(Item #65)	\$ 1,293,076		1,293,076.00
Total Cost – Water		\$ 4,802,826	(93,906.00)	4,708,920.00
ARTICLE 7C: SEWER ENTERPRISE FUND		April ATM Totals	FATM 10/15/2016 Art 2B	FATM Grand Totals
Personal Services	(Item #58)	\$ 346,165		346,165
All Other Expenses	(Item #59)	\$ 2,024,311		2,024,311
Debt Service	(Item #60)	\$ 2,128,923	(8,982)	2,119,941
Appropriated for Direct Costs		\$ 4,499,399	(8,982)	4,490,417
Indirect Costs - Charged to Enterprise Fund from General Fund	(Item #61)	\$ 293,124		293,124
Total Cost – Sewer		\$ 4,792,523	(8,982)	4,783,541
ARTICLE 7E: AIRPORT ENTERPRISE FUND		April ATM Totals	FATM 10/15/2016 Art 2B	FATM Grand Totals
Personal Services	(Item #55)	\$ 509,431		509,431
All Other Expenses	(Item #56)	\$ 2,099,215	(3,114)	2,096,101
Appropriated for Direct Costs		\$ 2,608,646	(3,114)	2,605,532
Indirect Costs - Charged to Enterprise Fund from General Fund	(Item #57)	\$ 194,979		194,979
Total Cost – Airport		\$ 2,803,625	(3,114)	2,800,511

The following changes are necessary to the Solid Waste Enterprise Fund budget based on the updated estimated enrollments and the costs associated with providing those services:

ARTICLE 7D: SOLID WASTE ENTERPRISE FUND		April ATM Totals	FATM 10/15/2016 Art 2B	FATM Grand Totals
Personal Services	(Item #66)	\$ 314,354	(20,000)	294,354
All Other Expenses	(Item #67)	\$ 1,890,770	38,500	1,929,270
Appropriated for Direct Costs		\$ 2,205,124	18,500	2,223,624
Indirect Costs - Charged to Enterprise Fund from General Fund	(Item #68)	\$ 294,914		294,914
Total Cost – Solid Waste		\$ 2,500,038	18,500	2,518,538

This budget will also require an amendment to the funding sources of this budget in the motion of town meeting due to the rates set back in May by the Board of Selectmen; the transfer station cost center of the budget will require a \$111,000 transfer from the Special Purpose Stabilization fund for Solid Waste and the Solid Waste Retained Earnings.

If you have any questions regarding this please let me know and I recommend your support.

ARTICLE 4:

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 and/or replacement of departmental buildings and/or equipment and/or capital facilities and/or for feasibility studies and other types of studies for the various departments of the Town substantially as follows:

- A. Fiber Loop
- B. Wastewater Treatment Plant Audit
- C. Parking Deck
- D. Pumping Engine
- E. Plymouth Beach Revetment
- F. Plymouth Beach Sea Wall
- G. GPS Field Survey Grade equipment
- H. Airport Delta Taxiway

or take any other action relative thereto.

BOARD OF SELECTMEN

4A RECOMMENDATION: Approval \$100,000 (12-0-0)

The Advisory & Finance Committee advises Town Meeting approve Article 4A. Approval of this article will appropriate \$100,000 to relocate the fiber loop from the existing Town Hall to the new Town Hall. It will also provide fiber connection to the new Plymouth South High School. The funding is being requested now because there is a back log of fiber supply, requiring a wait of up to six months for delivery. While we would have preferred to have this expense included in the scope of construction for both projects, and had the Meals Tax and MSBA fund them, that is not the way these projects have been structured in the past. Fiber for the Plymouth North High School, Senior Center, and Emergency Operations Center were all done separately outside the scope of the construction project. The town will consider including this expense in the scope of any future construction projects.

4B RECOMMENDATION: Approval \$200,000 (Unanimous, 14-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4B. Town Meeting approval of this article will fund a study to evaluate current infrastructure conditions at the Wastewater Treatment Plant and the five municipal lift stations: Holmes Point, Water Street, Hedge Road, Industrial Park,

and Long Pond. These facilities are operated and maintained by Veolia North America under an agreement that expires on June 30, 2021. The assessment of current conditions is essential since it will identify item(s) needing to be addressed and the estimated cost, allowing the town to effectively and efficiently address any deficiencies that may be observed. Veolia is required to transition the plant and all of the stations back to the town in good working order and in compliance with all legal requirements, subject to normal wear and tear, consistent with good industry practice.

4C RECOMMENDATION: Approval \$3,918,000 (12-0-0)

The Advisory & Finance Committee advises Town Meeting approve Article 4C. Approval of this article will authorize construction of a \$3.9 million parking deck adjacent to the new Town Hall on South Russell Street. Although the Town will borrow the required funds through the bond process, the Plymouth Growth and Development Corporation will make the debt service payments, completely funding the project out of revenue from parking operations. This approach is being used since the Town can realize a considerably better interest rate on the borrowing than the PGDC. In addition, the PGDC will pay approximately 23.5% of the total project cost (\$590,000 in up-front soft costs and 10% down payment on the construction cost (\$332,800) from its cash reserves. The architectural design of the parking deck is consistent with the new Town Hall and sensitive to the surrounding historical area, including preservation of the views from Burial Hill. In addition, the design has sought to minimize cost of the facility by utilizing the existing parking lot, with some modest leveling, as the top deck and inserting a lower deck underneath; each level will provide direct access to the street, eliminating the need for elevators, and the decks will be accessed from two separate, dedicated entries, eliminating an internal ramp and maximizing the number of parking spaces, yielding 152 spaces out of an area that currently provides 63. This is an exciting step for the town to construct its first parking structure after more than 40 years of discussion on the matter and the architectural renderings suggest it will be an attractive and sensitive addition to the Downtown area. Town management acknowledges that residents should be able to conduct business at Town Hall without paying for parking and is pursuing discussions with the PGDC to ensure that is the case during high-volume business periods at Town Hall, such as tax payment “season” and annual permit purchasing periods. There also is plenty of on-street parking and other free parking lots around the new Town Hall, but effective enforcement of parking space turnover within posted limitations is a key success factor.

4D RECOMMENDATION: Approval \$598,600 (12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4D. Approval of this article will appropriate \$598,600 to purchase and equip a new pumping engine for the Fire Department. Engine 6 is ready for replacement. The engine was built in 2006, has 369,000 calculated miles, and was not the preferred heavy duty pumper when purchased because two pumpers were purchased that year and costs needed to be cut. Engine 6 was out of service 33 times last year and 19 times already this year and needs to be moved from “front line” to reserve. The vendor has announced a 4% price increase beginning in November this year so the town will save just under \$20,000 by ordering the new pumping engine by the end of October. The purchase will be funded out of Free Cash.

4E RECOMMENDATION: Approval \$815,000 (12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4E. Approval of this article will repair and reconstruct portions of 720 linear feet of revetment at Plymouth Beach. The project is already designed and permitted. A grant application has been submitted for funding from the Massachusetts Dam and Seawall Program. If the grant is approved, the town will borrow \$815,000 and then receive reimbursement through the Dam and Seawall grant. In addition to that funding, the town already has approximately \$250,000 set aside for this project, \$50,000 of which was received from 2 private donors. If the grant application is not approved, the project will not move forward. Repairing the revetment, the boulders in front of and providing protection to the seawall, is much less costly than having to repair the seawall itself. This is a necessary expense to protect the seawall and all of the infrastructure at and along Plymouth Beach.

4F: See Supplement I

4G RECOMMENDATION: Approval \$25,000 (12-2-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4G. Town Meeting approval of this article will fund the replacement of GPS Field Survey Grade Equipment for the Engineering Division. The current equipment is 16 years old and has ceased communications with current satellite technology, rendering the equipment obsolete. The manufacturer no longer supports this equipment or provides parts, so repair is not an option. This equipment is essential to the functioning of the Engineering Division. Once again, the Committee asks that requests for large purchases be accompanied by an analysis of purchase versus leasing options.

4H RECOMMENDATION: Approval \$1,700,000 (Unanimous, 14-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 4H. Town Meeting approval of this article will complete the “Delta” taxiway at Plymouth Airport. Grants from the Federal Aviation Administration and the Massachusetts Department of Transportation will fund \$1,615,000 of the project costs with the \$85,000 balance being funded from Airport Enterprise Retained Earnings. This project will connect the existing delta taxiway to the end of Runway 24, correcting an existing safety concern where currently aircraft based on the south side of the airport have to cross the active runway to taxi and takeoff on runway 24. This new “Delta” taxiway will allow aircraft to taxi directly to the end of runway 24 without having to cross the active runway first. Time is of the essence as FAA funds become available at the start of the federal fiscal year which is October.

Town of Plymouth

TO: Board of Selectmen
Advisory and Finance Committee

FROM: Joseph Young
IT Manager

RE: Fiber Infrastructure Relocation

DATE: September 7, 2016

The reason for my request of \$100,000 is to relocate (384) fiber strands from 11 Lincoln Street to South Russel Street. The fiber infrastructure is the backbone on which all municipal data, voice and video is transported. We have over 40 Town and School sites connected via municipal fiber.

In order to maintain connectivity during this transition we need to incorporate a phased approach. We will move half of the fibers to new location, once new equipment is up and running we will then relocate the second half of the fibers.

We need to get the fiber stock ordered ASAP because of limited available supplies.

Thank You for your consideration in this matter.



4B
TOWN OF PLYMOUTH
DEPARTMENT OF PUBLIC WORKS

159 Camelot Drive
Plymouth, Massachusetts 02360

FAX: (508) 830-4165

PUBLIC WORKS DEPARTMENT

MEMO

Date: September 6, 2016

To: Advisory & Finance Committee

cc: Melissa Arrighi, Town Manager
Lynne Barrett, Finance Director
Gary Frizzell, Wastewater Manager

From: Jonathan Beden  Director of Public Works

**Re: Fall 2016 Annual Town Meeting
Article 4B-Wastewater Treatment Plant Audit**

We are requesting funds to evaluate current conditions at the Wastewater Treatment Plant and the 5 municipal lift stations which include; Holmes Point, Water Street, Hedge Road, Industrial Park, and the Long Pond Stations.

Combined, these facilities are covered under the current operation and maintenance agreement with Veolia North America, which is set to expire on June 30, 2021. All relevant disciplines will be reviewed and a risk matrix will be developed along with a preliminary planning cost estimate. This condition assessment is critical, as it will delineate any item needing to be addressed, including its value. This will also allow the town to effectively and efficiently address any deficiencies that may be observed.

The Operator (Veolia) is required to transition the Plant and all the Stations back over to the town in good working order and in compliance with all legal requirements subject to normal wear and tear, consistent with good industry practice. The proposed assessment will assist the Town in determining the current condition of the infrastructure.

The lump sum cost to perform this work is \$174,470 and is expected to take approximately 5 months to complete. Our overall Capital request is for \$200,000 should any more in-depth investigations be required. We respectfully request your support in developing a comprehensive wastewater condition assessment.





August 22, 2016

Mr. Jonathan Beder
 Director, Department of Public Works
 159 Camelot Drive
 Plymouth, MA 02360

**SUBJECT: PROPOSAL FOR PROFESSIONAL SERVICES
 WASTEWATER FACILITIES CONDITION ASSESSMENT/AUDIT**

Dear Mr. Beder:

We appreciate the opportunity to assist the Town with conducting a condition assessment/audit of its wastewater facilities, including the wastewater treatment plant (WWTP) and five (5) wastewater pump stations, including Water Street, Holmes Point, Hedge Road, Industrial Park, and Long Pond Road. The goal of the project is to document existing conditions that will be used as a baseline to establish future capital improvement needs and approaches to operation and maintenance.

Kleinfelder's proposes to evaluate the condition of these facilities utilizing a comprehensive multi-disciplinary approach consisting of Kleinfelder experts as well as a team of specialize sub-consultants. Disciplines represented include wastewater process engineering; Supervisory Control and Data Acquisition (SCADA); architecture; structural engineering; heating, ventilation and cooling (HVAC); electrical; plumbing and fire protection. In addition, Kleinfelder proposes to conduct a building code review to assess gaps between the facilities and current building, fire protection, egress and life safety codes. The evaluation from each discipline will be consolidated into an overall risk matrix of the wastewater facilities. Further, a preliminary planning level cost estimate will be prepared that would address the deficiencies observed.

Kleinfelder will participate in up to three (3) meetings with the Town to convey the findings of this study. Further, Kleinfelder is available to assist the Town in future phases of evaluation should there be such a need.

This proposal is based on our discussions to date with you Gary and Chad, as well as our site visit, and consists of our proposed Scope of Work, Schedule and Compensation for services rendered, as detailed in the following sections.

SECTION 1 - SCOPE OF WORK

1) Preliminary Tasks

- a) Develop List of Information (Data, Plans, Reports, etc.) Needed and Obtain from Town
- b) Review, summarize, and tabulate acquired Information

- c) Kick-Off Meeting with Town to review Scope, Schedule, Deliverable
- d) Develop Methodology for Conditional Assessment
- e) Develop Forms for Field Assessment
- f) Develop Asset Inventory and pre-populate Field Assessment forms
- g) Develop a detailed process flow diagram
- h) Conduct Staff Interviews to understand condition, design, and redundancy concerns

2) Conduct Field Assessment

- a) Coordination with Field Assessment Team, including sub-consultants
- b) Perform WWTP and Pump Station Field Assessment (the following disciplines)
 - i) Wastewater Process and Mechanical
 - ii) SCADA, Instrumentation and Control
 - (1) Age and condition of SCADA computers
 - (2) Version/revision/support status of all software and OS
 - (3) Network architecture
 - (4) Age, FRN, and legacy status of PLC hardware
 - (5) Accuracy/adequacy/viability of all process instrumentation
 - (6) Assessment of alarm notification/response system
 - (7) Failure analysis of critical components/hardness assessment
 - iii) Building Condition and Code Compliance
 - (1) Architectural
 - (2) Structural
 - (3) HVAC / Plumbing / Fire Protection
 - (4) Electrical (Power, Lighting, Standby Power)
 - (5) Building Code Review (building, fire, life safety and accessibility)
- c) Corrosion Assessment of Inlet Tank (*one side only*) by dewatering tank and entering for visual inspection:
 - i) Review existing information and conduct staff interviews
 - ii) Perform a field inspection of the concrete inlet tank not previously rehabilitated.
 - iii) Inspections may consist of the following:
 - 1. Visual inspection; and
 - 2. Sounding tests.
 - iv) Review data and assess the condition of the concrete structures.
- d) Determine Process Equipment in need of further evaluation/inspection
- e) Coordination with Manufacturer Service Representatives to conduct follow-up evaluations
- f) Conduct Return Visits with Manufacturer's Representatives to perform more in-depth evaluations. Up to Five (5) follow-up site visits are assumed for budgeting purposes and include the following processes:
 - i) SBR Control and Equipment review
 - ii) Water Street pump station pumping systems
 - iii) Standby generators at WWTP and pumping stations
 - iv) Gravity Belt Thickener
 - v) One Process to be determined
- g) Compile and Archive Field Forms and Photographs
- h) Summarize WWTP and pump station general conditions and deficiencies

- 3) **Pump Station Force Main Corrosion Assessment (four (4) force mains)**
 - a) Review existing information and conduct staff interviews
 - b) Perform a site walk of each force main and identify potential access points (manholes) and test pit locations.
 - c) Coordination with the Town to dig test pits, and coordination with corrosion specialist.
 - d) Perform laboratory tests of soils to assess external corrosivity.
 - e) Perform direct visual inspection to assess the condition of the pipe and measure remaining wall thickness using ultrasonic testing (up to three locations per force main).
 - f) Review data and assess the condition of each force main.

- 4) **Risk Assessment of the Condition Findings**
 - a) Conduct a Workshop with Town to review findings from Prior Tasks
 - b) Review of CMMS program, preventive maintenance schedule and maintenance history of equipment
 - c) Prepare Risk and Condition Assessment
 - i) Develop numerical Condition Rating Criteria
 - ii) Develop Criticality Weighting Criteria
 - iii) Develop Risk Based Asset Matrix (Equipment, Buildings, etc.)
 - iv) Complete the Prioritized Asset Matrix Condition Assessment
 - d) Determine best alternative to address deficiencies – *NOTE: Under this phase of the work, we will not consider alternative technologies*
 - i) Do Nothing/run to failure
 - ii) Refurbish/rehabilitate
 - iii) Replace In Kind
 - e) Develop preliminary planning level costs to address deficiencies
 - f) List operational or maintenance concerns discovered from Field Assessment
 - g) Summarize findings, recommendations and Draft Report
 - h) Conduct a Workshop with Town to review Draft Report
 - i) Finalize Report

- 5) **Meetings with Town**
 - a) Prepare for and attend up to three (3) meetings with the Town as follows:
 - i) (1) Board of Selectmen Executive Session
 - ii) (1) Public Presentation at Board of Selectmen Meeting
 - iii) (1) Additional Board of Selectmen (or others) Meeting

- 6) **Project Management and Administration**
 - a) Develop agreements with sub-consultants
 - b) Monthly status report and invoicing
 - c) Project coordination and communications

DELIVERABLES

1. Presentations for Public Meetings
2. Final Report summarizing findings from the audit and preliminary planning level costs to address deficiencies

SCOPE OF WORK CLARIFICATIONS AND DETAILS:

1. Town will provide Kleinfelder a digital asset list exported from the Town's CMMS database.
2. This phase of the work will not analyze alternative solutions. However, if appropriate, a cost range to implement a variety of solutions may be developed to address a particular deficiency.
3. Where access to certain areas is infeasible, we will make assumptions of condition based on other observations made of similar equipment/facilities and conditions.
4. Architectural and structural assessments of buildings and structures will not include drilling, coring, sampling or testing to determine deficiencies, deteriorations, or remaining concrete wall thickness over rebar, unless explicitly described above. Assessment will be made on visual observations. Based on the findings, we may recommend further investigations as part of a future phase.
5. The following assumptions are made for pricing of the force main corrosion assessment. These assumptions are subject to revision upon review of force main as-built records which were not available during preparation of this proposal:
 - o No corrosion assessment of the Water Street Pump Station force main will be performed since it is being replaced.
 - o Town will provide excavator / operator for test pits related to FM corrosion analysis. Test pits will be pre-dug prior to the corrosion evaluation in order to maximize the time of the evaluator on site.
 - o Three test pits will be dug for each force main.
 - o 2 days will be needed for assessment of each force main, for 8 days total field evaluation time.
 - o 1 soil sample will be analyzed for each test pit (12 in total).
6. In cases where multiple tanks or structures exist (SBR tanks for example), we will assess the condition of one tank only and assume the remaining tanks are of a similar condition.
7. Town staff may be requested to dewater tanks and structures or operate equipment to make access available for evaluations.
8. Town will directly pay for police details, if any.
9. Potential future work tasks are identified below:
 - o Condition assessment follow-up where more in depth investigations are warranted.
 - o Develop WWTP staffing plan.
 - o Develop WWTP process model.
 - o Evaluate wastewater process redundancy needs.
 - o Review WWTP operations for potential O&M cost savings.
 - o Assess alternative wastewater technologies for potential cost savings.
 - o Review contract operations agreement relative to the results of this condition assessment.

SECTION 2 - SCHEDULE

We are prepared to commence work under this proposal immediately upon execution of an Agreement between the Town and Kleinfelder. The schedule below shows approximately five (5) ^{MONTHS} to complete the project, not including the subsequent meetings. We will keep the Town fully apprised of the project status as work progresses.

TASK	TASK DESCRIPTION	2016			2017			
		OCT	NOV	DEC	JAN	FEB	MAR	APR
0	Notice to Proceed	█						
1	Preliminary Tasks	█	█					
2	Conduct Field Assessment		█	█				
3	Pump Station Force Main Corrosion Assessment			█				
4	Risk Assessment of the Conditions				█	█		
5	Town Meetings						█	█
6	Project Management and Administration		●	●	●	●	●	●

SECTION 3 - COMPENSATION

We propose to provide services rendered under this proposal on the basis of the lump sum amount indicated below.

Task	Description	Hours	Labor	Expenses	Subconsultants	Total
1	Preliminary Tasks	52	\$7,860	\$200	\$0	\$8,060
2	Conduct Field Assessment	202	\$30,360	\$970	\$26,000	\$57,330
3	FM Corrosion Assessment	20	\$4,340	\$150	\$37,800	\$42,290
4	Risk Assessment	162	\$23,390	\$350	\$18,700	\$42,440
5	Town Meetings	42	\$8,930	\$430	\$0	\$9,360
6	Project Management & Admin	80	\$14,940	\$50	\$0	\$14,990
PROJECT TOTAL		558	\$89,820	\$2,150	\$82,500	\$174,470

We hope you find this proposal meets the needs of your project. We look forward to working with you, Gary and Chad. Please contact us should you have any questions on this proposal.

Sincerely,

KLEINFELDER



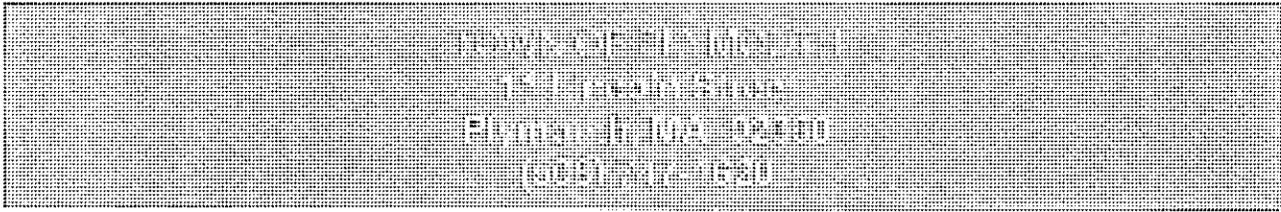
David T. Peterson, P.E.
Project Manager



Mark J. Thompson, P.E.
Principal-In-Charge

cc: File





OFFICE OF TOWN MANAGER
MEMORANDUM

To: Board of Selectmen
Advisory and Finance Committee
Lynne Barrett, Director of Finance
Chris Badot, Selectmen's Office

From: Melissa G. Arrighi, Town Manager

Date: August 18, 2016

Re: Fall Town Meeting, Article 4C

ARTICLE 4C: (condensed article language) To see if the Town will vote toborrow a sum of money for the construction of a parking deck:

When 26 Court Street was considered as a site for the new Town Hall, the adequacy of parking spaces was reviewed. We had parking data from a variety of sources including a visitor's survey that Park Plymouth conducted, parking supply from the Town Hall Feasibility Study Report, and a parking utilization survey conducted by VHB. Although those studies found that "the number of parking lot spaces is sufficient to accommodate the Town Hall's total projected demand", there were many that remained quite skeptical. We committed at that time to establishing "Park 1820", a Town Hall Parking Committee, to discuss management and regulation of the on-and-off street parking around 26 Court Street.

Today, over two years later, while the construction of the new Town Hall is progressing, parking still remains a valid concern for many, particularly by those who truly know the area and how it is utilized.

Rather than setup this "Park 1820" committee to look at the existing parking, we have been approached by the Plymouth Growth and Development Corporation (PGDC) to consider a parking deck on South Russell Street.

History of PGDC— At the Fall 2001 Town Meeting, Town Meeting representatives authorized the Selectmen to petition the general court to enact legislation establishing the Plymouth Development Corporation (now Plymouth Growth and Development Corporation (PGDC)). Among other purposes, this non-profit public corporation, made up of Plymouth citizens, was needed to manage, operate, and develop off street and structured parking facilities in the Plymouth Downtown-Waterfront area.

Now, in 2016, the PGDC would like to move forward with establishing a two level parking deck at the new Town Hall. If approved at Town Meeting, the Town would bond for the project, the Building Committee would oversee the construction, the PGDC would pay the costs of building the parking deck, and they would also oversee its management. The architectural firm, the contractor, and the project manager for the new town hall would also be the individuals involved in building the parking deck.

We believe this will provide for a continuity in design, construction, and scheduling.

The current parking lot has 63 parking spaces. If a parking deck is built at that exact location, the preliminary design provides for 152+/- parking spots.

We believe this project is feasible and that the PGDC's financial model can support the 25 year expenditure. In addition, we believe this results in a parking model that will accomplish two very important goals: (1) substantial parking for the new town hall, and (2) visitor parking, downtown workers parking, and local resident parking through a structured process (such as after normal business hours).

Based on the above, I would ask that you support Article 4C.

Enclosures:
PGDC Letter
Financial Model

PLYMOUTH GROWTH & DEVELOPMENT CORPORATION
40 Court Street, Floor 1, Unit 1
Plymouth, MA02738

September 1, 2016

Melissa Arrighi
Town Manager
Town of Plymouth
11 Lincoln Street
Plymouth, MA02360

SUBJECT: Proposed South Russell Street Parking Deck

Dear Melissa,

The PGDC Board of Directors approved funding for the South Russell Street Parking Deck Feasibility Study completed for the Town and PGDC by DBVW Architects in July, and it has authorized funding the design and construction of a new 2-level, 152-space parking deck in coordination with the Town Hall construction project. Although the PGDC will be paying for the entire project, we are requesting that the Town bond the construction for a 30-year term to take advantage of competitive interest rates and borrowing terms that will lower overall project costs.

Purpose and Need

PGDC believes the new parking deck will provide ample parking to accommodate parking needs of Town Hall while providing additional parking supply to the growing Town Center, which has a documented shortage of on- and off-street parking. The new parking deck will increase the number of spaces in the South Russell Street lot from 63 to 152, providing parking for both Town Hall employees and visitors, but also for other downtown employees, visitors and residents.

The proposed operating plan would provide reserved parking for Town employees on the top floor of the deck during the work week (M-F) while allowing general public parking on the first floor at the downtown parking rate of \$1/hour. On nights, weekends and holidays, both floors of the deck would be available to visitors and the general public and would be managed to ensure sufficient availability in the facility when Town Hall night meetings are scheduled. It is proposed that the first floor of the parking deck be access/gate controlled and available for parking 24 hours/day, 7 days/week. Monthly permits for deck parking would also be sold.

Construction Cost Comparison and Facade

The feasibility study concluded that a simple two-level, 152-space parking deck could be constructed on the existing Town Hall parking lot at an estimated construction cost of \$3,178,000. The construction cost

per structured parking space is \$20,908, which is lower than the average cost for constructing structured parking in the Boston Metropolitan area (\$25,000/space)¹. It is also lower than the estimated construction cost per space of structured parking on the Town's Main Street Extension parking lot (\$30,000/space) or Middle Street parking lot (\$40,000/space) based on previous PGDC parking studies. It is significantly lower than the estimated construction cost per space of the proposed 204-space downtown parking garage approved by the City of Newburyport, MA earlier this year (\$34,310/space) as well as the proposed 600-space downtown parking garage approved by the City of Portsmouth, NH in 2015 (\$30,000/space).

The lower cost of the proposed parking deck is due in large part to it being a simple structure devoid of internal ramps, elevators, ventilation/sprinkler requirements, and because it is screened on three sides by Burial Hill. An attractive façade, sympathetic to the Town Hall design, is provided on the front-facing portion of the structure while keeping the muted views from Burial Hill consistent with its current state as a surface parking lot. Architectural renderings and elevations have been prepared by DBVW Architects.

Project Delivery and Schedule

It is assumed that the parking deck will be designed and constructed by the Town's current contractors on the active Town Hall project through a negotiated change order. This will save on bidding costs, contractor mobilization costs (contractor is already mobilized), and schedule and price escalation costs. The construction project would continue to be overseen by the Town's Building Committee. The estimated design and construction schedule for the parking deck is 12 to 16 months.

PGDC Funding and Town Bonding

With regard to funding the project, PGDC would pay for all "soft costs" including the design and engineering oversight of the parking garage out of PGDC cash reserves. The PGDC already provided funding for the feasibility study that was completed earlier. We estimate the soft costs to be \$590,000 or 15% of the total project cost. The PGDC would also make a 10% down payment on deck construction and on installation of \$150,000 worth of security cameras and revenue control equipment which amounts to an additional \$332,800. In other words, the PGDC would fund \$922,800 in "up-front" costs from cash reserves. The remaining \$2,995,200 in construction costs would be bonded by the Town and paid for by the PGDC over the 30-year bond term. The debt service costs of the bond and the operating costs of the deck would be paid from PGDC parking revenues.

Financial Model

A draft financial model for the garage has been prepared showing the total project costs, revenues, and operating assumptions/expenses for the opening year condition. Given the current cash reserves and net positive cash flow of the PGDC from operating the entire parking program (meters, pay-by-phone, permits and enforcement), we are confident that paying the debt service and operating expenses associated with this project will have minimal negative impact on the parking program.

¹ Access Magazine, Donald Shoup, UCLA, 2016.

We are happy to meet with you to discuss the proposal further and look forward to working with the Town on this important downtown project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leighton Price".

Leighton Price, President
Plymouth Growth & Development Corporation

Cc: PGDC Board of Directors

South Russell Street Parking Deck - Financial Model

Estimated Project Costs

Soft Costs (design/engineering, OPM, legal, bidding, const. admin., testing, etc.)	\$ 590,000	15% of total project cost
Hard Costs		
Construction of 152-space, 2-Floor Parking Deck including contingency and escalation	\$ 3,178,000	SDI Engineering Cost Estimate
Revenue Control Equipment and Security Camera System	\$ 150,000	Budgeted
Subtotal Hard Costs (total construction)	\$ 3,328,000	
Total Project Cost	\$ 3,918,000	

Operating Revenues & Expenses

Key Assumptions:

- Design in 2016/2017 and construction in 2017/2018 through contract change order with Town Hall designer, OPM and contractor.
- PGDC funds estimated soft costs (\$590,000) from cash reserves in 2017 and 2018.
- PGDC funds 10% down payment (\$332,800) on construction in 2017 from cash reserves with the other 90% (\$2,995,200) bonded over 30 years @ 5.0% (Town GO Bond).
- PGDC funds monthly payments on debt service (Town GO Bond).
- Upper floor (76 spaces) reserved for town employees weekdays until 5 pm and open to the general public nights, weekends and holidays @ \$1/hr until 7 pm, year-round
- Lower floor (76 spaces) w/gated access open to the general public (parking passes and transients) - \$1/hr., 24/7, year-round
- On-street time limits in the immediate vicinity of Town Hall are set at 1-hour or less.
- Parking deck is automated (no cashiers), regular monitoring and on-call services by current Park Plymouth staff.

Revenues & Operating Expense Assumptions - Opening Year

REVENUE	spaces	rate	% avg use	Assumptions
Transient Revenue (Lower Floor)	76	\$ 1.00	0.50	\$1/hr. gated access 24/7
Transient Revenue (Upper Floor)	76	\$ 1.00	0.40	\$1/hr. nights, weekends & holidays until 7 pm
Parking Pass Revenue (Lower Floor)				\$15,000 24/7 Pass, Weekday Pass, etc.
Town reimbursement for emp. parking oper. exp.				\$26,057 28.6% of deck annual operating cost*
Russell/St. metered parking (nights/weekends)				\$22,100 34 spaces @ \$650/yr./space
Citation/Fine/Fees				\$35,850 Associated with metered parking & upper deck
Gross Revenue				\$273,407

OPERATING EXPENSE

Parking Deck Operating Exp.	\$50 /space/mo.	152 spaces	utilities, maint, plowing, supplies, ins, etc.
Major Repair & Replacement Fund	\$100 /space/yr.	152 spaces	No expected repairs until at least 2020
Pay Station/Permit Fees - credit card, gateway, etc			\$15,855 7.5% for pay stations, meter & permit rev.
Citation Fees - ticket/cc processing, hearings, etc.			\$4,314 12% of citation fee and fine revenue
Gross Operating Expenses			\$126,569

NET OPERATING INCOME

NET OPERATING INCOME	\$146,838	Gross Revenue minus Gross Operating Expenses
DEBT SERVICE	\$194,842	
NET CASH FLOW	-\$48,004	Net operating income minus debt service

BALANCING CASH FROM PARK PLYMOUTH SYSTEM

Permanent Debt Service Assumptions			
General Obligation Bonds	Interest 5.00%	Amortization 30	Payment \$ 194,842
			Loan Amount \$ 2,995,200

Notes:

*Total reimbursement for Town employee parking equates to 28.6% of total deck operational cost since employees use 50% of the deck for 40 out of 70 paid parking hours: 0.5 x 40/70 = 286

7-Sep-16

4D
TOWN OF PLYMOUTH CAPITAL IMPROVEMENT PLAN REQUEST FORM
5 YEAR PLANNING - FY17 REQUEST FORM

Department: Fire Department	Priority #:	
Project Title and Description: Purchase and Equip new Engine 9	Total Project Cost:	\$598,600.00

Department/Division Head: Chief Bradley

Check if project is: New Resubmitted **Cost estimate was developed:** Internally Externally

For project re-submittals, list prior year(s): _____

Basis of Estimated Costs (attach additional information if available)			If project has impact on 5 Year Plan and future operating budgets, insert estimated amounts.		
Capital:	Cost	Comments	Fiscal Year:	Capital	O & M
<i>Planning and Design</i>			<i>FY17</i>		
<i>Labor and Materials</i>			<i>FY18</i>		
<i>Administration</i>			<i>FY19</i>		
<i>Land Acquisition</i>			<i>FY20</i>		
<i>Equipment</i>	\$598,600.00		<i>FY21</i>		
<i>Other</i>					
<i>Contingency</i>					
Total Capital					

Possible sources and amounts of funding, if known: _____

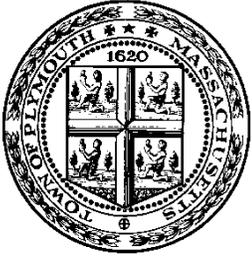
Project Justification and Objective: Please see the attached documents.

For Capital Project Requests:
 Will this project be phased over more than one fiscal year? If yes, enter it on the 5 Year Plan Yes No
 Can this project be phased over more than one fiscal year? Yes No

For Capital Equipment Requests:
 XX Check if equipment requested is replacement and enter the year, make & model, VIN and present condition of existing equipment

1994 Pierce Arrow pumping engine, (Ma. Registration MF 6247, VIN 4P1CA02D4RA000446). Will be removed from service December 2016, if not sooner.

Attach additional information, estimates, or justification.



Town of Plymouth
Fire Department
 114 Sandwich Street
 Plymouth, Massachusetts 02360
 508-830-4213
 Fax 508-830-4174

To: Lynne Barrett, Kere Gillette

From: Chief Bradley

Date: August 26, 2014

Let me provide a little background that supports this pumper request.

In 2005 and continuing in 2006 the Fire Department's apparatus status was dismal. There were days that there were not enough Engines in service to place one in each of the Town's seven fire stations. During this period there were shifts that a station had a car to transport personnel and a pick-up truck to carry gear to an emergency, but no pumper or water! Planned replacement requests had been delayed or suspended over a period of time due to various reasons; the result was the department was forced to request funding to purchase multiple apparatus at one time. Such requests are extremely expensive and leave the town and Department in the same predicament 10 to 12 years later as the apparatus is all due for replacement at once.

I have attached an article that appeared in the Old Colony Memorial newspaper October 1, 2005. This article provides some history of the "state of the fleet" during those dismal years when regular apparatus replacements were ignored.

Town Meeting appropriated funding at the FATM in 2005 for a new ladder truck and two new pumping engines, that appropriate was \$1.24 million. Although the ladder truck (tower) purchase was a heavy duty custom chassis to ensure years of service, the pumping engines purchased were prefabricated commercial chassis and not heavy custom pumpers; this was an attempt to keep the total cost low. At the time of purchase it was stated that these commercial trucks would last ten years. That time limit has now arrived; the two pumping engines were built on 2006 International Chassis were delivered to Plymouth in February 2007.

Those two pumpers are Engine 6 and Engine 3. Of these two engines, Engine 6 has had more down time and repairs. We have noticed an increase in "down time" for E6 and more complex repairs, many requiring the apparatus to be sent to specialized vendors for repairs (some of these repairs have already been done to Engine 3). Last year E6 was out of service 33 times, not including regular maintenance, this year (January to August) it has been taken out of service 19 times. This is a clear indication of the need to move this apparatus from "front line" to ready

reserve. The sister engine, Engine 3 will be close behind however I hope it can remain a “front line” apparatus until FY19, a year earlier than indicated on the Five Year Plan.

In addition, the Town purchased two additional new pumping engines in 2008, all four of these pumpers are seeing more use than in past years due to the call volume and could “wear out” to the failure point at the same time unless we break up the replacement cycle. We are trying to “break up” the replacement years to avoid the need for multiple purchases in one fiscal year, this will require apparatus purchases in each of the coming years.

Engine 9 is a “ready reserve” engine; it is a 1994 Pierce Arrow pumping Engine equipped with a 750 gallon water tank, both Class A and B foam capabilities and a 1,500 gallon per minute fire pump. This apparatus has 97,750 odometer miles, 8,800 engine hours which calculate to 369,600 road miles. (Ma. Registration MF 6247, VIN 4P1CA02D4RA000446).

This replacement is on the Department’s Five Year plan for FY18; its recent failure has us moving the request to FATM. The realization that this apparatus would fail minimal requirements as an emergency response apparatus and the extreme cost to make the apparatus comply came in late February, too late for consideration at the 2016 Spring Annual Town Meeting.

Over its lifetime, this apparatus has had an automatic transmission replacement and a rebuilt diesel engine in 2006. The apparatus had an earlier (in September 2000) automatic transmission replacement after a catastrophic failure due to a wiring problem. A wiring circuit “cross connected” causing the pump to engage while the apparatus was responding to a fire. The result was the transmission, along with the pump transmission, were destroyed scattering parts over a 75 foot area. The engine was towed from the scene and was out of service for over three months waiting repairs. The Department records indicate that we have spent more funding on this apparatus than we have on any other that we now own.

Last December this vehicle did not pass its annual Federal Motor Vehicle and State Safety inspection. Our mechanics were able to perform limited repairs and on a re-inspection the vehicle passed, however the rust and corrosion to the frame and body structure made it obvious that it would be the last inspection without major work.

Early this spring the diesel engine and transmission had issues that required the truck be taken out of service. Those repairs were made but we capped the expenses at \$5,000.00 due to its age and condition, these repairs made the apparatus reliable for the short term.

Quotes to repair the apparatus to minimal standards are well over the worth of the vehicle and only addressed the safety and structural issues, the pump, engine and transmission pricing would increase the repairs by another \$130,000.

4D

All of the major Fire Apparatus manufacturers plan a yearly price increase, the NFPA has tracked the manufacturers yearly price increases and report that, on an average, the prices in the past ten years have increase 5 to 7 % yearly. These yearly price increases almost doubles the cost of an apparatus over a ten year period. Our experience has been that apparatus manufacturers have historically increased their pricing, on an average, 6% each year. Much of that increase recently has been due to federally mandated equipment changes and emission upgrades.

This year the top four manufactures have again announced increase of 4 to 6 %, most beginning September or October of this year. E-One has announced 4% increase for November of this year, therefore, if we are poised to move quickly after the October meeting we could save just under \$20,000 by placing the order before the increase. Basically the truck's purchase price will increase by \$20,000 overnight; we have a chance to avoid this increase.

This purchase will;

- Provide a new “front line” apparatus to replace Engine 6 at the Cedarville Station
- Relieve the current Engine 6 from “front line” activity, allow the mechanics to make it a reliable safe “ready reserve” pumping engine which will,
- Replace a 22 year old failing pumping engine that will be removed from service December 2016.

If we wait for Spring Town Meeting the department will be “down” a pumping engine for at least a full year's time, authorizing the funding at FATM will decrease that time by seven months and save almost \$20,000.

Fire chiefs hope town meeting will buy new fire engines

Last week old vehicles fell apart

by Daniel Axelrod
APG Newspapers

PLYMOUTH — For Deputy fire chief Art Lamb, Sept. 22 was "Black Thursday."

Three out of Plymouth's nine fire engines were out of service; firefighters used a ladder truck as a substitute engine and trucks just kept breaking.

"It was like we were hanging by one hand and someone stepped on our knuckles," Lamb said. "Normally your bad luck stops, but it kept going on."

Had multiple fires and emergencies occurred across town, the department's remaining resources would have been seriously taxed.

Now, Lamb and chief James Pierson hope town meeting representatives approve Article 4F at the fall town meeting, or \$1.24 million to purchase a new ladder truck and two new fire engines.

Lamb also hopes Plymouth officials hire an extra mechanic and implement a long-range plan to regularly spend on bigger capital expenditures like fire trucks rather than waiting until vehicles fall apart.

"We went from this sleepy little town to really a city," Lamb said.

"The town needs to look into the methods of funding capital purchases; whether for the DPW, the fire department, we need a more rigorous schedule to get things replaced."

Under a perfect scenario, nine fire engines would sit in Plymouth's seven stations. One reserve engine could be stored at the West Plymouth station on Samoset Street and another would be at the State Road station in South Plymouth.

But Lamb's perfect scenario hasn't existed for some time.

During Sept. 22, the department was already short an engine at the fourth Plymouth station. A ladder truck was running in its place.

Plus, both backup fire engines were being used full-time at the fourth Plymouth fire station on Courne Road, so there were no reserve engines to serve 56,000 Plymouth residents.

Suddenly, the department was short a reserve engine, too.

The steering box in Engine 9, a 1975 Farrar, simply fell to pieces. The truck is so old the Farrar Company no longer exists. Fire officers scrambled to track down a steering box, but it would take five days to get the part shipped across the country.

The truck was limping along to begin with. The 30-year-old engine's radiator problems were so bad, the truck was close to being taken off the road already.

"The truck's pump pipes and hangers were so corroded from all these years of use, you were certain you were going to blow a pipe when you were using it," Lamb said. Then, right around Sept. 22, the



The replacement — The fire department wants to purchase of two International quad pump engines that carry up to five firefighters.

department mechanic yanked Engine 6, a 1986 Ford, off the road. Its frame was rotten. Its springs were dead. So, it was put in the repair shop.

DPW director George Crombie's plan to use fewer chemicals when clearing the roads was helpful with the corrosion problem. But, as citizens' complaints spurred local towns to use increasingly exotic road chemicals like magnesium chloride to remove ever more ice and snow, the chemicals contributed to the corrosion of Engine 6's wiring harnesses and rotted its frame.

"Black Thursday" carried into Friday, Sept. 23, and by week's end three out of nine engines were out of service.

"We had to do a reshuffling of engines," Lamb said. "How were we going to cover this station at this period of time? That night we put a rescue truck and brush truck up at the Samoset Street station in West Plymouth."

"A brush truck has a hose and water but no pumping capability and ladders, and the rescue truck's capabilities are similar."

Lamb said building-filled village centers such as North Plymouth and downtown were most vulnerable to a major fire.

"With a big fire we can get equipment to things quickly because we would respond with six engines and a ladder," Lamb said. "Plus, chiefs in the surrounding counties have a mutual aid plan to have another five engines and a ladder there within 15 minutes."

"But what would be hard is if we had a car fire in downtown Plymouth, a dumpster fire and then a medical call all at once; then that gets hard to handle because we wouldn't initially respond to those calls."

The department was so short on fire trucks Friday, Pierson called up neighboring fire chiefs to temporarily renege on Plymouth's agreement to respond to emergencies in the areas of other towns along Plymouth's borders.

Since then, the 1975 Farrar is back in action, and Plymouth is honoring its agreement with neighboring towns. And between calls, firefighters have taken to helping the mechanic identify and fix the department's trucks.

But Lamb said despite Plymouth's firefighters' best intentions, they're not trained fire truck mechanics. Fire officials hope fall town meeting representatives will fund another mechanic.

The department had two mechanics for more than 20 years until one retired four years ago.

"We believe if there was another mechanic, he'd save his salary in preventing these problems," Lamb said. "A big trucking company is always greasing springs and pins and if we had a mechanic, he could keep up with adjusting the brakes and keeping all the other bushings and bearings in proper order."

Some trucks simply aren't worth fixing though, Pierson said, and now he thinks it's time to get new trucks.

Years of budget crunching by town officials led former chief Thomas Fugazzi to open the Pine Hills station in 2002 without a new fire engine.

"The chief had originally asked for the new truck, but he took it out because of the budget constraints," Lamb said.

Fire department officials studied whether it was worth fixing the broken down trucks. They decided it was a better value to buy new trucks.

"These are prefabricated trucks,

but just because they're cheaper doesn't mean they're poor quality," Pierson said.

The manufacturer would use special kits to assemble the new trucks. Pierson wants to buy. Fire officials would choose what options they want, making the trucks less costly.

The department is currently protecting more than 14,000 acres of forest, plus Plymouth homes and businesses, with one ladder truck. A second ladder truck would cost \$850,000.

Each fire engine costs \$390,000. They're likely to last only 10 years because of the massive number of calls they'll respond to.

"It's not so much mileage with fire engines; it's use since the engines are put under tremendous stress while helping pump at fires," Lamb said. "When the engines hit 5,000 hours, they're on the verge of self-destruction."

The Bourne Road station's engine has 6,000 hours on it.

As fire officials await fall town meeting representatives' decision, they're hopeful a study will be done sometime after December by the consulting firm hired after spring town meeting to evaluate ways to improve the department's present and future performance.

That study will likely suggest Plymouth implement a regular maintenance and replacement schedule for fire trucks instead of the current fix it and replace it as it breaks policy.

If the department doesn't get the new fire trucks and a second mechanic, Pierson and Lamb said the department will make do.

However, Pierson said things wouldn't get any easier.

"I can understand putting a cobble response together to get you through a day or two, but it's not a way to run an entire department," Pierson said.

TOWN OF PLYMOUTH CAPITAL IMPROVEMENT PLAN REQUEST FORM
 FY17 FALL ANNUAL TOWN MEETING REQUEST FORM

Department: Marine and Environmental Affairs		2
Project Title and Description: Coastal Revetment Repairs	Total Project Cost:	\$815,000

Department/Division Head:

Cost estimate was developed: Internally Externally

Basis of Estimated Costs (attach additional information if available)			If project has impact on 5 Year Plan and future operating budgets, insert estimated amounts.		
Capital:	Cost	Comments	Fiscal Year:	Capital	O & M
<i>Planning and Design</i>			<i>FY17</i>		
<i>Labor and Materials</i>	\$815,000		<i>FY18</i>		
<i>Administration</i>			<i>FY19</i>		
<i>Land Acquisition</i>			<i>FY20</i>		
<i>Equipment</i>			<i>FY21</i>		
<i>Other</i>					
<i>Contingency</i>					
Total Capital					

Possible sources and amounts of funding, if known: MA Dam, Levee and Seawall Program

Project Justification and Objective: To repair damaged coastal revetment and protect buildings and public infrastructure. Previous project was bid out but cost was too high. Grant applications have been submitted to make up the cost difference.

Justification for Request at Fall Annual Town Meeting: To coincide with the grant application round and to be prepared to undertake work in early spring and maximize the seasonal construction windows with time-of-year permitting restrictions.

For Capital Project Requests:

Will this project be phased over more than one fiscal year? If yes, enter it on the next 5 Year Plan Yes No
 Can this project be phased over more than one fiscal year? Yes No

For Capital Equipment Requests:

Check if equipment requested is replacement and enter the year, make & model, VIN and present condition of existing equipment

Attach additional information, estimates, or justification.

**EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
DAM, LEVEE AND SEAWALL REPAIR AND REMOVAL**

ADMINISTRATIVE SUMMARY

PROJECT TITLE:	Warrens Cove Revetment Repair	STATE ID #	#057-041-000-029-100 #035-053-000-042-200
LOCATION COORDINATES:	Latitude	42° 56' 30"	Longitude -70° 37' 15"

RESPONDING ORGANIZATION

Contact Name: David Gould, Town of Plymouth, Department of
Marine & Environmental Affairs

Address: 11 Lincoln Street, Plymouth, MA 02360

Telephone: 508-747-1620 ext 134

Facsimile: 508-830-4140

Internet Address: DGould@townhall.plymouth.ma.us

PROJECT CATEGORY (CHOOSE ONE):

- Category 1 - Dams and similar unregulated impoundments
- Category 2 - Seawalls, coastal flood and/or foreshore protection
- Category 3 - Inland flood control structures and levees, excluding dams and similar unregulated impoundments

FUNDS SOUGHT FROM PROGRAM

State Funds via EEA **\$810,993**

Anticipated Matching Funds (*cash and in-kind*) **\$270,307**

Sources (*Federal? State? Local?*): **Local**

AUTHORIZED APPLICATION SIGNATURE

Signature _____ Date _____

Print Name and Title David Gould, Director

**EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
DAM, LEVEE AND SEAWALL REPAIR AND REMOVAL:
APPLICATION FOR FUNDING – CONSTRUCTION FINANCE
RESPONSE PROPOSAL**

Introduction

This response to the Executive Office of Energy and Environmental Affairs (EOEEA), Request for Quotes (RFQ) is being submitted by the Town of Plymouth to repair and reconstruct portions of the 720 linear feet of revetment primarily fronting Bert's Cove Restaurant and the Pilgrim Sands Motel. The existing stone revetment fronts a vertical concrete seawall. The proposed revetment work will consist of dismantling the existing structure in selected locations, placement of filter fabric, and reconstruction of the structure with appropriately sized stone. The revetment will be reconstructed to the same overall dimensions (height and slope) as the existing structure. Areas where revetment reconstruction will be performed are shown on the attached plan (Attachment A).

This project provides improvements to storm damage protection to the properties landward of the seawall. Over the past several decades, northeast storm events have continued to cause significant damage to coastal infrastructure in Warren's Cove. Specifically, the low lying landform at the south end of Plymouth Beach (including the Town beach parking lot, Bert's Cove Restaurant, and Pilgrim Sands Motel) have experienced wave overtopping during severe storm events. Most recently, the series of severe northeast storms over the 2012-2013 winter season (including the influence of Hurricane Sandy) caused continued lowering of the fronting beach and moderate damage to the revetment. Although the seawall and revetment have remained intact, the repairs performed following the 1991 northeaster ("the Halloween Storm") did not return the structure to its "as-built" condition. More recent work in 2002 re-established the revetment to design conditions; however, portions of the revetment have settled over the past 10+ years as the beach continues to lower, allowing wave action to destabilize portions of the revetment. Although much of the property directly landward of the wall is private, the integrity of the concrete seawall and the stone revetment fronting this seawall is the responsibility of the Town. The seawall is owned and maintained by the Town of Plymouth, where public access along the seawall is provided from the Town parking lot immediately north of the project area (along the crest of the concrete seawall that is a continuation of the seawall in the project area). In addition, the revetment and seawall also protect Warren Avenue (Route 3A) directly landward of the restaurant and motel. This roadway serves as one of the primary evacuation routes from the Pilgrim Nuclear Generating Station.

Between 1978 and 2001, total FEMA claims paid to the two property owners protected by the existing revetment was \$1,069,976, where a total of nine (9) claims were filed over this 23-year period. With on-going sea-level rise, the storm damage

costs are anticipated to escalate in the future and reconstruction of the revetment is required to (a) provide direct shore protection needs to the properties and roadway, and (b) reduce wave overtopping during significant coastal storms.

The estimated commencement date for the Project is October, 2016 with completion in June, 2017. This is a Category 2 project as failure of the wall would likely cause loss of life and/or serious public infrastructure damage.

Part I: Project Identification and Narrative

Section A: Review of Current Conditions

The Project Area is located at the southern limit of Plymouth Long Beach in the Town of Plymouth. The Warren Cove shore protection consists of 720 linear feet of seawall and revetment structure located on the east side of the barrier beach system along Warren Avenue (Route 3A). The location of the Project is shown on the USGS topographic map shown in Figure 1 and a more detailed aerial photograph in Figure 2. The beach and seawall may be accessed by the public Town immediately north of the project area (along the crest of the concrete seawall that is a continuation of the seawall in the project area). This roadway serves as one of the primary evacuation routes from the Pilgrim Nuclear Generating Station, as well as numerous other properties in the Plymouth Beach vicinity. However, the road often becomes overwashed with sediment and debris during severe storms as a result of excessive overtopping of the seawall.

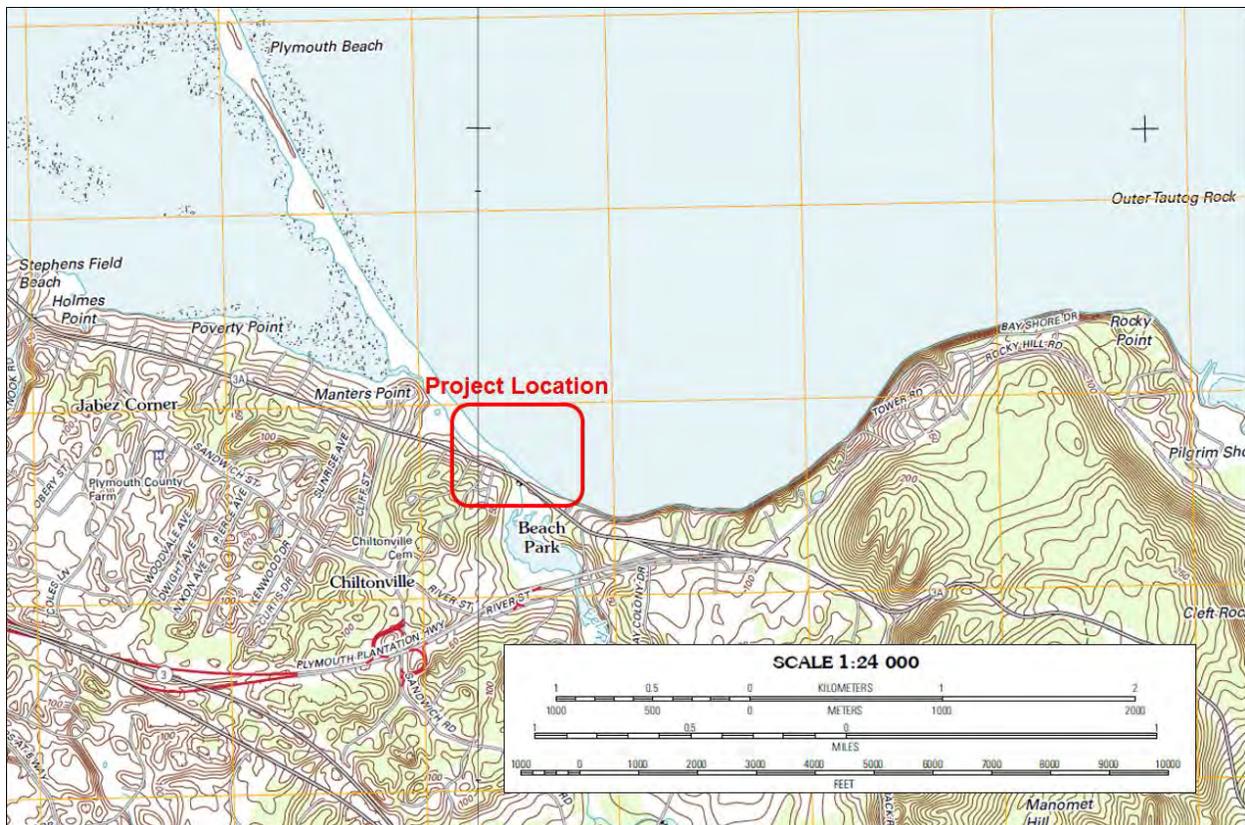


Figure 1. Project Area vicinity showing Plymouth Beach and Warren Cove (map from USGS).



Figure 2. Project Area close-up aerial photograph, where red box indicates specific project area (photo from Google Earth).

The low lying landform at the south end of Plymouth Beach (including the Town beach parking lot, Bert's Cove Restaurant, and Pilgrim Sands Motel) have experienced wave overtopping during severe storm events. Most recently, the series of severe northeast storms over the 2012-2013 winter season (including the influence of Hurricane Sandy) caused continued lowering of the fronting beach and moderate damage to the revetment. Although the seawall and revetment have remained intact, the repairs performed following the 1991 northeaster ("the Halloween Storm") did not return the structure to its "as-built" condition. More recent work in 2002 re-established the revetment to design conditions; however, portions of the revetment have settled over the past decade, allowing wave action to destabilize portions of the revetment. Although much of the property landward of the wall is private, the integrity of the concrete seawall and the stone revetment fronting this seawall is the responsibility of the Town. As stated in a 1977 Memorandum from the Engineering Division, "upon completion of the construction this [the seawall/revetment] was turned over to the Town of Plymouth to maintain." Based on this understanding, the Town of Plymouth requested Applied Coastal Research and Engineering, Inc. (Applied Coastal) to review the existing condition of the revetment and recommend areas that required reconstruction. This analysis was completed in April 2014 (see report in Attachment B).

The 2007 “South Shore Coastal Infrastructure Inventory and Assessment Demonstration Project” by Bourne Consulting Engineers identified the wall as #057-041-000-029-100 and #035-053-000-042-200 and gave it a Condition C (Fair) rating. The report assigned a Priority IV (High) rating stating “(l)andform may not be sufficient to fully protect shoreline during a major coastal storm”. An excerpt from the report is included as Attachment C.

The Project Area has a long history of storm damage. Repair plans dating back to 1946 state that seawall and revetment have been replaced and/or reinforced several times. The most recent plans from 2001 called for extensive reconstruction of the revetment fronting the seawall. Figure 3 illustrates typical storm-induced wave overtopping that leads to long-term degradation of the structure.



Figure 3. Splash-over and wave overtopping at Warrens Cove during Hurricane Sandy (photo from Terence O'Neill).

Section B: Environmental Concerns

As mentioned, primary evacuation routes from the Pilgrim Nuclear Generating Station. In addition, emergency response time to the Plymouth homes south of this overwash area is substantially increased when the road is impassable due to flooding. The storm wave overtopping is also directly responsible for the significant repetitive loss FEMA claims for the Project Area. Both properties in the Project Area have received flood reimbursements from FEMA and are severe repetitive loss properties.

Approximately \$1.1 million in federal claims have been paid out between 1978 and 2001, with an average of \$119,000 per claim.

Section C: Project Plan

In 2013, the Town of Plymouth funded a condition survey and engineering design for repairs to the shore protection infrastructure along this stretch of the Warren Cove seawall/revetment. A Notice of Intent (NOI) was prepared and an Order of Conditions was received in 2014. Available funding from the Town is \$220,307, with a private match of \$50,000, totaling \$270,307.

The design conditions for the seawall and revetment were based on the 100-year storm. The proposed design calls for repair and reconstruction of damaged portions of the 720 linear feet of revetment primarily fronting Bert's Cove Restaurant and the Pilgrim Sands Motel. The existing stone revetment fronts a vertical concrete seawall. The proposed revetment work will consist of dismantling the existing structure in selected locations, placement of filter fabric, and reconstruction of the structure with appropriately sized stone. The revetment will be reconstructed to the same overall dimensions (height and slope) as the existing structure. Areas where revetment reconstruction will be performed are shown on the attached plan (Attachment A).

The proposed seawall and revetment is designed to structurally withstand the 100-year storm wave condition. In addition, the rough-faced configuration of the proposed revetment repairs will reduce wave overtopping volumes. Wave overtopping runoff and debris that flows onto Warren Avenue is expected to be modestly reduced by proposed design.

It was not possible to incorporate sea level rise projections into the proposed design, as extensive structure enlargement (higher seawall, higher revetment crest, larger footprint, etc.) would be required to further mitigate storm damage. This larger structure would have substantially higher construction costs, as well as significantly greater environmental impacts to adjacent Land Under the Ocean resources. In addition, the surrounding landform (i.e. the remainder of the barrier beach fronting Eel River on Plymouth Beach) would also need to be raised to mitigate storm damage to the roadway. In the future, the seawall and revetment may require additional armoring and/or other shore protection solutions to reduce overtopping to acceptable volumes depending on the magnitude of sea level rise; however, it does not appear that the substantial costs and expanded environmental impacts are warranted at this time.

All environmental regulatory permits are in place for the proposed revetment repairs and reconstruction effort. In addition, a bid package has been developed by the Town.

Chapter 91 public access is provided along the crest of this publically maintained seawall.

Part II: Proponent Qualifications

The project proponent is the Town of Plymouth, in Plymouth County, Massachusetts. The Town was officially incorporated in 1620.

The primary contact for the project will be David Gould, Director, Department of Marine and Environmental Affairs. The secondary contact will be Kerin McCall, Environmental Technician. Copies of the résumés for these key personnel are attached.

Engineering and design of this project was done by Applied Coastal Research and Engineering, Inc. (Applied Coastal) in association with Sullivan Engineering. Additional engineering services for this project will be contracted with Applied Coastal. Resumes for the primary Applied Coastal engineers (John Ramsey and Hugh "Trey" Ruthven) are attached.

Part III: Project Schedule and Cost Estimates

The estimated commencement date for the Project is October 2016 with completion in June, 2017. The total requested EOEEA Grant Funding is \$810,993, with Town Match totaling an additional \$270,307 (25% of the total project cost). A detailed cost estimate is provided in Attachment D.

Part IV: Ongoing Operations and Maintenance Plans

Because the coastal structure in the Project Area plays such an important role by protecting both upland property and critical infrastructure, the Town of Plymouth is committed to ongoing care and maintenance of the Warren Cove revetment/seawall. The Town has been proactively maintaining this structure since 1991.

As part of the project, the Town and Applied Coastal will develop an operations and maintenance plan for the structure that will include a routine inspection component. The engineering inspection process will utilize a methodology consistent with the state South Shore Coastal Infrastructure Inventory and Assessment Demonstration Project, as Applied Coastal was one of the collaborators with Bourne Consulting Engineers on this project.



TOWN OF PLYMOUTH

Department of Public Works
 Engineering Division
 11 Lincoln Street
 Plymouth, Massachusetts 02360

To: ADVISORY AND FINANCE COMMITTEE

From: Sid Kashi, P.E., Town Engineer *S.K.*

Through: Jonathan Beder, Director of Public Works

CC: Melissa Arrighi, Town Manager
 Dennis Westgate, Asst. DPW Director

Date: September 7, 2016

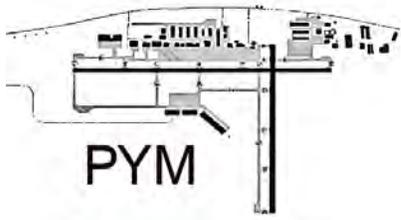
Subject: 2016 Fall Annual Town Meeting
 Article 4G
Replace GPS Field Survey Grade Equipment

We were able to find out after experiencing poor performance/inconsistent data logs and trouble-shooting/ research that the GPS Equipment we have been using for 16 years is officially obsolete. The receiver unit is permanently unable to interpret satellite data and the manufacturer (Trimble) refers to this equipment as “long obsolete and end of service” (see attached). Our surveying instrument needs to be replaced. The manufacturer is recommending replacing the equipment since there is no technical solution available to correct the problem. The surveying instrument will replace existing one that we have now.

Encl. : Support Note from Manufacturer

508- 746-2020

508-747-4483 fax



**Plymouth
Municipal Airport**

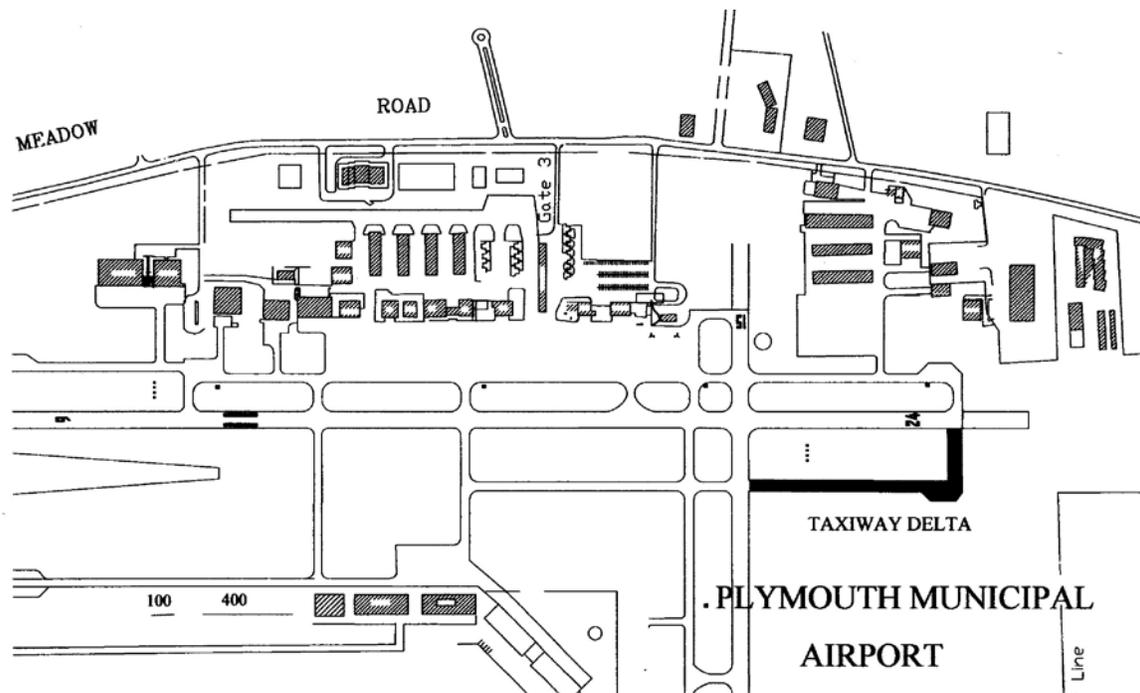
To: **Advisory and Finance**

From: **Thomas Maher, Airport Manager**

RE: Fall Annual Town "Delta" Taxiway Capital project Date: **September 8, 2016**

The Plymouth Airport Commission is requesting support at the Fall Annual Town meeting regarding the completion of "Delta" taxiway here at the Plymouth Municipal Airport. The project is 1.7 million total, with \$85,000 being from airport enterprise free cash or airport enterprise borrow and the balance of \$1,615,000 from FAA and MassDOT grants.

This project would connect the existing "Delata" taxiway to the runway 24 end and would correct an existing safety concern where currently aircraft based on the south side of the airport have to cross the active runway, to taxi and takeoff on runway 24. This extension would eliminate this need and allow aircraft to taxi directly to the runway 24 end without having to cross the active first. This project has been on our capital program for several years. The reason this is coming up at Fall Town meeting is that FAA just contacted us that they anticipate funding the project in Federal FY 17 which starts on 10/1/16 and we would go out to bid and have to award the bid over this Winter and in turn Spring ATM would not allow us to be under grant before April 1, 2017.



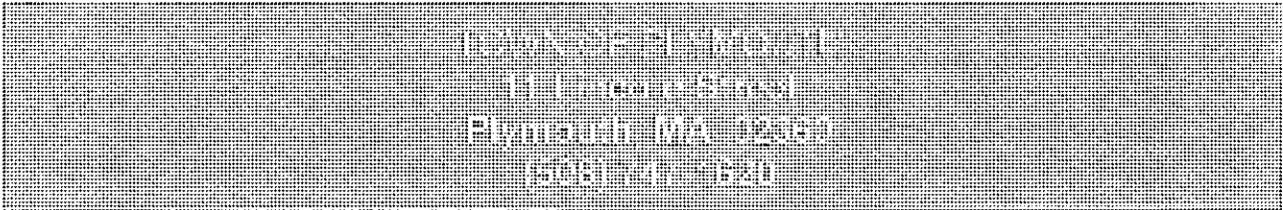
ARTICLE 5:

ARTICLE 5: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money, and to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, and to accept the deed to the property and building located at 15 Hedge Road, Plymouth, on such terms and conditions as the Board of Selectmen deems appropriate, and to accept a deed to the Town of Plymouth of a fee simple interest for the premises at 15 Hedge Road, Plymouth, shown on Assessors' Map 6 Lot 60 D and Parcel No. 006-000-060D-000, for the purposes of locating Public Safety facilities thereon, said land or interest to be managed by the Board of Selectmen, and to authorize the Board of Selectmen to enter into any and all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate the purposes of this Article; or to take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval \$325,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 5. Approval of this article will fund the purchase of 15 Hedge Road in North Plymouth. The town has been searching for a lot large enough to site a new fire station because the current north Plymouth fire station is inadequate. As you will recall from last Fall's Town Meeting, the newer fire engines have to be specially fitted with smaller side mirrors so the engine can just squeeze through the doors to the fire station. That Town Meeting appropriated \$25,000 to place a deposit once a suitable property was found. The purchase price of this property is \$350,000, so this article will fund the remaining \$325,000. It is important to move forward with this purchase now as large parcels in north Plymouth are increasingly difficult to find. Town Meeting will see an article in the future to design and build the new fire station, but that may be some time down the road.



OFFICE OF TOWN MANAGER
MEMORANDUM

To: Board of Selectmen
Advisory and Finance Committee
Lynne Barrett, Director of Finance
Chris Badot, Selectmen's Office

From: Melissa G. Arrighi, Town Manager

Date: August 18, 2016

Re: Fall Town Meeting, Article 5 – 15 Hedge Road

ARTICLE 5: *(condensed article language) To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase... the property and building located at 15 Hedge Road, Plymouth...for the purposes of Public Safety....*

For some years now, the Town of Plymouth has understood that the North Plymouth Fire Station is woefully inadequate. Some of the problems there include:

1. Age of Structure –The building was constructed in 1906 to house horse drawn steam engines. The building had a major rehab around 1974, that included removing the wooden apparatus floor (which had failed) and installing a concrete floor system as well as updates to the living quarters and heating plant. Currently the heating system is in need of replacement, there is no cooling system, and the electrical system is in poor condition and does not support the emergency generator in automatic mode. Crews must manually switch between street power and generator power during outages. The concrete apparatus floor has buckled in many areas creating a trip hazard and much of the reinforcement bar in the concrete is badly corroded thus weakening the floor structure. The slate roof system is original and loses heavy slate pieces due to rotting fasteners and roof sheathing.
2. Size – The station itself is small. The station has two bays that are inadequate to accommodate modern apparatus. The apparatus floor measures 31' wide (2 bays, each 15 foot wide) x 50' deep. As compared to other Plymouth Stations with apparatus bays between 18 and 19 feet wide by 50 foot deep. In addition, the apparatus bay door is 9'11" wide whereby other stations have doors that are between 12'-14' wide. A pumper truck (engine) is 102 inches wide plus the mirrors – about 10' wide in total. They have had to plane back the door casings to gain an extra 1" width to accommodate the mirrors.

Our firefighters have barely any clearance on each side of the \$570,000 truck as they maneuver out in an emergency.

3. Special Equipment to accommodate size – A few years ago, the Town funded the replacement of Engine 7, located at North Plymouth. This apparatus required special manufacturing instructions to ensure the truck would fit in the station. The necessary width and height restrictions added to the cost of building the apparatus. In addition we removed trim boards and modified the entrance at the apparatus doors to widen the opening for the new apparatus. Even with the modifications and size restrictions of the apparatus, there are only 2 inches of clearance for the apparatus to exit and enter the building. When Engine 7 is out for service or maintenance, we are limited on replacement apparatus. Finally, most mutual aid crews cannot back apparatus into the building when they are called to cover the area.
4. Lot size - The Fire Station structure is less than 17 feet from the edge of the roadway leaving no apron, driveway or approach at the entrance to accommodate the apparatus once out of the building. This requires the apparatus to pull out of the station and into the roadway at a three-street intersection whenever entering or leaving the station. The apparatus is in the roadway blocking one lane before it has completely exited the building. During an emergency response the operator will ease out of the station, block the roadway waiting for the crew to close the station door and climb onboard the apparatus. This is tricky enough during daylight hours, and especially dangerous at night, during rainstorms, snowstorms and winter conditions when the roadway is snow and ice covered. The same actions are repeated, in reverse, when the apparatus returns from a call for service, each time the crew is working in the roadway at a busy three-way intersection. Finally, this situation leaves no room for the crew to adequately inspect the apparatus for readiness or after returning from an incident, many times the crew will drive to a business parking lot to complete a truck check. The lack of space within the building requires the crews to perform such checks outside the fire station.

As you may recall, North Plymouth accounts for approximate 1080 annual calls for service out of 7136 calls town wide. These are counts of emergency responses only. The crews also respond to hundreds of other non-emergent calls for service annually. Station 7 has the largest number of mercantile inspections to perform on a twice yearly schedule as compared to the other station areas (412). The crews at Station 7 also perform over 150 yearly new and resale inspections of residential properties.

At the 2015 Fall Town Meeting, town meeting members showed support for moving the Fire Station by approving an article to set aside \$25,000 so that if and when we found a suitable location, the Town would have the immediate ability to sign a P&S contingent upon further Town Meeting vote to fund the full purchase. As was explained to Selectmen, Advisory & Finance Committee members, and Town Meeting members, we knew we would have some difficulty finding another area in North Plymouth that can house a Fire Station, and that was certainly the case.

Thus it has taken a year to appear back before Town Meeting. However, at this time, I am pleased to say that we have tentatively secured a site at 15 Hedge Road, (some may know that as the Sgarzi Home), that is well located and is large enough to provide for a suitably sized future fire station. We have also completed an appraisal that showed a \$335,000 value, received a

second appraisal from the sellers that showed a \$365,000 appraisal, and we have completed a Wetland Delineation Report (attached). We have negotiated a purchase price of \$350,000.

Maryann Bonaparte, one of the owners, wrote this to me, "Our family has very strong feelings regarding the future of the Sgarzi property. Paul [Sgarzi] was a dear friend of ours and our decision making is keeping that fact a priority in the property's future....we genuinely feel in our hearts that Paul would not oppose the idea of providing the town with a site that would forever remain an integral part of the community, like a Firehouse would".

I share that with you only so that you will understand why we have also agreed, if Town Meeting approves this purchase, to erect some sort of small tribute, such as a plaque, to the Sgarzi family on the grounds at 15 Hedge Road.

The Fire Chief and I believe that the Town will be well served in acquiring this site for a future Fire Station and we would ask that you support Article 5 that will allow us to acquire the site for \$350,000.

Thank you.

A handwritten signature in black ink, consisting of a large, stylized letter 'M' enclosed within an oval shape.

Card 1 of 1

15 Hedge
Future Fire Station

Location 15 HEDGE RD Property Account Number 60401 Parcel ID 006-000-060D-000

Old Parcel ID 1100 -G01 -006*0011*

Current Property Mailing Address

Owner PAUL J SGARZI REVOC TRUST 2008 SGARZI PAUL J TR Address 15 HEDGE RD	City PLYMOUTH State MA Zip 02360 Zoning R20M
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Current Property Sales Information

Sale Date 4/23/2008 Sale Price 0	Legal Reference 35880-257 Grantor(Seller) SGARZI,PAUL J
-------------------------------------	--

Current Property Assessment

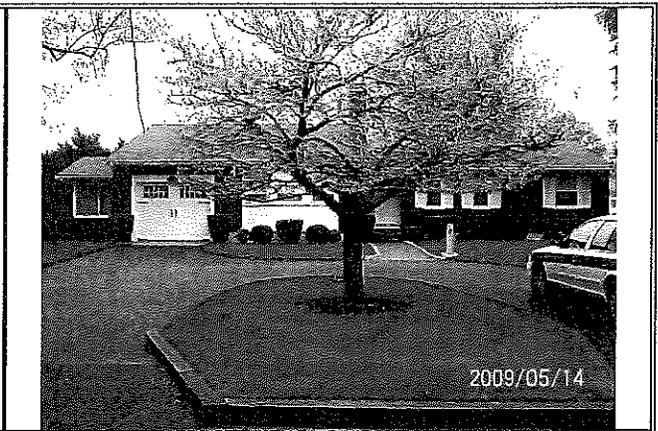
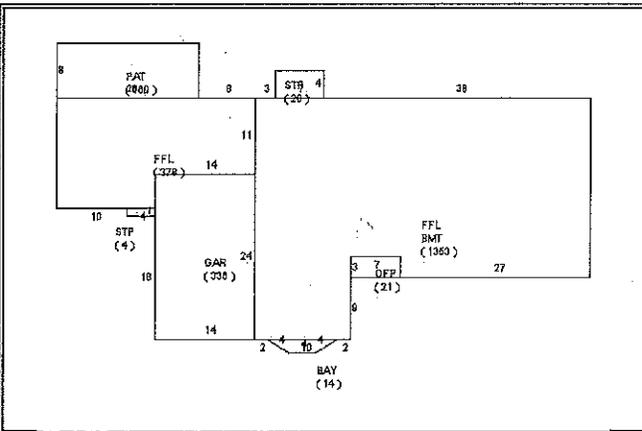
Year 2016 Land Area 2.249 acres	<u>Card 1 Value</u> Building Value 125,400 Xtra Features Value 1,900 Land Value 136,100 Total Value 263,400
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Narrative Description

This property contains 2.249 acres of land mainly classified as ONE FAM with a(n) Ranch style building, built about 1957 , having Frame/Shingl exterior and Asphalt roof cover, with 1 unit(s), 6 total room(s), 2 total bedroom(s), 1 total bath(s), 1 total half bath(s), 0 total 3/4 bath(s).

Legal Description

Property Images





APPRAISAL OF REAL PROPERTY



LOCATED AT

15 Hedge Rd
Plymouth, MA 02360
Plymouth County Registry of Deeds Book 35880 Page 257

FOR

Jessica Casey - Town of Plymouth
11 Lincoln Street, Plymouth, MA 02360

OPINION OF VALUE

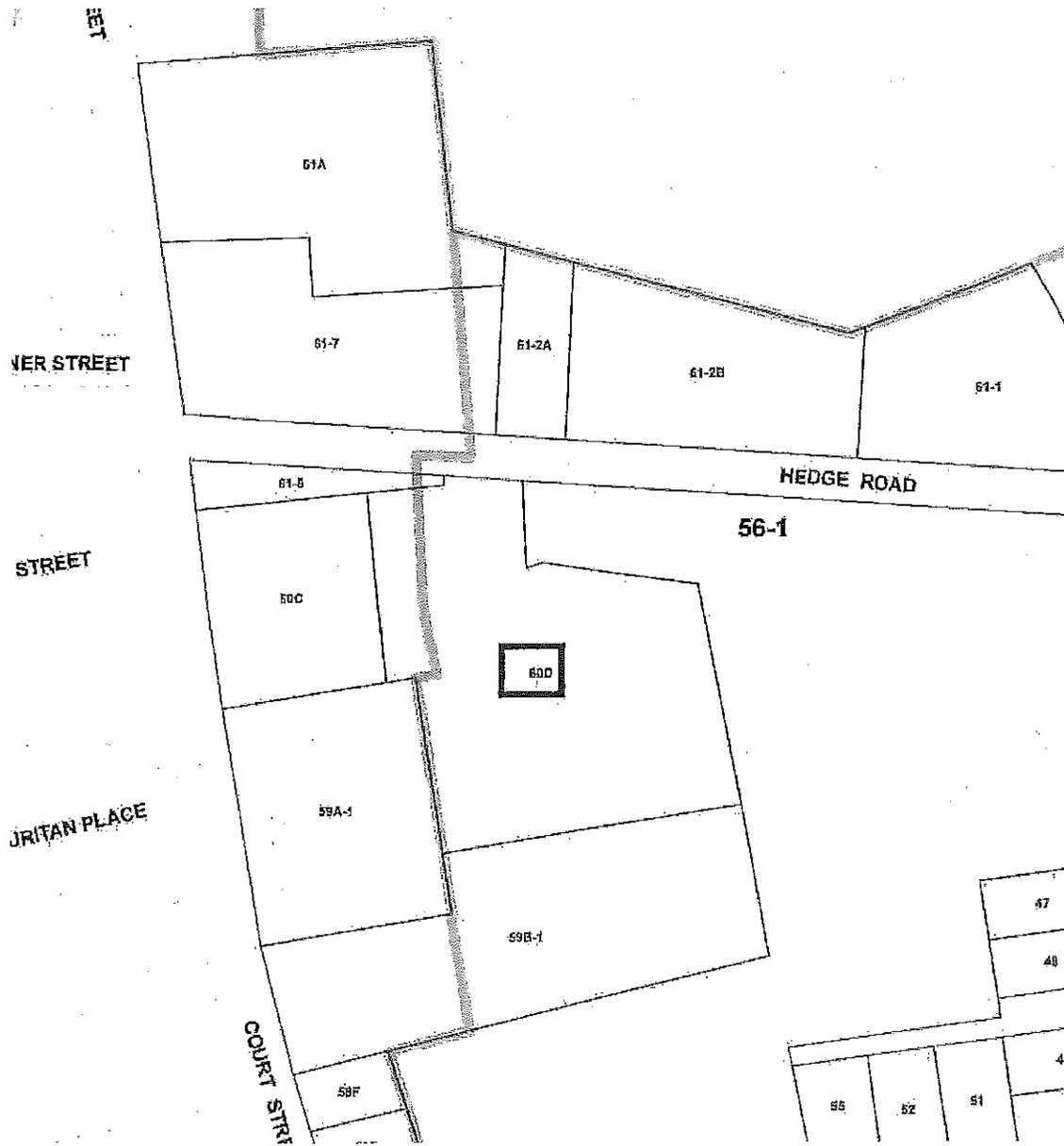
\$335,000

AS OF

05/06/2016

BY

Brandon D Churchey
Churchey Appraisal, Inc
15 Mooring Circle
Plymouth, MA 02360
508-224-9476
Brandon@Churcheyappraisal.com



APPRAISAL OF REAL PROPERTY



LOCATED AT

15 Hedge Rd
Plymouth, MA 02360
Plymouth County Registry of Deeds in Book 35880 page 257

FOR

Anthony F. Provenzano Jr.
Suite 124, One Village Green North
Plymouth, MA 02360

365,000

AS OF

02/26/2016

BY

Paul Falconer
Falconer Appraisal Services, Inc.
Falconer Appraisal Services, Inc., 23 Pinewood Road
Plymouth, MA 02360
(508) 747-6101
FalconerAppraisal@Verizon.net

Falconer Appraisal Services, Inc.
Falconer Appraisal Services, Inc., 23 Pinewood Road
Plymouth, MA 02360
(508) 747-6101

03/03/2016

Anthony Provenzano
Anthony F. Provenzano Jr.
Suite 124, One Village Green North
Plymouth, MA 02360

Re: Property: 15 Hedge Rd
Plymouth, MA 02360
Borrower: Paul J. Sgarzi Revocable Trust
File No.: 02262016-Sgarzi

Opinion of Value: \$ 365,000
Effective Date: 02/26/2016

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,



Paul Falconer
MCGREA #530
License or Certification #: MCGREA 530
State: MA Expires: 01/11/2018
FalconerAppraisal@Verizon.net

ARTICLE 7:

ARTICLE 7: 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.

Parcel ID
113-000-004-000 Map 113 Lot 4
113-000-007-000 Map 113 Lot 7
113-000-008-000 Map 113 Lot 8
113-000-011-000 Map 113 Lot 11
113-000-021-000 Map 113 Lot 21
114-000-020-027 Map 113 Lot 20-27
114-000-020-045D Map 114 Lot 20-45D
114-000-024-000 Map 114 Lot 24
114-000-025-000 Map 114 Lot 25
114-000-033-000 Map 114 Lot 33

OPEN SPACE COMMITTEE

RECOMMENDATION: Approval (8-1-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 7. Town Meeting approval of this article will transfer the parcels from the Town Treasurer to the Conservation Commission for conservation and open space purposes. The three parcels were taken by the Town through a tax lien proceeding. The parcels comprise a total of nearly 116 acres. While approving this Article the Committee did express concerns about the amount of property being put into conservation year after year. The Committee asked that the Open Space plan be updated and more specific targets be developed for all conservation land not just that controlled by the Town.

Long Duck Pond

Preserve

Fall 2016 Town Meeting

Presentation by

***Plymouth Conservation Commission
Plymouth Open Space Committee***

ARTICLE 7: To see if the Town will vote to transfer the care, custody and control of the following parcels from the Town Treasurer to the Conservation Commission for the purpose of preserving natural open space which will increase protection of the Ponds of Plymouth Well Zone II and enhance the land area within Natural Heritage & Endangered Species Program, Priority Habitat of Rare Species, while promoting passive recreation activities in Plymouth's southeastern region; or take any other action thereto.

Parcel IDs: 113-000-004-000, 113-000-007-000, 113-000-008-000, 113-000-011-000, 113-000-021-000, 114-000-020-027, 114-000-020-045D, 114-000-024-000, 114-000-025-000 and 114-000-033-000

CONSERVATION COMMISSION RECOMMENDATION: Approval (unanimous)

The Conservation Commission voted unanimously on May 10, 2016 in favor of the Article.

OPEN SPACE COMMITTEE RECOMMENDATION: Approval (unanimous)

The Open Space Committee voted unanimously on May 3, 2016 in favor of the Article.

PROJECT SUMMARY:

The Conservation Commission and the Open Space Committee are recommending transfer of 10 Tax Title lots [zoned Rural Residential (RR)], located east of Bourne Rd., west of Long Pond Rd., south of Justine Rd. and north of Lunn's Way. Conveyance of these properties will preserve one hundred and sixteen (116) acres of undeveloped open space, portions lying within the Aquifer District, that abut open space lands owned by Wildlands Trust, The Plymouth Conservation Commission as well as lots under the care and custody of the Board of Selectmen.

The transfer of these parcels to Conservation Status will aid in protecting the Zone II of The Ponds of Plymouth Well Site and create an area for passive recreational use while securing rare and endangered species habitat through the enhancement of a wildlife corridor along Bourne Rd. It will also limit the number of additional septic systems in the area.

Based on current Assessors data, there are approximately 3,800 either built or planned single family homes within the surrounding area including the AD Makepeace, Redbrook Development Project.

Transferring these tax title properties to the Conservation Commission will support the following goals from the Plymouth Master Plan:

• **Control Sprawl**

Sprawl is large-lot low density development that consumes open space.

• **Protect the Environment**

Plymouth is a center of biodiversity and lies above the largest aquifer in Massachusetts.

• **Preserve Character**

Plymouth's diverse natural and built landscapes include historic sites, village settlements, rural landscapes, forests, coastline, ponds, streams, wetlands, and cranberry bogs. These landscapes define Plymouth's character and must be preserved.

• **Encourage Economic Development**

Economic development provides jobs for Plymouth residents and tax revenues to help pay for town services.

• **Balance Costs and Growth**

Compact commercial and residential development costs less than sprawling development, both in terms of town service costs and impact on the land.

• **Improve Quality of Life**

Residents want opportunities to live, work, and play in town and to enjoy Plymouth's uniqueness.

PROJECT INTENT

For the past year, the Plymouth Open Space Committee has been studying ten (10) tax title properties located north of exit 2 and south of exit 3, bounded by Bourne Rd., Long Pond Rd., Halfway Pond Rd., and Lunn's Way. It is surrounded by residential developments on all sides with approximately three thousand eight hundred (3800) established or approved homes.

Wildlands Trust, Conservation Commission and the Department of Conservation and Recreation (DCR) currently own parcels in this area which together total one hundred and sixty-six acres (166). Conserving these tax title properties would add one hundred and sixteen (116) acres, creating a protected preserve of two hundred and eighty-two acres.

The transfer of these parcels to Conservation Status will aid in protecting Zone II of The Ponds of Plymouth Well Site. It will limit the number of additional septic systems in the watershed for Little and Great Herring Ponds as well as the watershed for Big Sandy Pond and White Island Pond (as well as other smaller ponds).

All of the parcels are within a designated Natural Heritage Priority Habitat. This natural open space provides homes and food for wildlife. It is populated with many different species of native plants and trees. Trails crisscross the parcels creating an area for passive recreational use while securing rare and endangered species habitat through the enhancement of a wildlife corridor along Bourne Rd.

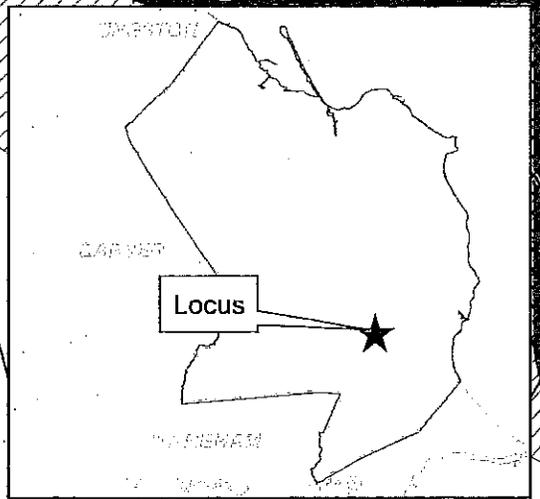
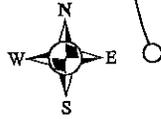
One of the most important issues in Plymouth is economic development. We need additional tax income from light industrial and commercial businesses. We need quality jobs for our residents. We can accomplish this through Smart Growth, which includes protecting open space. Do we need to conserve more natural open space in Plymouth? Absolutely.

Land in conservation increases our ability to attract visitors through eco-tourism. It preserves the character and beauty of our town while helping to attract new business. It safeguards our aquifer and limits traffic congestion. It protects the many plants, birds and animals which delight both residents and tourists.

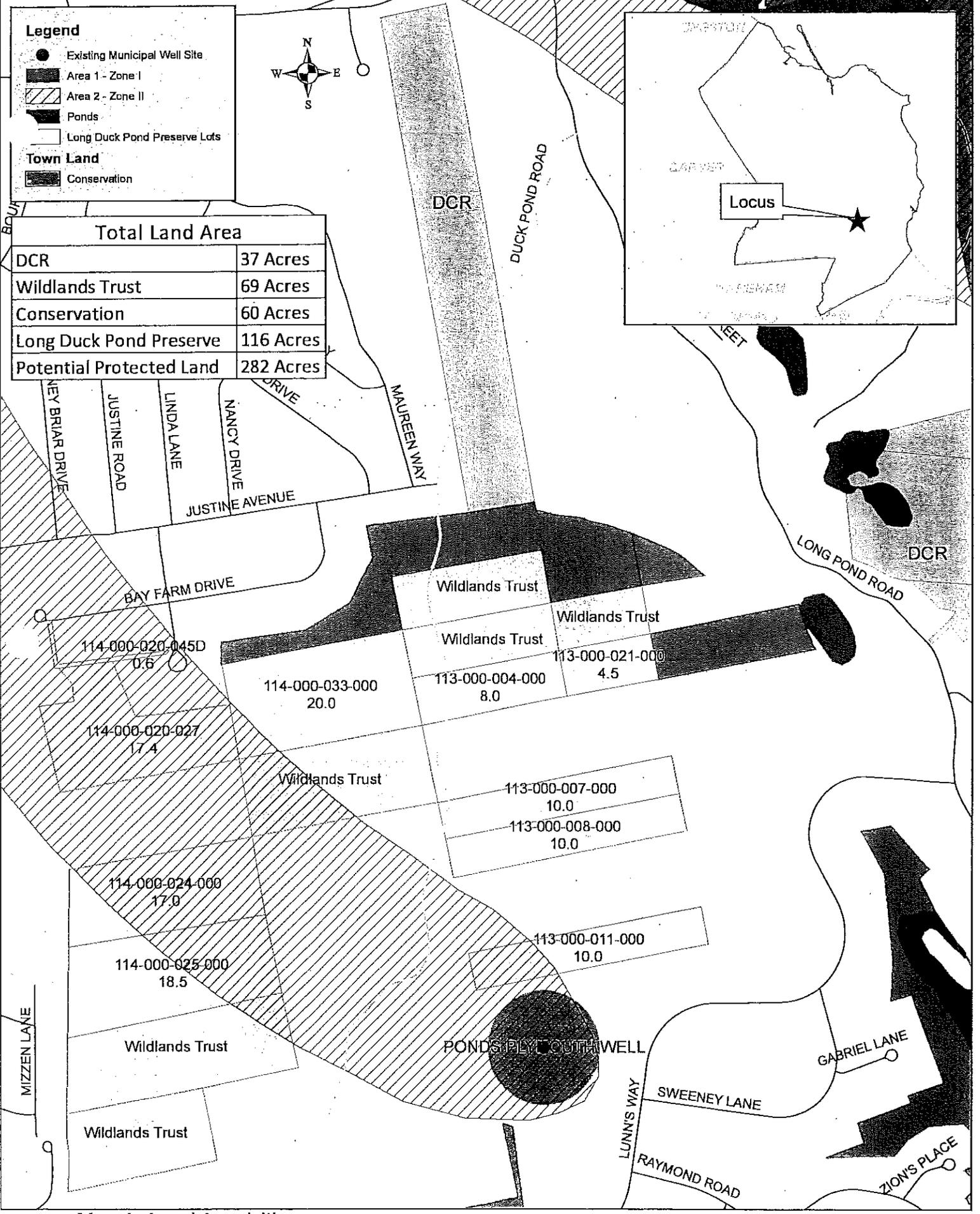
The Open Space Committee was created by Town Meeting and charged with the mission of acting in "...an advisory capacity to the planning board and the representative town meeting with respect to the preservation of natural open space...." The Open Space Committee and the Conservation Committee recommend conserving these one hundred and sixteen acres for our benefit as well as the benefit of future generations.

Legend

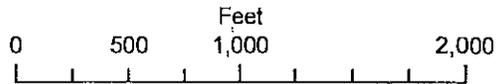
- Existing Municipal Well Site
- Area 1 - Zone I
- ▨ Area 2 - Zone II
- Ponds
- Long Duck Pond Preserve Lots
- Town Land**
- Conservation



Total Land Area	
DCR	37 Acres
Wildlands Trust	69 Acres
Conservation	60 Acres
Long Duck Pond Preserve	116 Acres
Potential Protected Land	282 Acres



Map A: Land Acquisition
Long Duck Pond Preserve Lots
Area Open Space & Aquifer Protection



Department of Planning & Development
 Data Sources: MassGIS
 & Plymouth Engineering Dept.

Long Duck Pond Preserve Ecosystem

The proposed Long Duck Pond Preserve is a forest ecosystem of trees, shrubs, herbaceous plants, fungi and animals along with a substrate of soil, water, organic debris and rocks. This ecosystem functions as a living infrastructure that supports our community in a number of ways:

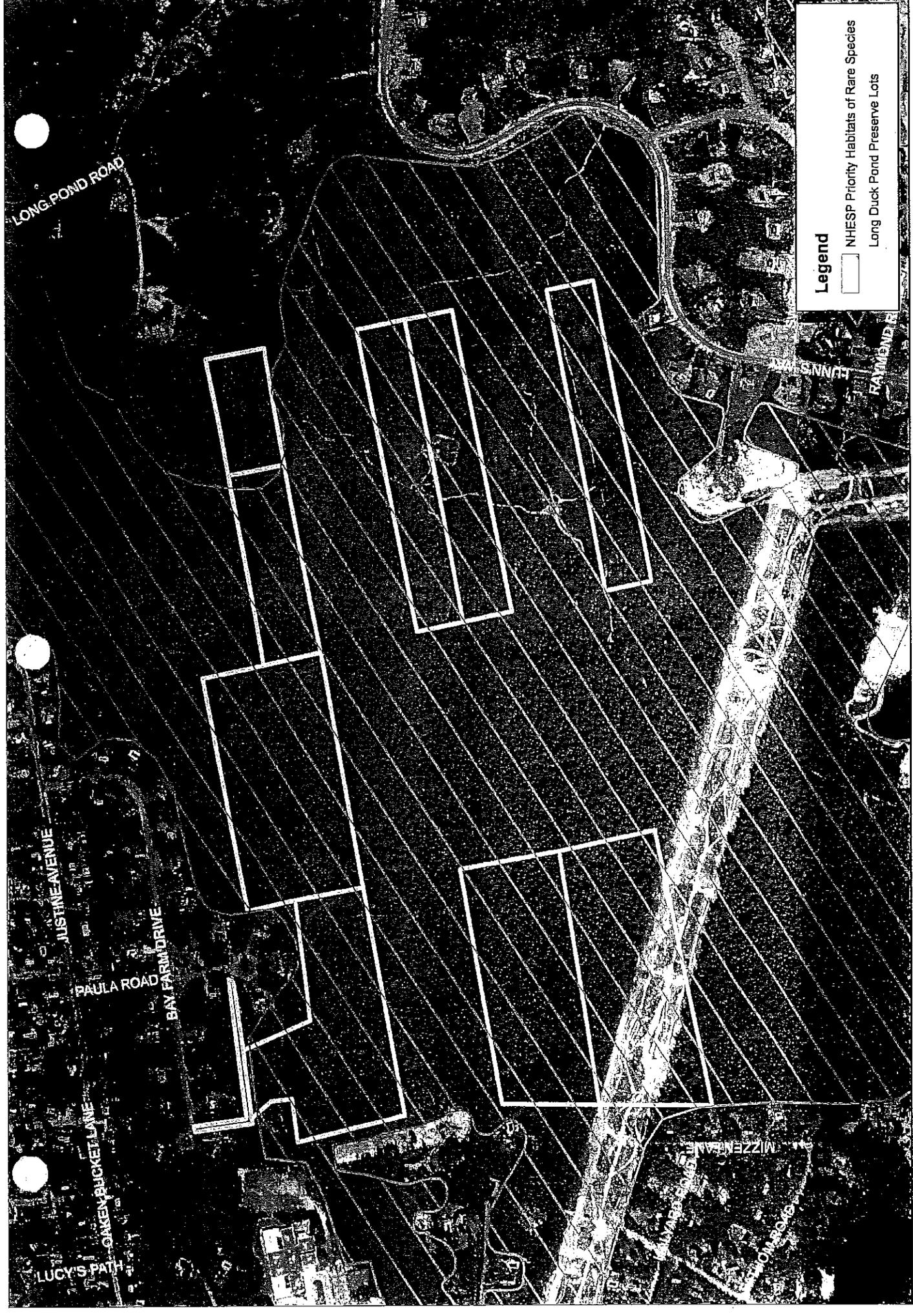
- a. Helps to provide a reliable source of clean water and fresh air¹.
- b. Limits storm water and flooding.
- c. Protects biodiversity (the number and variety of plants and animals located within a specified geographic region).
- d. Supplies food and homes for billions of mammals, insects, birds, amphibians, plants and micro-organisms.
- e. Provides space for outdoor recreation, such as hiking, running, biking, birding and photography.
- f. Creates essential wildlife corridors.
- g. Stores a significant amount of carbon and offers shading and cooling.

One acre of forest absorbs six tons of carbon dioxide and puts out four tons of oxygen. This is enough to meet the annual needs of 18 people. The net cooling effect of a young, healthy tree is equivalent to ten room-size air conditioners operating 20 hours a day, according to the U.S. Department of Agriculture.

In essence, forests support the "common wealth" of Plymouth — the shared natural resources on which we all depend.

Plymouth is losing many acres of forest each year. Town Meeting has the rare opportunity to protect 116 acres of forest at a minimal cost. These acres are contiguous with other parcels of conserved forest, which will create a woodland preserve of 282 acres.

¹"Decades of research into the forest-water connectionunderscore the fact that one of the lowest-cost options for water sustainability is to retain forests for the pollution filtration and storm water retention benefits they provide." *Changes to the Land: Four Scenarios for the Future of the Massachusetts Landscape*



LONG POND ROAD

JUSTINE AVENUE

PAULA ROAD

BAY FARM DRIVE

LUCY'S PATH
GAKEN BUCKET LANE

WIZZENT LANE

Legend

- NHESP Priority Habitats of Rare Species
- Long Duck Pond Preserve Lots

**Map B: Land Acquisition
Long Duck Pond Preserve Lots
Aerial View with Natural Heritage**

Department of Planning & Development
Data Sources: MassGIS
& Plymouth Engineering Dept.





Herring Ponds Watershed Association

P.O. Box 522, Sagamore Beach, MA 02562
Preserving our Ponds and Watershed

To: G. Hooker, Plymouth Conservation Commission
B. Hall, Plymouth Open Space Committee
From: Brian Harrington, President, HPWA
Re: Long Duck Pond Preserve

Date: August 7, 2016

The Herring Ponds Watershed Association strongly endorses the Article to transfer ten tax title lots to the Conservation Commission to establish the proposed Long Duck Pond Preserve (LDPP).

The Herring River Watershed, including Little and Great Herring Ponds, is a state designated Area of Critical Environmental Concern (ACEC), and deserves extraordinary attention by *all levels of government* in conservation planning and environmental protection. A critical source of the water that flows through the Herring River ACEC is the Plymouth-Carver Aquifer (PCA), a sole-source aquifer which flows under the LDPP and into the Watershed from the northwest. A Sole Source Aquifer means that it is the only source of drinking water for residents. It also is the source of almost 80% of the water that passes into and through the Herring River ACEC.

The PCA is very susceptible to pollution. Because it is located in a vast area of sand and gravel, water flows freely throughout its boundaries. Once pollution occurs, cleaning up the aquifer is costly. (Costs for the Sagamore Lens on Cape Cod are expected to exceed \$1.4 billion.) Accordingly, a coordinated protection effort is the best and most economical way to preserve the quality and quantity of our drinking water and of our Herring River ACEC.

Through this Article, Plymouth has an extraordinary opportunity to assure the protection of the aquifer that flows under LDPP and into the Herring River Watershed by preserving the huge aquifer recharge area within the LDPP boundaries.

We urge our Town Meeting to approve the Article which establishes the proposed Long Duck Pond Preserve.

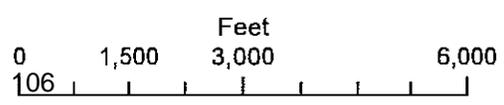


Legend

- Long Duck Pond Preserve Lots

Watersheds

- Red Brook
- Herring Ponds



Department of Planning & Development
 Data Sources: MassGIS
 & Plymouth Engineering Dept.

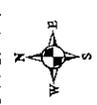
SW Plymouth Watershed Areas





Legend

-  Nearby Built Lots
-  Long Duck Pond Preserve Lots



**Map C: Land Acquisition
Long Duck Pond Preserve Lots
Nearby Developed Lots**

Department of Planning & Development
Data Sources: MassGIS
& Plymouth Engineering Dept.



ARTICLE 8:

ARTICLE 8: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, or otherwise, and to accept the deed to the parcel of land containing 4.37 acres, more or less, located off LONG RIDGE ROAD in the Town of Plymouth shown as Assessor's Parcel Number 078B-000-000A-266, on such terms and conditions as the Board of Selectmen deems appropriate, for the purposes of open space and conservation, said land or interest to be managed by the Board of Selectmen, and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

BOARD OF SELECTMEN

See Supplement I

ARTICLE 9A:

ARTICLE 9A: To see if the Town will vote to revise the funding sources and thereby amend the vote taken under Article 16A of the 2014 Spring Annual Town Meeting for the restoration of the 1820 Court House, as previously amended, by reducing the amount to be borrowed and transferring a sum of money from Fiscal Year 2017 Community Preservation Act estimated annual revenues, undesignated fund balance or other CPA reserves for such purposes, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Approval (Unanimously, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 9A. Town Meeting approval of this article will authorize a \$500,000 reduction to the remaining \$3,500,000 borrowing authorization for the restoration of the 1820 Court House and authorize the Community Preservation Committee to set aside \$500,000 of FY17 CPA revenue for 1820 Court House restoration expenses. This will enable the Community Preservation Committee to reduce borrowing for the project, thereby saving the Town money on interest costs.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Monday August 29, 2016
Re: ANNUAL FALL TM 2016: CPA Article 9A

ARTICLE 9A: To see if the Town will vote to revise the funding sources and thereby amend the vote taken under Article 16A of the 2014 Spring Annual Town Meeting for the restoration of the 1820 Court House, as previously amended, by reducing the amount to be borrowed and transferring a sum of money from Fiscal Year 2017 Community Preservation Act estimated annual revenues, undesignated fund balance or other CPA reserves for such purposes, or take any other action relative thereto.

COMMUNITY PRESERVATION

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Article 9A at its meeting held Monday August 29, 2016

SUMMARY & INTENT:

The Community Preservation Committee recommends the reduction of the original borrowing appropriation, under Article 16A from Spring Town Meeting 2014, (\$5 Million) for the 1820 Court House. The Committee intends to move available funds into an account to be utilized for the renovation, preservation and rehabilitation of the 1820 Court House. At Fall TM 2014, Spring TM 2015 and Spring Town Meeting 2016 the CPC made similar recommendations by reducing each time by \$500,000. The current recommendation would reduce the borrowing authorization down to \$2,750,000.00. The borrowing reduction strategy is a policy of the CPC to build up a reserve fund to avoiding borrowing. This strategy will allow the CPC to avoid interest by paying for construction activities on the 1820 Court House with cash on hand.

ARTICLE 9B:

ARTICLE 9B: To see if the Town will vote to appropriate from the Community Preservation Fund Historical Reserve Fund, estimated annual revenues, undesignated fund balance, or reserves, borrow, or otherwise fund, a total sum of money for the preservation, rehabilitation and restoration of the Steinway Library at the Pilgrim Hall Museum located at 75 Court Street, including all incidental and related costs, in accordance with the terms and provisions of a Grant Agreement; or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Approval \$125,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 9B. Approval of this article will appropriate \$125,000 from the Community Preservation Fund for Historic Resources. These funds will be used to preserve, rehabilitate and restore the Steinway Library at the Pilgrim Hall Museum. The plan is to repair the tile ceiling, flooring, UV, plaster, windows, equipment and technology. The restoration will help expand the potential and vitality of a nationally visible anchor institution, and will create new economic and educational benefits for the upcoming 2020 celebrations. This project would be contingent upon an agreement to allow free access to Town residents for 5 years and use of the Library by the Town for community meetings from time to time subject to availability.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Monday August 29, 2016
Re: ANNUAL FALL TM 2016: CPA Article 9B

ARTICLE 9B: To see if the Town will vote to appropriate from the Community Preservation Fund Historical Reserve Fund, estimated annual revenues, undesignated fund balance, or reserves, borrow, or otherwise fund, a total sum of money for the preservation, rehabilitation and restoration of the Steinway Library at the Pilgrim Hall Museum located at 75 Court Street, including all incidental and related costs, in accordance with the terms and provisions of a Grant Agreement; or take any other action relative thereto.

COMMUNITY PRESERVATION

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted 8 in favor 1 opposed of Article 9B at its meeting held Monday August 29, 2016

SUMMARY & INTENT:

The intent of Article 9B is to use the Community Preservation Fund undesignated fund balance for the restoration, rehabilitation and preservation of the Steinway Library at Pilgrim Hall Museum contingent upon an agreement to allow access for special Town of Plymouth events of the Library which will require a request from the Board of Selectman an subject to availability. Also subject to free admission to the residents of Plymouth through Nov 25 2022. Pilgrim Hall Museum is the oldest Museum in North America and is Plymouth 's greatest repository of historical collections and archives. The restoration will help expand the potential and vitality of a nationally visible anchor institution, and will create new economic and educational benefits for the up coming 1620 to 2020 celebrations. The Library is a unique gathering space for public programs, presentations, meetings and events.



Suzanne R. Giovanetti
President
Evelyn Strawn
Secretary
David Tarantino
Treasurer

PILGRIM SOCIETY PILGRIM HALL MUSEUM

Founded 1820
75 COURT STREET
PLYMOUTH, MASSACHUSETTS 02360-3891
TEL: 508-746-1620
FAX: 508-746-3396
director@pilgrimhallmuseum.org
pilgrimhallmuseum.org



Donna D. Curtin, PhD
Executive Director
Robin Nutter
Development Director

July 25, 2016

William Keohan, Chair
Community Preservation Committee
Town of Plymouth
11 Lincoln Street
Plymouth MA 02360

Dear Chairman Keohan,

Attached is our updated application for a Community Preservation Act (CPA) grant request in support of the Steinway Library Restoration Project at Pilgrim Hall Museum, for consideration at the 2016 Fall Town Meeting. Our original application was submitted in February 2016 for consideration at the Special Spring Town Meeting. The request was tabled to be reconsidered at this time. Per our communications, I am refreshing our 2016 application with revisions.

We respectfully request a grant award of \$125,000 for the Steinway Library Restoration. This project will preserve a remarkably intact early 20th century interior, resolve serious condition issues before they reach a critical, even hazardous state, and create a uniquely magnificent community meeting space that is historical, technologically functional, and accessible, as part of the preparations for Plymouth's 400th anniversary celebration. The total cost of the proposed CPA grant project is \$210,000; however, please be aware that the library restoration is part of a larger effort to upgrade the archival and collections storage area in the museum's lower vaults to 21st century standards at an estimated additional cost of \$200,000. The level of support from CPA funds will be fully matched in the larger 21st century Archives Project.

Pilgrim Hall Museum is deeply grateful for previous support received from the Community Preservation Fund. The Society is committed to utilizing the requested CPA award to help leverage other sources of support, and will actively pursue grant and donor opportunities to match every dollar of CPA funding.

Pilgrim Hall Museum is Plymouth's greatest repository of historical collections and archives; it's literally a treasure house of our past. This project will help expand the potential and vitality of this nationally visible anchor institution, and will create new economic and educational benefits for both the institution and the larger Plymouth community.

Thank you very much for your consideration.

Sincerely,

Donna D. Curtin, PhD
Executive Director



STEINWAY LIBRARY RESTORATION - PILGRIM HALL MUSEUM

PROJECT DESCRIPTION:

The Steinway Library Restoration Project seeks to repair and restore the interior of Pilgrim Hall's 1904 library wing to stable, historically correct, and functional condition as a unique gathering space for public programs, presentations, meetings, and events.

Many of the Library's handsome original features are intact, including the tiled ceiling construction developed by turn-of-the-century designer Raphael Guastavino, whose elegantly vaulted ceilings in such landmark buildings as the Boston Public Library, Ellis Island's Registry Hall, and Grand Central Terminal in New York City, are the subject of renewed interest in academic, museum, and engineering fields for their visionary aesthetic and technical qualities. Significant deterioration of this defining feature of the historic interior threatens to impede public access and use of the Library in the near future if repairs are not carried out. Other important original elements of the Library, including the tile-and-mosaic floors, plaster walls, limestone fireplace, and copper clad windows, require varying levels of repair and restoration. In addition, the project calls for UV protection, electrical upgrades, and the sensitive installation of additional lighting, a digital projection system, and other appropriate improvements to enhance the Library's functionality as a public program and meeting space.

This project is part of a larger undertaking to preserve four centuries of Plymouth life represented in the historical manuscripts, documents, photographs and archival collections of Pilgrim Hall Museum, which are housed in the Steinway Library's lower level. The larger Archives Project includes the redesign and renovation of the lower vaults to provide a 21st century level of stewardship for rare, fragile, and irreplaceable resources; a digitization program with student interns as the core workforce of a professionally supervised archival team; and the development of a technologically innovative web-based platform for sharing these resources digitally and globally, to be launched in conjunction with Plymouth's 400th anniversary in 2020.

Both the public facility and the archival facility of the 112-year-old Steinway Library are in critical need of assistance. We request a grant of \$125,000 in CPA funding to help with the \$210,000 project to restore the Library's public facility. Pilgrim Hall Museum will also pursue additional funding of approximately \$200,000 for the separate project to upgrade its archival facilities. This additional project is intended to ensure the future stewardship and global accessibility of Pilgrim Hall Museum's historical resources, which represent the most significant extant Plymouth historical collection in the world.

Level of Historical Significance

Pilgrim Hall Museum (PHM) is the oldest continuously operating museum in America, is listed on the National Register of Historic Places, and is accredited by the American Alliance of Museums. PHM is owned by the Pilgrim Society, formed in 1820 on the 200th anniversary of the Landing of the Pilgrims. Membership in the Pilgrim Society is open to the public; members encompass a diverse range of ethnic and religious groups, united by a shared belief in the importance of history and the significance of Plymouth and the Pilgrim story.

The Pilgrim Society founders engaged Alexander Parris, notable as the architect of Boston's Quincy Market, to design a monumental building to be a storehouse for early Plymouth treasures, including possessions of the Mayflower passengers, and to serve as sociable gathering place for all of Plymouth. Pilgrim Hall Museum was erected in 1824 by Jacob and Abner Taylor of Plymouth, and became one of the town's most enduring centers of community engagement and learning. Plymouth's first high school classes for girls were held in its basement, and the Public Library operated a reading room in the Hall during the Civil War period. As one of Plymouth's most distinguished buildings, Pilgrim Hall Museum has hosted educational forums, lectures, ceremonial events, public meetings, dinners, dances, social activities, and entertainments of every sort (including sword swallowing demonstrations!) for an unbroken span of 192 years.

The museum collection had expanded significantly by 1904, when a Library wing was added to the original granite building to house rare books and manuscripts. Though constructed of granite to complement the original section, the Library was designed in a distinctly different style with a flat roof and large copper clad windows at the front and back. In 1920, the front windows were replaced with three magnificent stained glass windows depicting scenes of early Plymouth. In 2008, a successful \$3.4 million expansion added a new exhibition gallery, glass-fronted entrance and modern lobby, established climate control throughout the facility, and with the support of \$440,000 in Community Preservation grants, made the museum complex fully accessible.

To continue to engage the visiting public with innovative and stimulating content, the Society must utilize the museum's still limited space with maximum efficiency. At present, the PIDC Temporary Exhibition Gallery in the new addition is used both as the main facility for changing exhibitions and as the museum's primary program area. This dual usage adversely impacts the development of more complex, substantial, and innovative exhibitions because the space needs to be frequently cleared and set up for lectures, programs, and events. In 2015, the Society developed a plan to utilize the Steinway Library, which had been used for archives storage and offices, as a newly

designated area for public programming. However, the subsequent discovery of significant condition issues with the Library has delayed this change until repairs and renovations can be carried out.

The Steinway Library Restoration, if funded, will preserve a unique historic space in Plymouth, dating from the early 20th century, a period of increasing public interest, and integrally linked to Plymouth's deepest history and traditions as a repository for the Pilgrim Society's incomparable collection of early books and manuscripts. Just as significantly, the project gives renewed purpose to the historic Library and creates new opportunities for expanded public outreach for one of Plymouth's most important anchor institutions, located in the heart of the historic downtown.

Public Benefit

Pilgrim Hall Museum has been an integral part of the town for nearly two centuries. Today, the museum welcomes over 23,000 visitors annually, most in family and tour groups, with nearly 5,000 children experiencing Plymouth's history firsthand through the institution's unique programs, exhibits, and activities each year. The museum is Plymouth's sole "four season" attraction, open year-round, seven days a week, from mid-February through the month of December, closed only for Christmas Day, New Year's Eve and the month of January to early February. The museum's commitment to year-round scheduling is a boost to Plymouth's destination appeal during the "off season" when nearly all other attractions are closed.

Pilgrim Hall Museum serves the growing Southeastern Massachusetts population with changing exhibitions throughout the year and an annual calendar of educational lectures and programs to attract repeat visitation and a varied audience. The Steinway Library Restoration project seeks to successfully utilize an impressive historic interior to better serve the needs of the museum and the community. The Library restoration will provide an important venue for small to medium sized gatherings in Plymouth- a distinctive and beautiful historic setting that can accommodate about 60 people for seated lectures, programs or events, with discretely installed amenities including digital projection. The refurbished Library furthers the museum's institutional and economic development by expanding its scope and creating the opportunity for a more engaged and active institution. The restored Library will also be an asset in Plymouth's preparations for its 400th anniversary by adding to the inventory of desirable meeting places that are historic, fully accessible, and technologically functional. As the museum of America's earliest possessions, Pilgrim Hall Museum will hold a prominent role in the 2020 commemoration, and a properly equipped meeting place for public gatherings and official events is essential. (As one recent example of the increasing need for

meeting venues in historic Plymouth, Pilgrim Hall Museum received a request from the Lt. Governor's Office of the Commonwealth of Massachusetts to hold its Seaport Economic Council meeting in the Library facility this August.)

Public Support

Pilgrim Hall Museum is sustained and supported by the annual contributions of donors, sponsors, volunteers, members, and the Board of Trustees of the Pilgrim Society. The organization serves a broad and diverse range of public audiences, both locally and more widely, and has always successfully generated support for important projects. The Society has already received a gift of \$25,000 from the Plymouth Industrial Development Corporation, and will be seeking additional contributions from members, donors, and other members of the public. The Society will energetically publicize and share information about the Library Restoration project to help build public awareness and develop broad support.

Appropriateness & Professionalism of Proposed Work

To ensure the appropriateness and professionalism of the proposed work, the Pilgrim Society & Pilgrim Hall Museum engaged the firm of Building Conservation Associates (BCA) in 2015 to perform a historic materials assessment of the Steinway Library and make recommendations for treatment. A copy of this document is included as additional material in the application.

The BCA assessment recognizes the Library's largely intact historic interior, with several striking original features, most notably the timbered vaulted ceiling of Guastavino tile, carved limestone fireplace, and terrazzo and mosaic tile floor. All of these significant elements are showing signs of deterioration from previous episodes of moisture and water infiltration over the past century. The tiled ceiling is a particular concern with soiled and water-damaged tiles, and multiple cracks in its arches and vaulting; some tiles are delaminating, posing a potential hazard. The limestone fireplace with carved ornamental seashells and scrolls has chips, open mortar joints and cracking, as well as old discoloration that cannot be cleaned until a layer of inappropriate coating is removed. The flooring has damaged mosaic tiles in need of repair, and previously repaired cracking that needs to be redone. The cracking in ceiling, flooring, and fireplace requires further investigation to determine whether an underlying structural issue exists; this is one of the most important needs to be addressed in the project. The Library's plaster walls have had inappropriate repairs, including the introduction of a damaging substrate, possibly partly cement, that needs to be carefully removed. The BCA report recommends a comprehensive plaster analysis to determine the best repair strategy. The walls also exhibit many paint episodes, and currently sport a modern

color scheme that conflicts with the historical integrity of the space. The report includes an historic paint analysis with original colorways identified for restoration.

Another important historic feature of the Library is the original screened metal bookshelves along the north and south walls of the room. The bookshelves hold hundreds of items from the museum's significant book collection; the contents are exposed to harmful UV light from the bank of original copper-clad windows on the east elevation. Minor repairs to the windows and the installation of UV protection are included in the project work.

Additional professional assessments of certain aspects of the proposed project, including structural issues, plaster repairs, and non-invasive designs for the installation of digital equipment and lighting, will be conducted.

The Pilgrim Society is fully committed to adhering to the Secretary of the Interior's Standards for the Treatment of Historic Places, and will give full respect and attention to all existing preservation restrictions on Pilgrim Hall Museum.

Administrative & Financial Management Capability

The Pilgrim Society, the governing body for Pilgrim Hall Museum, was incorporated in 1820. A Board of Trustees & Officers, consisting of 51 individuals elected for 1 to 3 year terms, is responsible for the organization's long-term stewardship. Pilgrim Hall Museum is managed by a small but well-qualified year-round professional staff, including an Executive Director, Director of Finance, Director of Development, Curator of Collections, Associate Archivist, Visitor Services Coordinator, Group Tour Coordinator, and Museum Shop Manager. Sources of income are varied and stable, including admissions, memberships, donations, special events, sales, sponsorships, and grants, as well as endowment support and rental income.

Pilgrim Hall Museum is accredited by the American Association of Museums. One of the highest honors a museum can receive, accreditation certifies that a museum operates according to professional standards, manages both its collections and finances responsibly, and provides a quality museum experience to the public.

In recent years, particularly with the successful completion of a \$3.4 million expansion in 2008, the museum has demonstrated its continuing ability to administer ongoing operations and special projects with conscientious oversight and fiscal prudence.

Project Budget

The estimated total project cost is \$210,000. Preliminary professional estimates for project work have been prepared by Building Conservation Associates. A detailed project budget will be prepared in conjunction with an application for matching funds from the Massachusetts Preservation Projects Fund (MPPF), due March 2017.

Project Sign/Banner	250
Professional Services	12,000
Masonry	127,000
Windows	3,000
Plaster	14,000
Finishes	28,000
Electrical/Lighting	8,000
Equipment/Specialties	7,750
<u>Contingency (5%)</u>	<u>10,000</u>
Total Project Estimate:	210,000

The Society has received \$25,000 in funding from the Plymouth Industrial Development Corporation. This funding will be used to support non-construction costs, including professional services (architectural services, cost estimates, structural assessment, and other necessary surveys); museum lighting; and the installation of digital projection equipment. An MPPF grant request will be submitted to the Massachusetts Historical Commission in Spring 2017 to help fund the remaining construction portion of the restoration. If a CPA grant is awarded at Fall Town Meeting that knowledge could favorably impact the outcome of the MPPF decision.

The Society has a very strong record of board and donor support, and will vigorously pursue contributions for any remaining project expense, in addition to moving forward with the separate, approximately \$200,000 project to upgrade its archival facilities, which will represent a significant match for the CPA-funded project.

The Pilgrim Society and Pilgrim Hall Museum provides for regular maintenance of its historic properties; there will be no annual costs to the Town associated with this project once the project work is completed.

Project Timeline

Fall Town Meeting 2016	Plymouth Town Meeting determines CPA awards
February/March 2017	Preparation of MPPF Grant Application for matching funds includes detailed project budget
June 2017	Massachusetts Historical Commission announces MPPF grant awards
July-August 2017	Full scope of work finalized. Architect prepares bid-level construction documents.
Sept.-early Oct. 2017	Project Bid Process
Late October 2017	Procurement/Bid Selection
November 2017	Project Sign/Construction Begins
Winter/Spring 2018	Interior Construction continues (not subject to external temperature or weather)
June 30, 2018	Construction Completed

Supporting Information:

Attachment A: *Pilgrim Hall Museum Library, Plymouth MA: Historic Materials Assessment and Treatment Recommendations*, Building Conservation Associates, February 2015.

Attachment B: Preservation Restriction, 75 Court Street, Recorded 18 June 1996.

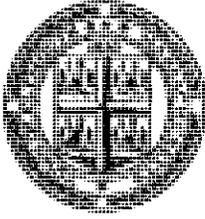
ARTICLE 9C:

ARTICLE 9C: To see if the Town will vote to appropriate from the Community Preservation Fund Housing Reserve Fund, estimated annual revenues, undesignated fund balance, or reserves, borrow, or otherwise fund, a total sum of money to fund a grant to the Plymouth Housing Authority or its designee or assignee for the construction and/or renovation of Mount Pleasant School at 22.5 Whiting St., Parcel ID 022-000-073-000 , Map 22, Lot 73 for senior affordable housing, provided, however, that such funds shall not be expended until the following conditions are met: a) the property described above shall be transferred to the Plymouth Housing Authority for no consideration; b) any alterations to the facade shall be approved by the Plymouth Historical Commission; c) public access to the pocket park known as the “Hollow” containing 2 acres more or less and to the children’s play area, which park and play area are shown on a sketch plan on file with the Town Clerk, shall be permanently protected through an easement or easements, and to authorize the Board of Selectmen to grant such easement or easements; and d) the Plymouth Housing Authority shall grant to the Town a permanent affordable housing restriction dedicating the property to senior affordable housing and meeting the requirements of G.L. c.184, §§31-33, and to authorize the Board of Selectmen to accept such restriction, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

RECOMMENDATION: Not Approve \$1,028,000 (4-7-1)

The Advisory & Finance Committee advises Town Meeting to not approve Article 9C. Approval of this article will appropriate \$1,028,000 from the Community Preservation Fund for Community Housing, to fund a grant to the Plymouth Housing Authority for the renovation of Mount Pleasant School into eight senior affordable housing units. The Advisory & Finance Committee agrees there is a tremendous need for affordable housing and that the Town is well below the state’s standard to provide a minimum of 10% of housing inventory as affordable. The Committee also understands the significant history of this building. At the same time, the Committee believes this project does not offer “enough bang for the buck”. The Committee also felt that this Article is premature. There should be a discussion about the future of this building and the tradeoffs involved. Use of the building for senior affordable housing should be compared with selling the Mount Pleasant School to a developer and placing it on the tax rolls. The majority saw no need to fund the Article prior to that community discussion.



TOWN OF PLYMOUTH
COMMUNITY PRESERVATION
COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Monday August 29, 2016
Re: ANNUAL FALL TM 2016: CPA Article 9C

ARTICLE 9C: To see if the Town will vote to appropriate from the Community Preservation Fund Housing Reserve Fund, estimated annual revenues, undesignated fund balance, or reserves, or otherwise fund, the sum of \$1,028,000.00 to fund a grant to the Plymouth Housing Authority or its designee or assignee for the construction and/or renovation of Mount Pleasant School at 22.5 Whiting St., Parcel ID 022-000-073-000 , Map 22, Lot 73 for senior affordable housing, contingent on a) the transfer of the property to the Plymouth Housing Authority for no consideration; b) any alterations to the facade must be approved by the Plymouth Historical Commission; c) preservation of access to the pocket park known as the "Hollow" containing 2 acres more or less and to the children's play area, both areas to be permanently accessible to the public through an easement; and d) Plymouth Housing Authority to grant the town a permanent affordable housing restriction dedicating the property to senior affordable housing and meeting the requirements of G.L. c.184, §§31-33, or take any other action relative thereto.
COMMUNITY PRESERVATION COMMITTEE

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted 8 in favor 1 opposed of Article 9C at its meeting held Monday August 29, 2016

SUMMARY & INTENT:

The intent of Article 9C is to use the Community Preservation Affordable Housing Fund for the renovation of the Mount Pleasant School for senior affordable housing.

- A. The grant amount will be contingent on the building being gifted to the Town of Plymouth. Housing Authority for the renovation into Senior Affordable Housing.
- B. Alterations to the façade of the building will be approved by the Plymouth Historical Commission
- C. Accesses to the pocket park know as the Hollow of 2 acres more or less and children's play area on Whiting Street be accessible to the public through an easement.

On Monday, August 8, 2016 the Plymouth Housing Authority's Board of Commissioners voted unanimously to explore the possibility of developing affordable housing at the Mount Pleasant School. Affordable housing in the Town of Plymouth is in demand. Currently there is a 2-5 year waiting period for subsidized housing for local seniors. The Town has an obligation to create affordable housing in partnership with the Plymouth Housing Authority.

PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

FISCAL YEAR 2016 APPLICATION

Project Name: Mount Pleasant School

CPA Funding requested: \$ _____ (REQUIRED)

Total project cost: \$ _____

Category (check all that apply): Open Space / Recreation Historic Housing

Lot and Plat: _____

Assessors Map #: _____

Number of acres in parcel: _____

Number of proposed housing units: _____

Are there any existing deed restrictions on this property? Yes (please describe) No Don't know

Project Sponsor/ Organization: Plymouth Housing Authority

Contact Name: Dede Riendeau

Address: 130 Court Street

Phone #: 508-746-2105^{x224} E-mail: driendeau@plymha.org

Applicant Signature: Dede Riendeau Date Submitted: 8-26-16

Application Requirements:

A complete application consists of this application page (the specific amount of CPA funding is *required*), along with the following:

1. A detailed description of the project explaining how your proposal benefits the Town of Plymouth and how it meets CPA goals and selection criteria outlined at the end of this application packet. Are there any special permit, variance or other approvals required? Are there any legal ramifications or impediments to this project?
2. A detailed project budget including any additional revenue sources. Will there be any annual costs to the town once the project is operational?
3. A project timeline.
4. Additional supporting information such as photographs, plot plans, and maps (if applicable).
5. Applicant must provide all title information for the property.
6. Applicant must initial each page in the space provided.

Please send 11 copies (double-sided) of your application to: The Community Preservation Committee, Plymouth Town Hall, 11 Lincoln Street, Plymouth, MA. 02360. Applications may also be dropped off at the Town Clerk's office or in the CPC mailbox at Plymouth Town Hall.

The deadline for submitting an application is February 1st for Spring Town Meeting, and May 15th for Fall Town Meeting.

Unofficial Property Record Card - Plymouth, MA

General Property Data

<p>Parcel ID 015-000-041-000</p> <p>Prior Parcel ID 1100 -G01 -015*0034*</p> <p>Property Owner PLYMOUTH TOWN OF SCHOOL DEPT</p> <p>Mailing Address 11 LINCOLN ST</p> <p style="text-align: center;">City PLYMOUTH</p> <p>Mailing State MA Zip 02360</p> <p>Parcel Zoning R20S</p>	<p>Account Number 1747</p> <p>Property Location 10 OAK ST</p> <p>Property Use Education</p> <p>Most Recent Sale Date 1/1/1932</p> <p>Legal Reference 475-517</p> <p>Grantor</p> <p>Sale Price 0</p> <p>Land Area 0.435 acres</p>
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Current Property Assessment

Card 1 Value	Building Value 162,800	Xtra Features Value 1,800	Land Value 201,600	Total Value 366,200
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Building Description

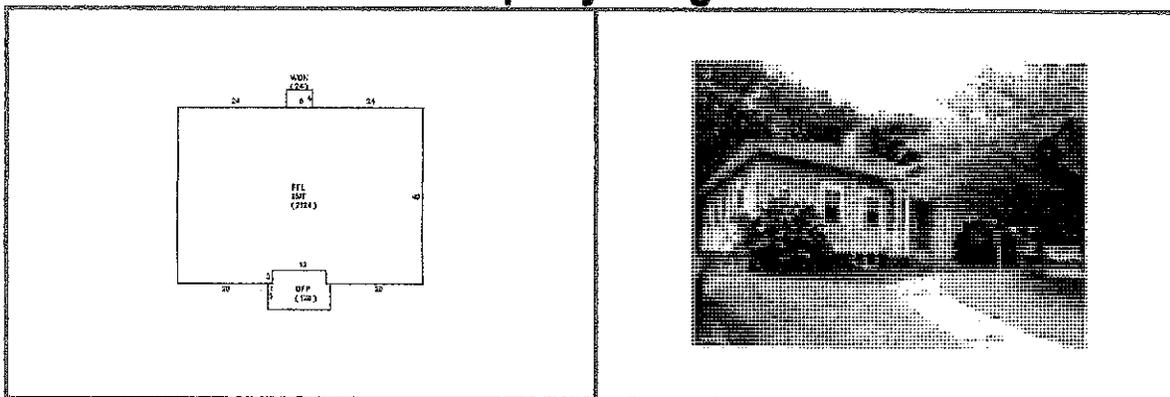
Building Style GOVT BLDGS	Foundation Type LOOSE MSRY	Flooring Type HARDWOOD
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1900	Roof Structure HIP	Heating Type FORCED H/W
Building Grade AVERAGE	Roof Cover Asphalt	Heating Fuel GAS
Building Condition Average	Siding Frame/Shingl	Air Conditioning 100%
Finished Area (SF) 4248	Interior Walls PLASTER	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 10

Legal Description

Narrative Description of Property

This property contains 0.435 acres of land mainly classified as Education with a(n) GOVT BLDGS style building, built about 1900 , having Frame/Shingl exterior and Asphalt roof cover, with 1 unit(s), 0 room (s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



PLYMOUTH HOUSING AUTHORITY

130 COURT STREET, PLYMOUTH, MASSACHUSETTS 02360
P.O. BOX 3537, PLYMOUTH, MASSACHUSETTS 02361-3537



August 8, 2016

Town of Plymouth
Kenneth Tavares, Chairman
Board of Selectmen
11 Lincoln Street
Plymouth, MA 02360

Reference: Mount Pleasant School

Dear Mr. Tavares:

On Monday, August 8, 2016 the Plymouth Housing Authority's Board of Commissioners voted unanimously to explore the possibility of developing affordable housing at the Mount Pleasant School.

As you are aware there is a shortage of affordable housing in the Town of Plymouth. An application for subsidized housing with the Plymouth Housing Authority presents our Seniors with a 2-5 year waiting period before an affordable unit becomes available.

On behalf of the Plymouth Housing Authority's Board of Commissioners we would like to meet with you to discuss our interest in the Mount Pleasant School.

Sincerely,

Douglass Gray
Chairman
Board of Commissioners

cc:Melissa Arrighi, Town Manager
Bruce Aarons, Community Development
Bill Keohan, Community Preservation Committee
Derek Brindisi, Affordable Housing Trust



Relay services for the Hearing Impaired
Dial 711

ARTICLE 9D:

ARTICLE 9D: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest of land located off Old Sandwich and State Road in the Town of Plymouth comprised of 11.5 acres more or less being made up of lot 6F-U and shown on Assessors Map 61, parcel ID 061-000-006F-000 said land to be held under the care, custody and control of the Conservation Commission, to appropriate a total sum of money for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, or borrow or otherwise fund said total sum pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority, provided, however, that such borrowing authority shall be reduced by the amount of any grants received by the Town prior to such borrowing; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

COMMUNITY PRESERVATION

RECOMMENDATION: Approval \$250,000 (Unanimous, 11-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 9D. Approval of this article will appropriate \$250,000 from the Community Preservation Fund for Open Space to acquire 11.5 acres off Old Sandwich Road and State Road for open space and recreational purposes. The acquisition of this property is intended to protect water quality in Savery Pond, a major freshwater contributor to Ellisville Harbor. The pond is rated “impaired” with the highest levels of pollutants of 38 Plymouth ponds recently studied. The cranberry bog located on the property will be taken out of production, its Pool A Ocean Spray rights will be sold, and its equipment moved to the Center Hill Bog location. This property is located within an area of approximately 375 acres of CPA land just across the pond and is almost entirely within a Commonwealth of MA designated “Interim Wellhead Protection Area”. This land will be held in the care and control of the Conservation Commission.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Monday August, 2016
Re: ANNUAL FALL TM 2016: CPA Article 9D

ARTICLE 9D: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest of land located off Old Sandwich and State Road in the Town of Plymouth comprised of 11.5 acres more or less being made up of lot 6F-U and shown on Assessors Map 61, parcel ID 061-000-006F-000 said land to be held under the care, custody and control of the Conservation Commission, to appropriate \$250,000.00 for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and said total sum which shall be reduced by the amount of any grants received by the Town pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

COMMUNITY PRESERVATION

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted 8 in favor 1 opposed of Article 9D at its meeting held Monday August 29, 2016

SUMMARY & INTENT:

The Community Preservation Committee is recommending the purchase the property to restore the water quality to Savery Pond, which is a major freshwater contributor to Ellisville Harbors. The property comprises 11.5 acres, with its most prominent feature being a 6.5-acre active cranberry bog that is within the pool A Ocean Spray cooperative. Under Town control the bog would be taken out of production and the pool A rights sold off for approximately \$45,000.000. The closure of this bog would improve the water quality in the area and would lower the overall cost to the Town. Located within an area of approximately 375 acres of CPA land just across Savery Pond. It is almost entirely within a Commonwealth of Massachusetts-designated "Interim Wellhead Protection Area", and is directly adjacent to a "Zone I Wellhead Protection Area". It directly abuts an area identified as "Sand Plain Natural Community Systems Grassland", an uncommon habitat type in the Commonwealth. Our ability to preserve the water quality is directly related to the viability of the Town building a local sustainable economy and protected natural resources.

**APPLICATION
to the
PLYMOUTH
COMMUNITY PRESERVATION
COMMITTEE**

AUGUST, 2016

PROJECT: SAVERY POND BOG ACQUISITION

**LOCATION: NEAR SAVERY POND
(*southeast side*)**

**ACREAGE: Approximately 11.5 acres
(7-acre Cranberry Bog)**

CURRENT OWNERS:

**PORTSIDE DIVISION LLC
*Map 61, Parcel 6F-U***

**CURRENT ASSESSED VALUES: \$16,549 (*Ch. 61A
value*)**

PROJECT SUMMARY:

The Wildlands Trust (“WLT”) hereby submits an application to the Plymouth Community Preservation Committee, pursuant to the possibility of the Town acquiring a substantial parcel of open space near the southeast shore of Savery Pond in Ellisville.

The Property comprises 11.5 acres, with its most prominent feature a seven-acre active cranberry bog that is within the Ocean Spray cooperative. It is located within an area that includes numerous protected open space parcels, including an approximately 375-acre assemblage situated just across Savery Pond.

The Property possesses considerable natural resource values, and is particularly important for the protection of drinking water supplies, the Plymouth-Carver Sole Source Aquifer, and surface water protection. It is almost entirely within a Commonwealth of Massachusetts-designated “Interim Wellhead Protection Area”, and is directly adjacent to a “Zone I Wellhead Protection Area”. It directly abuts an area identified as Sandplain Natural Community Systems “Grassland”, an uncommon habitat type in the Commonwealth.

The proposed acquisition meets several of the “Open Space Goals and Criteria” enumerated in Plymouth’s Community Preservation Committee Application, and is consistent with several of the goals and objectives articulated in the town’s Open Space and Recreation Plan. It is also consistent with, and supports, the Town’s ongoing efforts to improve the water quality of Savery Pond, one of the most ecologically stressed water bodies in Plymouth.

PROJECT HISTORY:

Paul Savery, the President of the LLC that owns the Property, has had periodic discussions with town representatives about selling the land for conservation. More recently, Mr. Savery entered into discussions with Plymouth Community Preservation Chair Bill Keohan about submitting an application to the committee. In accordance with usual practice, Mr. Keohan sought the assistance of Wildlands Trust to prepare this application.

Mr. Savery has owned the bog for eight years.

ZONING/DEVELOPMENT POTENTIAL:

The subject Property is situated entirely within the Rural/Residential Zoning District.

The Property’s dominant feature is a large cranberry bog. Given that landscape feature, its development potential appears to be limited.

The Property is enrolled in Chapter 61A.

ACQUISITION PLAN:

The Town would acquire the entirety of the Premises as soon as possible following a vote by Plymouth Town Meeting approving the project, subject to the satisfactory completion of all required due diligence. The next town meeting will occur in October.

It is anticipated that the required CPA Conservation Restriction will be completed no more than six months following the Town's acquisition of the Premises.

NATURAL RESOURCES SUMMARY:

As noted above, the Property's dominant landscape feature is a large cranberry bog that is actively harvested. An upland buffer that includes open sandy areas and a narrow strip of woodland surrounds the bog.

The Property lies within or is proximate to multiple areas designated as significant for water supply protection and wildlife habitat for by the Commonwealth of Massachusetts "Mass GIS", including:

- *Lies almost entirely within a "Interim Wellhead Protection Area" ("IWPA")*
- *Directly adjacent to a "Zone I" Wellhead Protection Area*
- *Entirely within an area identified as "Sole Source Aquifer" (the Plymouth/Carver Sole Source Aquifer)*
- *Entirely within an area designated as "High Yield Aquifer"*
- *Adjacent to an area identified as Sandplain Natural Community Systems "Grassland"*

LANDSCAPE CONTEXT:

The subject Property has a favorable landscape context. It lies in close proximity to Savery Pond, the most conspicuous landscape feature in the immediate area. It directly abuts a large tract owned by the Indian Head Resort to the east, and another large undeveloped parcel under private ownership to the southeast.

The Property lies within an area in which the Town has acquired multiple open space parcels within the past several years, including two properties on the other side of Savery Pond that collectively comprise 375 acres. Ellisville Harbor State Park is situated just a short distance to the east.

CRANBERRY BOG SUMMARY/OPERATING STATUS

The Property's seven-acre cranberry bog is currently leased to Morey Custom Services. The annual harvest is sold to Ocean Spray. The bog is in the Ocean Spray "A Pool" (copy of contract attached in the Exhibits section of this application) and the delivery records for the past five growing seasons are also included herewith.

IMPROVEMENTS/ACCESS:

The following improvements associated with its long history of cranberry production remain on the Property:

- Aluminum flumes
- Pumphouse
- Irrigation System

The Property appears to include frontage on an unimproved way that runs westerly off of nearby Rt. 3A/State Road. Its deed specifically references rights of way as shown on a plan of land that is attached hereto. The deed, included in this application's "Exhibits" section, also references "other rights, privileges, licenses and easements appurtenant thereto, including a certain license issued by the Massachusetts Department of Public Works" dating from 1968. A copy of this license is also included in the Exhibits section of this application.

LONG-TERM MANAGEMENT PROGNOSIS:

Should the Town acquire the Property, it would discontinue cranberry growing operations with the primary intention of helping restore the health of the Savery Pond ecosystem. It would have the option of completely abandoning the bog and allowing ecological succession processes to proceed, or pursuing a more ambitious ecological restoration initiative. While the latter course of action would require more town resources than the former approach, it is not expected that either approach would place any significant demands on Town staff or budgets.

ALIGNMENT WITH COMMUNITY PRESERVATION ACT GOALS FOR OPEN SPACE

GOAL 2: *Protect rare, unique, and endangered plant and wildlife habitat.* The Property is adjacent to an area identified by NHESP as Sandplain Natural Community Systems "Grassland".

GOAL 3: *Protect aquifer and aquifer recharge areas to preserve quality and quantity of future water supply.* The Property is within an Interim Wellhead Protection Area, and is adjacent to a Zone I Wellhead Protection Area. Said areas are the highest-priority areas for water supply protection.

GOAL 6: *Increase the town's ability to protect environmentally sensitive, historic and culturally significant properties.* The Town's acquisition of the Property would support the ongoing effort to improve the water quality of Savery Pond, which continues to experience water quality issues.

OTHER SUPPORTING INFORMATION: The proposed acquisition would be consistent with several of the goals and objectives enumerated in the updated 2009 Town of Plymouth Open Space and Recreation Plan, including:

Section VIII, GOALS & OBJECTIVES, pp. 100-102:

Surface Water Quality

- *Goal: Protect the surface water quality in ponds, wetlands, waterways and coastal areas in Plymouth.*
- *Objective: Protect lands that provide buffers to surface waters to reduce erosion and pollution in surface waters through the use of conservation restrictions, outright purchase and other conservation tools such as regulatory measures". The proposed acquisition would result in the Town's outright purchase of land in close proximity to Savery Pond, which has experienced water quality issues.*

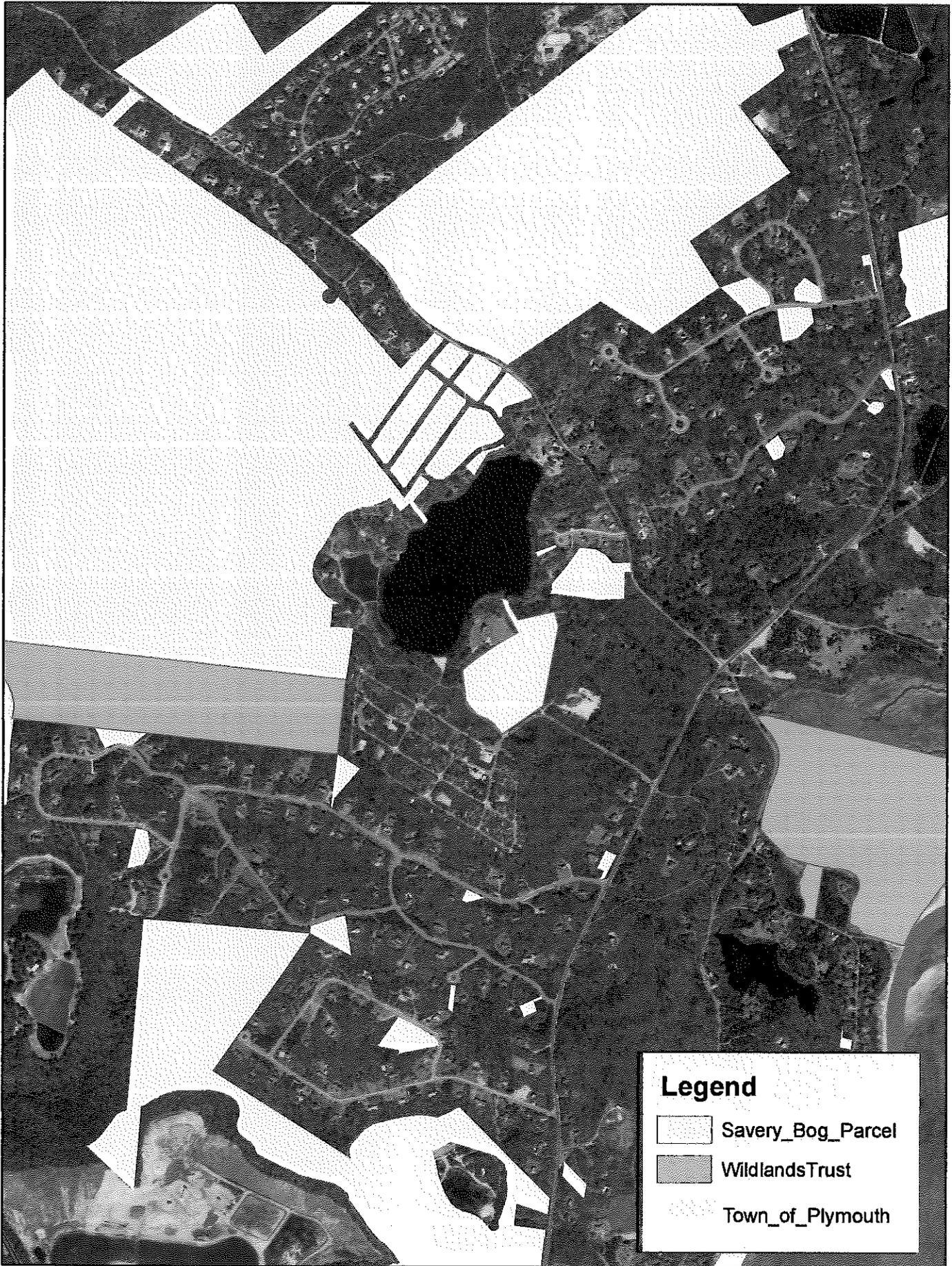
Water Supply

- *Goal: Protect the sources of drinking water supply in Plymouth through the use of open space conservation and management.*
- *Objective: Protect land in drinking water protection zones (Zone I and Zone II)". The subject Property is almost entirely located within an Interim Wellhead Protection Area, and is adjacent to a Zone I Wellhead Protection Area.*

Maintenance of Biodiversity and Wildlife Habitat

- *Goal: "Maintain the biodiversity and wildlife habitat in Plymouth."*
- *Objective: "Work with non-profit conservation organizations to identify, protect, and manage lands of significant ecological habitat value, including an overall assessment of priority areas". WLT, a nonprofit conservation organization, is helping to facilitate this project that will preserve wildlife habitat identified as significant by the Commonwealth of Massachusetts.*

Savery Bog Acquisition



Appraisal Report

Prepared for:
William Keohan, Chair
Community Preservation Committee
Town of Plymouth
11 Lincoln Street
Plymouth, MA 02360

Paul M. Savery
Portside Division LLC
2 Groundcover Lane
Sandwich, MA 02563

Parcel 061-000-006F-000
Approximately 11.5 acres near Savery Pond
Plymouth, Massachusetts

Effective Date of Appraisal: August 3, 2016

Realworth

Appraising & Consulting

Post Office Box 466
East Wareham, Massachusetts 02538
Telephone: 508-789-9695
realworth@verizon.net

Letter of Transmittal

August 28, 2016

William Keohan, Chair
Community Preservation Committee
Town of Plymouth
11 Lincoln Street
Plymouth, MA 02360

Paul M. Savery
Portside Division LLC
2 Groundcover Lane
Sandwich, MA 02563

Dear Mr. Keohan & Mr. Savery:

As requested, I have prepared the following Appraisal Report for the property, Assessors' Parcel 061-000-006F-000, located near Savery Pond, Plymouth, Massachusetts. The purpose of the appraisal is to estimate the market value of the fee simple estate, including appurtenant Ocean Spray A-Pool delivery rights, as of August 3, 2016. The intended use of the appraisal is for decision making relative to a possible purchase and sale of the property.

It is my opinion and conclusion that the market value of the fee simple estate of the herein-described property, including appurtenant Ocean Spray A-Pool delivery rights, as of August 3, 2016, is \$285,000.

This letter of transmittal is followed by an appraisal report prepared as an Appraisal Report, in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP). As such, it presents a discussion of the data, reasoning, and analyses that were used in the appraisal process, but some of the supporting documentation concerning the data, reasoning, and analysis is retained in my files.

Respectfully submitted,



Mark D. Truran
Massachusetts Certified General
Real Estate Appraiser #4460

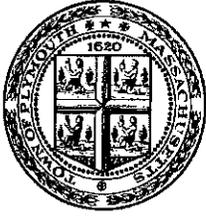
ARTICLE 9E:

ARTICLE 9E: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest of land located off Beaver Dam Road in the Town of Plymouth comprised of 127.8 acres more or less being made up of lot 8, 24-20 and lot 28E shown on Assessors Map 76 said land to be held under the care, custody and control of the Conservation Commission, to appropriate a total sum of money for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow or otherwise fund said total sum pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; provided, however, that any such borrowing authority shall be reduced by the amount of any grants received by the Town prior to such borrowing; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.

COMMUNITY PRESERVATION

RECOMMENDATION: Approval \$599,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 9E. Approval of this article will appropriate \$599,000 from the Community Preservation Fund for Open Space, CPC budgeted reserve, and undesignated funds. These funds will be used to acquire 127.8 acres off Beaver Dam Road, known as Tidmarsh Farms West, for open space and recreational purposes. The acquisition of this property is intended to preserve the waters of Beaver Brook which runs to Bartlett Pond and to White Horse Beach. The land is comprised of cranberry bog upland woodlands, extensive frontage on Beaver Dam Road, and the "Church Lot" which sits at over 300 feet in elevation and is part of the highest elevated landscape on the eastern seaboard south of Acadia National Park. The land will be held in the care, custody and control of the Conservation Commission. The Massachusetts Audubon Society is purchasing approximately 190 acres of land to the east and is planning to build a Nature Visitor Center.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Monday August 29, 2016
Re: ANNUAL FATM 2016: CPA Article 9E

ARTICLE 9E: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest of land located off Beaver Dam Road in the Town of Plymouth comprised of 127.8 acres more or less being made up of lot 8, 24-20 and lot 28E shown on Assessors Map 76 said land to be held under the care, custody and control of the Conservation Commission, to appropriate \$599,000.00 for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum which shall be reduced by the amount of any grants received by the Town pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and to authorize appropriate Town officials to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; or take any other action relative thereto.
COMMUNITY PRESERVATION

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted 5 in favor 3 opposed of Article 9E at its meeting held Monday August 29, 2016

SUMMARY & INTENT:

The Community Preservation Committee is recommending the purchase of land off Beaver Dam Road. The intention is to preserve the waters of Beaver Brook and surrounding areas. The water from this property runs along Beaver Brook to Bartlett Pond and to White Horse Beach. The land comprises of 127.8 acres of cranberry bog upland woodlands, and extensive frontage on Beaver Dam Road. It also includes the so-called "Church Lot", which sits at over 300' elevation and is part of the highest elevated landscape on the eastern seaboard south of Acadia National Park. Massachusetts Audubon Society is purchasing approximately 190 acres of land to the east and is planning to build a Nature Visitor Center.

**APPLICATION
to the
PLYMOUTH
COMMUNITY PRESERVATION
COMMITTEE**

DECEMBER, 2014

PROJECT: TIDMARSH WEST ACQUISITION

**LOCATION: BEAVER DAM ROAD
(*west side*)**

ACREAGE: Approximately 127.8 acres

CURRENT OWNERS:

TIDMARSH FARMS, INC.
Map 76, Parcels 8, 24-20, and 28E

CURRENT ASSESSED VALUES: \$424,602 (*Ch. 61A
value, and inclusive of improvements*)

PROJECT SUMMARY: The Wildlands Trust (“WLT”) hereby submits an application to the Plymouth Community Preservation Committee, pursuant to the possibility of the Town acquiring a substantial tract of open space off of the west side of Beaver Dam Road.

Known colloquially as “Tidmarsh West”, the Premises comprises 127.8 acres of cranberry bog, upland woodlands, and extensive frontage on Beaver Dam Road. It also includes the so-called “Church Lot”, which sits at over 300’ elevation and is part of the highest elevation landscapes on the eastern seaboard south of Acadia National Park. It is relatively proximate to State Road (Rt. 3A), Rt. 3, and several village centers, and is within walking distance of several neighborhoods.

The Premises is particularly notable for its strategic location amidst several substantial open space holdings. It is proximate to and serves as a critical link between the so-called Tidmarsh East complex that is anticipated to become a Massachusetts Audubon Society (“MAS”) Sanctuary, and multiple landscape-scale tracts of forest land that comprise much of the geographic feature (not to be confused with the development of the same name) known as the Pine Hills. These latter holdings are long-standing preservation priorities for the Town and a wide range of conservation interests.

The Premises possesses considerable natural resource values. It is partially within several areas designated by the Commonwealth of Massachusetts Natural Heritage and Endangered Species Program (“NHESP”) as important wildlife habitat, including Bio Map 2 “Core Habitat” and “Critical Natural Landscape”, Priority Habitats of Rare Species “PH 777” and “Estimated Habitats of Rare Wildlife”, and a small strip in the northwest corner of the Premises is identified as Sandplain Natural Community Systems “Grassland”. Its scenic qualities are confirmed by its inclusion within an area designated by the Commonwealth’s Scenic Landscape Inventory as a “Noteworthy Scenic Landscape”.

The Premises’ cranberry bogs will witness one more harvest (2015), following which it will be taken out of production permanently following a pending sale of a Wetlands Reserve Program (“WRP”) easement by the landowners to the United States Department of Agriculture. The WRP easement will encompass 61 acres of the Premises, and will be in place when the Town would acquire the Property. The Town’s Department of Marine and Environmental Affairs will take the lead on advancing ecological restoration efforts for the bogs, similar to efforts at other locations in Plymouth that have proven quite successful.

The proposed acquisition meets seven of the nine “Open Space Goals and Criteria” enumerated in Plymouth’s Community Preservation Committee Application, and is consistent with several of the goals and objectives articulated in the current Town of Plymouth Open Space and Recreation Plan.

It is of special interest to note that the proposed acquisition meets more of the “Open Space Goals and Criteria” than all but one other potential acquisition parcel recommended to the Plymouth Community Preservation Committee by WLT across a decade of submitted applications.

PROJECT HISTORY: Tidmarsh Farms Inc., the current owner, acquired the Premises in a series of transactions in the 1980's in conjunction with the acquisition of extensive acreage across Beaver Dam Road.

In 2007, a WLT representative met with Tidmarsh Farms President Evan Schulman and Trustee Glorianna Davenport to begin discussions about potential conservation options for the Tidmarsh Farms complex. Those discussions culminated in the sale of a WRP easement on approximately 192 acres of Tidmarsh East to the United States Department of Agriculture in 2011.

Contemporaneously, discussions with other stakeholders were initiated to advance a longer-range vision for the Tidmarsh complex. This vision now encompasses the future establishment of a MAS Sanctuary and associated Living Observatory, a research and educational resource focused on providing local insights into landscape resilience and the impact of climate change in Southeastern Massachusetts.

In September 2014, several existing and potential stakeholders, including representatives from the Town of Plymouth and WLT, met with Mr. Schulman and Ms. Davenport to discuss the desired conservation outcome for Tidmarsh West. The desired outcome is for the Town of Plymouth to acquire Tidmarsh West with a WRP easement already in place on a portion of the Premises, and to subsequently grant a Conservation Restriction on the Premises to WLT in accordance with the requirements of the Community Preservation Act. Tidmarsh West would then become a critical adjunct to the adjacent MAS Sanctuary and Living Observatory situated on Tidmarsh East. This application is pursuant to helping advance that vision.

DEVELOPMENT POTENTIAL/THREAT OF CONVERSION: (Note: as previously stated herein, the USDA Wetlands Reserve Program easement currently in progress, and expected to be completed sometime in 2015, will encompass approximately 61 acres of the Premises. That leaves approximately 66 acres potentially available for development).

The Premises are situated within two zoning districts, the Rural/Residential Zoning District and the R-25 District. Beals and Thomas prepared a conceptual subdivision plan for the Premises in 2009 (copy of said plan and associated memorandum included herewith in the Attachments section). This plan depicts a by-right 29-lot residential subdivision that would include a total of 35 units of housing. However, this plan is only conceptual, has not been independently vetted or reviewed, does not take into account the WRP easement, nor does it reference the potential of development by the abutting land-owner from the top of the ridge. Therefore, it is included herewith for informational purposes only.

The appraisal prepared in conjunction with this application will be submitted separately, but more or less concurrently, to the Community Preservation Committee.

ACQUISITION PLAN:

The Town would acquire the entirety of the Premises sometime in late 2015 or early 2016, after the sale of the WRP easement is finalized. Said WRP easement would encompass approximately 61 acres.

The Conservation Restriction that the Town will grant to WLT will encompass the entire Premises except for a small envelope encompassing most of the existing improvements, and will be subservient to the WRP easement where they overlap. It is anticipated that the CR will be completed no more than six months following the Town's acquisition of the Premises.

NATURAL RESOURCES SUMMARY: The Premises includes a mix of level and rolling topography and are partially wooded, with a pine/oak-dominated forest cover typical for this area of Plymouth. It includes one of the highest elevations in Plymouth within its so-called "Church Lot", which encompasses 42.4 acres of upland woods that offer glimpses of Cape Cod Bay. The Premises' cranberry bogs are still in production, but following the completion of the WRP easement will be the subject of ecological restoration efforts designed to restore pre-conversion habitats and hydrological conditions.

The Premises lies within multiple areas designated as ecologically significant by the Commonwealth of Massachusetts Natural Heritage and Endangered Species Program ("NHESP"), including:

- Partially within Bio Map 2 "Core Habitat" and "Critical Natural Landscape"
- Almost entirely within Priority Habitats of Rare Species "PH 777" and "Estimated Habitats of Rare Wildlife"
- A small strip in the northwest corner of the Premises is identified as Sandplain Natural Community Systems "Grassland"

In addition, the western portion of the Premises is within an area designated by the Commonwealth's Scenic Landscape Inventory as a "Noteworthy Scenic Landscape".

LANDSCAPE CONTEXT: The Premises sits literally in the midst of large tracts of open space, and provides an important connection between these tracts. The Tidmarsh East complex, to eventually become the center of a MAS Sanctuary and associated "Living Observatory" Educational Center, lies just across Beaver Dam Road to the east. Extensive holdings of the Pine Hills LLC directly abut to the south, west and north, and a 572-acre portion of the Entergy Company's holdings abuts to the north.

IMPROVEMENTS/ACCESS: Lot 28E includes a c. 1900 saltbox style residential dwelling, a utility building, and a small shed-type structure, all situated within close proximity to each other. The appraisal to be prepared for this project should include an updated assessment of each structure's condition.

LONG-TERM MANAGEMENT PROGNOSIS: The Town could utilize the residence in a number of ways, including staffing it with a caretaker to ensure a constant presence on the

Premises. The Town's Department of Marine and Environmental Affairs has expressed an interest in using the utility building for winter storage of boats and other seasonal equipment. It is likely that the Town will collaborate with MAS on conceptualizing a comprehensive stewardship vision for the entire Tidmarsh complex, inclusive of both Tidmarsh West and East. This vision will include a prominent public access component.

OTHER: A proposal for a Native Plant Center and Nursery could frame a distinct set of activities on the property and could result in developing a synergistic relationship between the Town of Plymouth, the Living Observatory and botanists Irina Kadis and Alexey Zinovjev of Salicicola.com. The goal of the project is twofold: to develop native plant stock for ecological restoration, highway and other public projects and to raise the visibility and viability of using native species in garden contexts. An early version of a proposal outlining this concept is attached.

ALIGNMENT WITH COMMUNITY PRESERVATION ACT GOALS FOR OPEN SPACE

GOAL 1: *Preserve Plymouth's Rural Character.* The Premises has extensive frontage on Beaver Dam Road, and its cranberry bogs provide scenic open vistas that comprise an integral part of Plymouth's rural character. The scenic qualities of the Premises will endure even after the bogs are taken out of active agricultural production by the WRP easement.

GOAL 2: *Protect rare, unique, and endangered plant and wildlife habitat.* The Premises lie partially within several NHESP-designated areas of ecological significance, including Bio Map 2 "Core Habitat" and "Critical Natural Landscape", "Priority Habitats of Rare Species PH 777" and "Estimated Habitats of Rare Wildlife", and a small strip in the northwest corner of the Premises is identified as Sandplain Natural Community Systems "Grassland".

GOAL 4: *Ensure adequate size and connection of protected natural areas to maximize environmental and habitat benefits.* The Premises serve as a critical link between the presumptive MAS Sanctuary to the east and the vast tracts of undeveloped woodland to the west and north. These latter tracts are preservation priorities for the Town and its conservation partners.

GOAL 5: *Balance open space with development demand to reduce service demands and tax burden on town.* The Town's acquisition of the Premises would preclude its conversion to a housing development, thereby obviating the need for large expenditures on road improvements, schools, and other infrastructural investments that would potentially strain town budgets.

GOAL 6: *Increase the Town's ability to protect environmentally sensitive, historic and culturally significant properties.* As described above, the Premises provides a connection between the Tidmarsh East complex and the large tracts of woodland that comprise the geographic Pine Hills, one of Plymouth's most compelling natural features. It is possible that the Town's acquisition of the Premises could serve as a catalyst for preservation efforts involving the substantial tracts that include the geographic Pine Hills.

GOAL 7: *Improve public access and trail linkages to existing conservation, recreational and other land uses.* The Premises includes woods roads that can easily transition to serving as walking paths. These woods roads provide access to the aforementioned Church Lot, one of the highest elevation locations in Plymouth and heretofore not open to public access.

GOAL 8: *Enhance the quality and variety of passive and active recreational opportunities for all age groups and for people with disabilities.* On its own and in conjunction with the adjacent Tidmarsh East complex, to include an MAS Sanctuary, the Premises' size and extensive upland areas could recommend it for a wide variety of passive recreational pursuits, including hiking, nature study, and cross-country skiing. It is also possible that some portion of the Premises might eventually be serviced by handicapped-accessible facilities.

OTHER SUPPORTING INFORMATION: The proposed acquisition would be consistent with several of the goals and objectives enumerated in the updated 2009 Town of Plymouth Open Space and Recreation Plan, including:

Section VIII, GOALS & OBJECTIVES, pp. 100-102:

Recreation

- *Goal: "Improve the availability and maintenance of recreation areas throughout Plymouth.* In conjunction with the Tidmarsh East preservation effort, the Town's acquisition of the Premises will create a new and sizable recreational amenity in Southeast Plymouth.

Maintenance of Biodiversity and Wildlife Habitat

- *Goal: "Maintain the biodiversity and wildlife habitat in Plymouth."*
- *Objective: "Work with non-profit conservation organizations to identify, protect, and manage lands of significant ecological habitat value, including an overall assessment of priority areas".* Two nonprofit conservation organizations, WLT and the Mass. Audubon Society, are helping to facilitate this project that will preserve wildlife habitat identified as significant by the Commonwealth of Massachusetts.

Scenic Views

- *Goal: "Maintain the existing scenic views in Plymouth that give Plymouth a distinctive sense of place."*
- *Objective: "Protect lands with distinctive landscapes".* The Premises includes the Church Lot, a critical part of one of the geographic Pine Hills, one of Plymouth's most distinctive landscape features.

Historic Character

- *Goal: "Maintain the historic character of the Town and of individual villages that is found in certain open space land uses and recreational areas."*
- *Objective: "Provide large tracts of open space at village fringes to help preserve rural character and village identity."* The Premises are proximate to the village center of Manomet.

PROJECT BUDGET

Proposed Sales Price \$ TBD following Appraisal

Funding Sources

Town of Plymouth CPC Funds \$ TBD

USDA "WRP" Easement \$TBD

LAND Grant \$ 400,000¹

Other \$ TBD

Project Costs

Due Diligence \$ 30,000² (to potentially include survey plan, EHA, closing and legal costs)

Stewardship Endowment \$ 10,000³

Trail Maintenance/Public Access Mgt. \$ TBD^o

Project Total \$ **TBD**

¹The "LAND" Grant land acquisition grant program is administered by the Commonwealth of Massachusetts Executive Office of Environmental Affairs ("EOEEA"). The program offers municipalities up to \$400,000 toward the purchase of land to be held for conservation purposes. The CPC and the Town should pursue this funding source if circumstances permit.

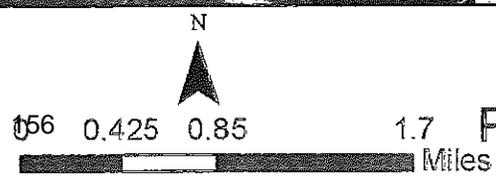
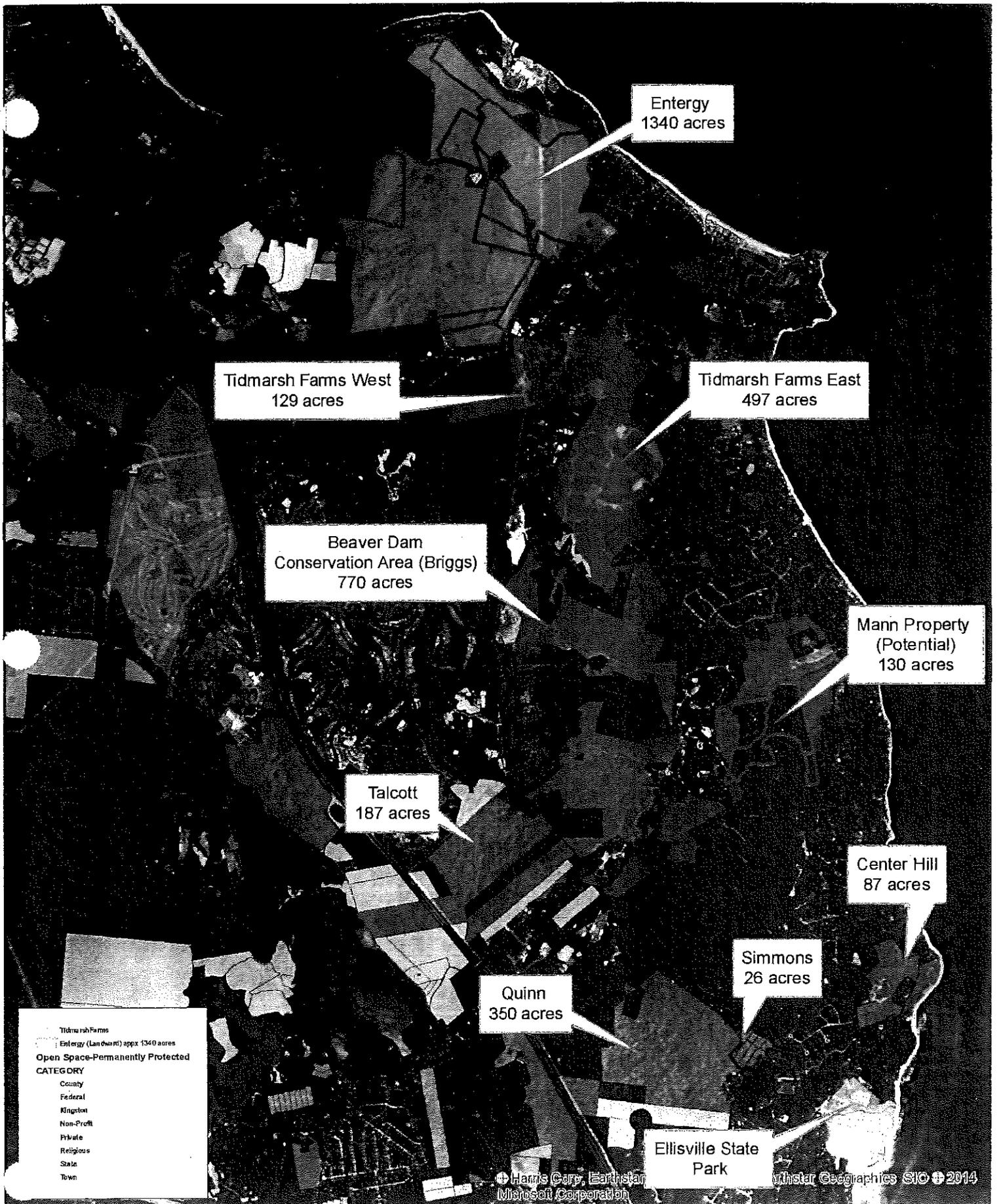
²Estimated figure—some of the indicated due diligence steps, particularly a survey, may not be required.

³Any conservation restriction holder, including Wildlands Trust, will require a stewardship endowment contribution. The indicated contribution is an estimate, and will need to be verified by a property-specific stewardship endowment calculation.

^oIt is anticipated that MAS will manage public access on the Premises, in cooperation with the Town and in conjunction with implementing the public access vision for Tidmarsh East.

PROJECT TIMELINE

- Submission of Application to CPC—December 2014
- Appraisal completed--December 2014
- CPC Deliberations on Application/Vote—December 2014
- Town Meeting Vote on Warrant Article Authorizing CPC Expenditure on Project—April 2015
- Execution of P+S/Letter of Intent—April/May 2015
- Due Diligence Initiated/Completed—Spring 2015
- Completion of WRP Easement—late 2015
- Closing—Sometime in late 2015 or early 2016, subsequent to completion of NRCS/Wetland Reserve Program easement
- Completion of WLT CR--Within six months after Closing



Open Space & Potential Future Acquisitions



Tidmarsh Farm
Plymouth MA
WRE 2014
Access Map

T0714



Property (83.8 ac)

Easement (61.7 ac)

Bogs (40.8 ac)

NRCS access
to easement

USDA
United States
Department of
Agriculture

0 375 750 1,500 Feet

2012 APFO orthophoto mosaic

Building foundation
and shed not included
in NRCS easement

Accessed not part
of easement

Proposed WRE will be marked with red lines
ALL areas outlined in red are being proposed
for easement. The red lines are not to be
used as a guide for the easement boundary.

AVERY ASSOCIATES

REAL ESTATE APPRAISERS - COUNSELORS

January 30, 2015

282 CENTRAL ST.
P.O. BOX 834
ACTON, MA 01720
TEL: 978-263-5002
FAX: 978-635-9435

info@averyandassociates.com

Melissa Arrighi, Town Manager
Town of Plymouth
11 Lincoln Street
Plymouth, MA 02360

Henry Evan Schulman
Tidmarsh Farms Inc.
69 Mount Vernon Street
Boston, MA 02108

RE: 3 Parcels of Land Totaling
127.92 Acres of Land
85 Beaver Dam Road
Plymouth, Massachusetts

Dear Ms. Arrighi and Mr. Schulman:

In response to your request we are pleased to transmit the appraisal report detailing our estimate of the market value of the above referenced real property. This report sets forth the value conclusions, together with supporting data and reasoning which forms the basis for our conclusions.

The subject property consists of 127.92 ± acres of cranberry bogs, wetlands and support lands for the operating cranberry bog plantation Tidmarsh Farms, Inc. There are 40.06 ± total acres of active cranberry bogs and 87.86 ± acres of support land along with an older colonial style dwelling and a pre-engineered warehouse building. The subject properties are located in both the Rural Residence (RR) Zoning District and the R25/Residential District. The property had been part of a larger cranberry farming operation by the owner for many years. Our analysis is for the entire property, at highest and best use.

The subject parcels are being appraised using the following **Extraordinary Assumption**:

- That the modified conceptual 25 lot configuration, for the subject property prepared by Beals & Thomas Inc. in 2009, as modified by Avery Associates in 2014, could be refined to an approvable level and that each proposed home site can meet all local and state requirements for development of a single-family residence.

Page 2
January 30, 2015
Melissa Arrighi, Town Manager
Henry Evan Schulman

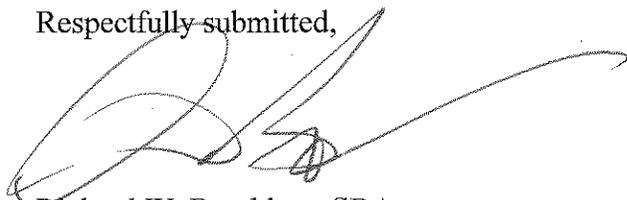
The appraisal developed in support of the value opinions is qualified by certain definitions, limiting conditions and certifications presented in detail in the appraisal report.

Based on the analysis presented in this appraisal, it is our opinion that the market value of the entire 127.92 ± acres subject property, to a single purchaser, subject to the **Extraordinary Assumption**, limiting conditions, and assumptions as of December 30, 2014, is:

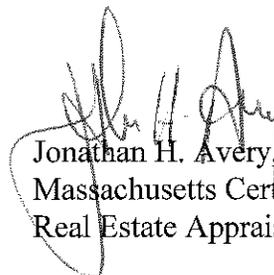
SEVEN HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$775,000)

This letter must remain attached to the report, which contains 44 pages plus related exhibits, in order for the value opinion set forth to be considered valid.

Respectfully submitted,



Richard W. Bernklow, SRA
Massachusetts Certified General
Real Estate Appraiser #3111



Jonathan H. Avery, MAI, CRE
Massachusetts Certified General
Real Estate Appraiser #26



Town of Plymouth, Massachusetts
Department of Marine and Environmental Affairs

11 Lincoln Street, Plymouth, MA 02360 | 508-747-1620



MEMO

To: John Moody, Chairman, Advisory and Finance Committee
Through: Melissa Arrighi, Town Manager
From: David Gould, Director of Marine and Environmental Affairs
Re: Article 9E – Beaver Dam Open Space Acquisition
Date: January 14, 2016

The Beaver Dam Open Space site is part of the former agricultural operation in Manomet known as Tidmarsh Farms (West). The Tidmarsh Farms (East) is currently undergoing the largest freshwater wetlands restoration ever completed in New England. These parcels provide connectivity to the approximately 770 acres of conservation land at Beaver Dam/Briggs Conservation Area as well as connecting to Entergy land. The Town of Plymouth has been working to restore and protect this property since 2009. Without this acquisition the land protection, the grant funding and the overall ongoing restoration of these properties will be jeopardized.

Details on funds acquired to date are listed below:

Tidmarsh West (Beaver Dam Acquisition)

- Land includes cranberry bogs and so-called “Church” lot to the crest of the Pinehills. Approximately, 129 acres in total.
- 2014 appraisal values land at \$775,000. Owner has agreed to sell for \$700,000.
- \$51,000 is available for the Tidmarsh West acquisition via MA Landscape Partnership Grant.
- \$375,000 would become available from NRCS Wetlands Reserve Program (Eel River, Tidmarsh East) for restoration of Tidmarsh West bogs.

•

Tidmarsh East

- Land consists of approximately 497 acres. The appraised value is \$3,400,000 to be acquired by Mass Audubon for \$2,300,000.
- Mass Audubon has \$949,000 in Landscape Partnership Grant funding for acquisition. MAA has over \$300,000 in pledges.
- There is a \$1,000,000 National Coastal Wetlands Conservation Grant (with the Town) that is pending. Announcement anticipated in late fall 2016.
- Restoration funds to date \$3,500,000.
- This restoration would improve water quality and habitat within Beaver Dam Brook, Bartlett Pond and White Horse Beach.

Acquisition of this property will ensure that no grant funds will need to be returned and that the on-going restoration work to improve water quality and natural resources habitat along Beaver Dam brook can continue.

ARTICLE 10:

ARTICLE 10: To see if the Town will vote to transfer the care, custody, management and control of the land and building located on 22 ½ Whiting Street, Plymouth, commonly known as the Mount Pleasant Street School, shown as Lot 73 on Plymouth Assessors' Map 22, parcel no. 022-000-073-000 on file with the Town Clerk, from the School Committee for school purposes to the Board of Selectmen for the purposes of sale or lease or transfer, and to authorize the Board of Selectmen to sell or lease or transfer 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.

BOARD OF SELECTMEN

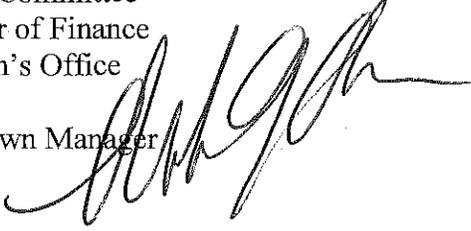
RECOMMENDATION: Approval \$325,000 (Unanimous, 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 10. Approval of this article will transfer care, custody, management and control of the Mount Pleasant Street School from the School Department to the Board of Selectmen. The article states "for the purposes of sale or lease or transfer." The town is keeping its options open at this point. There is a lot of interest in this property and it will involve a public process to decide the future of this historic building.

TOWN OF PLYMOUTH
11 Umbagog Street
Plymouth, MA 02360
(508) 747-1600

OFFICE OF TOWN MANAGER
MEMORANDUM

To: Board of Selectmen
Advisory and Finance Committee
Lynne Barrett, Director of Finance
Chris Badot, Selectmen's Office

From: Melissa G. Arrighi, Town Manager 

Date: August 18, 2016

Re: Fall Town Meeting, Article 10 – Mount Pleasant School

ARTICLE 10: *(condensed article language) To see if the Town will vote to transfer the land and building located on 22 ½ Whiting Street,commonly known as the Mount Pleasant Street School, ... to the Board of Selectmen for the purposes of sale or lease or transfer or giftpursuant to the requirements of G. L. c. 30B...*

The School Department has made the decision to relocate all of its developmental preschool classes to available space at Plymouth Community Intermediate School, 117 Long Pond Road, Plymouth. With no further need of the Mount Pleasant School building for education purposes, the School Committee voted in support of officially turning the building back to the care and oversight of the Board of Selectmen.

The sale or long term lease or gift/transfer of Town Property requires a vote of Town Meeting. This article requests permission for the Selectmen to sell or lease or gift or transfer the building and land. Past policy direction has been to identify Town owned properties not being utilized and either put them back into production through sale, lease, or lease with purchase option :

1. CURA building [now a church]
2. Old Council on Aging building on Court Street [sold and subsequently demolished]
3. Old pactv building on Court Street [current Chamber of Commerce Building]
4. Howland Street Building [now art studios]
5. South Street Fire Station [now a residence]
6. Old Cedarville Fire Station [now a veterinary office]

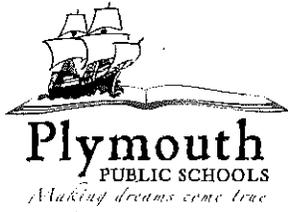
It is critical that we ensure that building does not sit empty for very long. Not only is it very costly to insure a vacant building, it is at greater risk for vandalism. Town meeting, through their legislative authority, votes the ability for the Selectmen to sell/transfer public property; the Selectmen, in their executive role, are the custodians of public property and they determine its' future use.

At this time, the Selectmen have not made the decision regarding what should happen to the building and grounds, although they will do so through an open and public process. The Town has received interest from private developers who would like to establish residential housing at the site. The Selectmen have also received interest from the Plymouth Housing Authority to explore options for affordable housing. I anticipate there will be other possibilities to debate as well.

Finally, I assure you that dispensation of the property will require that the Town go through the bidding process as outlined in Chapter 30B of Massachusetts General Law, unless it is some type of transfer to another public authority.

I would respectfully ask for your support in passing Article 10.

Mount Pleasant School



Plymouth Public Schools

*Administration Offices
353 South Meadow Road
Plymouth, MA 02360*

Telephone: 508-830-4300

Fax: 508-746-1873

Web: www.plymouth.k12.ma.us

GARY E. MAESTAS, Ed.D.
Superintendent of Schools

CHRISTOPHER S. CAMPBELL, Ed.D.
*Assistant Superintendent
Administration and Instruction*

PATRICIA C. FRY
*Assistant Superintendent
Human Resources*

GARY L. COSTIN, R.S.B.A.
School Business Administrator

August 9, 2016

Mrs. Melissa G. Arrighi
Town Manager
Town of Plymouth
11 Lincoln Street
Plymouth, Massachusetts 02360

Dear Ms. Arrighi:

The School Department has made the decision to relocate all of its developmental preschool classes to available space at Plymouth Community Intermediate School, 117 Long Pond Road, Plymouth, Massachusetts, beginning with the September, 2016 start of the school year. With no further need of the Mount Pleasant School building at 22½ Whiting Street, Plymouth, Massachusetts, the Plymouth School Committee has voted in support of officially turning the building back to the care and oversight of the Board of Selectmen.

Please feel free to contact us with any questions.

Sincerely,

Gary E. Maestas, Ed.D.
Superintendent of Schools

C: Mr. Kenneth Tavares, Chairman
Board of Selectmen

Mr. Dennis Begley, Chair
Plymouth School Committee

Card 1 of 1

Location 22 .5 WHITING ST	Property Account Number 2738	Parcel ID 022-000-073-000
Old Parcel ID 6812 -G01 -022*0094*		

Current Property Mailing Address

Owner PLYMOUTH TOWN OF SCHOOL DEPT Address 11 LINCOLN ST	City PLYMOUTH State MA Zip 02360 Zoning R20S
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Current Property Sales Information

Sale Date 1/1/1932	Legal Reference 512-181
Sale Price 0	Grantor(Seller)

Current Property Assessment

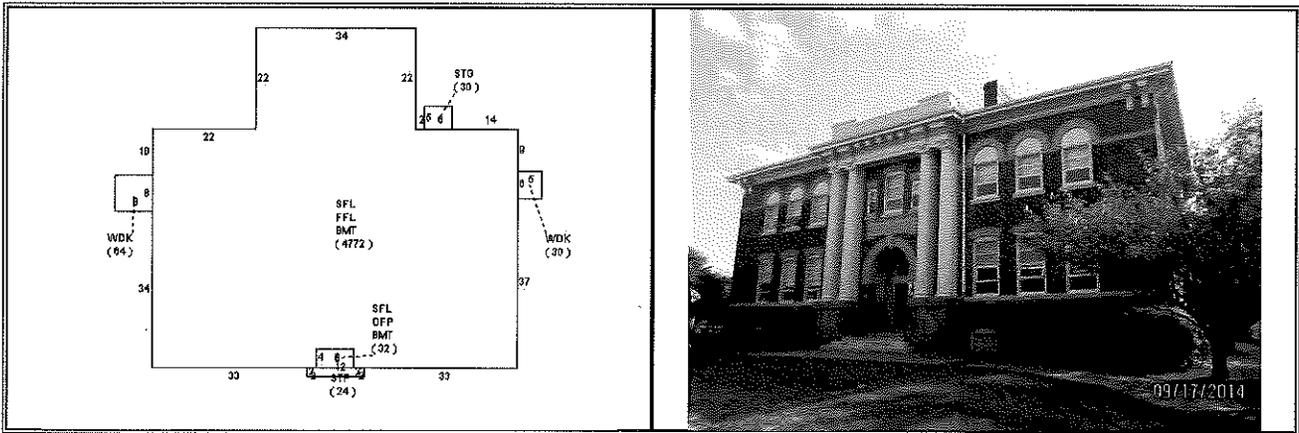
Year 2016	<u>Card 1 Value</u>
Land Area 2.420 acres	Building Value 617,500
	Xtra Features Value 14,100
	Land Value 440,500
	Total Value 1,072,100

Narrative Description

This property contains 2.420 acres of land mainly classified as Education with a(n) SCHOOL style building, built about 1905 , having BRICK exterior and Asphalt roof cover, with 1 unit(s), 0 total room (s), 0 total bedroom(s), 0 total bath(s), 3 total half bath(s), 0 total 3/4 bath(s).

Legal Description

Property Images



ARTICLE 11:

ARTICLE 11 : To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation providing that after the effective date of such legislation the positions of Police Chief and Police Captain shall 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:

AN ACT EXEMPTING CERTAIN POSITIONS IN THE POLICE DEPARTMENT OF THE TOWN OF PLYMOUTH FROM THE CIVIL SERVICE LAW

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

Section 1. Notwithstanding any general or special law to the contrary, the positions of police chief and police captain within the police department of the town of Plymouth shall be exempt from chapter 31 of the General Laws.

Section 2. Section 1 shall not impair the civil service status of any person employed on a permanent basis as police chief and police captain of the town of Plymouth on the effective date of this act.

Section 3. This act shall take effect upon its passage.

or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 9-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 11. Approval of this article will authorize the Board of Selectmen to petition the General Court for special legislation that would exempt the positions of Police Chief and Police Captain, appointed after passage of the Act, from the Civil Service statute. Plymouth has had difficulty finding enough officers to sign up for the test required for promotion to these higher positions. If the minimum do not register for the test, Civil Service cancels the test and reschedules it the following year and opens it up to the next lowest rank. The Civil Service process has faltered and is underfunded. By removing these positions from Civil Service, it would allow Plymouth to develop its own fair, and more efficient, process for evaluating personnel for promotion. This is not a move to go outside to hire; Town employees are qualified and ready. The Police Chief supports this Article.

ARTICLE 12:

ARTICLE 12 : To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation providing that after the effective date of such legislation the positions of Fire Chief and Deputy Fire Chief shall 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:

AN ACT EXEMPTING CERTAIN POSITIONS IN THE FIRE DEPARTMENT OF THE TOWN OF PLYMOUTH FROM THE CIVIL SERVICE LAW

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

Section 1. Notwithstanding any general or special law to the contrary, the positions of fire chief and deputy fire chief within the fire department of the town of Plymouth shall be exempt from chapter 31 of the General Laws.

Section 2. Section 1 shall not impair the civil service status of any person employed on a permanent basis as fire chief or deputy fire chief in the town of Plymouth on the effective date of this act.

Section 3. This act shall take effect upon its passage.

or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 9-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 12. Approval of this article will authorize the Board of Selectmen to petition the General Court for special legislation that would exempt the positions of Fire Chief and Deputy Fire Chief, appointed after passage of the Act, from the Civil Service statute. Plymouth has had difficulty finding enough firemen to sign up for the test required for promotion to these higher positions. If the minimum do not register for the test, Civil Service cancels the test and reschedules it the following year and opens it up to the next lowest rank. The Civil Service process has faltered and is underfunded. By removing these positions from Civil Service, it would allow Plymouth to develop its own fair, and more efficient, process. This is not a move to go outside to hire; Town employees are qualified and ready. The Fire Chief supports this Article.



TOWN OF PLYMOUTH

BOARD OF SELECTMEN / TOWN MANAGER
11 LINCOLN STREET, PLYMOUTH, MA 02360
PHONE (508) 747-1620 EXTENSIONS 106 AND 100
FAX (508) 830-4140

MEMORANDUM

TO: BOARD OF SELECTMEN
FINANCE AND ADVISORY COMMITTEE

FROM: MELISSA ARRIGHI, TOWN MANAGER

SUBJECT: RESCIND CIVIL SERVICE

DATE: AUGUST 18TH 2016

Through two separate Special Acts I am seeking to remove the Civil Service requirement for the positions of Fire Chief, Deputy Fire Chief, Police Chief and Police Captain. These articles come at a time when it has been increasingly more difficult for the Town to recruit and encourage those officers within the rank and file to seek career enhancing promotional opportunities such as the aforementioned. Additionally, I believe that rescinding Civil Service will provide the Town with greater flexibility in recruiting, hiring and maintaining the best and the brightest to serve this community. I have listed our challenges and opportunities below.

Fire Department Challenges

Plymouth Fire requested a Deputy Chiefs Exam and a Fire Chiefs Exam Fall of 2011; the exam was scheduled (with other communities statewide) in March 2012.

- March 2012 Deputy Chief and Fire Chief Exams, the exam is open to Battalion Chiefs and Deputy Fire Chiefs, not enough applicants signed up (need 4) Exam closed to Plymouth and automatically rescheduled for the following year open to the next lower rank.
- March 2013 Deputy Chief and Fire Chief Exams, automatically posted for Plymouth due to not enough applicants in 2012, the exam is open to Deputy Fire Chiefs, Battalion Chiefs, and Captains. Not enough applicants signed up (need 4) Exam closed to Plymouth and automatically rescheduled for the following year open to the next lower rank.
- March 2014 Deputy Chief and Fire Chief Exams, automatically posted for Plymouth due to not enough applicants in 2013, the exam is open to Deputy Fire Chiefs, Battalion Chiefs, Captains and Lieutenants. No one signed up for either Exam (need 4) Exam closed to Plymouth and automatically rescheduled for the following year open to the next lower rank.

- March 2015 Deputy Chief and Fire Chief Exams, automatically posted for Plymouth due to not enough applicants in 2014, the exam is open to Deputy Fire Chiefs, Battalion Chiefs, Captains and firefighters (anyone alive). No one signed up for either Exam (need 4) Exam closed to Plymouth for 2015 and in accordance with Civil Service Regulations (PAR) both the Deputy Fire Chief and Fire Chiefs exams are closed out and will not automatically be rescheduled.

Currently, both the Chief and Deputy Chief have enough time in service to retire (Deputy Young retired July 5 this year), and there is no available list to fill the current vacancy. If there are further retirements and openings there are no lists to appoint a permanent Deputy Chief or Fire Chief. At this time, the Fire Department has tried for over four years to establish a Civil Service Promotional list for Fire Chief and Deputy Fire Chief, without any personnel signing up. There is currently no available list for Deputy Fire Chief or Fire Chief and the Town cannot participate in the regularly scheduled exam for this year (March 2016).

Police Department Challenges

The Department waited four (4) years to establish a Civil Service Certified Lieutenants List. The Police Department most recent challenges are below:

1. Fall 2011 - Lieutenant's Exam Requested
 - Not enough Applicants
 - Postponed to October 2012
2. Fall 2012 - above Lieutenant's Exam opened to Sergeants and Patrolman
 - Not enough Applicants
 - Cancelled - waited until 2014 – (more eligible candidates)
3. Fall 2014- Lieutenant's Exam Requested
 - Not enough Applicants
 - Postponed to October 2015 and opened to Police Officers
4. Fall 2015-Lieutenant's Exam Requested
 - Exam Administered - Current List Established

Benefits to the Town by removing Civil Service:

The benefits to the Town are numerous. The below benefits have been realized by the other 81% Police Departments and 85% Fire Departments throughout the Commonwealth who have eliminated the Civil Service requirement for the Fire Chief and Police Chief.

- Removing the Chiefs from Civil Service allows for greater flexibility within the hiring and promotional process.
- The department can determine the expiration date of the hiring and promotional lists.
- The police/fire department can set minimum eligibility guidelines not allowed under Civil Service such as higher education levels.
- The town and the department can determine what hiring preferences they want to acknowledge (residency, military experience, Paramedic/EMT certifications, language proficiency, prior academy training)

- Instead of the candidate ratio of (2N+1) departments would have a much larger candidate pool to select from.
- Ability to incorporate community and department specific criteria into promotional exams.
- Ability to offer promotional exams that more accurately gauge a candidate's suitability to become a supervisor.
- Attributes beyond test score, such as work product, contribution to the community and performance evaluations would factor into promotions.
- Ability to mandate a probationary period for promotions.
- There are many companies that provide promotional exams for police/fire departments.
- The exam score or rank does not have to be the determining factor for who the department interviews and promotes.
- Current employees retain their civil service status.
- Possible Promotion Criteria
 - Job related experience.
 - Performance evaluation.
 - Supervisory evaluation of the employee's potential.
 - Score on promotional exam.
 - Sick leave record.
 - Formal education.
 - Training and education through career development.
 - Disciplinary record.
 - Attitude toward the department and police work.
 - Work ethic and initiative.
- You broaden your promotional pool exponentially (100 applicants as compared to 2N+1)
- The appointing authority can decide what's important for their community, rather than being dictated
- You raise the level and competitiveness of the entire promotional process; as a result, your personnel raise the level of "their game"

Christopher Badot

From: Ed Bradley
Sent: Friday, August 19, 2016 9:19 AM
To: Melissa Arrighi; Derek Brindisi; Christopher Badot
Cc: Mike Botieri
Subject: Civil Service removal

Massachusetts General Laws, Chapter 4 Section 4B

(e) This section shall not affect any contractual or civil service rights which have come into existence between the city, town or municipality and any officer or employee thereof as a result of the original acceptance of any such law or the provisions thereof; provided, however, that such revocation shall apply to the successor to the incumbent officer or employee, which application shall prevent such contractual or civil service right from automatically continuing with respect to such successor officer or employee.

The entire wording MGL Chapter 4 Section 4B ;

[Section 4B_Rescission of laws previously accepted by cities, towns or municipalities](#)

[PREV](#) [NEXT](#)

Section 4B. At any time after the expiration of three years from the date on which a law to take effect upon its acceptance by a city or town or a municipality as defined in section four, or is to be effective in such cities, towns or municipalities accepting its provisions, has been accepted in any such city, town or municipality such statute may be revoked in the same manner as it was accepted by such city, town or municipality, but such revocation shall be subject to the following restrictions:

- (a) This section shall not apply if such law provides for another manner of revocation.
- (b) This section shall not apply to any such law which authorizes, but does not require, acceptance by a city, town or municipality to act.
- (c) This section shall not apply to any action taken under chapter thirty-two or thirty-two B.
- (d) This section shall not apply to any action taken to establish a regional district, authority or other entity which involves another city, town, municipality, district or other governmental entity.

(e) This section shall not affect any contractual or civil service rights which have come into existence between the city, town or municipality and any officer or employee thereof as a result of the original acceptance of any such law or the provisions thereof; provided, however, that such revocation shall apply to the successor to the incumbent officer or employee, which application shall prevent such contractual or civil service right from automatically continuing with respect to such successor officer or employee.

If a petition signed by five per cent or more of the registered voters of a city or town is filed in the office of the city or town clerk within sixty days following a vote other than a vote taken by voters on an official ballot to revoke the acceptance of any optional provision of the General Laws, requesting that the revoking of such acceptance be submitted as a question to the voters of such city or town, said vote to revoke shall be suspended from taking effect until such question is determined by vote of the registered voters voting thereon at the next regular city or town election, or if the city council or board of selectmen or other authority charged with calling elections shall so direct, at a special election called for that purpose. Petitions filed requesting the placement of the question or revocation on the ballot for determination by the voters shall be substantially in conformity with the provisions of the law governing the signing of nomination papers for city or town officers, as to the identification and certification of names thereon, and submission to the registrars thereof. A brief summary of the relevant section or sections of the General Laws shall also appear on the official ballot. If such revocation is favored by a majority of the voters voting thereon, the acceptance of said optional law shall be revoked and it shall become null and void beginning with the first day of the month next following said vote of revocation. The question to be placed on a ballot shall be essentially as follows:

"Shall the acceptance by ____ (City, Town) of section(s) ____ of chapter ____ of the General Laws be revoked?

YES ____ NO ____".

If, on the sixty-first day following the date a vote has been taken to revoke the acceptance of an optional provision of the General Laws, and no petition as aforesaid has been filed, the vote to revoke shall become effective forthwith.

If at the time a city, town, municipality or district is authorized to revoke its acceptance of a law under the provisions of this section and such city, town, municipality or district has adopted a change in charter or otherwise is required to adopt a different procedure for acceptance of such law other than that procedure used for its original acceptance, then the procedure for acceptance in effect at the time of revocation shall be the manner for revoking such original acceptance.

G. Edward Bradley, Chief
Town of Plymouth Fire Department
114 Sandwich Street
Plymouth Massachusetts

508-830-4213 X1

Fax 508-830-4174

ebradley@townhall.plymouth.ma.us

Civil Service – Articles 11 and 12 (excerpt from Town Manager’s Report to Selectmen on September 6, 2016)

At our last Selectmen’s meeting, we presented the articles that requested the elimination of Civil Service for our Non Union Positions (chiefs, captains, deputy chiefs). The question arose about what protections do non-union, non civil service employees have in terms of discipline. I represented that they had some protections under the personnel bylaws. That was incorrect. Any protection/recourse from discipline imposed by the Town Manager falls under our Town Charter, not the Personnel Bylaws (see below).

The Town Manager shall:

a. unless otherwise provided herein and in Section 2 of Chapter 6 of this Charter, and except as may be otherwise provided in Civil Service Law, appoint, suspend, or remove all department heads, a Board of Assessors, and all officers, subordinates, and employees of the town, including those under grant funding, except employees of the school department. The Town Manager shall appoint a town clerk, whose duties shall be as specified in general or special legislation... Except as may be otherwise provided in Civil Service Law, appointments, suspension, or removals of Department and Division Heads, or equivalents regardless of title, shall take effect on the fifteenth (15) day after the Town Manager files notice of the action with the Board of Selectmen unless the Board shall within that period, by a vote of four members veto the action....

Because there is no specific reference to discipline, or an appeal procedure, in the bylaws, the non union employees are essentially employees at will. If they feel wrongfully aggrieved, their options would be to file suit against the town or appeal to the Selectmen for a veto.

In thinking about that, the removal of the positions from Civil Service (for incoming employees, not the current employees in the positions) has some risk. If this article passes at the upcoming Town Meeting, the current employees are still protected by Civil Service. This will give us time to come up with “good cause” language to propose to the 2017 Spring Special Town Meeting as an addition to the personnel bylaws, as well as updating the Town Charter section above and removing the Civil Service reference. Not only will this additional ‘good cause’ language help protect any new Chiefs, Captains, and Deputy Chiefs, it will also afford the other non-union employees with some process for discipline. Finally, if that passes, at the 2017 Spring Annual Town Meeting, I will propose that the Town rescind MGL Chapter 48, Section 42 and MGL Chapter 41, Section 97A. These two statues (attached) provide for the “Strong Chiefs” language, however, the language of the law conflicts with our Town Charter in terms of the appointing authority, as well as setting regulations, and is somewhat outdated overall. Although it has never been questioned, this will be a good opportunity to resolve that ambiguity and also add some of the language contained therein, if necessary, to the personnel bylaws themselves. I have spoken to Counsel about this, however, prior to these Town Meetings, we will provide you with an official legal opinion.

Melissa Grabau Arrighi
Town Manager
Town of Plymouth

ARTICLE 13:

ARTICLE 13: To see if the Town will vote, pursuant to the provisions of G.L. c.59, §38H, to authorize the Board of Selectmen and Board of Assessors to negotiate and enter into an agreement for payment-in-lieu-of-taxes (“PILOT”) for the following projects:

LLC (or its affiliates, successors, or assignees)	Type & Anticipated MWAC/DC (more or less)	Location
A Renewable Energy Development Partners	Ground 1.0 MWAC	Map 97 Lot 10-2 Adjacent to airport
B Renewable Energy Development Partners	Ground 0.5 MWAC	Map 99 Lot 1C Off Federal Furnace Road
C WITHDRAWN		
D 46 Shops Plymouth Solar	Roof 1.11 MWDC	Map 83 Lot 3C-3 46 Shops at 5 Way
E 978 Solar Development	Ground 1.338 MWDC	Map 114 Lot 5 9 River Run Way
F 978 Solar Development	Ground 1.338 MWDC	Map 114 Lots 7-2 & 7-8 5 River Run Way
G 978 Solar Development	Ground 2.77 MWDC	Map 115 Lot A-1 3 River Run Way
H 978 Solar Development	Ground 1.32 MWDC	Map 90 Lot 17-5 57 Black Cat Road

each for a period of up to 20 years, upon such terms and conditions as the Board of Selectmen and Board of Assessors shall deem to be in the best interest of the Town, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 10-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 13. Approval of this article will allow the Town to negotiate seven PILOT agreements. The various projects are listed in the article language. The agreements all contain 20 year terms and an annual escalator of 2.5%. PILOT agreements are beneficial to both the developer and the town. There is a set stream of payments known at the beginning of the project which helps the developer with cost evaluation and financing. The town also benefits by the set steam of payments since transaction costs are reduced by avoiding certification and valuation appraisals every 3 years; in addition, contract terms protect the Town from certain risks, including tax default, valuation disagreements, and the potential for abatement requests.

**Town of Plymouth
Finance Department**

TO: Board of Selectmen and Advisory & Finance Committee
 FROM: Lynne A. Barrett, Director of Finance
 RE: **2016 Fall Town Meeting - Article 13 - Solar PILOTS**
 DATE: September 9, 2016

Article 13 of the Spring 2013 Special Town Meeting authorized the Board of Selectmen to negotiate one or more agreements for payments-in-lieu-of-taxes (PILOT) pursuant to the provisions of M.G.L. Chapter 59, Section 38H(b), and Chapter 164, Section 1 for property relating to renewable energy generation facilities. The town has since entered into several PILOT agreements. Because of the state statute, communities are allowed to tax these facilities through a negotiated PILOT agreement.

A PILOT agreement can be beneficial to both the developer and the Town; some of the advantages are but not limited to:

Developer	Town
1. Set stream of payments known at the beginning of the project for cost evaluation or financing.	1. Set stream of payments for tax billing purposes based on an initial evaluation of cost for appraisal versus on an annual basis. Lowers our transaction cost by avoiding a 3 year certification / valuation appraisal.
	2. Because the facility is considered personal property the town could not perfect a lien like we can with real estate if it went unpaid. We would seek remedy under a violation of the contract terms.
	3. Removes the risk of disagreement of the value and potential for requests for abatement.
	4. Negotiated PILOTS with solar developers prompt development of renewable energy in the Town of Plymouth.

The following projects have submitted their required documentation to the Director of Assessing for review. The income approach was used to value the rates for the PILOTS. The terms of the agreements will be for 20 years and will include an annual escalator of 2.5%.

LLC (or its affiliates, successors, or assignees)	Type & Size (more or less)	Location	Fee
A Renewable Energy Development Partners	Ground 1.0	Map 97 Lot 10-2 Adjacent to airport	\$13,500 per MWAC
B Renewable Energy Development Partners	Ground 0.5	Map 99 Lot 1-C Off Federal Furnace Road	\$13,500 per MWAC
C <i>Withdrawn</i>			
D 46 Shops Plymouth Solar	Roof 1.11	Map 83 Lot 3C-3 46 Shops at 5 Way	\$12,500 per MWDC
E 978 Solar Development	Ground 1.338	Map 114 Lot 5 9 River Run Way	\$12,500 per MWDC
F 978 Solar Development	Ground 1.338	Map 114 Lots 7-2 & 7-8 5 River Run Way	\$12,500 per MWDC
G 978 Solar Development	Ground 2.77	Map 115 Lot A-1 3 River Run Way	\$12,500 per MWDC
H 978 Solar Development	Ground 1.32	Map 90 Lot 17-5 57 Black Cat Road	\$12,500 per MWDC

A vote of Town Meeting is required to adopt the PILOT agreements. Your consideration and endorsement of this PILOT is appreciated. Thank you for your attention.

(A)

(B)

Renewable Energy Development Partners

Map 97 Lot 10-2
Adjacent to airport

PROPOSED PILOT	
MW AC	1.0
\$/MW	\$13,500
2.5% escalator	
PILOT	
Year 1	13,500
Year 2	13,838
Year 3	14,183
Year 4	14,538
Year 5	14,901
Year 6	15,274
Year 7	15,656
Year 8	16,047
Year 9	16,448
Year 10	16,860
Year 11	17,281
Year 12	17,713
Year 13	18,156
Year 14	18,610
Year 15	19,075
Year 16	19,552
Year 17	20,041
Year 18	20,542
Year 19	21,055
Year 20	21,582
Total	344,853

Map 99 Lot 1C
Off Federal Furnace Road

PROPOSED PILOT	
MW AC	0.5
\$/MW	\$13,500
2.5% escalator	
PILOT	
Year 1	6,750
Year 2	6,919
Year 3	7,092
Year 4	7,269
Year 5	7,451
Year 6	7,637
Year 7	7,828
Year 8	8,024
Year 9	8,224
Year 10	8,430
Year 11	8,641
Year 12	8,857
Year 13	9,078
Year 14	9,305
Year 15	9,538
Year 16	9,776
Year 17	10,020
Year 18	10,271
Year 19	10,528
Year 20	10,791
Total	172,426

A

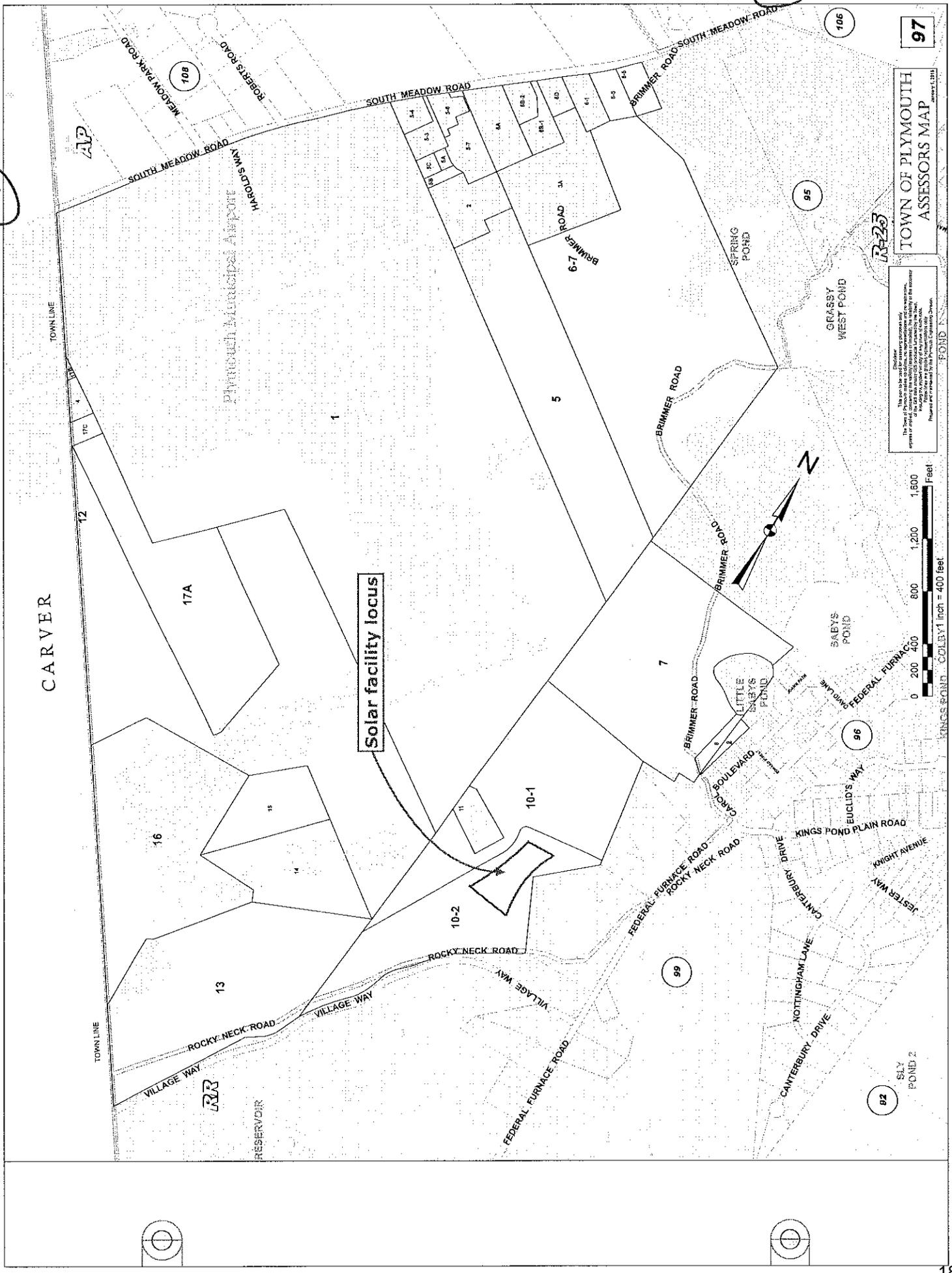
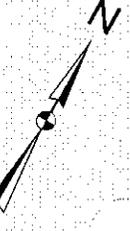
A

97

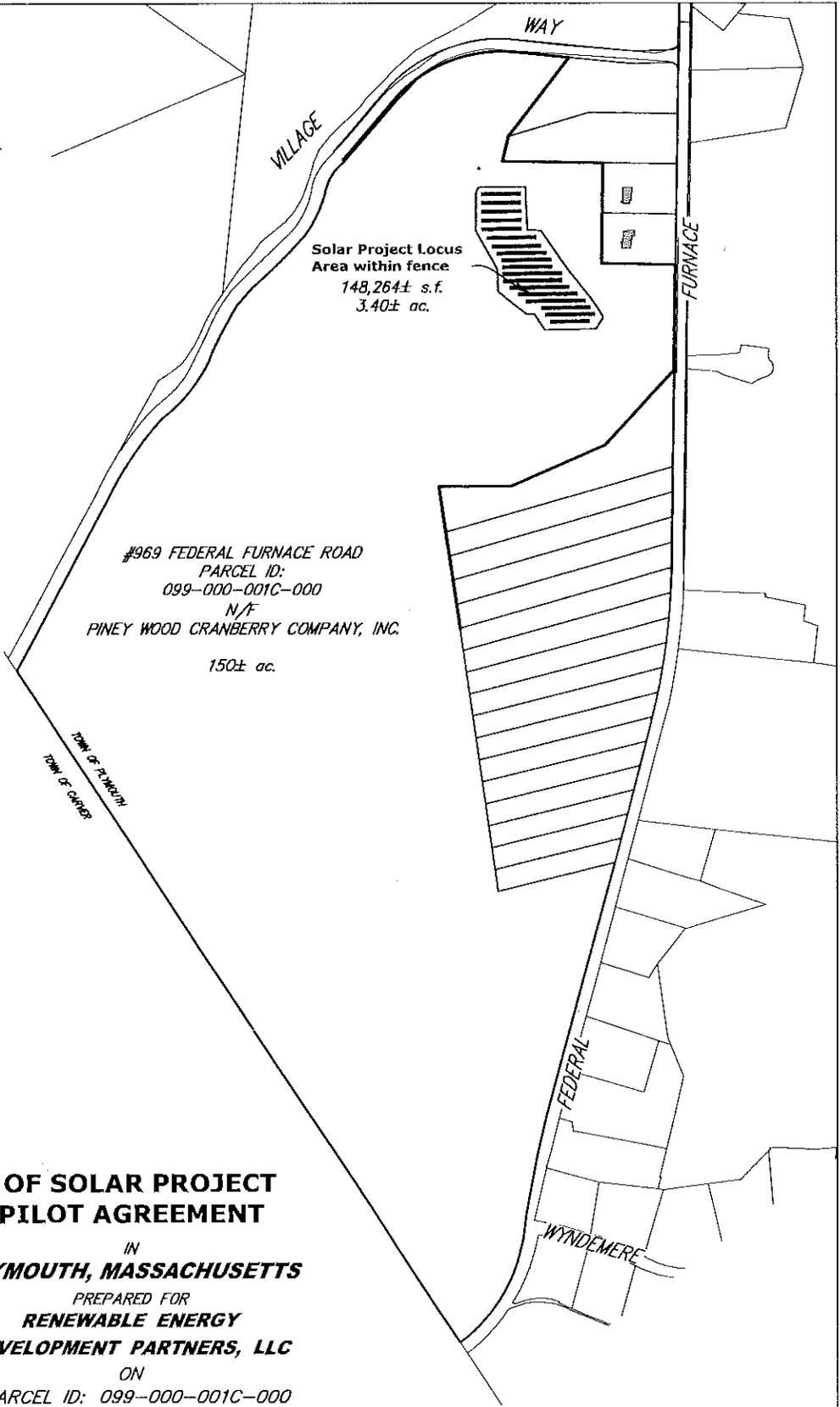
TOWN OF PLYMOUTH
ASSESSORS MAP
REVISED 6/2014

This map is to be used for assessing purposes and is not to be used for any other purpose. The Town of Plymouth is not responsible for the accuracy or completeness of the information shown on this map. The user assumes all responsibility for the information shown on this map. Prepared and Published for the Town of Plymouth Engineering Division.

Scale: 1 inch = 400 feet



(B)



Solar Project Locus
Area within fence
148,264± s.f.
3.40± ac.

#969 FEDERAL FURNACE ROAD
PARCEL ID:
099-000-001C-000
N/F
PINEY WOOD CRANBERRY COMPANY, INC.
150± ac.

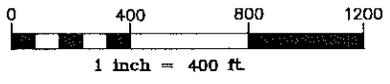
TOWN OF PLYMOUTH
TOWN OF CARVER

**PLAN OF SOLAR PROJECT
FOR PILOT AGREEMENT**

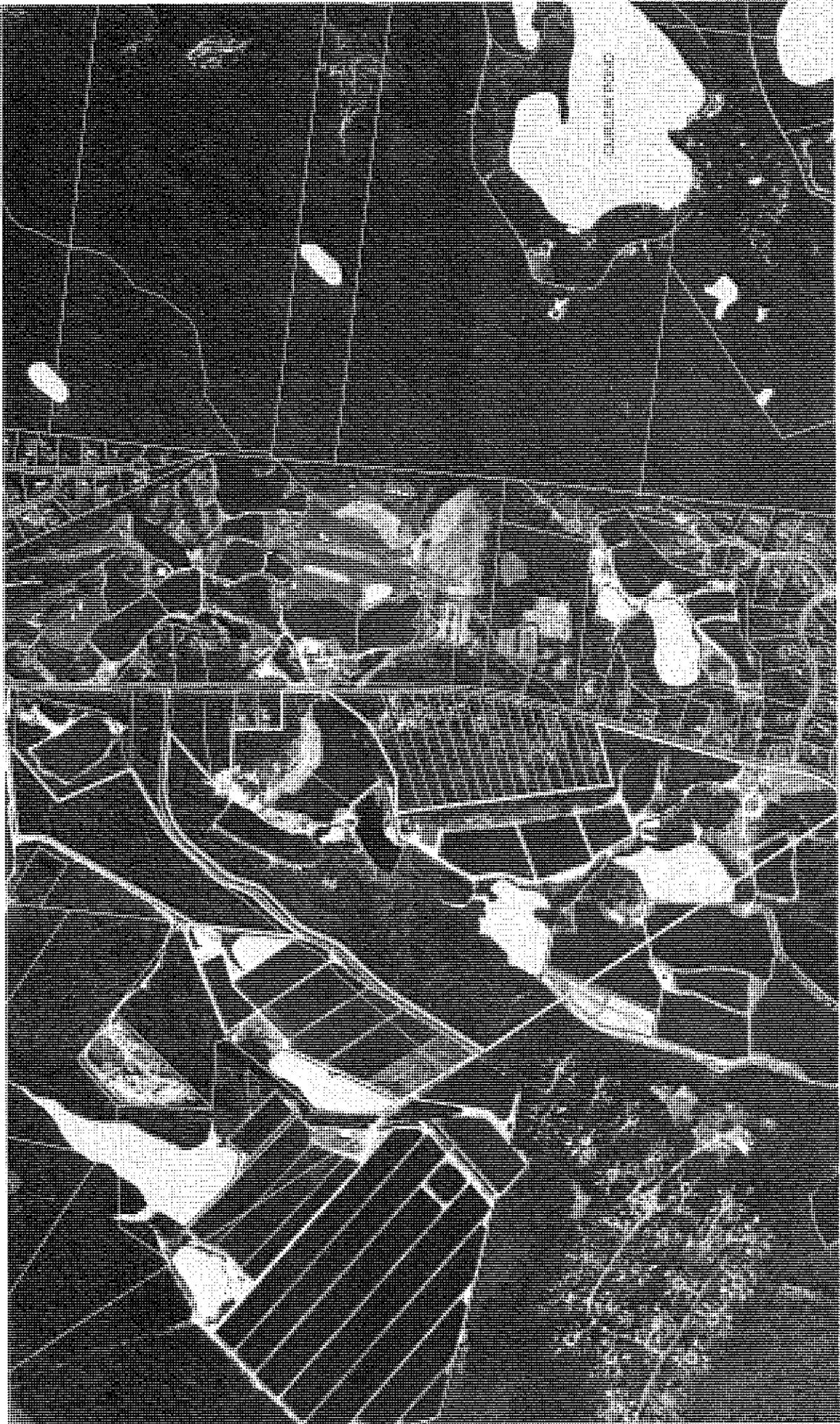
IN
PLYMOUTH, MASSACHUSETTS
PREPARED FOR
**RENEWABLE ENERGY
DEVELOPMENT PARTNERS, LLC**

ON
PARCEL ID: 099-000-001C-000
PINEY WOOD CRANBERRY COMPANY, INC.
OFF FEDERAL FURNACE ROAD

SCALE: 1"=400' AUGUST 5, 2016
FLAHERTY & STEFANI, INC.
67 SAMOSET STREET
PLYMOUTH, MASSACHUSETTS



A+B



②
Withdrawn

①

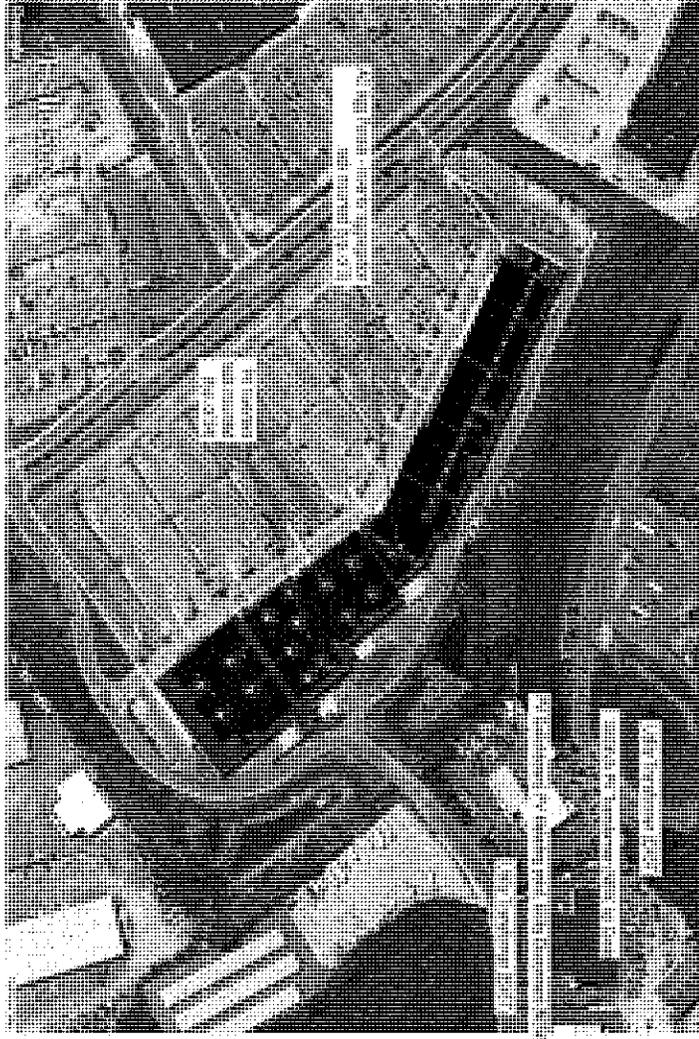
Shops at 5 Way
48 Shops Plymouth Solar, LLC
083-000-003C-003

PROPOSED PILOT	
MW DC	1.11
\$/MW	\$12,500
2.5% escalator	
	PILOT
Year 1	13,875
Year 2	14,222
Year 3	14,577
Year 4	14,942
Year 5	15,315
Year 6	15,698
Year 7	16,091
Year 8	16,493
Year 9	16,905
Year 10	17,328
Year 11	17,761
Year 12	18,205
Year 13	18,660
Year 14	19,127
Year 15	19,605
Year 16	20,095
Year 17	20,598
Year 18	21,112
Year 19	21,640
Year 20	22,181
Total	354,432

(D)

A1
SITE PLAN
Scale: 1/8" = 1'-0"

1 2 3 4 5 6



For Interconnection
Not For Construction

D1 SITE PLAN - PHOTO
Scale: 1/8" = 1'-0"

D2 SITE PLAN - PROPERTY LINES
Scale: 1/8" = 1'-0"

PV SOLAR SYSTEM SUMMARY	
TOTAL MODULE COUNT/ MODULE TYPE/ # MODULE NUMBER 1 (SIC) PER ROW/ ROW	186 String of 18
TOTAL STRINGS OF MODULES PER STRING	Ballasted Roof Mount / 180
PV ARRAY RACKING STYLE/ MANUFACTURER AND MODEL	1113.21 KW DC 460 KW AC 12851
TOTAL SIC DC SYSTEM SIZE	(3) Solar PV 98T
TOTAL INVERTER COUNT/ INVERTER MAKE AND MODEL	(2) Solar PV 98T
INVERTER DC EFFICIENCY	99.0%
SITE LATITUDE	42° 51' 14.77" N
ARRAY AZIMUTH/ MODULE TILT	287°/ 20.5°/ 232.27°/ 13.77°
ARRIVAL DESIGN TEMPERATURE EXTREMUM MIN / 2N / HIGH	-18 °C/ 3 °C
INTERCONNECTION VOLTAGE	480 VAC 3Ø
INTERCONNECTION OCCUPANCY	200A (100% RATED)
INTERCONNECTION TYPE	Non-Swaps

- GENERAL SHEET NOTES**
- ALL DIMENSIONS ARE APPROXIMATE AND MUST BE FIELD VERIFIED.
 - ROOF RACKINGS FOR PV EQUIPMENT (INVERTERS AND DISCONNECTS) WILL BE ACCESSIBLE BY THE EXISTING BUILDING'S ROOF HATCHES OR BY LADDER.
 - CONDUIT ON THE ROOF SHALL BE SUPPORTED BY A SUPPORT RAIL OR ASSEMBLY BY A SCHED 40X4 BLACK OR EQUIVALENT. ADDITIONAL BRACKETS MAY BE REQUIRED TO SUPPORT CANTILEVERED AND VERTICAL CONDUITS.
 - ALL CONDUIT SHALL BE INSTALLED AT A MINIMUM DISTANCE OF 3/4" OFF THE ROOF SURFACE. ANY STRAIGHT CONDUIT RUN GREATER THAN 27 FEET SHALL HAVE A ROOF EXPANSION JOINT. AN EXPANSION JOINT SHALL BE INSTALLED AT EVERY 100 FEET OF STRAIGHT CONDUIT RUNS. EXPANSION JOINTS IN THE CONDUIT RUNS SHALL BE INSTALLED AT BUILDING EXPANSION JOINTS.
 - PULL BOXES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NEC ARTICLES: 348.28 FOR IBC, 348.28 FOR RMC, 348.28 FOR PVC, 348.28 FOR HDPE, AND 348.28 FOR EMT CONDUIT.

SHEET KEYNOTES

CLEAN FOOTPRINT
PROJECT: 46 SHOPS AT 5 WAY - EAST SOLAR PROJECT
1113.21 KW DC SIC RATING
46 SHOPS AT 5 WAY
PLYMOUTH, MA 02260



CLEAN FOOTPRINT
Clean Footprint
405 Atlantic Rd Suite 2115
Cohasset, MA 01939
978-866-4147
www.clean-footprint.com

MARK	DATE	DESCRIPTION	DRAWN	CHK'D
A	2015-12-17	ISSUE FOR PERMITTING	GRB	DSM
B				
C				
D				
E				

CLIENT: CLEAN FOOTPRINT
PROJECT: 46 SHOPS AT 5 WAY - EAST SOLAR PROJECT
1113.21 KW DC SIC RATING
46 SHOPS AT 5 WAY
PLYMOUTH, MA 02260

PROJECT NO.:
DRAWN BY: GRB
CHECKED BY: DSM
DATE: 12/17/15
SHEET NO.: 1101

W1101
SITE PLAN

(D)

(E)

Redbrook Solar Array 1 - 9 River Run Way
978 Solar Dev LLC
114-000-005-000

PROPOSED PILOT	
MW DC	1.338
\$/MW	\$12,500
2.5% escalator	
	PILOT
Year 1	16,725
Year 2	17,143
Year 3	17,572
Year 4	18,011
Year 5	18,461
Year 6	18,923
Year 7	19,396
Year 8	19,881
Year 9	20,378
Year 10	20,887
Year 11	21,409
Year 12	21,945
Year 13	22,493
Year 14	23,056
Year 15	23,632
Year 16	24,223
Year 17	24,828
Year 18	25,449
Year 19	26,085
Year 20	26,737
Total	427,234

(F)

Redbrook Solar Array 2 - 5 River Run Way
978 Solar Development LLC
Map 114 Lots 7 + 8

PROPOSED PILOT	
MW AC	1.338
\$/MW	\$12,500
2.5% escalator	
	PILOT
Year 1	16,725
Year 2	17,143
Year 3	17,572
Year 4	18,011
Year 5	18,461
Year 6	18,923
Year 7	19,396
Year 8	19,881
Year 9	20,378
Year 10	20,887
Year 11	21,409
Year 12	21,945
Year 13	22,493
Year 14	23,056
Year 15	23,632
Year 16	24,223
Year 17	24,828
Year 18	25,449
Year 19	26,085
Year 20	26,737
Total	427,234

④

Redbrook Solar Array 3 - 3 River Run Way
978 Solar Dev LLC
115-000-000A-001
ADM

PROPOSED PILOT	
MW DC	2.77
\$/MW	\$12,500
2.5% escalator	
	PILOT
Year 1	34,625
Year 2	35,491
Year 3	36,378
Year 4	37,287
Year 5	38,220
Year 6	39,175
Year 7	40,154
Year 8	41,158
Year 9	42,187
Year 10	43,242
Year 11	44,323
Year 12	45,431
Year 13	46,567
Year 14	47,731
Year 15	48,924
Year 16	50,147
Year 17	51,401
Year 18	52,686
Year 19	54,003
Year 20	55,353
Total	884,484

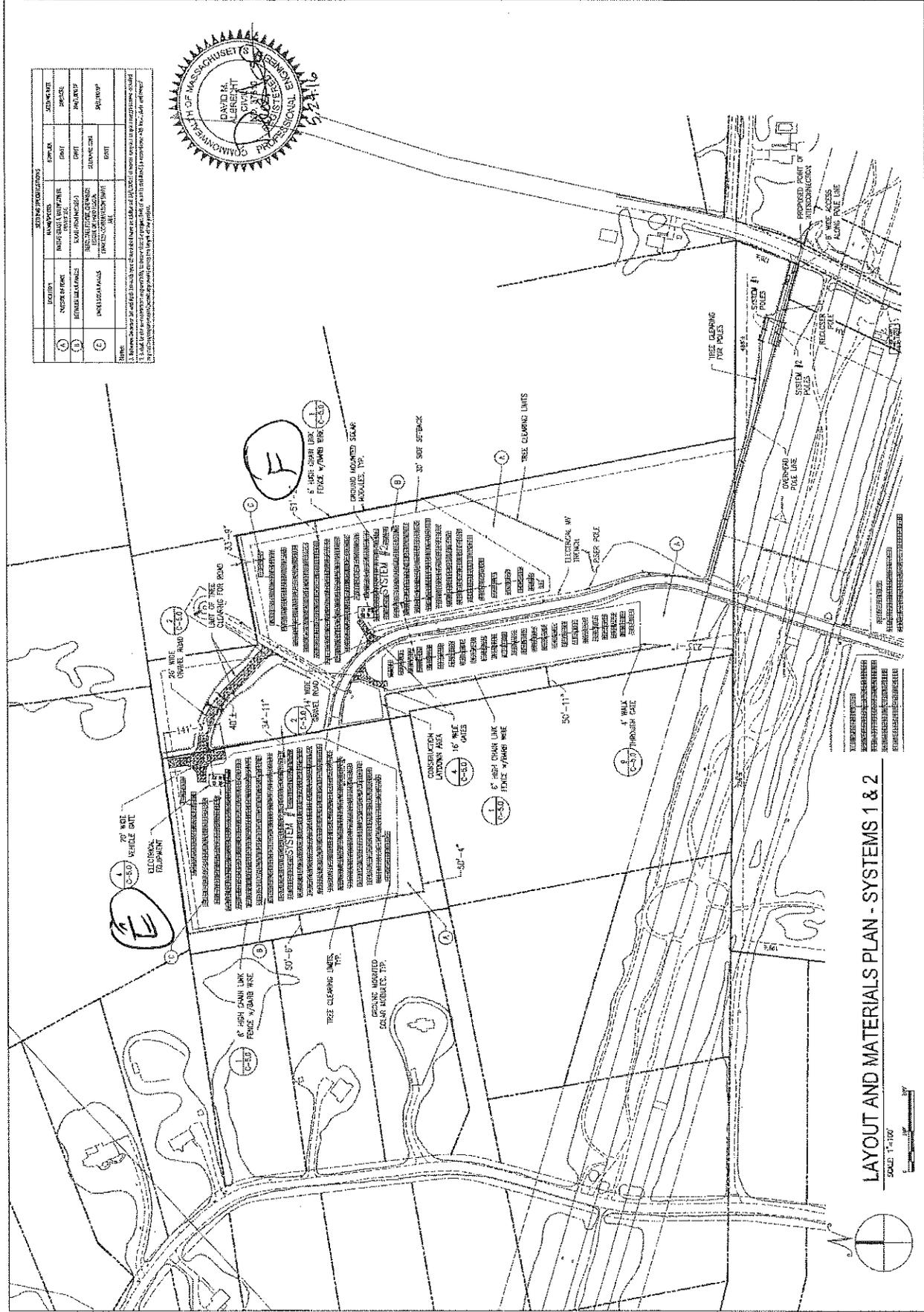
④

57 Black Cat Road
Borrego Solar
978 Solar Development LLC
Map 90 lot 17-5

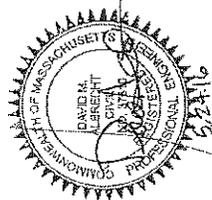
PROPOSED PILOT	
MW DC	1.32
\$/MW	\$12,500
2.5% escalator	
	PILOT
Year 1	16,250
Year 2	16,656
Year 3	17,073
Year 4	17,499
Year 5	17,937
Year 6	18,385
Year 7	18,845
Year 8	19,316
Year 9	19,799
Year 10	20,294
Year 11	20,801
Year 12	21,321
Year 13	21,854
Year 14	22,401
Year 15	22,961
Year 16	23,535
Year 17	24,123
Year 18	24,726
Year 19	25,344
Year 20	25,978
Total	415,101

E + F

PROJECT NUMBER: 985-000		DATE: 05/22/16	
PROJECT NAME: ADM RED BROOK PLYMOUTH, MA 02360		DRAWN BY: SSE FOR REVIEW	
PROJECT NUMBER: 985-000		DATE: 05/22/16	
PROJECT NAME: ADM RED BROOK PLYMOUTH, MA 02360		DRAWN BY: SSE FOR REVIEW	

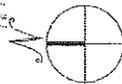


REVISIONS		DATE	BY	REASON
1	ISSUED FOR PERMIT	05/22/16	SSE	ISSUED FOR PERMIT
2	REVISED MATERIALS	05/22/16	SSE	REVISED MATERIALS
3	REVISED POLE LAYOUT	05/22/16	SSE	REVISED POLE LAYOUT



LAYOUT AND MATERIALS PLAN - SYSTEMS 1 & 2

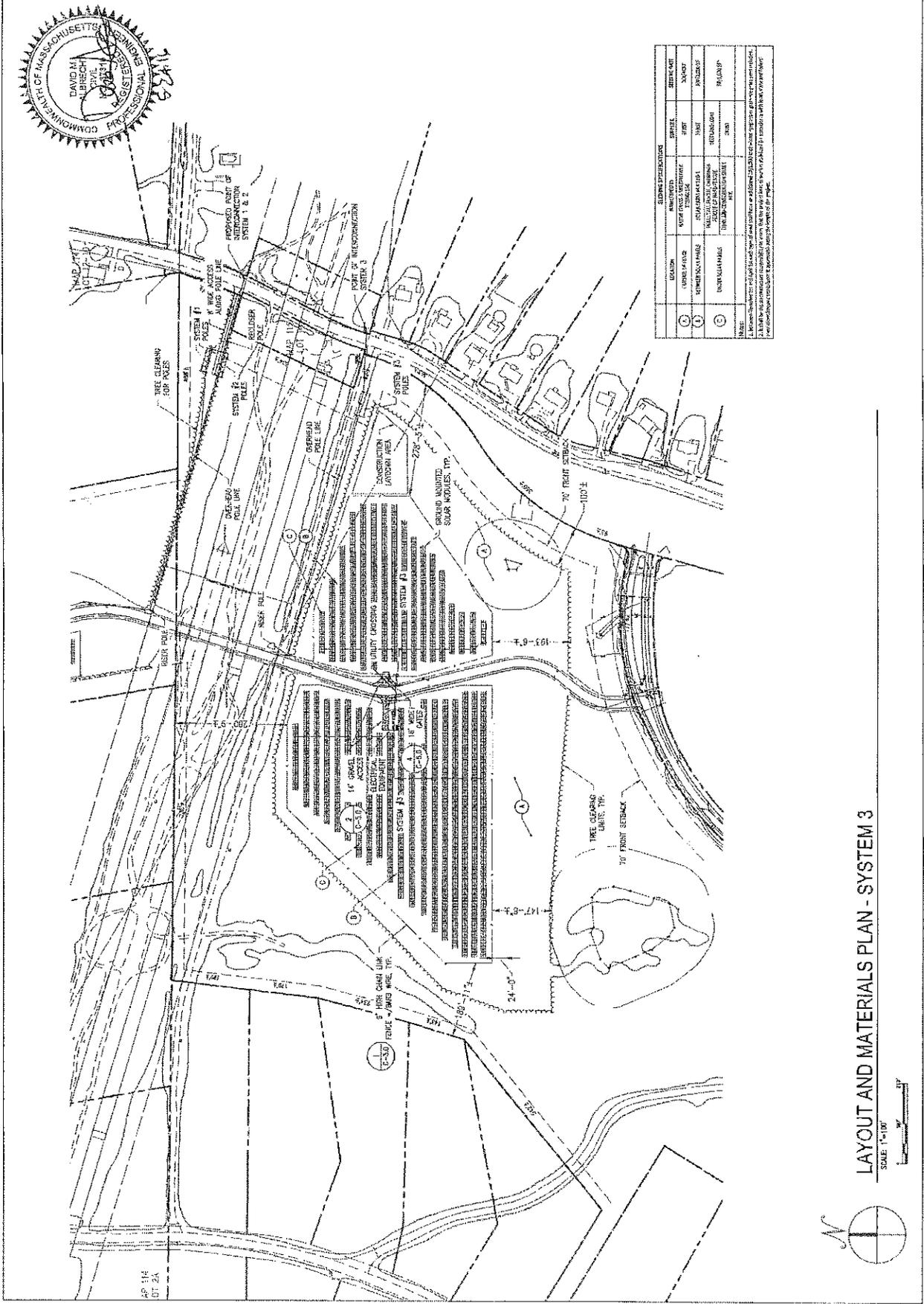
SCALE: 1"=100'



E + F

6

PROJECT NUMBER: 03-001		DATE: 03/27/18	
PROJECT NAME: ADM RED BROOK PLYMOUTH, MA 02360		DRAWN BY: [Name]	
PROJECT LOCATION: ADM RED BROOK PLYMOUTH, MA 02360		CHECKED BY: [Name]	
PROJECT DESCRIPTION: LAYOUT AND MATERIALS PLAN - SYSTEM 3		SCALE: 1"=10'	
PROJECT NUMBER: 03-001		DATE: 03/27/18	
PROJECT NAME: ADM RED BROOK PLYMOUTH, MA 02360		DRAWN BY: [Name]	
PROJECT LOCATION: ADM RED BROOK PLYMOUTH, MA 02360		CHECKED BY: [Name]	
PROJECT DESCRIPTION: LAYOUT AND MATERIALS PLAN - SYSTEM 3		SCALE: 1"=10'	



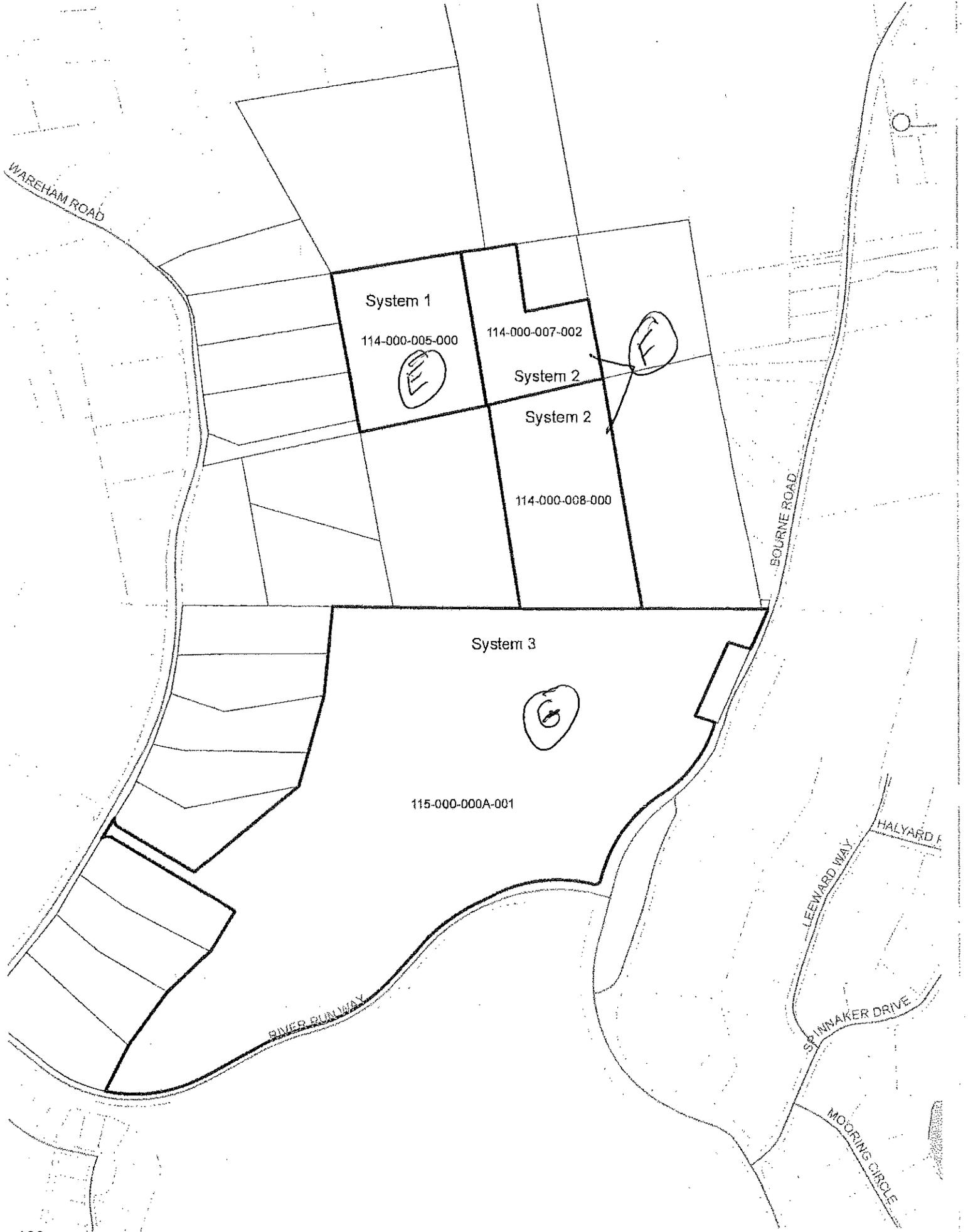
ITEM NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	CONCRETE	100	YD	100.00	100.00
2	STEEL	50	TON	50.00	50.00
3	WOOD	200	CU YD	200.00	200.00
4	GRAVEL	500	CU YD	500.00	500.00
5	ASPHALT	100	CU YD	100.00	100.00
6	PAVING	100	CU YD	100.00	100.00
7	CONCRETE	100	YD	100.00	100.00
8	STEEL	50	TON	50.00	50.00
9	WOOD	200	CU YD	200.00	200.00
10	GRAVEL	500	CU YD	500.00	500.00
11	ASPHALT	100	CU YD	100.00	100.00
12	PAVING	100	CU YD	100.00	100.00

LAYOUT AND MATERIALS PLAN - SYSTEM 3

SCALE: 1"=10'



6



E-6



Article 13 – Solar PILOTs
ADDITIONAL INFORMATION

To view additional information regarding Article 13, please visit the town's website www.plymouth-ma.gov/ then click on Quick Links then Town Meeting Information then Article 13

or use the following link: http://www.plymouth-ma.gov/sites/plymouthma/files/uploads/article_13_-_pdf_of_all.pdf

- Valuation & Taxation of Electric Generating Property – Bureau of Local Assessment – Informational guideline Release, September 1998
- Solar Pilot Overview Spreadsheet

ARTICLE 21:

ARTICLE 21: To see if the Town will vote to amend its Zoning Bylaw, Section 205-58. Floodplain District by amending the text related to Flood Insurance Rate Maps and State Building Code references and by adopting revised Flood Insurance Rate Maps (FIRM) for the Town of Plymouth, Massachusetts, Plymouth County as well as to amend associated sections, provisions, definitions, tables, charts, and procedures pertaining, on file with the Town Clerk, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 10-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 21. Approval of this article will amend Plymouth's Zoning Bylaw, Section 205-58. Floodplain District by amending the text related to Flood Insurance Rate Maps and State Building Code references and by adopting revised Flood Insurance Rate Maps (FIRM). FEMA flood maps, which dictate where flood zones are, were last set in 2006. The Town must adopt this new set of maps to ensure continuation of flood insurance availability for Plymouth residents. Overall, the town saw 0.2 square miles removed from the flood zone and 0.6 square miles added, bringing total land in the flood velocity zone to 14.8 square miles. The most significant changes to the maps were in the White Horse Beach area.

2016 Fall Annual Town Meeting

2016 AUG 23 AM 10: 22

Article 21

REPORT AND RECOMMENDATION
OF THE PLANNING BOARD
ON THE PROPOSED AMENDMENT
TO THE ZONING BYLAW AND MAP
TO REDEFINE THE TOWN'S FLOODPLAIN DISTRICT

DATE OF PUBLICATION OF PUBLIC HEARING: August 3, 2016
August 10, 2016

DATE OF PUBLIC HEARING: August 22, 2016

VOTE: On August 22, 2016 the Planning Board voted unanimously (4-0) to recommend Town Meeting approve the following article to the Fall Annual Town Meeting.

NEED & JUSTIFICATION:

The 100-year floodplain is an area that on average is expected to have a 1% chance of being flooded in any given year. For example, during the life of a 30-year mortgage there is a 30% chance that your property will be flooded. These flood areas are mapped by the Federal Emergency Management Agency (FEMA). The maps can be examined at the Office of Planning and Development at the Town Hall.

The current floodplain maps were prepared by the Federal Emergency Management Group (FEMA) in 2006. FEMA has revised the maps and is requiring the Town to adopt the revised maps. In addition, FEMA is also requesting that the Town make several revisions to the current Floodplain Zoning District.

FEMA is the only source of flood insurance in the United States. Numerous property owners receive flood insurance through the National Flood Insurance Program. If the Town does not adopt the revised maps and text, these property owners will no longer be eligible for flood insurance.

EFFECT:

The effect of this amendment is to adopt revised and more accurate floodplain maps and to adopt text that is consistent with the National Flood Insurance Program requirements.

INTENT:

It is the intent of this amendment is to ensure that Plymouth's floodplain bylaw complies with federal requirement.

By adopting this bylaw, property owners located within flood prone areas will be able to maintain flood insurance for their homes and businesses.

VOTE:

Effective as of November 4, 2016:

To delineate the Floodplain District as all special areas designated A, AE, AO, and VE on the National Flood Insurance Program Flood Insurance Rate Maps, Town of Plymouth, Massachusetts, Plymouth County, map numbers

25023C0244K, 25023C0263K, 25023C0342J, 25023C0352K, 25023C0353J, 25023C0354J, 25023C0356K, 25023C0357K, 25023C0358K, 25023C0359K, 25023C0361J, 25023C0362J, 25023C0363J, 25023C0364J, 25023C0366J, 25023C0367J, 25023C0370J, 25023C0376K, 25023C0378K, 25023C0379K, 25023C0386K, 25023C0387K, 25023C0388J, 25023C0389J, 25023C0391K, 25023C0393K, 25023C0394K, 25023C0477J, 25023C0479J, 25023C0485J, 25023C0487J, 25023C0491J, 25023C0492J, 25023C0494J, 25023C0505J, 25023C0506K, 25023C0507K, 25023C0508K, 25023C0509K, 25023C0511J, 25023C0512J, 25023C0513J, 25023C0514J, and 25023C0516K,

Plans ending with the suffix J dated July 17, 2012 and plans ending with the suffix K dated November 4, 2016 as shown on National Flood Insurance Program Flood Insurance Rate Maps, Town of Plymouth, Massachusetts, Plymouth County on file with the Town Clerk.

And further to amend Section 205-58 Floodplain District as follows:

Underlined text added

~~Strikethrough text deleted~~

§ 205-58. Floodplain District (FP). [Added 4-5-1986 ATM by Art. 56; Amended 10-23-06 ATM by Art. 19; Amended 4-7-12 ATM by Art. 31]

- A. **Intent.** The purpose of this section is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed:
- (1) To protect human life and health;
 - (2) To minimize expenditures of public money for costly flood-control projects;
 - (3) To minimize the need for rescue and relief efforts associated with flooding;
 - (4) To ensure that those who occupy areas of special flood hazard assume responsibility for their actions.
- B. **Scope and authority.** The Floodplain District is herein established as an overlay district. Any uses permitted in the portions of the districts so overlaid shall be permitted subject to the provisions of this district, as well as those of the Massachusetts State Building Code dealing with construction in floodplains.

- C. **Delineation of district.** The Floodplain District includes all special flood hazard areas within the Town of Plymouth, designated as Zone A, AE, AO, and VE on the Plymouth County Flood Insurance Rate Maps (FIRM) issued by the Federal Emergency Management Agency, for the administration of the National Flood Insurance Program. The map panels of the Plymouth County FIRM that are wholly or partially within the Town of Plymouth are panel numbers 25023C0244KJ, 25023C0263KJ, 25023C0342J, 25023C0352K, 25023C0353J, 25023C0354J, 25023C0356KJ, 25023C0357KJ, 25023C0358KJ, 25023C0359KJ, 25023C0361J, 25023C0362J, 25023C0363J, 25023C0364J, 25023C0366J, 25023C0367J, 25023C0370J, 25023C0376KJ, 25023C0378KJ, 25023C0379KJ, 25023C0386KJ, 25023C0387KJ, 25023C0388J, 25023C0389J, 25023C0391KJ, 25023C0393KJ, 25023C0394KJ, 25023C0477J, 25023C0479J, 25023C0485J, 25023C0487J, 25023C0491J, 25023C0492J, 25023C0494J, 25023C0505J, 25023C0506KJ, 25023C0507KJ, 25023C0508KJ, 25023C0509KJ, 25023C0511J, 25023C0512J, 25023C0513J, 25023C0514J, and 25023C0516KJ, Plans ending with the suffix J dated July 17, 2012 and plans ending with the suffix K dated July 17, 2012 November 4, 2016. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report dated November 4, 2016 July 17, 2012. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk.

Base Flood Elevation and Floodway Data

1. Floodway Data. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence if the base flood discharge.
2. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than 50 lots or 5 acres, whichever is the lesser, within unnumbered A zones.

Notification of Watercourse Alteration

In a riverine situation the Flood Coordinator shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

- D. **Development regulations.** The following requirements apply in the Floodplain District:

- (1) Within Zone A, where the base flood elevation is not provided on the FIRM, the applicant shall obtain any existing base flood elevation data and it shall be reviewed by the Building Inspector for its reasonable utilization toward meeting the elevation or flood proofing requirements, as appropriate, of the State Building Code.

- (2) In the floodway, designated on the Flood Insurance Rate Map, the following provisions shall apply:
 - (a) All encroachments, including fill, new construction, substantial improvements to existing structures, and other developments, are prohibited unless certification by a registered professional engineer is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the one-hundred-year flood.
 - (b) Any encroachment meeting the above standard shall comply with the floodplain requirements of the State Building Code.
- (3) In Zones VE all new construction shall be located landward of the reach of mean high tide.
- (4) The placement of mobile homes in the Floodplain District is prohibited.

Reference to Existing Regulations

The Floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in full compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- Section of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas~~which addresses floodplain and coastal high hazard areas (currently 780 CMR 3107, "Flood Resistant Construction")~~;
- Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- Minimum Requirements for Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of these state regulations.

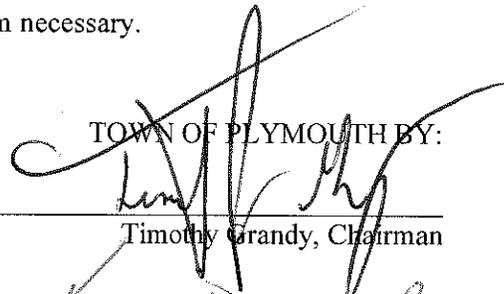
Other Regulations

1. Within zone AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
2. Man-made alteration of sand dunes within Zone VE which would increase potential flood damage are prohibited.
3. All subdivision proposals must be designed to assure that:
 - a. Such proposals minimize flood damage;
 - b. All public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 - c. Adequate drainage is provided to reduce exposure to flood hazards.

E. **Special permits.** Upon issuance of a special permit and subject to such conditions and safeguards as the Board of Appeals deems necessary to fulfill the purposes of this section, the requirements of this overlay district may be varied. In passing upon such special permit applications the Board shall consider:

- (1) The susceptibility of the proposed facility and the contents to flood damage and the effect of such damage upon the site and surrounding property.
- (2) The availability of alternative locations for the proposed use which are not subject to flooding or erosion.
- (3) The necessity to the facility of a waterfront location, where applicable.
- (4) A determination that the relief requested is the minimum necessary.

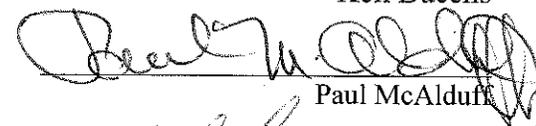
TOWN OF PLYMOUTH BY:



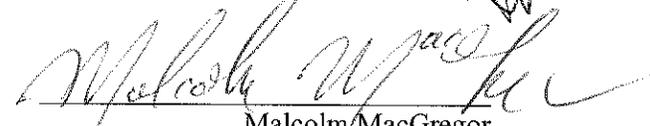
Timothy Grandy, Chairman



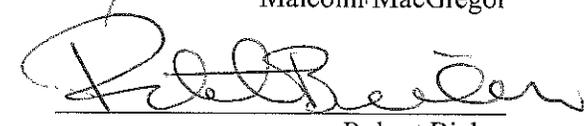
Ken Buechs



Paul McAlduff



Malcolm MacGregor



Robert Bielen

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD:

August 22, 2016

DATE FILED WITH TOWN CLERK:

August 23, 2016

cc: Town Clerk
Board of Selectmen
Advisory and Finance Committee

ARTICLE 22:

ARTICLE 22: To see if the Town will vote to accept and allow the alteration of the layout as a public way of the following streets or portions thereof as ordered by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, upon such terms and conditions as it deems appropriate, such interests in land within said altered layout and abutting lands sufficient to use said ways for all purposes for which public ways are used in the Town of Plymouth, and to raise and appropriate, transfer from available funds, or borrow a sum of money for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out such acquisition or take any other action relative thereto

Resnik Road (portion of)

Water Street (portion of)

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 13-0-1)

The Advisory & Finance Committee advises Town Meeting to approve Article 22. Town Meeting approval of this article will accept easements and correlating road layout alterations for two separate projects, one on Water Street and one on Resnik Road.

- Water Street: The Town will be improving Water Street infrastructure as part of the preparation for 2020. This easement will allow the town to utilize this area for widening the sidewalk and roadway. The property owner, Water Street Cafe, has agreed to grant the Town easement for highway purposes. The road layout alteration adds this easement to the road layout.
- Resnik Road: The property owner of the medical building at the corner of Resnik Road and Industrial Park Road has made roadway improvements to Resnik Road. Parts of the roadway infrastructure are located outside of the roadway layout. The property owner has agreed to grant the Town easement for highway purposes. The road layout alteration adds this easement to the road layout.

TOWN OF PLYMOUTH

Department of Public Works
Engineering Division
11 Lincoln Street
Plymouth, Massachusetts 02360

MEMO

TO: ADVISORY AND FINANCE COMMITTEE

FROM: SID KASHI, P.E., TOWN ENGINEER *S.K.*

Through: JONATHAN BEDER, DIRECTOR OF PUBLIC WORKS

CC: MELISSA ARRIGHI, TOWN MANAGER

SUBJECT: 2016 FALL ANNUAL TOWN MEETING
ARTICLE 22 EXPLANATION
ACCEPTANCE OF EASEMENT (VICINITY OF WATER STREET
CAFE) FOR HIGHWAY PURPOSES AND ALTER A PORTION OF
WATER STREET

DATE: SEPTEMBER 7, 2016

The Town will be improving Water Street infrastructure as part of preparation for the 400th Anniversary. The easement will allow the Town to utilize this area for widening the sidewalk and roadway. The property owner has agreed to grant the Town easement for Highway Purposes.

The easement requires Town Meeting Action in order to authorize the Board of Selectmen to accept the easement.

The acceptance of the easement will necessitate the alteration of the Layout and allow the easement to become part of the Layout.

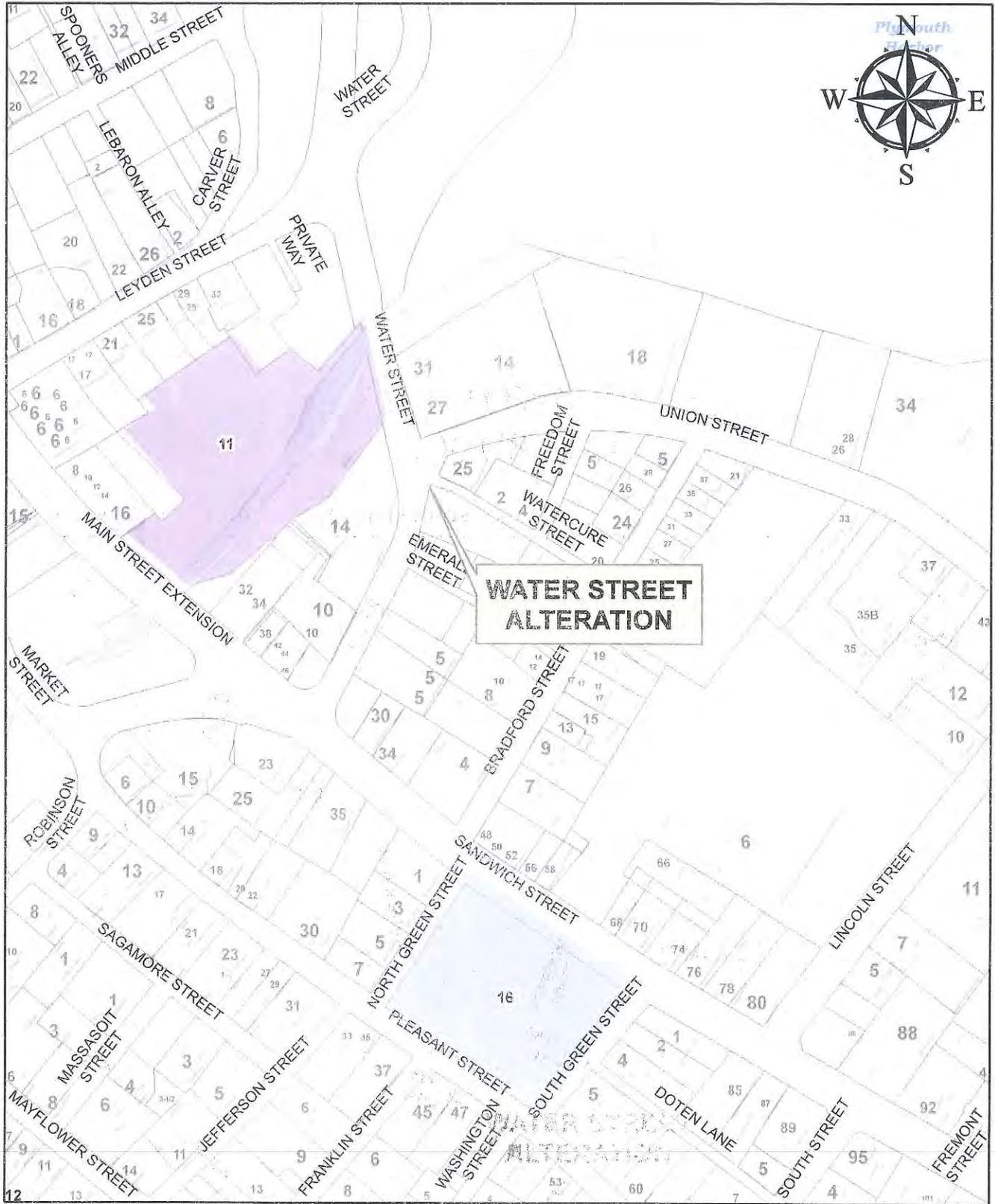
There is no need for funding this Article.

The DPW-Engineering Division recommends that the Advisory and Finance Committee vote to approve and support Article 22 as presented.

2016 FALL TOWN MEETING LOCUS MAP

ARTICLE 22:
DPW ENGINEERING - WATER STREET ALTERATION

PLAT 20



PREPARED BY THE PLYMOUTH ENGINEERING DIVISION

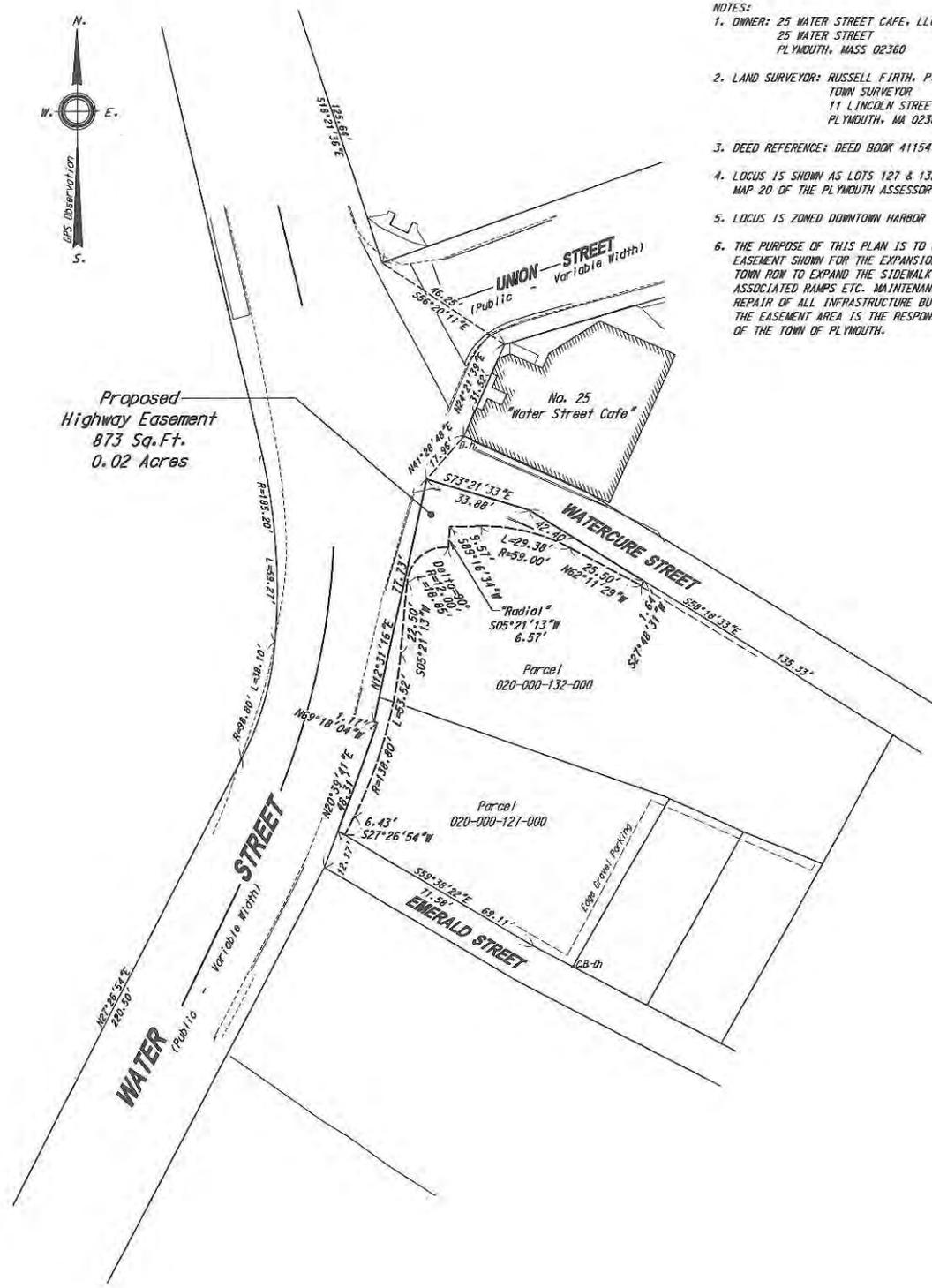
200 0 200 400

SCALE IN FEET



- NOTES:
1. OWNER: 25 WATER STREET CAFE, LLC
25 WATER STREET
PLYMOUTH, MASS 02360
 2. LAND SURVEYOR: RUSSELL FIRTH, P.L.S.
TOWN SURVEYOR
11 LINCOLN STREET
PLYMOUTH, MA 02360
 3. DEED REFERENCE: DEED BOOK 41154 PAGE 170.
 4. LOCUS IS SHOWN AS LOTS 127 & 132 ON
MAP 20 OF THE PLYMOUTH ASSESSOR'S MAPS.
 5. LOCUS IS ZONED DOWNTOWN HARBOR "DH".
 6. THE PURPOSE OF THIS PLAN IS TO CREATE THE
EASEMENT SHOWN FOR THE EXPANSION OF THE
TOWN ROW TO EXPAND THE SIDEWALK AND
ASSOCIATED RAMPS ETC. MAINTENANCE AND
REPAIR OF ALL INFRASTRUCTURE BUILT WITHIN
THE EASEMENT AREA IS THE RESPONSIBILITY
OF THE TOWN OF PLYMOUTH.

Proposed
Highway Easement
873 Sq.Ft.
0.02 Acres



I hereby certify that the property lines shown on this plan are the lines dividing existing ownership, and the lines of streets and ways shown are those of public or private streets or ways already established, and that no new lines for division of existing ownership or for new ways are shown.

I also certify that this plan has been prepared in conformity with the rules and regulations of the Registry of Deeds of the Commonwealth of Massachusetts.

**INFORMATIONAL
PRINT**

Date _____ Professional Land Surveyor _____

**PROPOSED
HIGHWAY EASEMENT
THROUGH LAND OF
25 WATER STREET CAFE, LLC
PLYMOUTH, MASSACHUSETTS**

Prepared for: The Town of Plymouth
Scale: 20 feet to an inch August 10, 2016
PLYMOUTH DEPT. OF PUBLIC WORKS - ENGINEERING DIVISION
Russell A. Firth, P.L.S. Town Surveyor



Graphic Scale
FOR REGISTRY USE ONLY

TOWN OF PLYMOUTH

Department of Public Works
Engineering Division
11 Lincoln Street
Plymouth, Massachusetts 02360

MEMO

TO: ADVISORY AND FINANCE COMMITTEE

FROM: SID KASHI, P.E., TOWN ENGINEER 

Through: JONATHAN BEDER, DIRECTOR OF PUBLIC WORKS

CC: MELISSA ARRIGHI, TOWN MANAGER

SUBJECT: 2016 FALL ANNUAL TOWN MEETING
ARTICLE 22 EXPLANATION
ACCEPTANCE OF EASEMENT (VICINITY OF RESNIK ROAD, AND
INDUSTRIAL PARK ROAD) FOR HIGHWAY PURPOSES AND
ALTER A PORTION OF RESNIK ROAD

DATE: SEPTEMBER 7, 2016

The property owner has made roadway improvements to Resnik Road. Parts of the roadway infrastructure are located outside of the roadway layout. The property owner has agreed to grant the Town easement for Highway Purposes.

The easement requires Town Meeting Action in order to authorize the Board of Selectmen to accept the easement.

The acceptance of the easement will necessitate the alteration of the Layout and allow the easement to become part of the Layout.

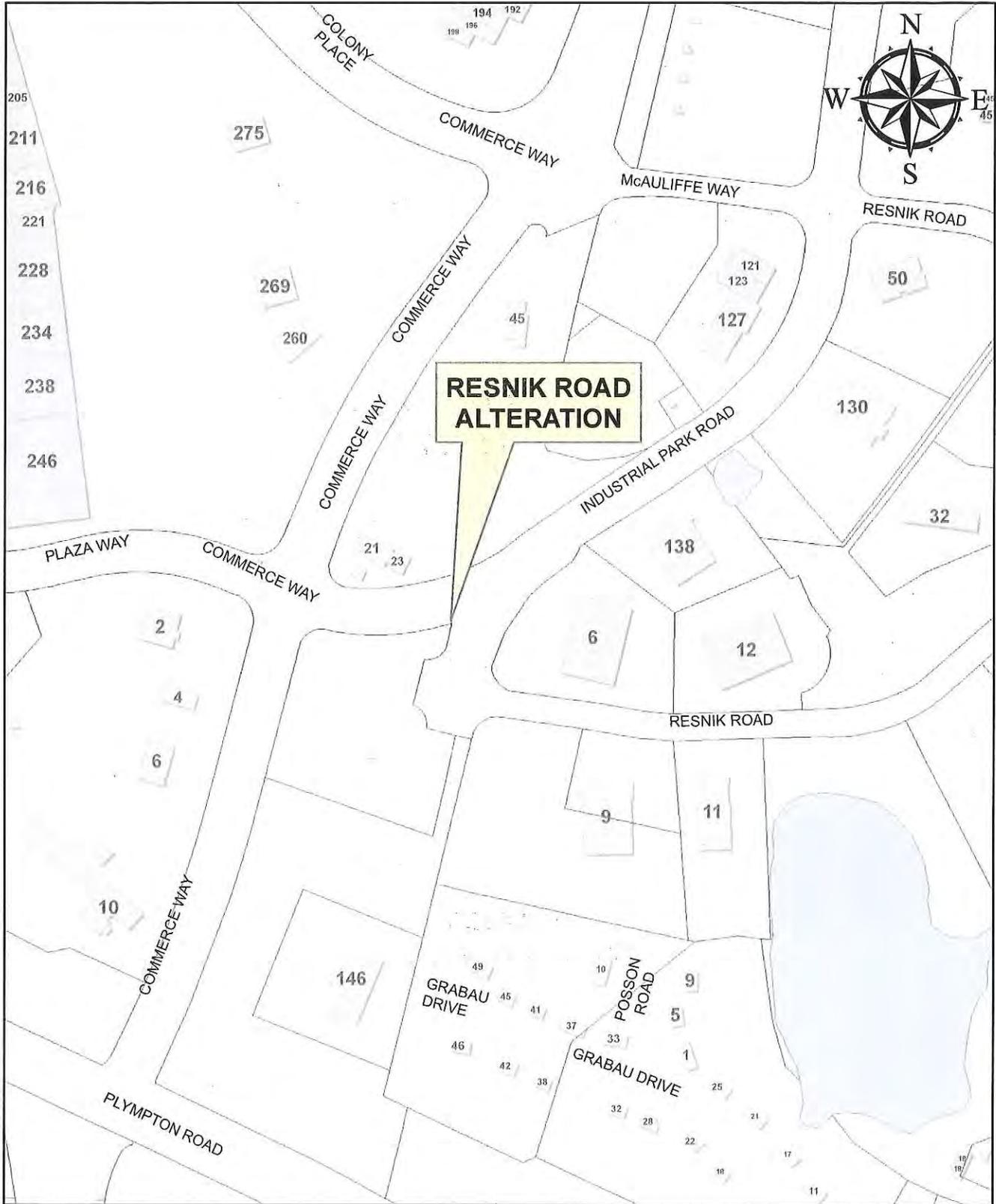
There is no need for funding this Article.

The DPW-Engineering Division recommends that the Advisory and Finance Committee vote to approve and support Article 22 as presented.

2016 FALL TOWN MEETING LOCUS MAP

ARTICLE 22:
DPW ENGINEERING - RESNIK ROAD ALTERATION

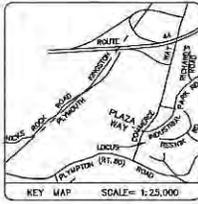
PLAT 103



PREPARED BY THE PLYMOUTH ENGINEERING DIVISION

300 0 300 600

SCALE IN FEET



RESERVED FOR REGISTRY USE ONLY

NOTES:

- OWNER: MPT 44 LLC
C/O JACK SHIELDS
25 ROCKWOOD ROAD
MARSHFIELD, MASSACHUSETTS 02050
- CLIENT: HENRY A. STOUT
100 ARMSTRONG ROAD, UNIT 206
PLYMOUTH, MASSACHUSETTS 02360
- PROFESSIONAL LAND SURVEYOR: PETER E. HALE, P.L.S.
ASSOCIATED ENGINEERS OF PLYMOUTH, INC.
61 SAMOSET STREET
PLYMOUTH, MASSACHUSETTS 02360
- DEED TO PREMISES IS RECORDED AT THE PLYMOUTH COUNTY REGISTRY OF DEEDS IN BOOK 32751, PAGE 2.
- PREMISES IS IDENTIFIED AS PARCEL NUMBER 103-000-014K-123 BY THE TOWN OF PLYMOUTH ASSESSORS.
- PREMISES IS ZONED LIGHT INDUSTRIAL (L1).
- THE SOLE PURPOSE OF THIS PLAN IS TO DELINEATE A PROPOSED EASEMENT OVER THE NORTHEAST CORNER OF THE SUBJECT PREMISES. USE, REPRODUCTION OR DISTRIBUTION OF THIS PLAN OR THE INFORMATION HEREON FOR OTHER THAN THE FOREGOING STATED PURPOSE IS PROHIBITED. THIS PLAN IS VALID ONLY WITH THE ORIGINAL SEAL AND SIGNATURE OF THE LICENSED PREPARER.
- REFERENCE IS HEREBY MADE TO PLAN NO. 801 OF 2004 FOR ADDITIONAL BOUNDARY CONTROL INFORMATION.

PARCEL NO. 103-000-014K-123
MPT 44 LLC
BK. 32751, PG. 2
PL. NO. 521 OF 1997

PARCEL NO. 103-000-014K-124
STOUT COMMERCIAL TRUST
BK. 32643, PG. 231
PL. NO. 521 OF 1997

PARCEL NO. 103-000-014K-125
STOUT COMMERCIAL TRUST
BK. 32643, PG. 231
PL. NO. 521 OF 1997

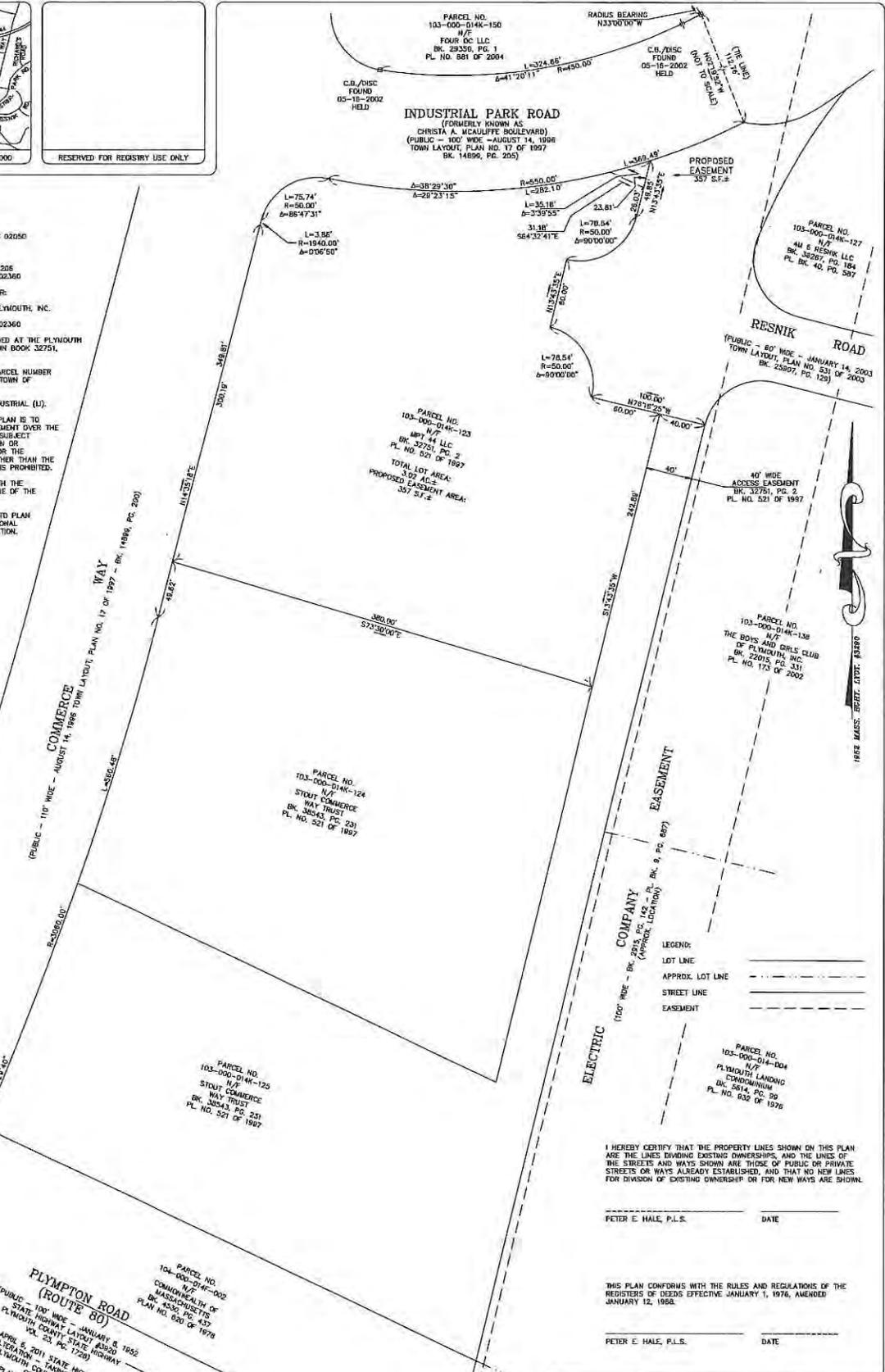
PARCEL NO. 103-000-014K-126
STOUT COMMERCIAL TRUST
BK. 32643, PG. 231
PL. NO. 521 OF 1997

PARCEL NO. 103-000-014K-127
AM & RESNIK LLC
BK. 32657, PG. 184
PL. BK. 40, PG. 587

PARCEL NO. 103-000-014K-128
THE BOYS AND GIRLS CLUB OF PLYMOUTH, INC.
BK. 22015, PG. 331
PL. NO. 173 OF 2002

PARCEL NO. 103-000-014K-129
PLYMOUTH LANDING CONDOMINIUM
BK. 2614, PG. 99
PL. NO. 636 OF 1976

PARCEL NO. 104-000-014K-002
COMMISSION OF MASSACHUSETTS
BK. 4336, PG. 437
PLAN NO. 620 OF 1978



100' WIDE - AUGUST 14, 1998 TOWN LAYOUT PLAN NO. 17 OF 1997 - BK. 14894, PG. 200

100' WIDE - JANUARY 8, 1992
PUBLIC STATE HIGHWAY LAYOUT PLAN NO. 138 OF 2011
ALTERATION - LARNO 025422
PLYMOUTH COUNTY REGISTRY OF DEEDS

100' WIDE - JANUARY 14, 2003
TOWN LAYOUT PLAN NO. 531 OF 2003

100' WIDE - AUGUST 14, 1998 TOWN LAYOUT PLAN NO. 17 OF 1997 - BK. 14894, PG. 200

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ALTERATION - LARNO 025422
PLYMOUTH COUNTY REGISTRY OF DEEDS

100' WIDE - JANUARY 14, 2003
TOWN LAYOUT PLAN NO. 531 OF 2003

100' WIDE - AUGUST 14, 1998 TOWN LAYOUT PLAN NO. 17 OF 1997 - BK. 14894, PG. 200

I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES BOUNDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

PETER E. HALE, P.L.S. DATE

THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS EFFECTIVE JANUARY 1, 1976, AMENDED JANUARY 12, 1988.

PETER E. HALE, P.L.S. DATE

PROPOSED EASEMENT PLAN
PLYMOUTH ASSESSOR'S PARCEL NO.
103-000-014K-123
COMMERCIAL WAY, INDUSTRIAL PARK ROAD AND RESNIK ROAD
PLYMOUTH, PLYMOUTH COUNTY, MASSACHUSETTS

OWNER: MPT 44 LLC
25 ROCKWOOD ROAD
MARSHFIELD, MA 02050

CLIENT: HENRY A. STOUT
100 ARMSTRONG ROAD, UNIT 206
PLYMOUTH, MA 02360

SCALE: 1" = 40'
0 20 40 80 120 160 200 FEET

JUNE 25, 2013

CALC'D: PEH	DRAWN: PEH	CHK'D: PEH
ASSOCIATED ENGINEERS OF PLYMOUTH, INC. Land Surveying, Civil Engineering, Land Planning 81 Samoset Street, Plymouth, Ma. 508 747-0868		
JOB: 1731 STOUT-06 ONE SHEET		

ARTICLE 24:

ARTICLE 24: To see if the Town will vote to accept and allow the layout as a public way of the following street or portions thereof as laid out by the Board of Selectmen and reported to the Town, and as shown on plans on file with the Town Clerk; and further to authorize the Board of Selectmen to acquire by gift, purchase or eminent domain, upon such terms and conditions as it deems appropriate, such interests in land within said layout and abutting lands sufficient to use said ways for all purposes for which public ways are used in the Town of Plymouth, and to raise and appropriate, transfer from available funds, or borrow a sum of money for this purpose and any expenses related thereto; and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out such acquisition or take any other action relative thereto

Loring Boulevard

Commerce Way (portion of)

Carver Road (portion of)

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 13-0-1)

The Advisory & Finance Committee advises Town Meeting to approve Article 24. Town Meeting approval of this article will accept and allow the layout as public way of three roads:

Loring Boulevard, the entrance road to Cordage, a portion of Commerce Way, and a portion of Carver Road.

- Loring Boulevard: The entrance road to Cordage Park
- Commerce Way: The section built as part of the Cranberry Crescent project, extending Commerce Way from Plympton Road (Route 80) to Carver Road.
- Carver Road: Adding an easement for highway purposes and accepting the improvements made by the Cranberry Crescent developer in front of that property.



TOWN OF PLYMOUTH

Department of Public Works

Engineering Division

11 Lincoln Street

Plymouth, Massachusetts 02360

TO: ADVISORY AND FINANCE COMMITTEE

FROM: SID KASHI, P. E.
TOWN ENGINEER

Through: JONATHAN BEDER, DIRECTOR OF PUBLIC WORKS

CC: MELISSA ARRIGHI, TOWN MANAGER

DATE: SEPTEMBER 7, 2016

SUBJECT: STREET LAYOUT
2016 FALL ANNUAL TOWN MEETING – ARTICLE 24

This year the following streets being proposed for layout and acceptance as a Town way:

LORING BOULEVARD
COMMERCE WAY
CARVER ROAD

This package contains a brief synopsis of the location being considered, and a locus map of the area.

Representatives of the Engineering Division will be available on September 14, 2016, to present the materials and answer any questions that you may have.

The D.P.W. recommends that the Advisory and Finance Committee members vote to approve and support Article 24 as presented.

Encl: Locus maps
A brief synopsis of the locations
Layout Plans

BRIEF SYNOPSIS OF EACH LOCATION

1. LORING BOULEVARD (+ / - 1,040 feet) - ROADWAY LAYOUT

This Article will allow the Town to accept the entrance way of Cordage Park from Court Street to the MBTA right of way.

The acceptance of this Layout will allow the State to grant the Town funding for construction of roadway.

In order to support the project, Cordage has agreed to provide the design drawings, and construction plans, as well as coordinate with the Town on the construction and oversight of the project.

The project includes Engineering, Permitting, and Final Construction of the roadway. Improved sidewalks, lighting, signs, and pavement markings will be provided in conjunction with the Road Improvements.

2. COMMERCE WAY (a portion of) (+ / - 2,325 feet) - ROADWAY LAYOUT

Commerce Way is connecting Plympton Road (Route 80) to Carver Road. The road has been built as part of the Cranberry Crescent project on their land.

The acceptance of this roadway will improve fire and police responses in the area and will benefit the overall transportation network system in Town.

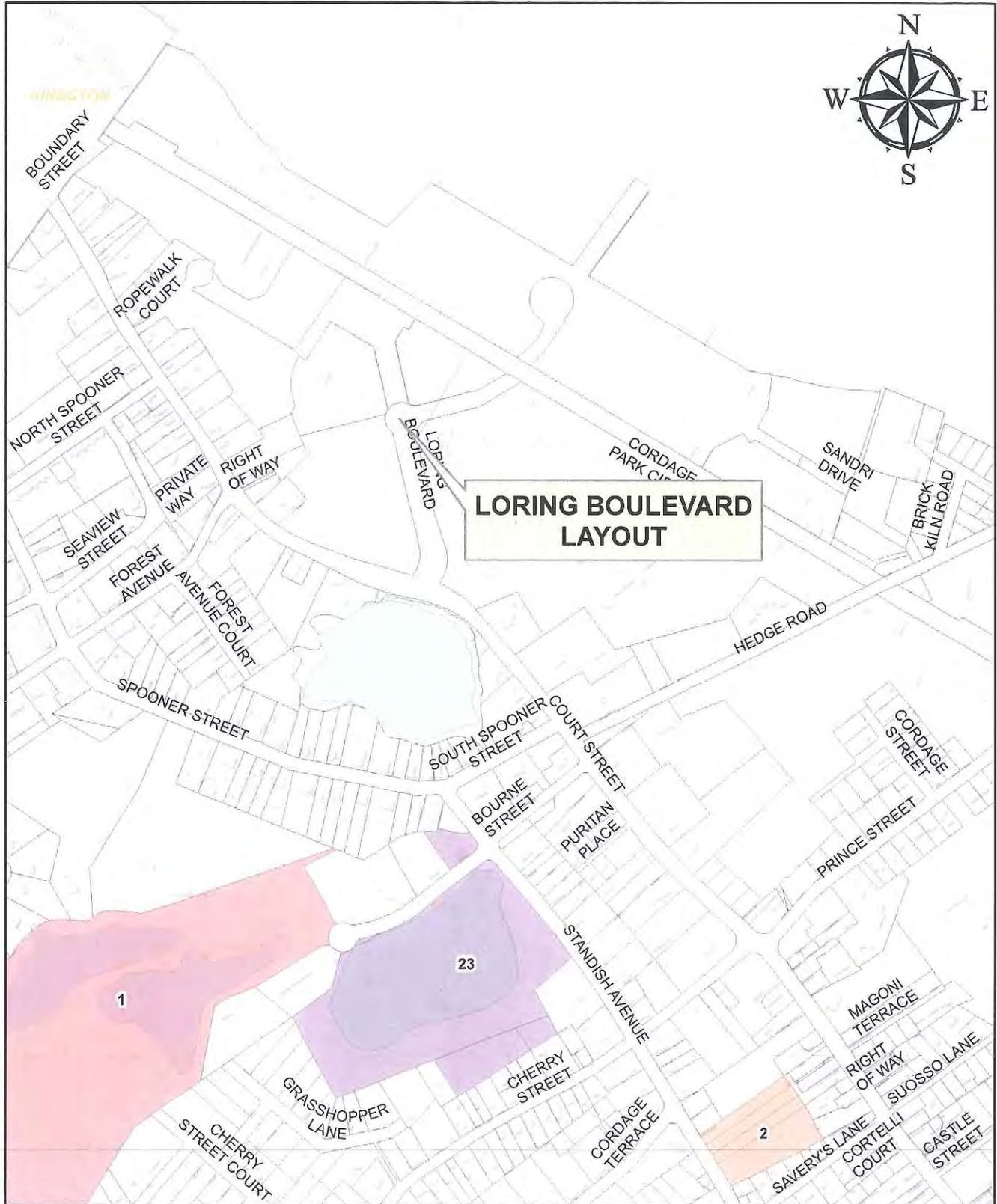
3. CARVER ROAD (+ / - 1,500 feet) - ROADWAY LAYOUT

The property owner of Cranberry Crescent Shopping Center (Cranberry Crescent) sought and received the approval of the Planning Board for his subdivision plan. The owner of Cranberry Crescent granted the Town the easement that was necessary for highway purposes. In addition, the owner of Cranberry Crescent has improved the section of Carver Road, which is located in front of his property. The section of Carver Road abutting Cranberry Crescent is currently designated as "Used & Maintained". There is no written layout of this "Used & Maintained" section of Carver Road.

2016 FALL TOWN MEETING LOCUS MAP

ARTICLE 24:
DPW ENGINEERING - LORING BOULEVARD LAYOUT

PLAT 1



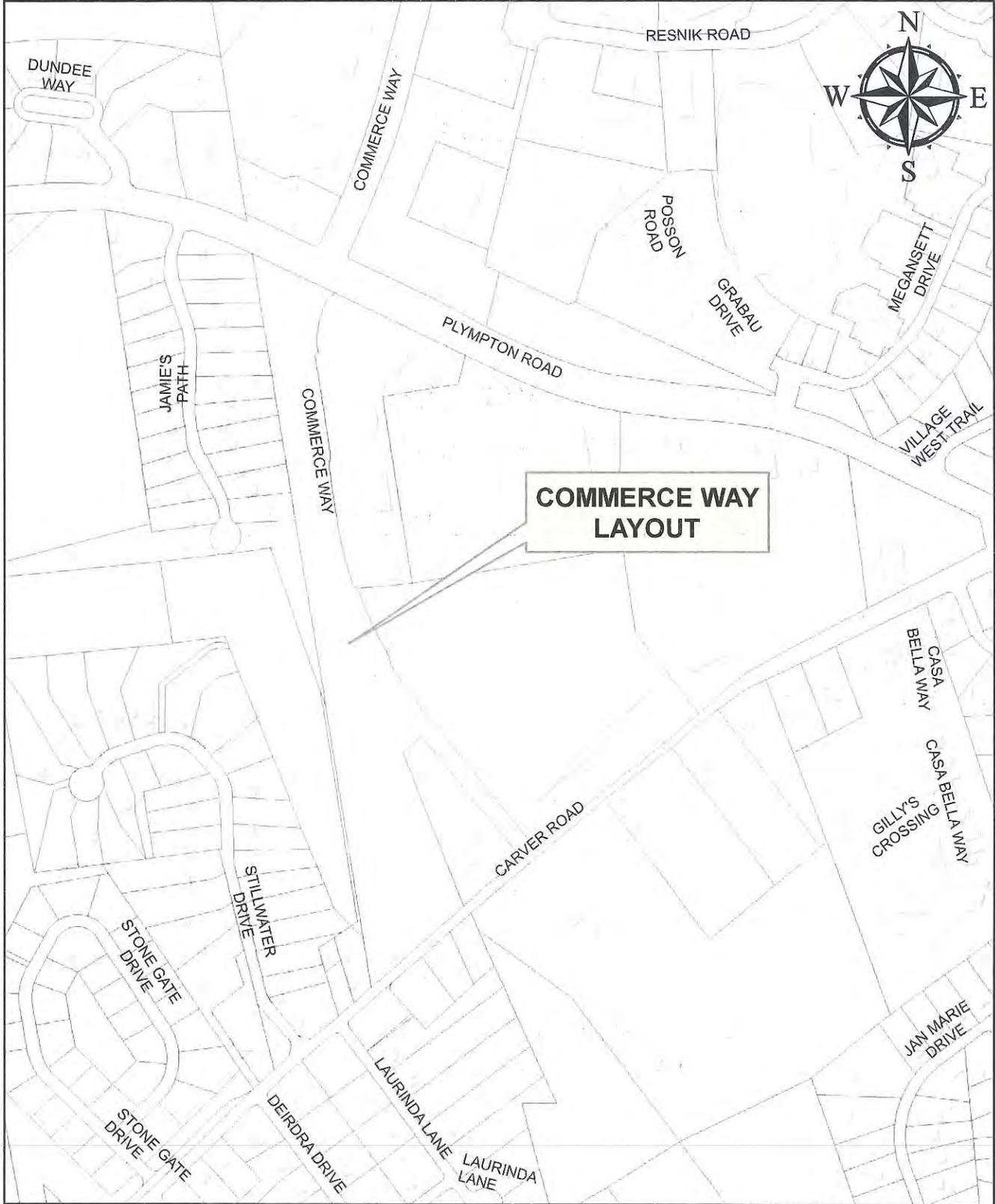
PREPARED BY THE PLYMOUTH ENGINEERING DIVISION



2016 FALL TOWN MEETING LOCUS MAP

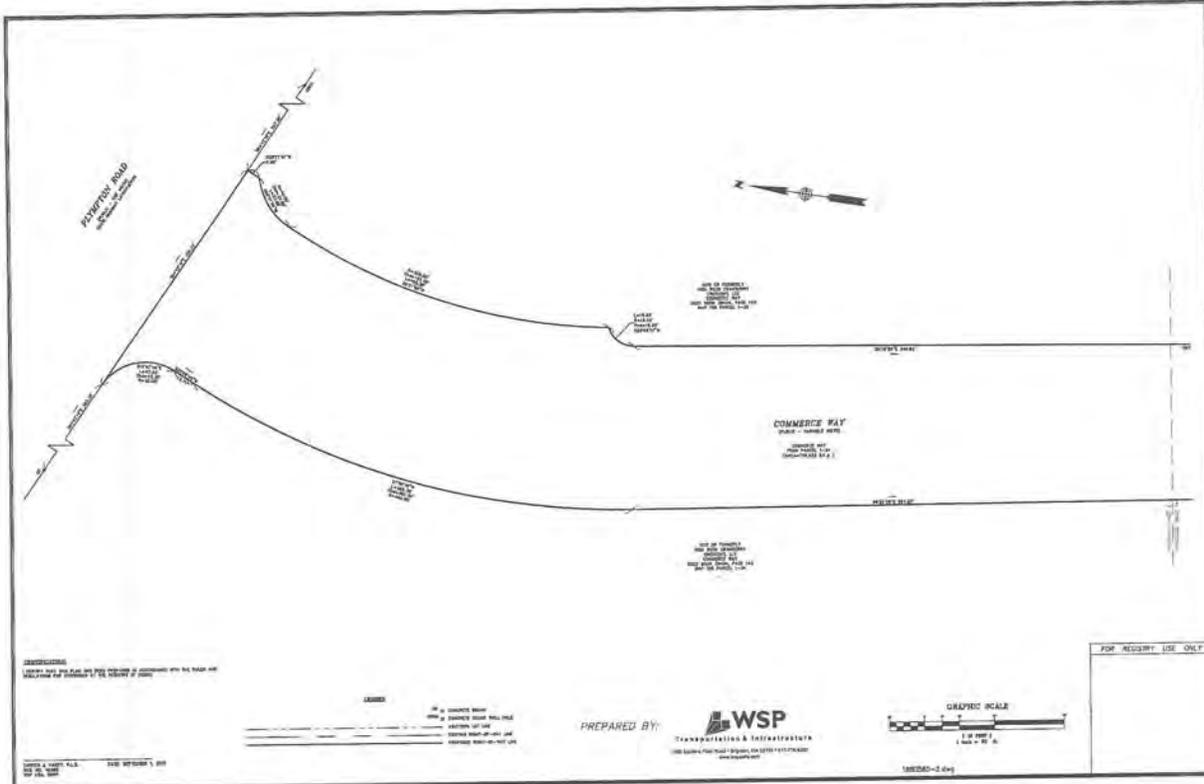
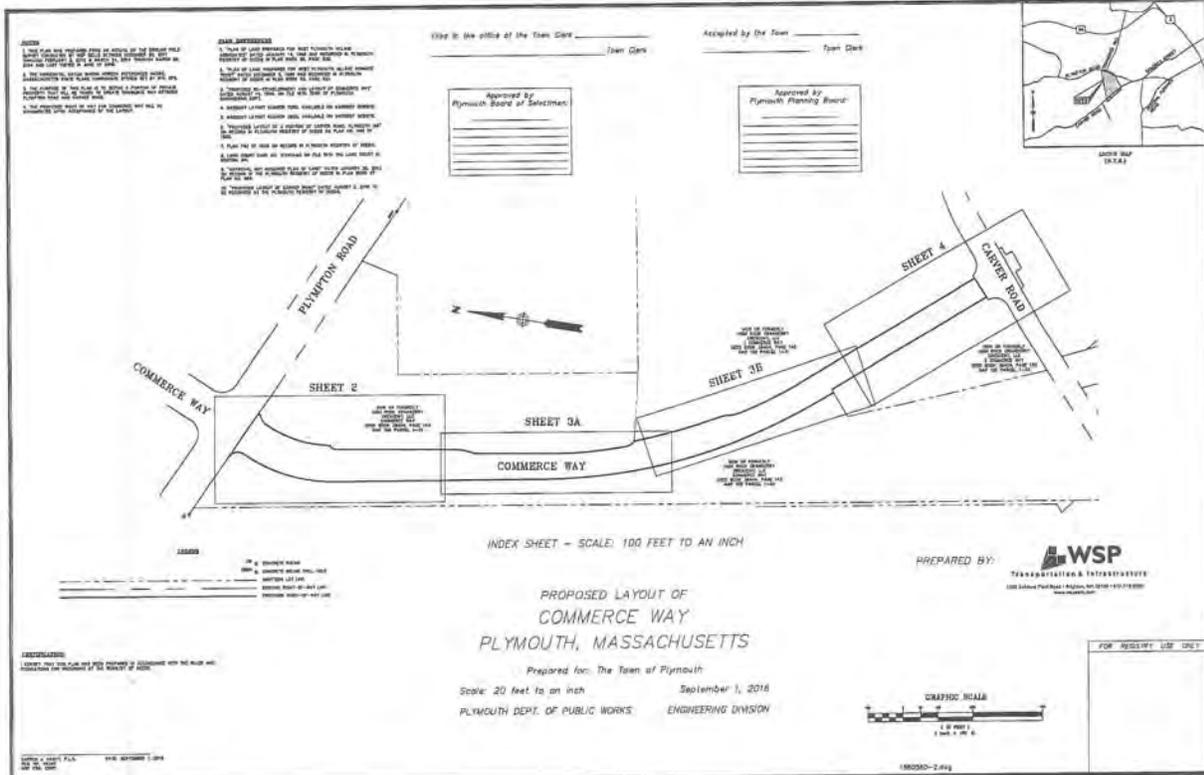
ARTICLE 22,24:
DPW ENGINEERING - COMMERCE WAY LAYOUT

PLAT 105



PREPARED BY THE PLYMOUTH ENGINEERING DIVISION

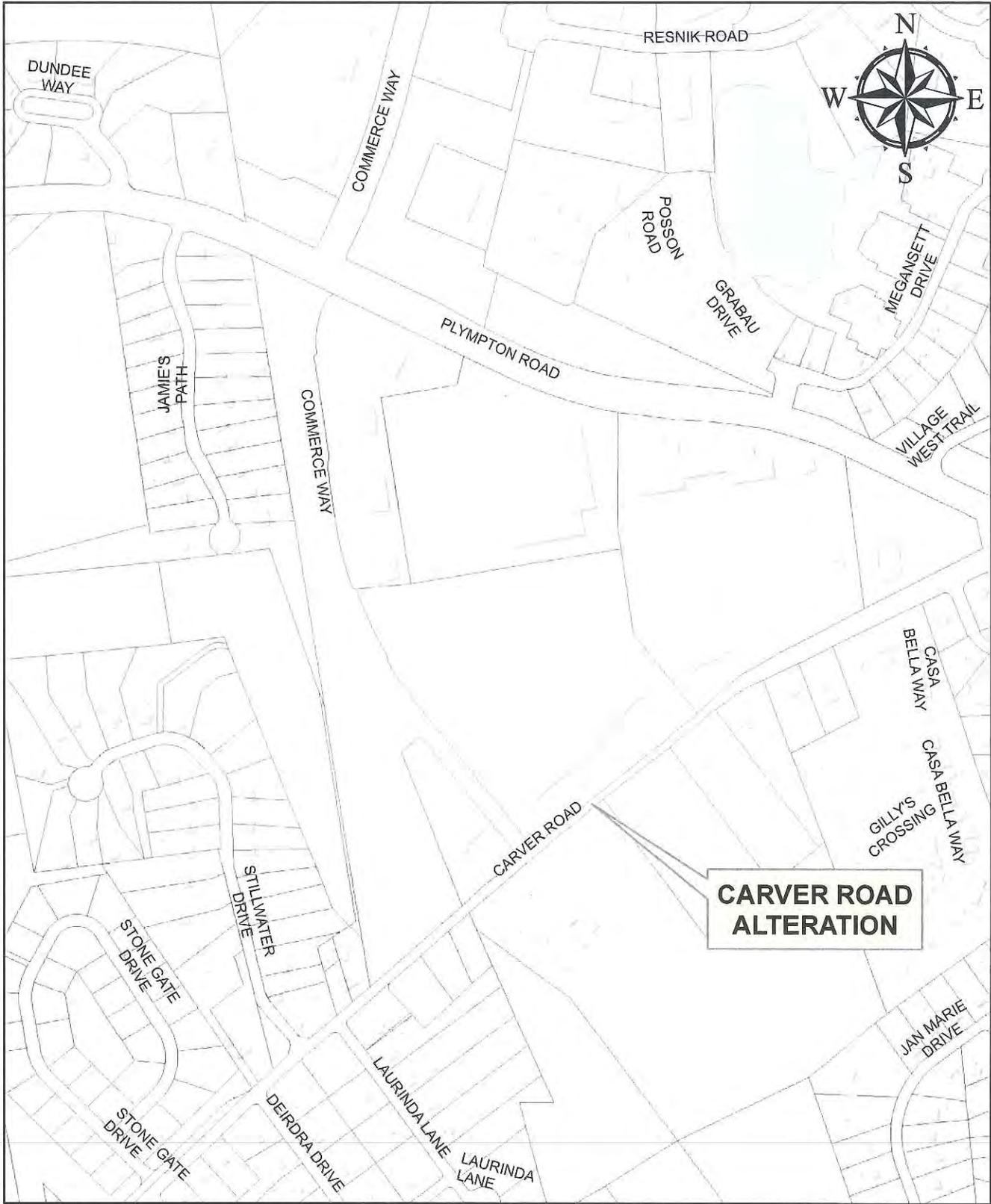




2016 FALL TOWN MEETING LOCUS MAP

ARTICLE 22,24:
DPW ENGINEERING - CARVER ROAD ALTERATION

PLAT 105



PREPARED BY THE PLYMOUTH ENGINEERING DIVISION



ARTICLE 25:

ARTICLE 25: To see if the Town will vote to authorize the Board of Selectmen to acquire, by gift, purchase, or eminent domain, and upon such terms and conditions as it deems appropriate, such temporary and permanent easements for highway and utility purposes in lands along Taylor Avenue as are necessary to carry out the proposed reconstruction/improvement of Taylor Avenue in accordance with the Easement Plan prepared for such project, which plan has been placed on file with the Town Clerk, and further to raise and appropriate, transfer, or borrow a sum of money as may be required for the acquisition of the aforesaid interests in land, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous, 14-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 25. Town Meeting approval of this article will allow the Board of Selectman to begin the process that will lead to the acceptance of temporary and permanent easements either through donation, purchase or eminent domain required to receive funding from the state and federal governments for the reconstruction and improvement of Taylor Avenue. The process is regulated by the Town's bylaws Article 11 and MGL Chapter 79. The project, funded and overseen by the Massachusetts Department of Transportation, will consist of a bridge replacement and significant roadway and pedestrian improvements. The easements are for grading, driveway aprons, set back of utility poles, corners, and, in some cases, sidewalk widening to meet ADA requirements. The total project cost nears \$10 million and has taken 12 years to get to this point. It is scheduled to be advertised by the Massachusetts Department of Transportation in April 2017, with work commencing later in 2017.



TOWN OF PLYMOUTH

Department of Public Works
11 Lincoln Street
Plymouth, Massachusetts 02360

TO: ADVISORY AND FINANCE COMMITTEE

FROM: SID KASHI, P. E. *(S.K.)*
TOWN ENGINEER

Through: JONATHAN BEDER, DIRECTOR OF PUBLIC WORKS

CC: MELISSA ARRIGHI, TOWN MANAGER

DATE: SEPTEMBER 7, 2016

**Subject: 2016 FALL ANNUAL TOWN MEETING – ARTICLE EXPLANATION
ARTICLE 25 – TAYLOR AVENUE EMINENT DOMAIN TAKING**

The proposed Taylor Avenue Project consists of a bridge replacement and significant roadway and pedestrian improvements along Taylor Avenue. Please see the enclosed excerpts from Project's Public Hearing for more details. The Project will be funded and overseen by the Massachusetts Department of Transportation (Mass DOT). The Project is expected to benefit both the owners of land abutting this road and the general public by making travel on the roadway safer and easier. The Town is now in the process of completing a final design plan for the Project and every effort is being made to complete the design so that this project can be funded and advertised by Mass DOT in the late spring of 2017, subject to availability of the funds and the acquisition of the requisite interests in land.

Before the Project can begin, the Town must obtain certain property rights (known as temporary and/or permanent easements) in properties abutting the roadways. The temporary and/or permanent easements will allow the contractor to perform the work associated with the roadway improvements occurring outside of the existing Town Right-of-Way, and allow the Town to use and maintain the improvements once the project is completed. Upon completion the Town intends to alter the Right-of-Way to include the new improvements consistent with the permanent easements it acquires.

The Town expects to ask the affected property owners to donate the required easements, and will be contacting each affected owner individually to discuss these acquisitions. Once discussions with the individual owners have concluded, the Town expects to use the eminent domain procedure to formally acquire the necessary interests in land.

The Eminent Domain taking procedure is regulated by the Town of Plymouth “By-Laws” Article 11, and the Massachusetts General Laws (MGL) Chapter 79. This involves holding a Public Hearing (see attached Public Hearing Notice), hiring an appraiser, completing an Appraisal Report, filing an Order of Taking at the Registry of Deeds and / or making Damage Awards to the affected parties. In anticipation of damage awards for easements being required, the Eminent Domain Hearing was held on Wednesday, June 15, 2016 at 6:00 P.M. This Eminent Domain action will be funded through the State Aid/Chapter 90 and / or Town (Capital Project) appropriation. This Article has been placed in the 2016 ATM Warrant that asks Town Meeting to authorize the Board of Selectmen to carry out these tasks.

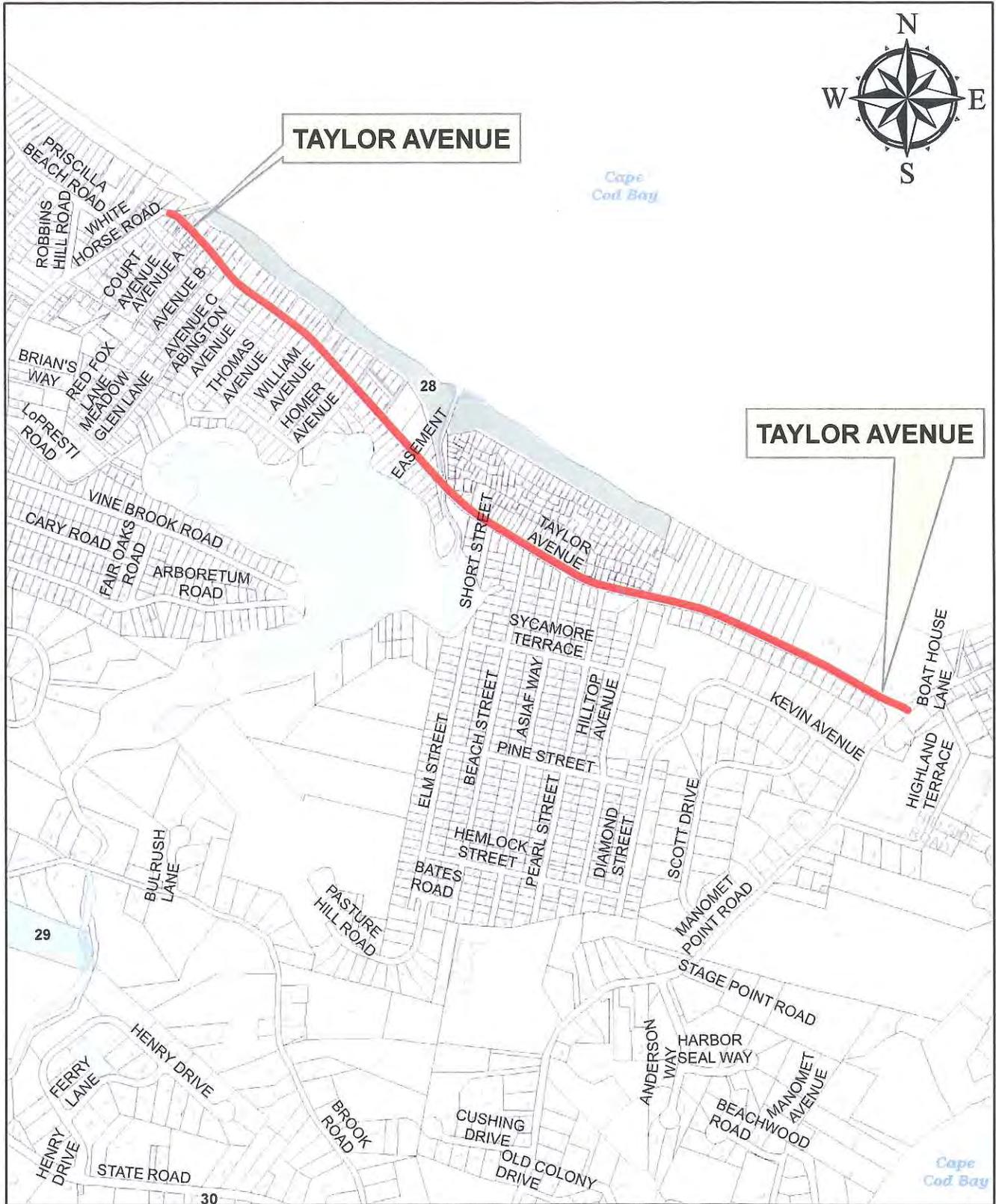
The DPW-Engineering Division recommends that the Advisory and Finance Committee vote to approve and support Article 25 as presented. Representatives of the Engineering Division will be available on September 14, 2016 to present the supporting documents and answer any questions that you may have.

Encl.: Locus Map
Public Hearing Notice
Easement Plan

2016 FALL TOWN MEETING LOCUS MAP

ARTICLE 25:
DPW ENGINEERING - TAYLOR AVENUE

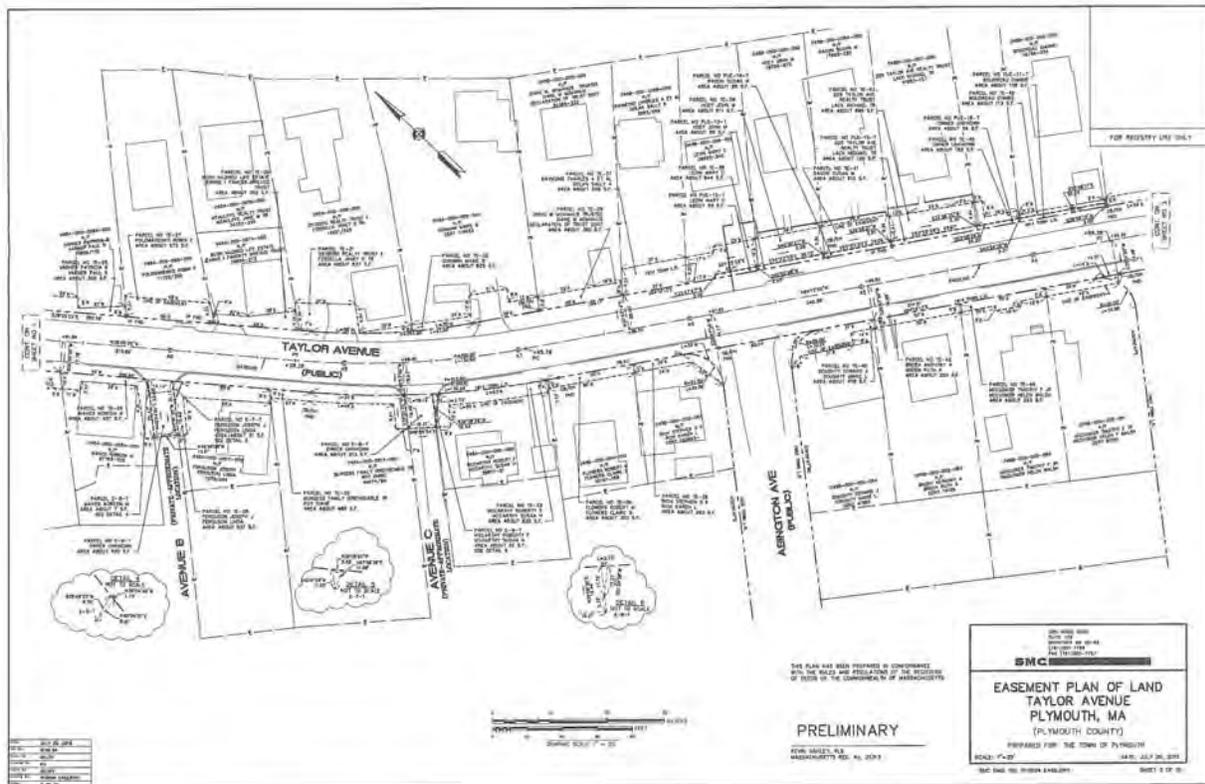
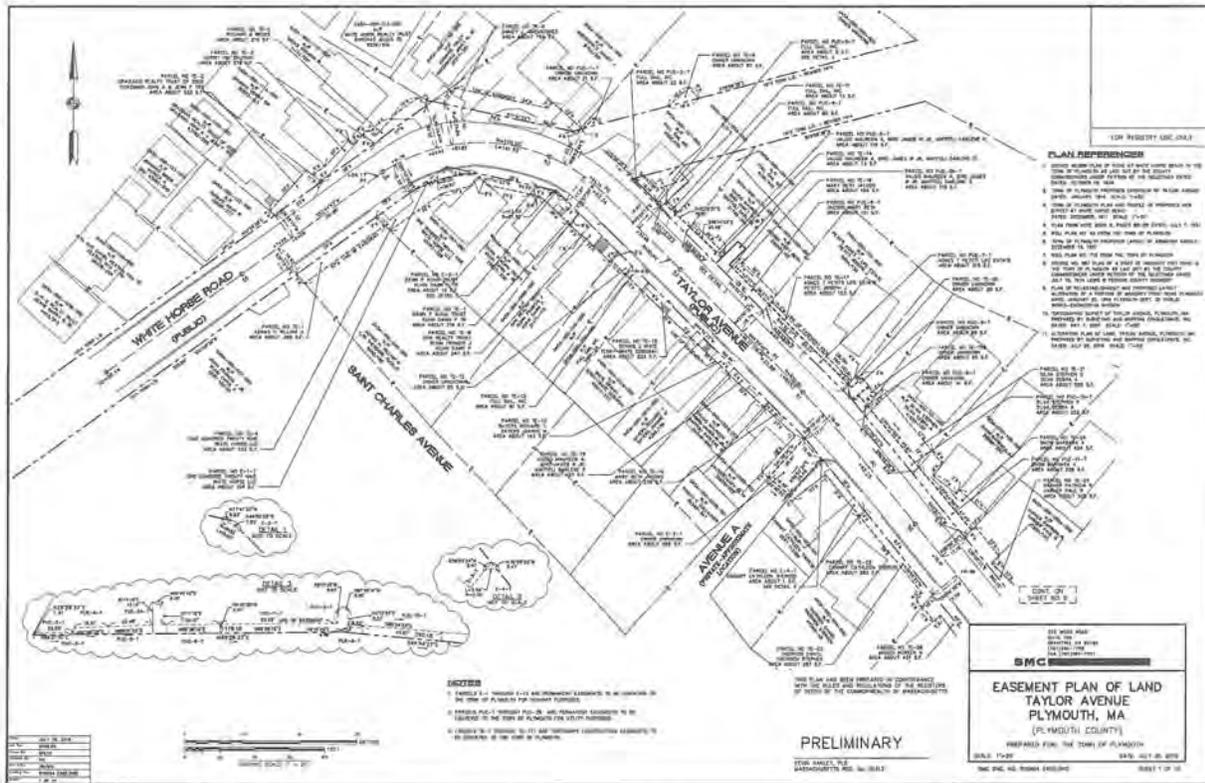
PLAT 45,45A,45B,46

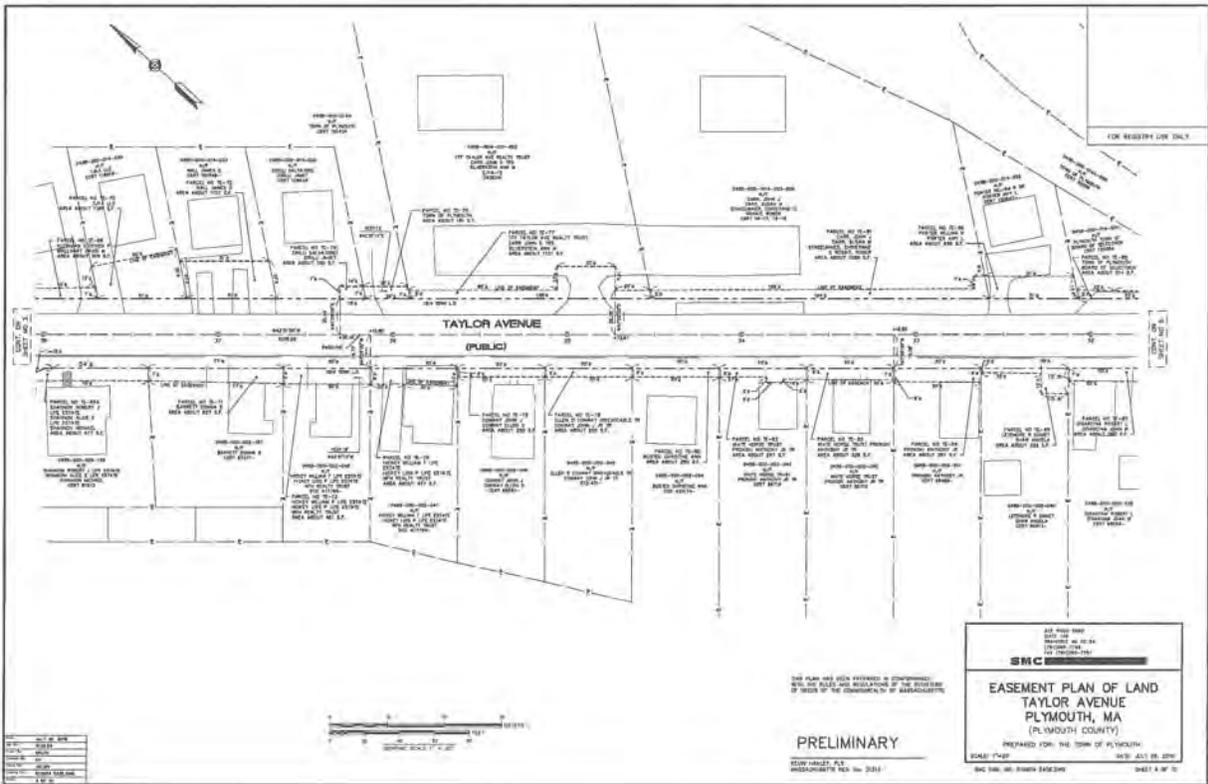
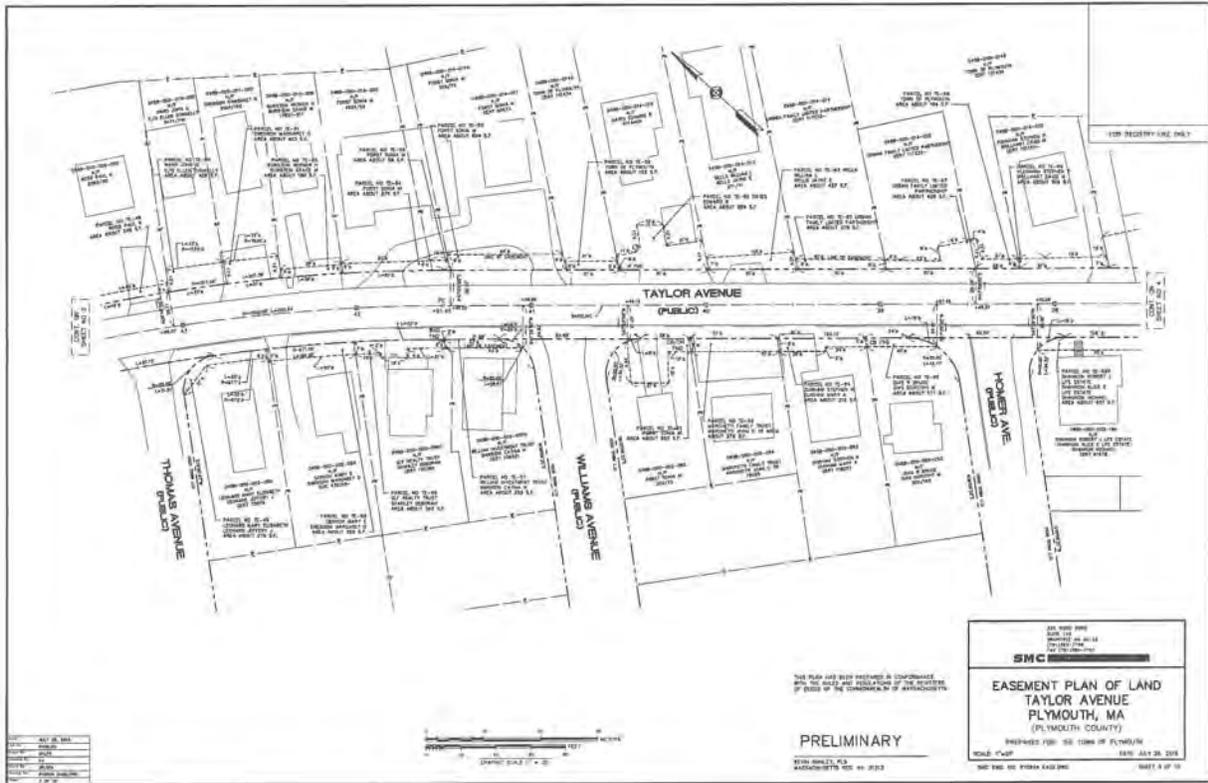


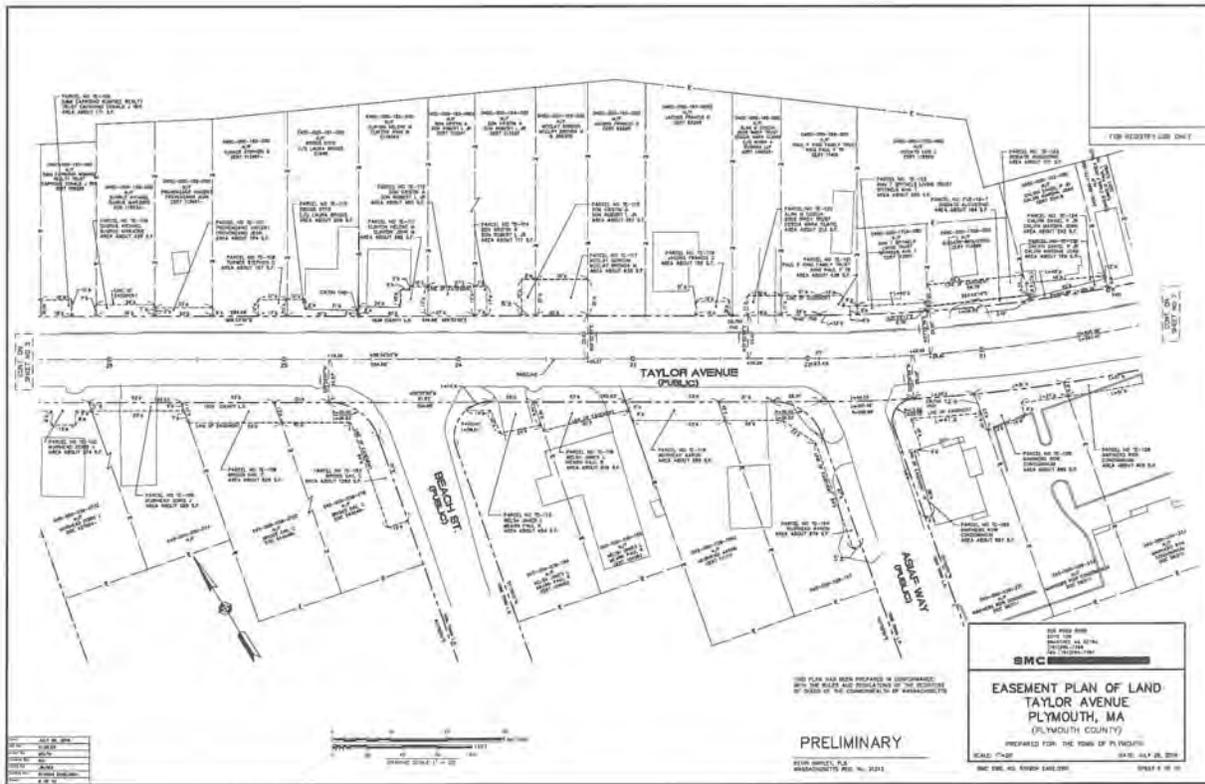
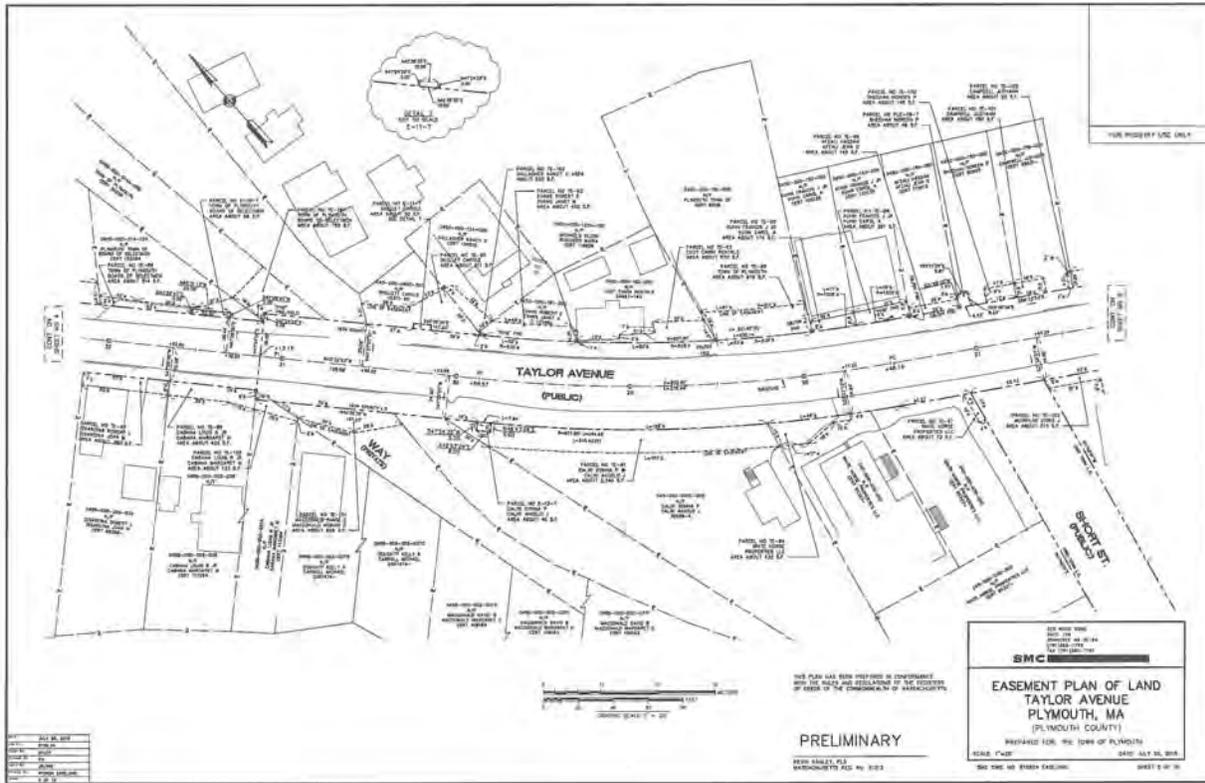
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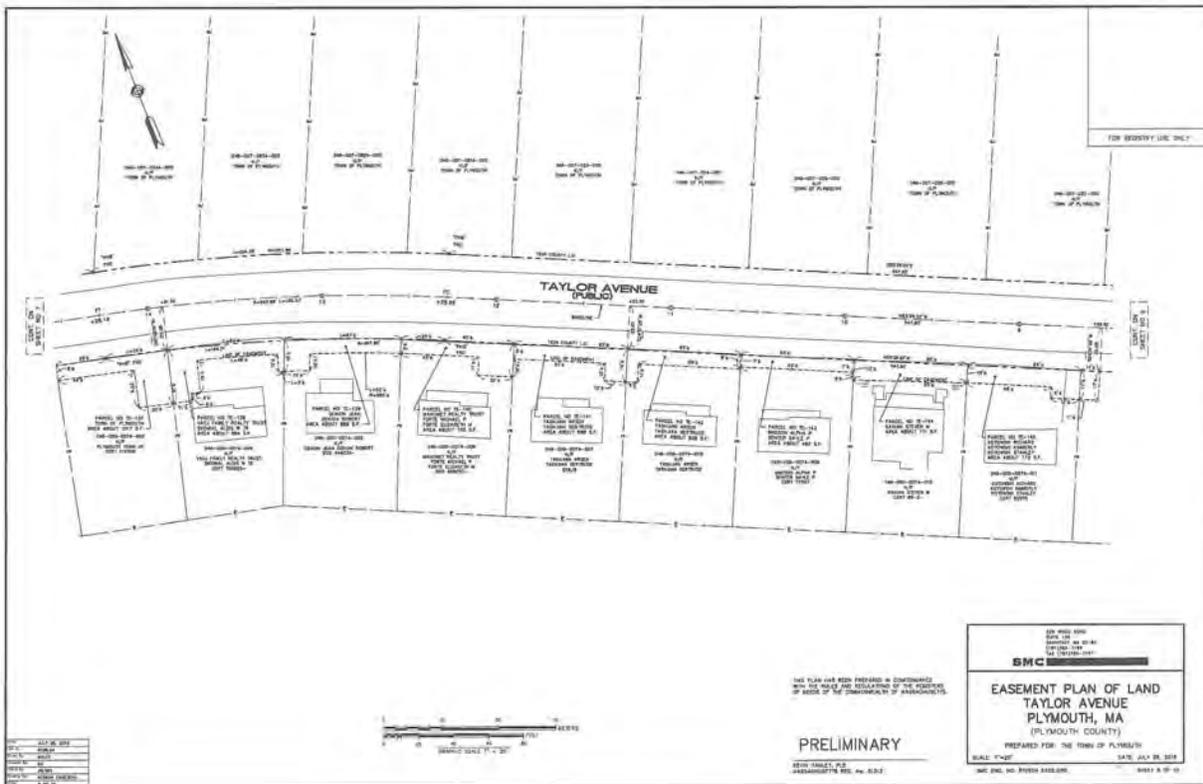
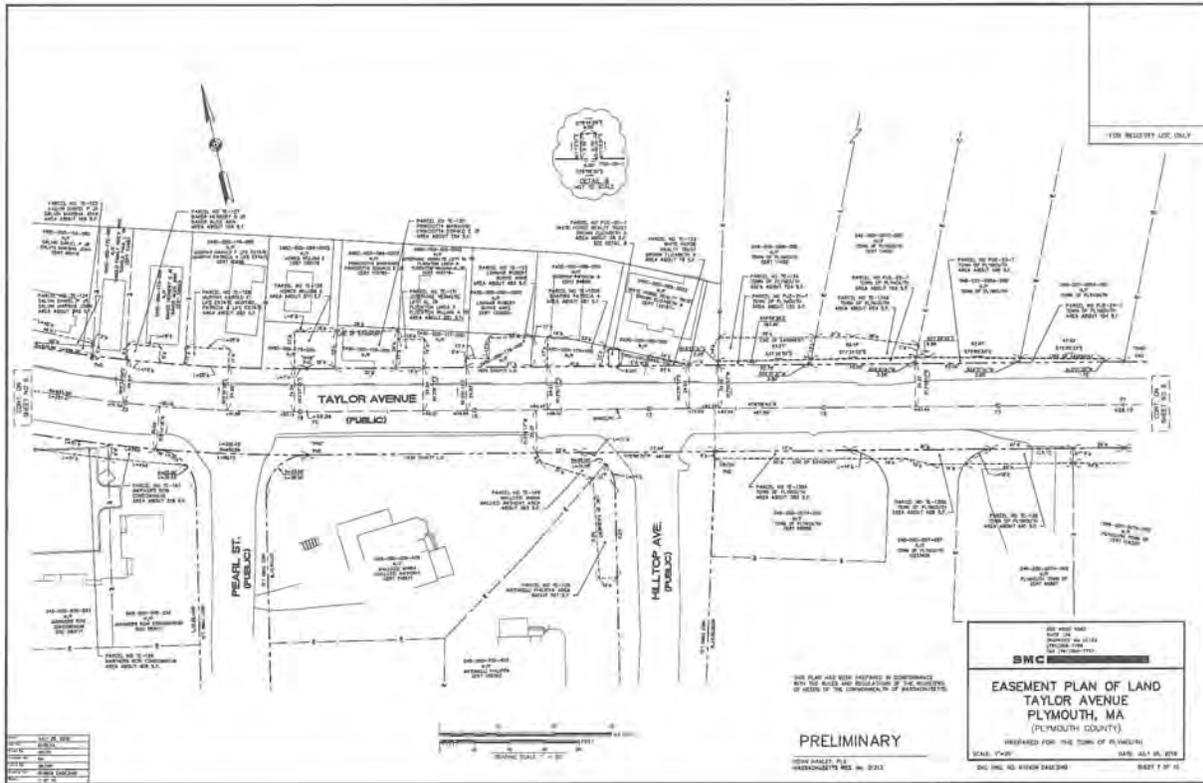
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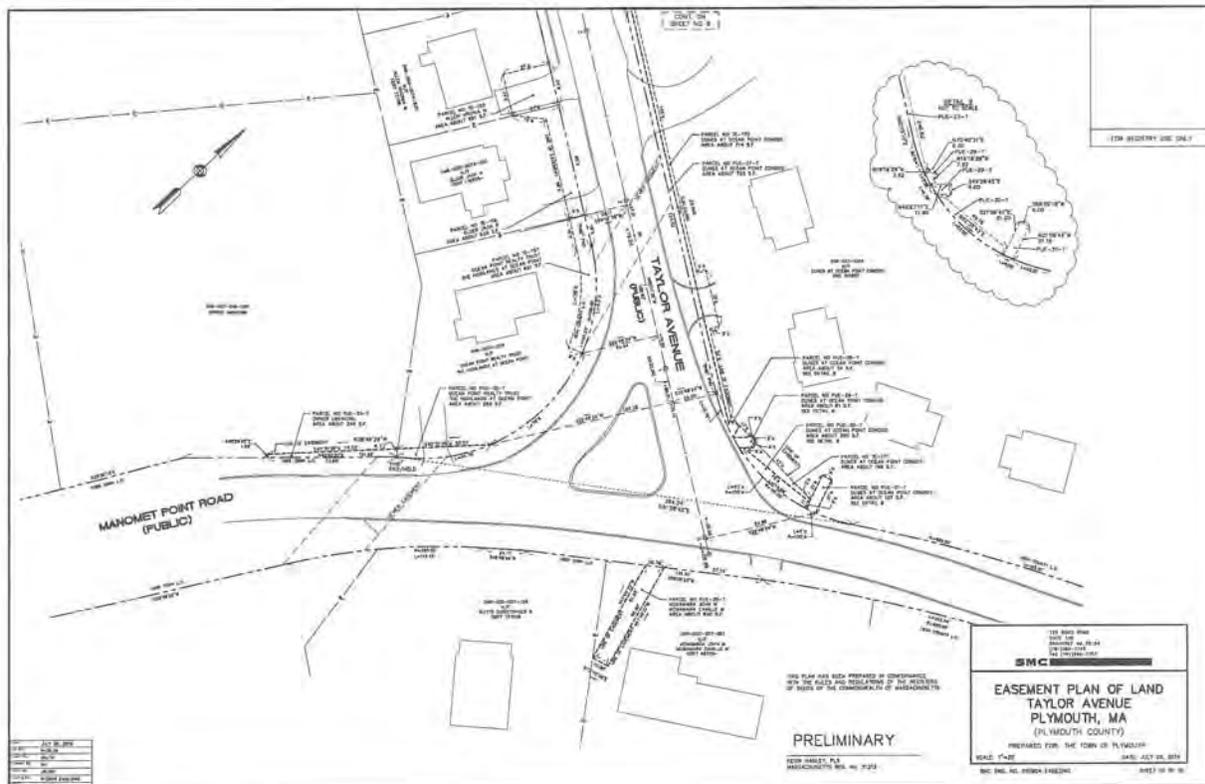
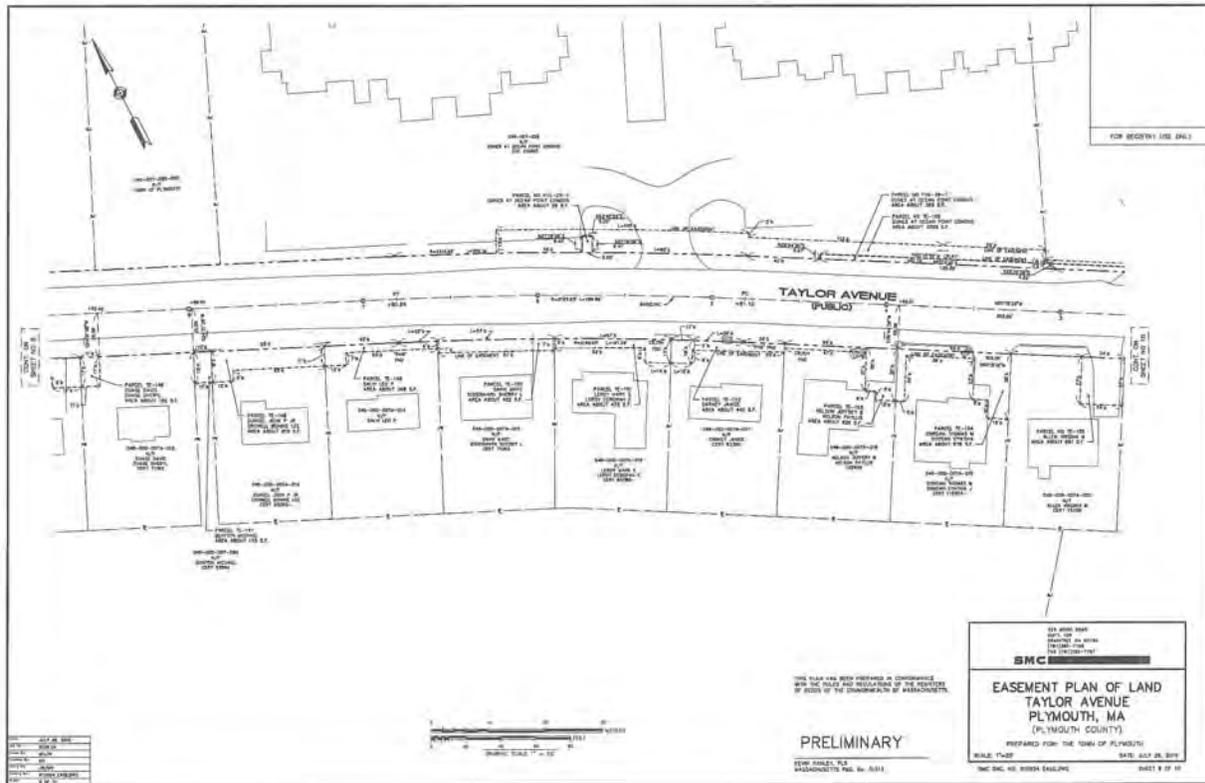
SCALE IN FEET











ARTICLE 26:

ARTICLE 26: To see if the Town will vote to amend the Zoning Bylaw by adopting a bylaw entitled, “Ground Mounted Solar Installations”, authorizing the installation of ground-mounted solar systems in certain districts and under certain conditions and establishing definitions, procedures, and provisions for said installations, on file with the Town Clerk, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (10-2-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 26. Approval of this article will amend the Zoning Bylaw by adopting a bylaw entitled, “Ground Mounted Solar Installations”, authorizing the installation of ground-mounted solar systems in certain districts and under certain conditions. Currently, there is no mention of solar in Plymouth’s bylaws. Having a Solar Bylaw on record is necessary since there are currently three court appeals in progress. Without the bylaw that number may continue to grow, potentially costing the town tens of thousands of dollars or more annually in litigation fees and staff time. The Committee recognizes that this bylaw may not be perfect and has veered from its general principle of not recommending bylaws that may need future amending. The majority felt it was more important to have a bylaw in place than to wait for a perfect one. The bylaw was modified and reheard after changes and amendments, suggested by the Committee, were incorporated into it. This bylaw protects Plymouth’s citizens and their property values. The bylaw provides maximum size limits, requirements for screening, and requirements for abutter notification.

2016 Annual Town Meeting

2016 SEP 13 AM 11:00

Article 26

FINAL REPORT AND RECOMMENDATION OF THE PLANNING BOARD TO
AMEND THE ZONING BYLAW TO CREATE GROUND-MOUNTED SOLAR
PHOTOVOLTAIC SYSTEM REQUIREMENTS

DATE OF PUBLICATION OF PUBLIC HEARING: July 20, 2016
July 27, 2016

DATE OF PUBLIC HEARINGS: August 8, 2016

VOTE: On September 12, 2016, the Planning Board voted (5-0) to support the following amended language to Town Meeting:

NEED AND JUSTIFICATION:

Massachusetts General Laws (Chapter 40A §3) states that “No zoning by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, **except where necessary to protect the public health, safety or welfare.**” Therefore, the Town cannot prohibit the construction of solar energy systems but can establish **reasonable** regulations.

A solar energy system is defined in G.L. c. 40A, Section 1A: “Solar Energy System”, a device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generating, or water heating.

Plymouth’s Zoning Bylaw provides no guidance relative to regulating solar energy systems. The term solar energy systems or even the word solar do not appear in the zoning bylaw. It is not listed as an allowed, special permit or prohibited use in any district (commercial, industrial or residential).

Recently, the Town has permitted a growing number of commercial-scale, ground-mounted solar facilities but currently we have no standards covering the proper installations of such facilities. In the total absence of any guidance, the Planning Board is forced to deal with each case on an ad hoc basis.

This amendment establishes reasonable standards and protections for neighboring residential areas and the Town as a whole which may reduce exposure to costly litigation.

The amendment includes provisions that

- Only apply to ground mounted facilities;

- Require site plan review by the Planning Board on projects within residential zones.
- Prohibit large scale commercial solar facilities (over fifteen acres);
- Establishes natural vegetated buffers and screening measures;
- Establishes removal and decommissioning provisions; and
- Includes stormwater standards.

The following solar facilities are exempt from this amendment:

- Rooftop systems;
- Ground mounted system under 1,500 square feet in size
- Systems located on agricultural land and used for energy generation for the agricultural use; and
- Systems located on commercial and industrial districts.

INTENT:

The intent of this bylaw is to promote the generation of solar energy while preserving the natural environment and supporting reduction of Plymouth’s carbon footprint.

PROPOSED AMENDMENT:

To be inserted:

205-3 Definitions

ACTIVELY OCCUPIED – As applied to the site of a GMSPS, that portion of a Development Site that contains the solar array, accessory structures, interconnection infrastructure and internal vehicle access roads.

DISTURBED AREA – Land which, due to human activity or as a result of natural forces, including but not limited to fire or flooding, is devoid of significant naturally occurring vegetation, the topography of which has been significantly altered or destabilized by any means.

GRID – Power transmission system used to transfer electricity from generation facilities to commercial and residential electric loads.

GROUND-MOUNTED – A solar energy system installed directly on the ground through various ground-mounting technologies which may include fixed, passive tracking or active tracking metal racking.

GROUND-MOUNTED SOLAR PHOTOVOLTAIC SYSTEM (GMSPS) – A ground-mounted, solar energy system that is either:

1. Located on land in agricultural use as defined in G. L. c.128, § 1A and used primarily for the accessory generation of energy for the operation of the agricultural use, or;
2. Installed for the principal purpose of selling generated electricity to the grid.

205-77. Ground-Mounted Solar Photovoltaic Systems

A. **Intent.** The intent of this bylaw is to promote, by-right, subject to Site Plan Review, in all Districts, the generation of solar energy and to minimize the impacts of solar facilities on the character of neighborhoods, on property values, on the scenic, historic and environmental resources of the Town; and to protect health and safety, while allowing solar energy technologies to be utilized.

B. Location and Area Requirements.

Except as otherwise provided herein, GMSPS are allowed by right in all zoning districts subject to Site Plan Review under Section 205-32.

1. Site Plan Review is not required for a GMSPS that:
 - a. Actively occupies 1,500 square feet or less of land and has a total GMSPS height of less than 8 feet from final grade, subject to Section C.2.e.; or
 - b. is located on agricultural land, and used primarily for the accessory generation of energy for the operation of the agricultural use; or
 - c. is located on a Development Site consisting primarily of Disturbed Area and, if located within any of the following Districts, provided a minimum 200-foot Buffer is in place along each Lot line that abuts a Residential District:
 - I. Airport (AP)
 - II. Arterial Commercial (AC)
 - III. General Commercial (GC)
 - IV. Highway Commercial (HC)
 - V. Light Industrial (LI)
 - VI. Light Industrial/Waterfront (LI/WF)
 - VII. Mixed Commerce (MC)
 - VIII. Parking Lots
 - IX. Power Line Utility Easements

2. Prohibited.

- a. A GMSPS that actively occupies more than Fifteen acres in area.
- b. GMSPS are not allowed on parcels in R20-SL, R20-MD, R20-MF, R25, R40 and RR zones that have been previously disturbed (i.e. cleared or substantially cleared of natural vegetation by other than natural forces such as fire or flood) for a period of five years from the date of disturbance.

C. Standards. The following standards apply to all GMSPS:

1. **Setback** – A GMSPS site and construction thereon shall conform to the dimensional and intensity requirements set forth in Table 5 of the Zoning Bylaw.

2. **Design** –

- a. **Lighting** – High efficiency lighting, such as LED, or equivalent, shall be limited to that required for safety and operational purposes, and shall comply with the requirements of §205-65 Prevention of Light Pollution.
- b. **Utility Connections** – Cabling and utility connections within the GMSPS shall be placed underground.
- c. **Security** – The GMSPS must be physically secured by measures including, but not limited to, appropriate fence material, construction, locking devices and surveillance equipment.
- d. **Signage** –
 - i. Required: A sign complying with Sign bylaw §205-19 shall identify the owner and operator, if not the same, and provide the following information: business name for any company or other entity owning and/or operating the installation, with the business address and name of a contact person for each; electric utility or other safety warnings and a 24-hour emergency contact phone number.
 - ii. Prohibited: Any advertising display.
- e. All emergency vehicle access ways shall conform to dimensional requirements of the Plymouth Fire Department.
- f. Screening, as defined in §205-3, shall be installed to shield residences from a GMSPS.
- g. Buffers as defined in §205-3 are required as follows:
 - i. A minimum of 75 feet for 1 to 2 MW DC systems;
 - ii. A minimum of 150 feet for systems greater than 2 MW DC.

3. **Land Clearing, Soil Erosion and Habitat Impacts.**

- a. Clearing of native vegetation on any undeveloped or land in its natural state shall be limited to that necessary for the construction, operation and maintenance of the GMSPS. Effective internal storm water management and erosion control features shall be maintained at all times during and post-construction. Installed fencing shall maintain a minimum distance of 8 inches from final grade for small wildlife passage.
- b. Stormwater management controls shall comply with Plymouth's Stormwater Design Guidelines. Percolation tests will be required if no stormwater system controls are provided.
- c. Management of all vegetated areas within the GMSPS shall be maintained throughout the life of the project through mechanical means and without the use of chemical herbicides.

4. **Information Required with Zoning Permit for all GMSPS.**

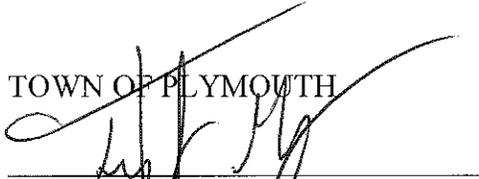
- a. **Landscape Plan** – A landscape plan prepared by a Registered Landscape Architect is required and shall include location of existing significant trees, shrubs and grasses to remain and all proposed additions, identified by specimen size and species at installation. Low growth vegetation shall be planted and maintained in areas under GMSPS rack equipment.
- b. **Materials** – Manufacturer’s specifications for a proposed GMSPS shall be provided for all equipment and attendant facilities and include documentation of the major system components to be used, including panels, mounting system, rated name plate capacity, colors, inverter and interconnection details.
- c. **Safety** – The GMSPS Owner or Operator shall submit a copy of the project summary, electrical schematic, and Development Site plan to the Building Commissioner, with a copy for review by the Fire Chief. Instructions to de-energize the system shall be made available to public safety personnel. The owner or operator shall identify a responsible person for public inquiries throughout the life of the GMSPS.
- d. **Financial Surety** – Except for a municipally owned GMSPS, a project designed to generate in excess of 2MW shall require a performance guarantee in the form of a cash bond in an amount approved by the Building Commissioner to cover the cost of GMSPS removal in the event the town must remove the installation and stabilize the Development Site with loam and seed.

5. **Other Requirements.**

- a. **Notification** – At least 60 business days prior to the commencement of work on a project, the GMSPS Owner/Operator shall notify abutters within 300 feet of when work will commence and that site plans are available for public review at Town Hall.
- b. **Modification** – A substantial modification to a GMSPS shown on an approved Site Plan shall require Site Plan modification in compliance with the standards and procedures applicable to the original application.
- c. **Segmentation** – Adjacent parcels in the same ownership or control shall be deemed to be one parcel for purpose of calculating the area limitation of §B.2 above.
- d. **Abandonment** – A GMSPS shall be deemed abandoned when its operations are discontinued for more than one year without the written consent of the Building Commissioner; or if the Building Commissioner has determined that the installation is a hazard to public safety and the conditions have not been corrected within three months. A GMSPS must be removed by its owner and the site restored when it has been abandoned as provided herein.

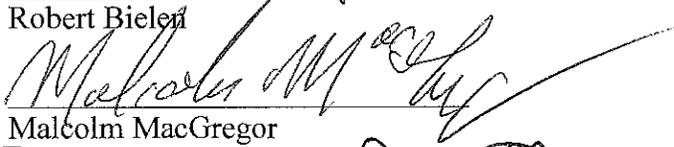
- e. **Site Restoration** – A GMSPS must be removed by its owner within 150 days from the date of discontinuation of operations. The owner or operator shall notify the Building Commissioner by certified mail of the proposed date of discontinuation and provide detailed plans and schedule for GMSPS removal and restoration of the site to a function approved by the Building Commissioner or to a natural vegetative state.
- f. **Exemption** – This Section 205-77 shall not apply to a GMSPS for which a zoning permit was issued and was still in effect as of July 20, 2016 [the first publication date of notice of the August 8, 2016 Planning Board public hearing], but the record owner of the land shall have the right to waive this exemption, in which case this Section 205-77 shall apply.

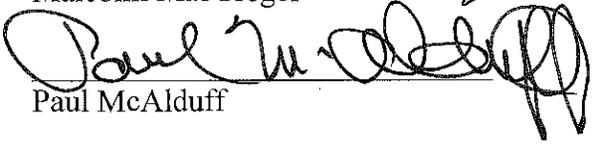
TOWN OF PLYMOUTH


 Timothy Grandy, Chairman


 Kenneth Buechs


 Robert Bielea


 Malcolm MacGregor


 Paul McAlduff

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD:

September 12, 2016

DATE FILED WITH TOWN CLERK:

September 13, 2016

cc: Town Clerk
 Board of Selectmen
 Advisory and Finance Committee

ARTICLE 27:

ARTICLE 27: To see if the Town will vote to receive a document entitled “West Plymouth Village Center Master Plan Update”, dated October 2016, on file with the Town Clerk, or take any other action relative thereto.

BOARD OF SELECTMEN

RECOMMENDATION: Approval (Unanimous 12-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 27. Approval of this article will accept the “West Plymouth Village Center Master Plan Update” dated October 2016. The last plan was created in 1993. The West Plymouth Village Steering Committee, working with Planning staff and the Planning Board, have updated the plan to reflect current conditions and future goals for the West Plymouth Village Center. The Master Plan will be used to guide public investments and private development over the next decade. There are five village master plans and each supports the overall Plymouth Strategic Plan.

2016 Fall Annual Town
Meeting

2016 AUG 30 AM 10:44

Article 27

FINAL REPORT AND RECOMMENDATION TO ACCEPT THE
UPDATE TO THE WEST PLYMOUTH VILLAGE CENTER MASTER
PLAN

DATE OF PUBLICATION OF PUBLIC HEARING:

August 3, 2016 and August 10, 2016

DATE OF PUBLIC HEARING:

August 22, 2016

VOTE: On August 22, 2016, the Planning Board voted unanimously (5-0) to recommend that Town Meeting accept the updated West Plymouth Master Plan.

PROPOSED PLAN:

The West Plymouth Master Plan has been updated to reflect current conditions and future goals for the West Plymouth Village Center. The Master Plan will be used to guide public investments and private development over the next decade.

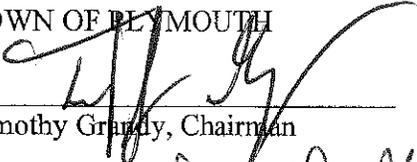
The Plymouth Planning Board, originally adopted the *West Plymouth Village Center Master Plan* in 1993. The West Plymouth Steering Committee, a Town Charter committee appointed by the Planning Board, is an advisory body with the primary functions being to assist in the implementation of the West Plymouth Master Plan and to advocate for the needs of the area,

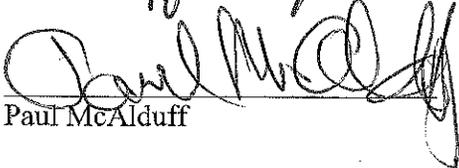
An initial brainstorming session with the Plymouth Planning Board took place in August of 2011, with continued efforts from the West Plymouth Steering Committee, residents of West Plymouth and the Planning Board to refine West Plymouth's goals and objectives as outlined in the proposed 2016 Master Plan update.

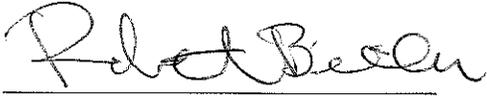
Attached is the Executive Summary from the update to the West Plymouth Plan.

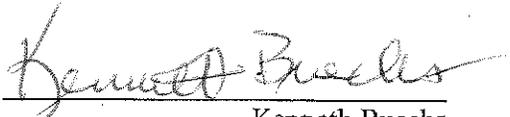
Full copies can be made available by contacting the Planning office or by visiting the Planning Board section of the town website.

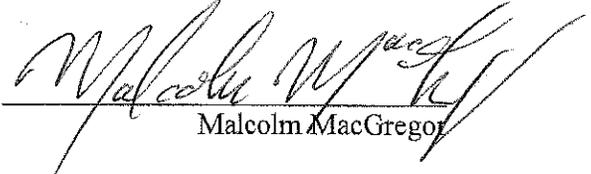
TOWN OF PLYMOUTH


Timothy Grady, Chairman


Paul McAluff


Robert Bielen


Kenneth Buechs


Malcolm MacGregor

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD:

August 29, 2016

DATE FILED WITH TOWN CLERK:

August 30, 2016

c:

Town Clerk
Board of Selectmen
Advisory and Finance Committee

WEST PLYMOUTH VILLAGE CENTER MASTER PLAN UPDATE

OCTOBER 2016



EXECUTIVE SUMMARY

With just over 10,000 people and 5,300+/- acres, West Plymouth is Plymouth's largest and most expansive village. Developed in the 1970s and 1980s as a residential suburb of downtown Plymouth; West Plymouth now includes properties, businesses and industry that provide much of the Town's economic development with the Plymouth Industrial Park, the Airport, General and Arterial Commercial areas, and Mixed Commerce area along Route 44.

The West Plymouth Master Plan was created in 1993. This update includes new core goals, a list of priority key actions, and a proposed pilot project, all established by the West Plymouth Steering Committee.

The West Plymouth Master Plan Priority Checklist includes eleven (11) items established within the five (5) core goals that include policies and actions.

Priority Checklist

- Community Identity:
 1. Brand
 2. Trails
- Environmental:
 3. Expand open space network for passive recreation
 4. Protect the aquifer and ground water resources
- Recreation & Public Spaces:
 5. Improve and expand existing parks
 6. Establish a Community Center
- Safety- Infrastructure Improvements:
 7. Improve Plympton Road / Carver Road Intersection
 8. Improve Federal Furnace / South Meadow Road Intersection
 9. Improve Samoset Street and Marc Drive Intersection
 10. Provide a sidewalk along South Meadow Road
 11. Continue the sidewalk along Plympton Road

Five Core Goals

- I. Community Identity - Sense of Place
- II. Economic Development
- III. Environmental Protection & Open Space
- IV. Infrastructure Maintenance, Improvements & Safety
- V. Recreation & Public Spaces

Pilot Project

West Plymouth Steering Committee chose to pursue "Branding" of West Plymouth to initiate the implementation of the master plan and create identifying elements that signify West Plymouth.

ARTICLE 28: To see if the Town will vote to amend the General By-Laws by adopting a bylaw entitled “Plastic Bag Ban” as follows: or take any other action relative thereto:

SECTION 1 – DEFINITIONS

CARRYOUT BAG:

A carryout bag is a thin film plastic bag of a thickness less than 3 mils with handles provided to a customer by an establishment and is used to transport merchandise from the establishment. Carryout bags do not include bags typically without handles used to contain dry cleaning, newspaper, small bags to contain fish, meats, produce or other products selected by the consumer to deliver items to the point of sale.

REUSABLE CARRYOUT BAG

A Reusable Carryout meets all of the following requirements:

[1] Is made solely of or in a combination of natural cloths, synthetic fibers, other washable material; or of a non-toxic plastic as defined by applicable state and federal regulations that is no less than 3 mils thick and has the word “Reusable” or “Reuse” printed on the outside of the bag in a visible manner.

[2] Is specifically designed for multiple reuse and has handles.

RECYCLABLE PAPER BAG

A paper bag that [1] is 100% recyclable and [2] contains at least 40% post-consumer recycled paper content.

ESTABLISHMENT:

An Establishment means any business selling goods, articles, or personal services to the public, including restaurants, with a gross interior space of 3000 square feet or larger; or has at least two (2) locations under the same ownership or brand name within the Town of Plymouth.

SECTION 2: Findings, Purpose, and Declaration

(a) Findings. The town meeting finds and determines that:

1. Thin plastic bags are harmful to the environment.
2. Thin plastic bags are part of litter resulting in the Town being a less desirable place in which to reside and do business.
3. Thin plastic bags are a danger to marine and land animal life.

(b) Purpose. The purpose of this bylaw is:

1. To help lessen the deterioration of the environment.
2. To further educate the public regarding the importance of using biodegradable materials.
3. To provide additional enforcement to protect public and private property from litter.
4. To encourage the use of reusable carryout bags and thereby decrease plastic waste.

(c) Declaration. The town meeting declares that these plastic bags are a nuisance which must be abated according to the provisions and regulations herein contained.

SECTION 3. PLASTIC BAG BAN/PROHIBITION

No Establishment in the Town of Plymouth, as defined in Section 1, shall provide thin film plastic carryout bags as defined in Section 1. Establishments in the Town of Plymouth, as defined in Section 1, shall only provide Reusable Carryout Bags that comply with the definition in Section 1. Nothing in this section shall be read to preclude any Establishment from utilizing Recyclable Paper Bags, with or without handles, at the point of sale.

SECTION 4. ENFORCEMENT

This Bylaw may be enforced by any agent of the Board of Health.

All of the requirements set forth in this by-law shall take effect within six months of the approval of the bylaw by the Office of the Massachusetts State’s Attorney General and satisfaction of the posting/publication requirements of G.L. c. 40, § 32. However, if a retail establishment cannot comply with the effective date of this by-law due to economic hardship, the establishment may petition the Board of Health for an extension of six months.

This Bylaw may be enforced through any lawful means in law or in equity, including, but limited to, non-criminal disposition pursuant to M.G.L c.40, Section 21D and the appropriate chapter of the Town’s General By-laws. If a non-criminal disposition is elected, then any Establishment that violates any provision of this Bylaw shall be subject to the following penalties:

First Offense:	Written Warning
Second Offense:	\$50 fine
Third Offense:	\$100 fine
Subsequent offenses:	\$200 fine

SECTION 5: SEVERABILITY

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.

BY PETITION: Kenneth Stone and Lee Burns et al.

RECOMMENDATION: Approval (7-3-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 28. Approval of this article will amend the General By-Laws by adopting a bylaw entitled “Plastic Bag Ban”. The goal of this ban is to reduce waste, litter, death of birds and ocean life, and toxins leaching into the environment from the breakdown of plastic bags. 36 Massachusetts towns have plastic bag bans. This bylaw applies only to businesses of more than 3,000 square feet or with more than 1 location in Plymouth, so most independent retailers will be exempt. These larger stores are familiar with and comfortable with the transition away from plastic. Paper bags will still be provided to consumers and consumers are encouraged to utilize reusable shopping bags, often given out as free promotions. After considerable discussion and deliberation, the majority felt that this could be a step toward cleaning up the town and protecting its environment for future generations.

ARTICLE 28: To see if the Town will vote to amend the General By-Laws by adopting a bylaw entitled “Plastic Bag Ban” as follows: or take any other action relative thereto:

SECTION 1 – DEFINITIONS

CARRYOUT BAG:

The term “A carryout bag” shall mean ~~is~~ a thin film plastic bag of a thickness less than 3 mils with handles provided to a customer by an establishment and is used to transport merchandise from the establishment. The term “C carryout bags” shall ~~do~~ not include bags typically without handles used to contain dry cleaning or; newspaper, or those small bags used to contain ~~small bags to contain~~ fish, or meats, or to deliver items to the point of sale, including but not limited to produce or other products selected by the consumer ~~to deliver items to the point of sale.~~

REUSABLE CARRYOUT BAG

The term A “Reusable Carryout Bag” shall be: ~~meets all of the following requirements:~~

[1] ~~Is~~ made solely of or in a combination of natural cloths, synthetic fibers, other washable material; or of a non-toxic plastic as defined by applicable state and federal regulations that is no less than 3 mils thick and has the word “Reusable” or “Reuse” printed on the outside of the bag in a visible manner; and;

[2] ~~Is~~ specifically designed for multiple reuse and has handles.

RECYCLABLE PAPER BAG

A “Recyclable Paper Bag” shall be a ~~paper~~ bag that [1] is 100% recyclable and [2] contains at least 40% post-consumer recycled paper content.

ESTABLISHMENT:

~~An~~ The term “Establishment” shall means any business within the Town of Plymouth selling goods, articles, or personal services to the public, including restaurants, with a gross interior space of 3000 square feet or larger; or ~~has~~ having at least two (2) locations under the same ownership or brand name within the Town of Plymouth.

SECTION 2: Findings, Purpose, and Declaration

(a) **Findings.** The ~~T~~ Town ~~M~~ Meeting finds and determines that:

1. ~~Thin plastic Carryout B~~ Thin plastic Carryout Bags are generally harmful to the environment in many ways, including that: their manufacture involves dangerous chemicals and in turn creates related health and environmental issues: they are not biodegradable and remain in landfills for an indeterminate period; and pose ~~strangulationsuffocation~~ dangers to children.

2. ~~Thin plastic Carryout B~~ Thin plastic Carryout Bags are part of litter resulting in the Town being a less desirable place in which to reside and do business.

3. ~~Thin plastic~~ Carryout Bbags are a danger to marine and land animal life.

(b) Purpose. The purpose of this bylaw is to:

1. ~~To h~~Help lessen the deterioration of the environment.
2. ~~To f~~Further educate the public regarding the importance of using biodegradable _____ materials.
3. ~~To p~~Provide additional enforcement to protect public and private _____ property from litter.
4. ~~To e~~Encourage the use of reusable carryout bags and thereby decrease plastic waste.

(c) Declaration. ~~The T~~own ~~M~~meeting declares that for all these reasons, as well as others, that these plastic Carryout Bbags are a nuisance to the Town which that must be abated according to the provisions and regulations herein contained as set forth herein.

SECTION 3. PLASTIC BAG BAN/PROHIBITION

No Establishment in the Town of Plymouth, ~~as defined in Section 1,~~ shall provide thin film plastic Carryout bags as defined in Section 1. Establishments in the Town of Plymouth in the Town of Plymouth, as defined in Section 1, shall only provide Reusable Carryout Bags or that comply with the definition in Section 1. ~~Nothing in this section shall be read to preclude any Establishment from utilizing Recyclable Paper Bags, with or without handles, at the point of sale.~~

SECTION 4. ENFORCEMENT

~~This Bylaw may be enforced by any agent of the Board of Health.~~

~~All of the requirements set forth in this by law shall take effect within six months of the approval of the bylaw by the Office of the Massachusetts State's Attorney General and satisfaction of the posting/publication requirements of G.L. c. 40, § 32. However, if a retail establishment cannot comply with the effective date of this by law due to economic hardship, the establishment may petition the Board of Health for an extension of six months.~~

~~The provisions of this bylaw may be enforced by any Police Officer of the Town of Plymouth or agent of the Board of Health is Bylaw may be enforced by through any lawful means available in law or in equity, including, but limited to, non-criminal disposition pursuant to M.G.L c.40, Section 21D and Chapter 1, §1-3 of the this Code. Each day a violation exists shall constitute a separate violation. the appropriate chapter of the Town's General By laws. When enforced through non-criminal disposition, the penalties shall be as follows:~~

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

-

First Offense:

Written Warning

Second Offense: \$50 fine
Third Offense: \$100 fine
Subsequent offenses: \$200 fine

SECTION 5. EFFECTIVE DATE AND EXTENSIONS FOR COMPLIANCE.

This bylaw shall take effect following approval of the Attorney General and compliance with the provisions of G.L. c.40, §32.

Establishments shall be required to comply with the requirements set forth herein six months following the effective date of the bylaw; provided, however, that an Establishment that cannot comply therewith shall be provided, upon request, with a single six month extension.

SECTION ~~6~~5: SEVERABILITY

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.

BY PETITION: Kenneth Stone and Lee Burns et al.



PLYMOUTH PROPOSES A BAN ON THIN FILM PLASTIC CARRYOUT BAGS

- **Plastic bags are hard to recycle:** Plymouth does not accept plastic bags for recycling. Neither does Waste Management, the country's largest trash hauler. It is now cheaper to make a new plastic bag than to recycle one.
- **Most plastic bags are not recycled:** Americans use approximately 100 billion plastic carryout bags each year; between 86 and 95% of these bags are not recycled (EPA figures).
- **Plastic bags are found as litter throughout Plymouth:** Plymouth's annual beach and town wide clean ups find large numbers of plastic bags along with other plastics. The Ocean Conservancy found that plastic bags make up the 3rd largest type of litter from land-based sources found on U.S. Coasts, surpassed only by cigarette butts and plastic bottle caps.
- **Plymouth uses millions of plastic bags annually:** According to a survey by the Mass Food Association (the industry's lobby group), in 2012 the average market handed out 2,682,643 disposable bags. Using these numbers and considering all the markets in Plymouth, that equals over 18 Million carryout disposable bags being distributed annually in Plymouth from the supermarkets alone!
- **Ocean plastic is increasing:** The world's oceans are now estimated to contain more than 5 Trillion plastic particles. The World Economic Forum says that by 2050, the weight of plastic in the ocean will outweigh the fish. One study stated that in some parts of the ocean, there are 6 pounds of plastic for every 1 pound of plankton. Plastic never biodegrades. Every piece of plastic that ever entered the ocean is still there and always will be.
- **Plastic kills:** Australian researches reported that nearly all of the world's seabirds have eaten plastic. 2 Million land and seabirds die annually from ingesting plastic and more than 100,00 marine mammals die from eating or from entanglement with plastics in the North Pacific alone. Raccoons, deer and even many family dogs and cats suffer or die annually as the result of eating plastic.
- **Plastics are made of non-renewable sources:** Thin plastic carryout bags are made with derivatives of fossil fuels. In 2010, 191 Million barrels of liquid gas, 412 Billion cubic feet of natural gas, and 65 Billion kilowatt hours of electricity were used in the U.S.A. to make plastic resins. Worldwide, over 436 million barrels of oil are used annually to make plastic bags. This results in millions of tons of green house gases entering the atmosphere every year.

- **Reusable bags are the best solution:** While paper bags are better than plastic overall (biodegradable, 58% are recycled, made from a renewable resource, plastic makes up 4 times as much solid waste as paper, all waste management companies accept paper for recycling), both are very carbon intensive to produce, ship and recycle. Carryout paper bags will continue to be allowed under Plymouth's bylaw. However the most sustainable practice is to shop with reusable bags. Shopping with reusable bags also saves money for local retailers and for the citizens of Plymouth.
- **Bag Bans are effective:** The goal of this bylaw is to reduce plastic waste by encouraging the use of reusable bags. In jurisdictions where bag restrictions are in place, the average reduction in use of plastic bags ranges from 80 to 90%. That could reduce the amount of solid waste Plymouth must pay to have processed by between 250,000 to 350,000 pounds if not more.

Plastic bag bans in Massachusetts, the nation and the world

Over 40 nations worldwide have banned or otherwise put restrictions on thin film carryout plastic bags. England, Scotland, Ireland and much of Europe have restrictions. Many third world countries such as Bangladesh have bans. Even China, one of if not the most polluted country in the world, recognized the harm these bags cause and imposed restrictions.

California and Hawaii have bans throughout their states. 60 Million people live in as many as 300 jurisdictions throughout the USA (the numbers change upward daily) that have restricted plastic carryout bags in one manner or another.

4.5 Billion people worldwide live in areas with plastic bag bans.

36 ~~34~~ communities in the Commonwealth have already approved restrictions on plastic shopping bags. This includes 13 of our neighbors on the Cape and Islands. Groups in over 20 municipalities statewide are currently pursuing bans. This includes a number of other towns on the South Shore in addition to Plymouth. The number of Massachusetts's towns doing so grows daily.

The momentum keeps building. And with good reason.

For more information or questions, email: PlymouthBansTheBag@hotmail.com



Global Plastic Production Rises, Recycling Lags

New Worldwatch Institute analysis explores trends in global plastic consumption and recycling
For Immediate Release | January 28, 2015 | CONTACT GAELLE GOURMELON

Washington, D.C.—For more than 50 years, global production of plastic has continued to rise. Some 299 million tons of plastics were produced in 2013, representing a 4 percent increase over 2012. Recovery and recycling, however, remain insufficient, and millions of tons of plastics end up in landfills and oceans each year, writes Gaelle Gourmelon, Communications and Marketing Manager at the Worldwatch Institute, in the Institute's latest Vital Signs Online article (www.worldwatch.org).

Worldwide plastic production has been growing as the durable, primarily petroleum-based material gradually replaces materials like glass and metal. Today, an average person living in Western Europe or North America consumes 100 kilograms of plastic each year, mostly in the form of packaging. Asia uses just 20 kilograms per person, but this figure is expected to grow rapidly as economies in the region expand.

According to the United Nations Environmental Program, between 22 percent and 43 percent of the plastic used worldwide is disposed of in landfills, where its resources are wasted, the material takes up valuable space, and it blights communities. Recovering plastic from the waste stream for recycling or for combustion for energy generation has the potential to minimize these problems. However, much of the plastic collected for recycling is shipped to countries with lower environmental regulation. And burning plastic for energy requires air emissions controls and produces hazardous ash, all while being relatively inefficient.

Most plastic scraps from the United States, Europe, and other countries that have established collection systems flow to China, which receives 56 percent (by weight) of waste plastic imports worldwide. Indirect evidence suggests that most of this imported plastic is reprocessed at low-tech, family-run facilities with no environmental protection controls, such as proper disposal of contaminants or waste water. There are also concerns that low-quality plastics are not reused but are disposed of or incinerated for energy in plants that lack air pollution control systems. Through its 2010 Green Fence Operation, the Chinese government has started to work to reduce the number unregulated facilities.

Approximately 10–20 million tons of plastic end up in the oceans each year. A recent study conservatively estimated that 5.25 trillion plastic particles weighing a total of 268,940 tons are currently floating in the world's oceans. This plastic debris results in an estimated \$13 billion a year in losses from damage to marine ecosystems, including financial losses to fisheries and tourism as well as time spent cleaning beaches. Animals such as seabirds, whales, and dolphins can become entangled in plastic matter, and floating plastic items—such as discarded nets, docks, and boats—can

transport microbes, algae, invertebrates, and fish into non-native regions, affecting the local ecosystems.

The environmental and social benefits of plastics must be weighed against the problems that the durability and high volume of this material present to the waste stream. Plastics help to reduce food waste by keeping products fresh longer, allow for the manufacture of life-saving healthcare equipment, reduce packaging mass compared with other materials, improve transportation efficiency, and have large potential for use in renewable energy technologies. But plastic litter, gyres of plastics in the oceans, and toxic additives in plastic products—including colorants, flame retardants, and plasticizers (such as bisphenol A, or BPA)—are raising awareness of and strengthening consumer demand for more sustainable materials.

Along with reducing unnecessary plastic consumption, finding more environmentally friendly packaging alternatives, and improving product and packaging design to use less plastic, many challenges associated with plastics could be addressed by improving management of the material across its life cycle.

Businesses and consumers could increase their participation in collection in order to move plastic waste toward a recovery supply chain, and companies could switch to greater use of recycled plastics. Governments must regulate the plastic supply chain to encourage and monitor recycling.

Report highlights:

- About 4 percent of the petroleum consumed worldwide each year is used to make plastic, and another 4 percent is used to power plastic manufacturing processes.
- In Europe, 26 percent, or 6.6 million tons, of the post-consumer plastic produced in 2012 was recycled, while 36 percent was incinerated for energy generation. The remaining 38 percent of post-consumer plastics in Europe went to landfills.
- In the United States, only 9 percent of post-consumer plastic (2.8 million tons) was recycled in 2012. The remaining 32 million tons was discarded.

The full data and analysis are available for purchase through our Vital Signs Online website.

Article 28 – Plastic Bag Ban
LETTERS OF SUPPORT

To view the full letters of support visit the town's website www.plymouth-ma.gov/ then click on Quick Links then Town Meeting Information then Article 28 or use the following link: http://www.plymouth-ma.gov/sites/plymouthma/files/uploads/article_28_plastic_bag_ban_-_revised.pdf

Letters of support were received from the following organizations:

- The League of Women Voters (8/11/16)
- Plymouth Area Interfaith Clergy Association (8/8/16)
- Plymouth Network of Open Space Friends (8/11/16)
- Plymouth Open Space Committee (8/2/16)
- Wildlands Trust (12/28/15)
- Pine Barrens Alliance (1/19/16)
- The Six Ponds Improvement Association (1/20/16)
- Mass Audubon (8/10/16)
- New England Coastal Wildlife Alliance (1/7/16)
- The Humane Society (7/30/16)
- Massachusetts Sierra Club (8/1/16)

ARTICLE 29:

ARTICLE 29: 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 Assessors' Map 103 from Light Industrial (LI) to Mixed commerce (MC) or take any action relative thereto.

BY PETITION: Edward Santos et al.

RECOMMENDATION: Approval (Unanimous, 9-0-1). The Advisory & Finance Committee advises Town Meeting to approve Article 29. Approval of this article will amend the Official Zoning Map of the Town of Plymouth by changing the zoning designation of one lot of land on Resnik Road (Map 103 Lot 14K-123) from Light Industrial to Mixed Commerce. This is currently a vacant lot with frontage on Commerce Way and the potential purchaser petitioned this article. Mixed commerce would allow for retail and restaurant space. Allowing retail and restaurant development would increase the value of the property and increase tax revenue to the town.

RECEIVED
TOWN CLERK'S OFFICE
PLYMOUTH, MA

2016 Fall Annual Town Meeting

2016 AUG 23 AM 10: 22

Article 29

FINAL REPORT AND RECOMMENDATION OF THE PLANNING BOARD ON THE
PETITION OF EDWARD W. SANTOS, ET. AL. TO SEE IF THE TOWN WILL VOTE TO
AMEND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DESIGNATION
OF LAND ON RESNIK ROAD SHOWN AS LOT 14K-123 ON ASSESSORS' MAP 103
FROM LIGHT INDUSTRIAL TO MIXED COMMERCE

DATE OF PUBLICATION OF PUBLIC HEARING:

July 20, 2016

July 27, 2016

DATE OF PUBLIC HEARING:

August 8, 2016

VOTE: On August 8, 2016, the Planning Board voted (4-0) to recommend approval of the following amendment to Annual Town Meeting.

PROPOSED AMENDMENT:

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 Assessors' Map 103, from Industrial (LI) to Mixed Commerce (MC), or to take any other action relative thereto.

NEED & JUTIFICATION:

This proposed rezoning will build on the continued success of commercial development occurring along the Commerce Way corridor. This amendment is consistent with a series of amendments approved at previous Town Meetings. These articles are intended to capitalize on the development potential created by Commerce Way and the new Route 44. The Mixed Commerce District includes uses that are more commercial in nature than those provided for in the Light Industrial category.

EFFECT:

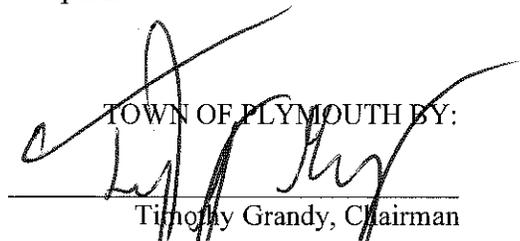
The effect of this amendment will be to allow for a minimal expansion (3 acres) of the Mixed Commerce District located off Commerce Way. The property is currently vacant and undeveloped.

INTENT:

The intent of the Mixed Commerce District is to provide for a mix of retail and industrial uses in an area geographically suited to commerce activities. The district encourages a mix of low intensity industrial uses as well as larger retail uses. Commercial uses exceeding 10,000 square feet would require a Special Permit through the Zoning Board of Appeals.

It is also the intent of this amendment to encourage these types of uses at locations within the community that can support increased development of this nature with minimal impact to

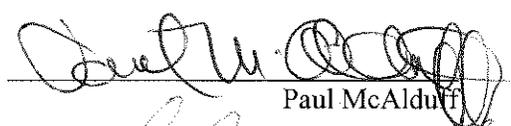
residential neighborhoods. The location of commercial development at this location would complement the many industrial businesses already located in the park.

TOWN OF PLYMOUTH BY:


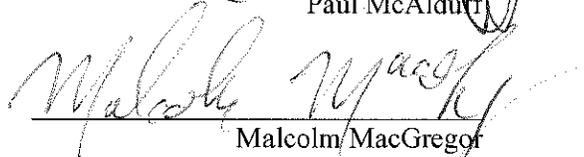
Timothy Grandy, Chairman



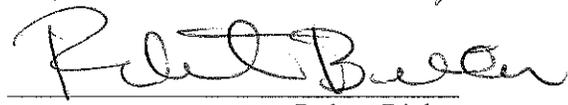
Ken Buechs



Paul McAlduff



Malcolm MacGregor



Robert Bielen

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD: August 22, 2016

DATE FILED WITH TOWN CLERK: August 23, 2016

cc: Town Clerk
Board of Selectmen
Advisory and Finance Committee



Michael E. Scott
 Direct Line: (617) 439-2811
 Fax: (617) 310-9811
 E-mail: mscott@nutter.com

July 12, 2016

RECEIVED

JUL 18 2016

PLANNING BOARD
 PLYMOUTH, MA

RECEIVED
 TOWN CLERK'S OFFICE
 PLYMOUTH, MA
 2016 JUL 14 AM 11:50

Kenneth A. Tavares, Chairman
 Town of Plymouth Board of Selectmen
 11 Lincoln Street
 Plymouth, MA 02360

Re: Petition for Zoning Map Amendment
 1 Resnik Road, Plymouth, MA
 Assessor's Parcel ID No. 103-000-014K-123

Dear Chairman Tavares:

On behalf of Edward W. Santos and H.A.S Enterprises, Inc., d/b/a Atlantic Properties (the "Petitioner"), please find enclosed a petition to amend the Town of Plymouth Zoning Map requesting that the property, located at 1 Resnik Road in Plymouth (the "Property"), be moved from the Light Industrial ("LI") zoning district to the Mixed Commerce ("MC") zoning district (the petition is attached as Exhibit A). The Property is owned by Plymouth Rising Tide Foundation Corporation, for which H.A.S. Enterprises, Inc. ("H.A.S.") has the Property and 6 Resnik Road under agreement to purchase. H.A.S. seeks the amendment as the prospective owner of the Property. The proposed amendment is appropriate as the location of the Property along Commerce Way, abutting other commercial uses, allows for the development of this vacant parcel in context with the surrounding commercial neighborhood.

The Zoning Map amendment will allow H.A.S. to development the Property, including potential restaurant and pharmacy uses (See Conceptual Site Plan, attached as Exhibit B) that would otherwise be prohibited by the current zoning designation. These proposed uses are compatible with the abutting uses detailed above, and will serve the surrounding neighborhood.

The Property is located off of Commerce Way at the intersection of Resnik Road and Industrial Park Road and is presently undeveloped. It is abutted to the north by Industrial Park Road, across which is a Dunkin Donuts, to the south by commercial properties containing office uses, to the east by Industrial Park Road and Resnik Road, across which are the Boys and Girls Club of Plymouth and the Rising Tide Middle School, and to the west by Commerce Way, across which are restaurant and hotel uses. (A GIS Site Plan and Assessor's Map 103 showing the Property's location are attached as Exhibit C). While presently located in the LI district, the Property abuts the MC District to the west and to the north across Industrial Park Road. The properties to the south and east are in the LI district. Further to the south, properties are in the R-20MD district, however, no portion of the Property abuts a residential neighborhood

Kenneth A. Tavares, Chairman
July 12, 2016
Page 2

Additionally, the proposed amendment is similar to an amendment approved by Town Meeting in April 2015. Article 32 of the 2015 Spring Annual Town Meeting approved the change in zoning designation for the properties identified as Assessor's Parcels Nos. 103-000-044, 103-000-14K-39C and 103-000-014K-40B, located to the north of the Property on Christa McAuliffe Road (See Assessor's Map 103, attached as Exhibit B) from the LI district to the MC district. These properties are situated similarly to the Property on the east side of Commerce Way.

Finally, the Petitioner has reviewed this petition informally with the Planning Board and staff at a June 20, 2016, meeting. At that meeting, the Planning Board voted to express its support for the petition. We look forward to presenting the proposed zoning amendment at your next hearing, and having the matter forwarded to the Planning Board for further review.

Thank you for your attention to this matter.

Very truly yours,



Michael E. Scott

MES:

Article 29 – Zoning Resnik Road Lot
TRAFFIC STUDY

To view the Traffic Study that was submitted by the petitioner visit the town's website www.plymouth-ma.gov/ then click on Quick Links then Town Meeting Information then Article 29

or use the following link: http://www.plymouth-ma.gov/sites/plymouthma/files/uploads/article_29_zoning_resnik.pdf

ARTICLE 30:

ARTICLE 30: To see if the town will vote to install the following bylaw into Plymouth Zoning Ordinance:

Any tree equal or greater than 8 inches in caliper* that is removed during site preparation for any project within all districts of Plymouth shall be replaced with a tree of a smaller caliper within or without the site of the project as a mitigation of the damage to the natural environment. If the site of the project cannot accommodate replanted trees the owner may either plant those trees on the public land of Plymouth, or remunerate the cost of the removed trees to the Town of Plymouth under the directions from Tree Warden of Plymouth. One and two family residential properties are exempt from this bylaw.

*Caliper of a tree is a diameter of a tree trunk measured at the height of 24 inches from the finished grade at the base of the trunk.

Or take any action relative thereto.

BY PETITION: Anatol Zukerman et al.

See Supplement I

ARTICLE 31:

ARTICLE 31: To see if the town will vote to install the following bylaw into Plymouth Zoning Ordinance: Any tree equal to or greater than 8 inches in diameter during site preparation for any project within all zones in the Town of Plymouth shall be replaced with trees of smaller or equal diameter within suitable areas as a mitigation of deforestation, or take any action relative thereto.

BY PETITION: Anatol Zukerman et al.

See Supplement I

ARTICLE 32:

ARTICLE 32: To see if the Town will vote to raise and appropriate the sum of \$13,500 for the purpose of treating the weeds at Billington Sea or take any action relative thereto.

BY PETITION: Michael T. Leary et al.

RECOMMENDATION: Approval \$13,500 (Unanimous, 13-0-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 32. Approval of this article will appropriate \$13,500 to treat weeds at Billington Sea. The Town owns 45% of the property around Billington Sea and \$13,500 is the pro rata portion of the total cost to treat the weeds. The Billington Sea Association will pay the remaining 55% of the total cost. In 2011 Town Meeting approved funding for a similar project. A product called Sonar will again be used. It is a benign product that is used to treat weeds in lakes, ponds and even reservoirs. Controlling noxious weeds on Billington Sea, which flows to Town Brook and into Plymouth Harbor, protects the fishing industry and recreational revenue streams at Morton Park and town beaches.

2017 treatment program

Brief history

The Billington Sea Town Brook Watershed Association Was founded in 1971 for the betterment of the Billington Sea the Pond and Town Brook which is fed by Billington Sea. The association is a 501 C 3 charitable organization and maintains liability Ins. and has about 50 active members.

Pond history

Billington Sea was a mesotrophic Pond that turned eutrophic in the late 1960s the Town of Plymouth in the 70s commissioned a study known as the Gale report done by Gale associates to study the possible causes and solutions, the cost of the solutions however were too costly being dredging or soil reversal . Sense then the Association has been battling the effects of a eutrophic Pond which are algae and weed problems.

Treatment History

The town of Plymouth in the late 70s did a weed treatment program to control the weed elodea sense then the association and the Town have done joint algae treatments in the 1980s and a harvesting program in the 1990s. More recently in 2012 the association did a weed treatment program with a product called Sonar the same as this article. The association approached Town meeting to pay the town's share of the cost. The association's belief then as now is that the residents own 55% percent of the property on the Pond and the Town owns the remaining 45% the 2011 town meeting then agreed with us and past that article with only eight descending votes.

2012 Treatment

The treatment program went as planed we came to agreements with the Department of Marine Fisheries and heritage regarding the Herring and the Tidewater Mucket an endangered species. There was no take with regards to the Tidewater Mucket and we achieved the three year systemic value from the treatment as suspected.

Fluridone (Sonar[®])

March 2000

Fact Sheet

Environmental Health Programs
Office of Environmental Health & Safety



Fluridone is an aquatic herbicide used to control common nuisance plants like pondweed and watermilfoil. It is not equally effective at killing all water plants and has been used in Washington to selectively remove certain nuisance weeds. It is absorbed by the leaves, shoots and roots of vascular plants and kills susceptible plants by inhibiting their ability to form carotene, a substance which plants need to maintain essential levels of chlorophyll. Damage in susceptible plants usually appears in 7-10 days after water treatment.

Fluridone is the active ingredient in Sonar[®] and comes in two formulations: pellets (Sonar SRP) and liquid concentrate (Sonar A.S.)

The initial rate of application recommended by Sonar labels is quite dilute and varies depending on the size of pond or lake, density of weeds, and susceptibility of targeted weeds. Control of watermilfoil in Washington is often accomplished with rates as low as 10-20 parts per billion (ppb).

Environmental Persistence

Fluridone is moderately persistent in water and sediments following treatment of a pond

or lake. Field tests have shown that the average half-life in pond water is 21 days and longer in sediments (90 days in hydrosol). Residues may persist longer depending on the amount of sunlight and the water temperature. Fluridone is primarily degraded by sunlight and microorganisms.

Health Impacts

Laboratory animals (mice, rats, dogs) fed fluridone in their diets showed little signs of toxicity even when fed levels which far exceed potential human exposure from use of Sonar. Fluridone is not considered to be a carcinogen or mutagen and is not associated with reproductive or developmental effects in test animals.

There is no EPA standard for maximum allowable concentration (MCL) of fluridone in public water supplies. For the purpose of Sonar product registration, EPA determined that 150 ppb is an acceptable level for potable water following Sonar use. This level provides a 1000-fold safety factor between the no effect level in experimental animals and the estimated human exposure via drinking water.

Environmental Health & Safety Fact Sheets are available on-line at <http://www.doh.wa.gov/ehp/ts/fs.htm>

Common Questions

Can I use treated lake water for drinking?

The Sonar label prohibits application to water within 1/4 mile of functioning potable water intakes unless the treatment rate is 20 ppb or less. Estimated human exposure from daily consumption of water with 20 ppb of fluridone is 10,000-fold less than the no effect level in test animals. People who wish to avoid even minimal residues can do so by filtering their drinking water with a charcoal-based filter.

Can I swim and fish in treated water?

There are no swimming or fishing restrictions associated with fluridone treatment. Fluridone does not significantly bioaccumulate or biomagnify in fish. Consumption of fish from treated water does not pose a threat to human health.

Can fluridone leach into groundwater wells, which are shallow and close to a treated water body? Fluridone tends to bind to organic matter and should not leach into groundwater from aquatic sediments. Fluridone shows a limited ability to leach if applied to soil.

What about the other ingredients in Sonar?

"Inert" ingredients included in formulations of fluridone are confidential. DOH was permitted to review the list of inerts in Sonar and concluded that these chemicals are not of human concern at applied concentrations.

Can I use treated water for watering domestic plants? For information about susceptibility of specific plants, consult the product label or contact the manufacturer. According to the manufacturer, Sonar used at the maximum-labeled rate (150 ppb) may affect domestic plants, especially plants in the *Solanaceae* family (tomato, potato, eggplant, peppers etc.). More dilute concentrations are unlikely to affect domestic plants. Again, a charcoal-based filter will remove fluridone residues from water.

Need More Information?

Please Contact:

- Your county health agency
- Washington State Department of Health
Pesticide Program (360)236-3360
- Washington State Department of Ecology
Water Quality Program (360)407-6563
- Sepro is the company which manufactures Sonar products. Material Safety Data Sheets and current copies of Sonar labels are available by calling 1-800-419-7779 or at the Sepro website
www.sepro.com/aquatics/sonar/index.html
- Additional copies of this fact sheet can be obtained from:
Office of Environmental Health & Safety
P.O. Box 47825
Olympia, Washington 98504-7825
Tollfree: (888) 586-9427

ARTICLE 33:

ARTICLE 33: To see if the Town will vote to amend Chapter 23 of the Bylaws of the Town of Plymouth to add: ARTICLE 5 Poultry.

§23-28 DEFINITIONS

For the purposes of this article, the following terms shall have the meanings indicated.

Poultry means domesticated birds including chickens, turkeys, ducks, geese other than wild species, guinea, fowl, pheasants, and pigeons of any age and any size. Chickens: male (roosters) and females (hens & meat birds).

§23-29 RESTRICTIONS OF ROOSTERS AND POULTRY

- A) No rooster shall be permitted on a property less than 2 acres, and
- B) Properties may have no more than 6 poultry per $\frac{1}{4}$ acre, and no more than 4 poultry for property less than $\frac{1}{4}$ acre.

§23-30 MANURE STORAGE

A ventilated, watertight storage facility constructed of concrete or other durable materials for the storage of poultry waste shall be provided and so located as to promote regular removal of manure from any premises housing poultry.

§ 23-31 VARIANCE PROCEDURES

- A) Variance request must be submitted in writing to the Plymouth Board of Health for consideration and a properly advertised public hearing.
- B) For a variance to be considered, abutters within a 200 foot radius of coop and run must be notified by Certified Mail, Return Receipt requested, 10 days prior to the variance hearing.

or take any action relative thereto.

BY PETITION: Lynn Holdsworth et al

RECOMMENDATION: Not Approve (Unanimous, 0-12-1)

The Advisory & Finance Committee advises Town Meeting to not approve Article 33. Approval of this article would amend Chapter 23 of the Bylaws by adding Article 5: Poultry. The committee believes this petitioned article would have benefitted from receiving input from the poultry owners as well as going through the normal public hearing process, allowing all concerned citizens to participate before rights are restricted. The bylaw seems overly strict and concern was raised that limiting some families to 4 poultry was insufficient to maintain a healthy egg-producing flock. It seems that there may be some problem poultry owners causing noise, smell and rat issues in certain neighborhoods. However, there may be others that are acting in a fair-minded and responsible manner. The public hearing process is designed to deal with all this. The Advisory & Finance Committee sympathizes with the neighbors and urges the Town to provide a resolution soon.

Sample of Town Chicken/Roster Restrictions

Town	Roosters	Chickens	Notes
Barnstable	1 if not agricultural property. Rooster may not at any time annoy another person's reasonable right to peace or privacy by making loud or continuous noise where such noise is plainly audible between 7:00 a.m. - 7:00 p.m. at a distance of 150 feet from the premises where the rooster is kept, or between 7:00 p.m. - 7:00 a.m. at a distance of 50 feet from the premises where the rooster is kept, or when noise is continuous > 10 minutes.		
Bourne	None < 2 acres	4/ ¼ acre; 2 for < ¼ acre	Additional regs re: coops, manure, and feed
Cohasset	Yes, with special permit and neighbor consent	Up to 11 without permit	
Foxborough	No if less than 2 acres without permit	None if less than 1 acre	Additional regs re: coops, manure, and feed
Grafton	No	Female chicks and hens (no roosters) for personal consumption and enjoyment. Limited to six (6) per lot, and must be physically contained within a dedicated space of...at minimum rate...four (4) square feet per hen. Special permit for more.	
Kingston	Must be R20 or greater	Must be R20 or greater	
Lancaster	No	Up to 6 for non-commercial use. Special	

		permit required – must have .9 acres or more	
Marblehead	Requires license	Requires license	Additional regs re: coops, manure, and feed
Milford	No	No	
Pittsfield	No	No	
Reading	No	yes	
Rockland	No	Yes, with permit. 24 per henhouse. Also enclosure and henhouse 20 feet from a public way, 50 feet from a dwelling or commercial building, and 50 feet from a property line.	Additional regs re: coops, manure, and feed
Sharon	No permit shall be granted for the keeping of domesticated animals or fowl whose type, breed, or gender is known to create loud or objectionable noises unless it can be shown that such domesticated animal will be kept at all times in a location no less than 1000 feet from the lot lines of the applicant. No roosters are permitted.	10 on 30,000 or < feet with permit	Additional regs re: coops, manure, and feed
Stoughton	Requires 35000 sq ft lot	Requires 35000 sq ft lot	
Uxbridge	No person shall keep or allow to be kept any number of domestic animals which shall constitute a nuisance	Registered and treated as livestock. No person shall keep or allow to be kept any number of domestic animals which shall constitute a nuisance	
Yarmouth	License required – will be denied if abutters complain of noise	License required	Additional regs re: coops, inspections, manure, feed, and fees

Chapter 63

RIGHT TO FARM

[HISTORY: Adopted by the Annual Town Meeting of the Town of Plymouth 10-26-2009 by Arts. 22 and 23]

- § 63-1. Legislative Intent.
- § 63-2. Definitions.
- § 63-3. Right to Farm Declaration.
- § 63-4. Disclosure Notification.
- § 63-5. Dispute Resolution.
- § 63-6. Agricultural Committee.
- § 63-7. Severability Clause.

Section 1 Legislative Intent

The purpose of this Article is to restate farm protections that already exist in state law so they are understood and implemented at the local level.

This Right to Farm ByLaw does not seek to change state laws, but to bring them together into one local bylaw to enhance local understanding of the right to farm. The Right to Farm Bylaw also encourages the pursuit of agriculture, promotes agricultural based economic opportunities, and protects farming in the Town of Plymouth by allowing agricultural uses and related activities to function in minimal conflict with abutters and town agencies. The Bylaw shall apply to all jurisdictional areas within the Town.

The benefits and protections of this Bylaw are intended to apply exclusively to those agricultural operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this bylaw shall be deemed to authorize the acquisition of any interest in land, or to impose any land use regulations, which actions are properly the subject of state statute, regulations, or local zoning law or vote of Town Meeting.

Section 2 Definitions

The word 'farm' shall include any parcel or contiguous parcels of land or water bodies containing at least 5 acres used for the primary purpose of agriculture, or accessory thereto.

The words "farming" and "agriculture" or their derivatives shall include, but not be limited to, the following:

- Cultivation and tillage of the soil
- Dairying

- Production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities
- Growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- The raising and keeping of horses
- Raising and keeping of livestock including poultry, swine, cattle, ratites (such as emus and ostriches) and camelids (such as llamas and camels) and other domesticated animals for food and other agricultural purposes, including bees and furbearing animals

“Farming” shall encompass activities including but not limited to:

- Operation and transportation of slow-moving farm equipment over roads within the Town
- Control of pests, including but not limited to insects, weeds, predators and disease organism of plants and animals
- Application of manure, fertilizers and pesticides
- Conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- Processing and packaging of the agricultural output of the farm and the operation of a farmers’ market or farm stand including signage thereto;
- Maintenance, repair or storage of seasonal equipment or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- On-farm relocation of earth and the clearing of ground for farming operations

Section 3 Right to Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Plymouth. The above-described agricultural activities may occur on holidays, weekdays and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general.

Section 4 Disclosure Notification

Within 30 days after this by-law becomes effective, the Board of Selectmen shall prominently post in the Town Hall, on the official Town Website, and make available for distribution the following disclosure:

“It is the policy of this community to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by agricultural operations including the ability to access water for such property under certain circumstances.”

Section 5 Dispute Resolution

Any person having a complaint about a farm or farming activity or practice about a farm or farming activity or practice is encouraged to seek an amicable solution through resolution directly with the owner or operator of the farm at issue. Such person may also, notwithstanding the pursuit of other available remedies, file such complaint with the Board of Selectmen. The Board of Selectmen will forward the complaint to the Agricultural Committee, or other appropriate board or officer, and request that recommendations for resolution be provided within an agreed upon timeframe.

Section 6 Agricultural Committee

For the purpose of this section, the term “agriculture” shall include but shall not be limited to the production of crops, livestock, horticulture, aquaculture, the keeping and boarding of horses or livestock for personal or commercial purposes, forestry, nurseries, greenhouses, and related activities.

The Agricultural Committee shall

- Serve as facilitators for encouraging the pursuit of agriculture in Plymouth
- Promote agricultural based economic opportunities
- Act as advocates, educators and/or negotiators on agricultural issues
- Work for the preservation of agricultural lands
- Pursue all initiatives appropriate to creating a sustainable agricultural community
- Encourage early and effective resolution of farm related disputes

The Committee shall consist of seven members appointed and may be removed by the Board of Selectmen. Four members shall be actively engaged in farming, and three members shall be at-large. Members shall serve staggered three-year terms, with two of the initial members serving three-year terms, two serving two-year terms, and three serving a one-year term.

Section 7 Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of the By-law. The Town of Plymouth hereby declares the provisions of this By-law to be severable.

Roosters versus residents at Plymouth meeting

Friday

Posted Aug 12, 2016 at 3:00 PM

Two things are clear: More and more people in Plymouth are raising chickens - mainly for the eggs - and the patience of neighbors living in close proximity to roosters is wearing thin.

By [Frank Mand](#)
fmand@wickedlocal.com
[@frankmandOCM](#)

PLYMOUTH – It was a big cock-a-doodle to-do at the Board of Health this past Wednesday as aggravated residents got a chance to air their grievances about the town’s lack of effective rooster regulations.

Based on the comments of audience members two things are clear: More and more people in Plymouth are raising chickens – mainly for the eggs – and the patience of neighbors living in close proximity to roosters is wearing thin.

Case in point, Norm Galvin, a retired truck driver who lives in West Plymouth.

Galvin told the board that the rooster/manure problem in his neighborhood near West Elementary School is “beyond anything you can imagine.

“It’s going to get ugly on my street real fast if something isn’t done about the situation,” Galvin said, then graphically described the smell, the noise, and the anger.

Lynn Holdsworth, who lives in another section of town, described a similar scenario.

“I live in close proximity to a property that has a multitude of animals,” Holdsworth said.

“Turkeys, ducks, geese, hens, roosters – I counted 18 birds at one point in time – and this is on a quarter acre parcel of land that backs up to other parcels that are about the same size.

“It’s tight quarters. We are a beach community, not an agricultural community. We moved into this neighborhood to be by the water to smell the salt air, to be able to kick back and relax at the end of the day.

“What we are getting are instead are wafts of manure, roosters crowing 24/7, ducks that quack and squawk, turkeys that gobble, and this is what we listen to on a daily basis!”

The offending property's owner, Emerson Carpenter, interrupted Holdsworth to argue that the problem was being exaggerated, that he had tried to appease neighbors by making certain changes, but that none of his neighbors had ever knocked on his door and explained their concerns.

"Nobody has ever come to my home and talked to me directly, come to my house and said, hey these chickens are bothering me," Carpenter said.

"I've had the Board of Health, the dog officer, at 5 o'clock in the morning had the police knocking on my door."

Perhaps, Carpenter suggested, if he had heard directly from neighbors he could have addressed their concerns. Instead, he said, "they're making me look like a bad person."

Plymouth resident Steven Hall, who raises chickens for the eggs and has no roosters, told the board that he would prefer that the board not create new regulations but, rather, that they enforce disturbing the peace regulations or issue fines for noise complaints.

In the past some residents with complaints about chickens and roosters have been told that, as a "Right to Farm" community, there was nothing the town could do about residents raising animals on their property.

Agriculture Committee Vice Chairman Patti Striar, who offered herself as a liaison between the two committees, told the Board of Health the 'Right to Farm' protections don't apply here.

In Plymouth properties under 5 acres do not fall under the protections of the "Right to Farm" regulations, Striar explained, and she suggested that the best way to handle the situation would be through the police.

"These are clearly neighbor disputes," Striar said, "and I think they can be handled much more simply. These are noise complaints, like a barking dog or an all-night party, and should be handled that way."

Striar added that if anyone had real concerns for how livestock, of any kind, was being treated, then they should go first to the Board of Health, and if the board's inspectors are denied access to the animals the issue should be referred directly to the MSPCA.

If the animals aren't being mistreated, however, there seemed little opportunity for the board to intervene.

At present, board members said, there are no chicken/rooster regulations. You don't have to get a license to raise chickens. If you acquire chickens you don't have to inform neighbors or prospective home buyers.

“There is no regulation and really not much that we can do,” Board of Health Chairman Richard Manfredi said. “In the future we could try and develop some kind of bylaw, but that’s going to take time. As it currently stands, we really have no control over it, none at all.”

Attorney Richard Serkey, at the meeting for a later hearing, came forward to suggest the town take two specific actions: 1) ask for the selectmen to create a special committee with the purpose of crafting a special bylaw; 2) have staff meet with all parties and try to mediate a solution.

The board took Serkey’s and others' suggestions under advisement. In other words, the squawking will continue.

Follow Frank Mand on Twitter @frankmandOCM.

Article 33 – Poultry Bylaw
ADDITIONAL NEWSPAPER ARTICLES

To view additional newspaper articles that were submitted by the petitioner visit the town's website www.plymouth-ma.gov/ then click on Quick Links then Town Meeting Information then Article 33 or use the following link: [http://www.plymouth-ma.gov/sites/plymouthma/files/uploads/article_33 - all back up combined.pdf](http://www.plymouth-ma.gov/sites/plymouthma/files/uploads/article_33_-_all_back_up_combined.pdf)

- “For some neighbors, roosters are something to crow about” – Johanna Seltz, Boston Globe 8/12/16
- “Plymouth looking to curb rooster crowing” – John Laidler, Boston Globe 7/29/16
- “Towns deal with crowing problems” – George Barnes, Telegram & Gazette 8/9/14

ARTICLE 34:

ARTICLE 34: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise fund \$25,000,000.00 in improvements to Public and Unaccepted Roads including all costs necessary and related to the following:

Resurfacing, Crack Sealing, Aggregate/or Recycled Pavement. Drainage (include engineering expenses related to water road runoff management), Pavement Markings, Guardrails, Sidewalks, Street Lighting, Traffic Control, (including signage), Berms and Curbs, Right of Way Acquisition, Bicycle Lanes/Paths, Bridges, Tree/Planting/Landscaping associated with the project or take any action relative thereto.

BY PETITION: Christopher L. Fava

RECOMMENDATION: Approval \$25,000,000 (10-4-0)

The Advisory & Finance Committee advises Town Meeting to approve Article 34. Town Meeting approval of this article will approve a phased bond issuance totaling \$25 million. The money the town currently invests in roads is insufficient to keep up with normal wear and tear. Roads are deteriorating at a faster pace than we are repairing them. The goal is to make roads a significant factor for the Town to consider as it is setting its spending priorities. The Town presently spends \$2 million annually, comprised of approximately \$1.5 million in annual Chapter 90 funds and \$500,000 funded by the Town for unaccepted road maintenance. The phased borrowing will enable the town to add \$5 million to its annual road maintenance budget, bringing the total to \$7 million per year, which is the level at which the DPW believes it can handle the workload with present personnel and equipment. The minority was concerned about the expense to the Town.

Proposed \$25 Million Road Repair Bond



Prepared by: Christopher Fava
August 24, 2016

Proposed Article

To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise fund \$25,000,000.00 in improvements to Public and Unaccepted Roads including all costs necessary and related to the following:

- Resurfacing
- Crack Sealing
- Aggregate/ or Recycled Pavement
- Drainage (including engineering expenses related to water road runoff management)
- Pavement Markings
- Guardrails
- Sidewalks
- Street Lighting
- Traffic Control (including signage)
- Berms and Curbs
- Right of Way Acquisition
- Bicycle Lanes/Paths
- Bridges
- Tree planting/Landscaping associated with the project

Or take any other action relative thereto...

Problems with Bad Roads



- Decreases public safety
- Roads become more difficult to use
- May cause cars to inadvertently swerve
- Increases accident rates
- Raises Vehicle operating costs
- May cause sections of the road to fail
- Causes flooding, erosion and drainage problems
- Increases overall road repair costs



Road Repairs by Category

Currently the Town of Plymouth has **241.7** miles of public & unaccepted roads that need immediate repairs, rehabilitation, or maintenance with an estimated cost of **\$134,456,390**. This does not include repairs to sidewalks, bike paths, or ramps.

Repair Method	Length (mi)	Est. Cost
<i>Reconstruction</i>	74.6	\$ 96,466,970
<i>Rehabilitation</i>	90.2	\$ 27,703,560
<i>Preservation</i>	47.3	\$ 9,883,760
<i>Maintenance</i>	29.6	\$ 402,200
Totals	241.7	\$ 134,456,390

Current Roadway Budget



- The Town of Plymouth’s annual roadway budget is **\$2 million**. This budget includes **75%** from State Funding (Chapter 90) money.
- This **limited** amount is grossly inadequate for the size of our town. Only **5.3 miles** of road repairs can be made annually.
- Roads needing repairs are rising faster than roads that need maintenance.

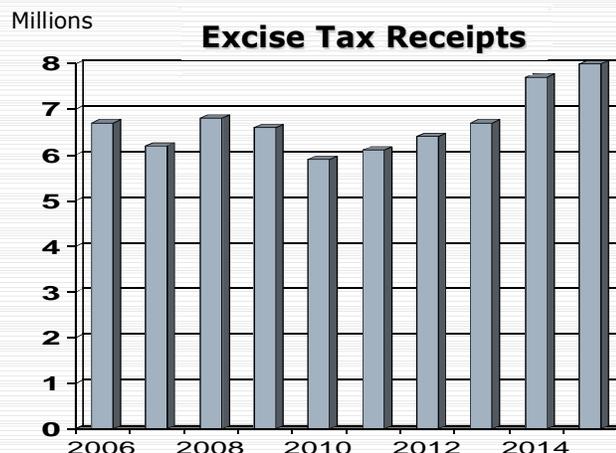
Annual Repairs	Length (mi)
<i>Reconstruction</i>	2.0
<i>Rehabilitation</i>	2.8
<i>Preservation</i>	0.5
Total	5.3

Source: Town of Plymouth
Pavement Management plan 2015

Motor Vehicle Excise Tax Receipts

The local excise tax was setup to allow communities to recover costs associated with local road repairs and other community costs.

During the last **10 years**, the Town of Plymouth collected almost **\$67 million** in excise tax fees yet only a minuscule amount has been used for roadway repairs



Source: Town of Plymouth Finance
Department

Funding Options

Last year the Town of Plymouth collected about **\$8 million** in excise taxes.

1. Transfer some money from excise tax revenue

Approximately **\$2.388 million** in excise taxes fees could be used to fund the badly needed Road Repair Bond. Excise tax receipts will rise as buildout of the Pine Hills and Redbrook community continue.

2. Tax Levy

Would add about **\$0.26** to the tax rate based on the proposed debt schedule on the next page.

Debt Service Schedule

Town of Plymouth, Massachusetts
 \$25,000,000 General Obligation Bonds, Dated March 1, 2017
 Paving Bonds - Level Debt Service Structure
 Interest Estimated and Subject to Change
 2016 Assessed Valuation \$9,128,500,223

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Tax Rate Impact
06/30/2017	-	-	-	-	-
06/30/2018	1,160,000.00	5.000%	1,250,000.00	2,410,000.00	0.26
06/30/2019	1,215,000.00	5.000%	1,192,000.00	2,407,000.00	0.26
06/30/2020	1,280,000.00	5.000%	1,131,250.00	2,411,250.00	0.26
06/30/2021	1,340,000.00	5.000%	1,067,250.00	2,407,250.00	0.26
06/30/2022	1,410,000.00	5.000%	1,000,250.00	2,410,250.00	0.26
06/30/2023	1,480,000.00	5.000%	929,750.00	2,409,750.00	0.26
06/30/2024	1,555,000.00	5.000%	855,750.00	2,410,750.00	0.26
06/30/2025	1,630,000.00	5.000%	778,000.00	2,408,000.00	0.26
06/30/2026	1,710,000.00	5.000%	696,500.00	2,406,500.00	0.26
06/30/2027	1,795,000.00	5.000%	611,000.00	2,406,000.00	0.26
06/30/2028	1,885,000.00	5.000%	521,250.00	2,406,250.00	0.26
06/30/2029	1,980,000.00	5.000%	427,000.00	2,407,000.00	0.26
06/30/2030	2,080,000.00	5.000%	328,000.00	2,408,000.00	0.26
06/30/2031	2,185,000.00	5.000%	224,000.00	2,409,000.00	0.26
06/30/2032	2,295,000.00	5.000%	114,750.00	2,409,750.00	0.26
Total	\$25,000,000.00	-	\$11,126,750.00	\$36,126,750.00	

Yield Statistics

Bond Year Dollars	\$222,535.00
Average Life	8.901 Years
Average Coupon	5.0000000%
Net Interest Cost (NIC)	5.0000000%
True Interest Cost (TIC)	5.0000000%
Bond Yield for Arbitrage Purposes	5.0000000%
All Inclusive Cost (AIC)	5.0000000%
IRS Form 8038	
Net Interest Cost	5.0000000%
Weighted Average Maturity	8.901 Years

Source: Town of Plymouth Finance Department

Benefits of Road Maintenance

- Provides smooth safe efficient travel
 - Reduces risks to drivers, bicyclists and pedestrians
 - Can extend the life of a road
 - Reduces vehicle maintenance costs
 - Reduces potential lawsuits and insurance claims cause by defective roads
 - Reduces flooding, erosion, and noise
 - It beautifies our community
-



Town of Plymouth, Massachusetts

\$25,000,000 General Obligation Bonds, Dated March 1, 2017

Paving Bonds - Equal Principal Debt Service Structure

Interest Estimated and Subject to Change

2016 Assessed Valuation \$9,128,500,223

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Tax Rate Impact
#####					
#####	1,670,000.00	5.000%	1,250,000.00	2,920,000.00	0.32
#####	1,670,000.00	5.000%	1,166,500.00	2,836,500.00	0.31
#####	1,670,000.00	5.000%	1,083,000.00	2,753,000.00	0.30
#####	1,670,000.00	5.000%	999,500.00	2,669,500.00	0.29
#####	1,670,000.00	5.000%	916,000.00	2,586,000.00	0.28
#####	1,665,000.00	5.000%	832,500.00	2,497,500.00	0.27
#####	1,665,000.00	5.000%	749,250.00	2,414,250.00	0.26
#####	1,665,000.00	5.000%	666,000.00	2,331,000.00	0.26
#####	1,665,000.00	5.000%	582,750.00	2,247,750.00	0.25
#####	1,665,000.00	5.000%	499,500.00	2,164,500.00	0.24
#####	1,665,000.00	5.000%	416,250.00	2,081,250.00	0.23
#####	1,665,000.00	5.000%	333,000.00	1,998,000.00	0.22
#####	1,665,000.00	5.000%	249,750.00	1,914,750.00	0.21
#####	1,665,000.00	5.000%	166,500.00	1,831,500.00	0.20
#####	1,665,000.00	5.000%	83,250.00	1,748,250.00	0.19
Total	\$25,000,000.00		\$9,993,750.00	\$34,993,750.00	

Yield Statistics

Bond Year Dollars	\$199,875.00
Average Life	7.995 Years
Average Coupon	5.0000000%
Net Interest Cost (NIC)	5.0000000%
True Interest Cost (TIC)	5.0000000%
Bond Yield for Arbitrage Purposes	5.0000000%
All Inclusive Cost (AIC)	5.0000000%
IRS Form 8038	
Net Interest Cost	5.0000000%
Weighted Average Maturity	7.995 Years

Town of Plymouth, Massachusetts

\$25,000,000 General Obligation Bonds, Dated March 1, 2017

Paving Bonds - Level Debt Service Structure

Interest Estimated and Subject to Change

2016 Assessed Valuation \$9,128,500,223

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Tax Rate Impact
#####					
#####	1,160,000.00	5.000%	1,250,000.00	2,410,000.00	0.26
#####	1,215,000.00	5.000%	1,192,000.00	2,407,000.00	0.26
#####	1,280,000.00	5.000%	1,131,250.00	2,411,250.00	0.26
#####	1,340,000.00	5.000%	1,067,250.00	2,407,250.00	0.26
#####	1,410,000.00	5.000%	1,000,250.00	2,410,250.00	0.26
#####	1,480,000.00	5.000%	929,750.00	2,409,750.00	0.26
#####	1,555,000.00	5.000%	855,750.00	2,410,750.00	0.26
#####	1,630,000.00	5.000%	778,000.00	2,408,000.00	0.26
#####	1,710,000.00	5.000%	696,500.00	2,406,500.00	0.26
#####	1,795,000.00	5.000%	611,000.00	2,406,000.00	0.26
#####	1,885,000.00	5.000%	521,250.00	2,406,250.00	0.26
#####	1,980,000.00	5.000%	427,000.00	2,407,000.00	0.26
#####	2,080,000.00	5.000%	328,000.00	2,408,000.00	0.26
#####	2,185,000.00	5.000%	224,000.00	2,409,000.00	0.26
#####	2,295,000.00	5.000%	114,750.00	2,409,750.00	0.26
Total	\$25,000,000.00		\$11,126,750.00	\$36,126,750.00	

Yield Statistics

Bond Year Dollars	\$222,535.00
Average Life	8.901 Years
Average Coupon	5.0000000%
Net Interest Cost (NIC)	5.0000000%
True Interest Cost (TIC)	5.0000000%
Bond Yield for Arbitrage Purposes	5.0000000%
All Inclusive Cost (AIC)	5.0000000%
IRS Form 8038	
Net Interest Cost	5.0000000%
Weighted Average Maturity	8.901 Years

ARTICLE 35:

ARTICLE 35: To see if the Town will vote to grant an access easement over parcel: 114-000-002B-000 appurtenant to parcel: 114-000-004A-000 or take any action relative thereto.

BY PETITION: Salvatore Viscariello et al

RECOMMENDATION: Not Approve (Unanimous, 0-13-0)

The Advisory & Finance Committee advises Town Meeting to not approve Article 35. Approval of this article would grant an easement over a town-owned parcel (114-000-002B) to a private parcel (114-000-004A), both off Wareham Road. This article was petitioned by the owner of a private lot who is interested in building a solar field. Typically easements over town property are negotiated with town administrators and involve compensation, then are presented to Town Meeting for approval. This article, seeking a free easement via Town Meeting alone, is not appropriate.

Article 35

Parcel 004A is currently landlocked.

It is separated from direct access to Wareham Road by Lot 002B. Lot 002B is owned by the Town of Plymouth.

The service road proposed/petitioned is to be located in the Upper North East Corner of Parcel 114-000-002b-000 similar to the attached sketch and lot overlay.

Granting this access road to Parcel 004A will increase its immediate value and proportional tax revenue to the town, and open up existing zoning approved uses.

The owner is currently very interested in building a solar system similar to the ADM Red Brook Solar Project currently under construction. Any new use activity will bring further increase in value and revenue to the Town of Plymouth.

We ask that the finance committee consider and approve our petition to allow an easement for an access road through Parcel 002B or to take any other action relative thereto.

Thank you.



ARTICLE 36:

ARTICLE 36: To see if the Town will vote to Amend the bylaw on noise by adding Part D Section 120-1 to read “That all public establishments performing live entertainment must keep shut all exterior windows and doors of any kind closed as not to disturb residents or business” or take any action relative thereto.

BY PETITION: Thomas Bruce et al

RECOMMENDATION: Not Approve (1-12-0)

The Advisory & Finance Committee advises Town Meeting to not approve Article 36. Approval of this article will amend the Bylaw on Noise by adding Part D Section 120-1 to read “That all public establishments performing live entertainment must keep shut all exterior windows and doors of any kind closed as not to disturb residents or business”. Town counsel believes the current proposed by-law as drafted, is overly broad and vague in many respects. Counsel believes that even if the Attorney General were to approve the same, enforcement of such a bylaw would be problematic. The Advisory & Finance Committee understands that one bar in particular may be the genesis of this bylaw as it has been alleged to allow its live music to spill over to outside at an unacceptable level. That establishment is granted a permit from the Board of Selectmen and the Board has the authority to revoke the permit for failure to adhere to the policies of the permit. The Committee believes it is neither fair nor reasonable to punish all establishments providing live music because of the actions of one establishment.

Chapter 120

NOISE

§ 120-1. Persons occupying or having charge of premises.

§ 120-2. Persons present at location where noise originates.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Plymouth 4-11-1988 by Art. 20. Amendments noted where applicable.]

GENERAL REFERENCES

Alarm systems -- See Ch. 14.

Animals -- See Ch. 23.

Disorderly conduct -- See Ch. 51.

Hawkers, peddlers and transient vendors -- See Ch. 85.

Parades and special events -- See Ch. 127.

Vehicles and traffic -- See Ch. 185.

§ 120-1. Persons occupying or having charge of premises. [Amended 6-28-1993 STM by Art. 6; Amended 4-10-2001 by ATM Article 31]

- A. It shall be unlawful for any person or persons occupying or having charge of any building, structure, vehicle or premises or any part thereof in the town to cause or suffer or allow any unnecessary, loud, excessive or unusual noises in the operation of any radio, phonograph or other mechanical sound-making device or instrument, or reproducing device or instrument, or in the playing of any band, orchestra, musician or group of musicians, or in the use of any device to amplify the aforesaid, or the making of loud outcries, exclamations or other loud or boisterous noise or loud and boisterous singing by any person or group of persons, or in the use of any device to amplify the aforesaid noise, where the noise is plainly audible at a distance of 150 feet from the building, structure, vehicle or premises in which or from which it is produced.
- B. The fact that the noise is plainly audible at a distance of 150 feet from the building, structure, vehicle or premises from which it originates shall constitute prima facie evidence of a violation of this section.
- C. Any person violating this section shall be punished by a fine of \$50 for each offense.

§ 120-2. Persons present at location where noise originates. [Amended 4-3-1993 STM by Art. 15]

- A. It shall be unlawful for any person or persons being present in or about any building, dwelling, premises, shelter, boat or conveyance, or any part thereof, to

cause or suffer or countenance any loud, unnecessary, excessive or unusual noises in the operation of any radio, phonograph or other mechanical sound-making device or instrument, or reproducing device or instrument, or in the playing of any band, orchestra, musician or group of musicians or the making of loud outcries, exclamations or other loud or boisterous noise or loud and boisterous singing by any person or group of persons, or in the use of any device to amplify the aforesaid noise, where the aforesaid noise is plainly audible at a distance of 150 feet from the building, dwelling, premises, shelter, boat or conveyance in which or from which it is produced.

- B. The fact that the noise is plainly audible at a distance of 150 feet from the premises from which it originates shall constitute prima facie evidence of a violation of this section.
- C. Any person shall be deemed in violation of this section who shall make, or aid or cause or suffer or countenance or assist in the making of, the aforesaid and described improper noises, disturbance or breach of the peace, and the presence of any person or persons in or about the building, dwelling, premises, shelter, boat or conveyance or any part thereof during a violation of this section shall constitute prima facie evidence that he or she is a countenancer to such violation.
- C. Any person violating this section shall be punished by a fine of \$50 for each offense.

§ 120-3. Commercial Construction etc. [Amended 4-7-1999 ATM by Art. 33]

No commercial construction, demolition, repair, paving or alteration of buildings or streets or excavation shall be conducted between the hours of 7:00 p.m. and 7:00 a.m., except with the approval of the Board of Selectmen. Anyone who violates this by-law shall be subject to a fine of \$300, each day to constitute a separate occurrence. This by-law may be enforced through non-criminal disposition by any Police Officer of the Town of Plymouth.

This bylaw shall not apply to emergency activities of Town, County, State or Federal agencies or to emergency activities conducted by public or private utilities.

ARTICLE 37:

ARTICLE 37: To see if the Town will vote a **Senior Resident Property Tax Rate Cap**. The seniors of Plymouth are being taxed out of their homes. The property tax rate has increased nearly seventy (70) percent in the last eight (8) years. Seniors on a fixed income can no longer afford to live in “America’s Home Town.” The eligible recipient will have his/her Property Tax Rate capped at the rate established by the town as of July 1st.of the year of eligibility. Or take any other action relative thereto... Eligibility requirements listed below: **Must** be at least 70 years of age by July 1 of year applying **Must** be a Plymouth homeowner **Must** reside in same property, for at least twenty years (20) by July 1 of year applying. **Must** have paid property taxes on said property for at least twenty (20) years **Must** reside in said property full time (no rental, snow birds or seasonal property ownership eligible) **Must** be a registered voter **Must** renew request for **SRTRC** each year by July 1 **Must** be retired or not working at any full time employment
BY PETITION: Keven Joyce et al

RECOMMENDATION: Not Approve (1-12-0)

The Advisory & Finance Committee advises Town Meeting to not approve Article 37. Approval of this article would authorize a Senior Resident Property Tax Rate Cap. Property tax exemptions in Massachusetts are established by statute or special act. According to Town Counsel, the Town may not grant exemptions except in accordance with and pursuant to an applicable statutory exemption. For that reason, the Advisory & Finance Committee can not recommend this article to Town Meeting. In addition, this article lacks clarity in several areas making it seemingly impossible to implement. The Town of Plymouth has already adopted Tax Deferral Clause 41A, which is an option for seniors to defer local property tax until the house is sold or the property is transferred to another party. This may be a good option to pursue for seniors who are struggling to pay their taxes. Taxes are deferred which means the town will still collect the taxes eventually which, from the perspective of taxpayers in aggregate, is better than a tax cap which would limit revenue to the town.

Fall 2015 - Article #37

- Why Approve a **Senior Resident Property Tax Rate Cap?**
 - Seniors of Plymouth are being taxed out of their homes
 - Property tax rate has increased ~ 70% percent in the last decade
 - Seniors getting to the point that they can no longer afford to live in "America's Home Town."

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Requirements to Qualify for the Cap -

- Plymouth homeowner - at least 70 yrs old as of July 1 for applying
- Must reside in the same home continuously for at least 20 years
- All real estate taxes must be paid and current
- Must reside in the home full time; no renters, no snowbirds, no seasonal residents
- Must be a registered voter in Plymouth
- Must apply for exemption yearly
- Must be retired or not working full time

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Social Security Increases vs. Plymouth Tax Rate

<u>Calendar Year</u>	<u>Fiscal Year</u>
January 2006 -- 4.1%	\$ 9.88
January 2007 -- 3.3%	\$ 9.71
January 2008 -- 2.3%	\$10.33
January 2009 -- 5.8%	\$11.07
January 2010 -- 0.0%	\$12.42
January 2011 -- 0.0%	\$13.04
January 2012 -- 3.6%	\$13.84
January 2013 -- 1.7%	\$14.43
January 2014 -- 1.5%	\$15.13
January 2015 -- 1.7%	\$15.54
January 2016 -- 0.0%	\$16.27

Total Increase = 24%

vs.

67.5%

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Plymouth Demographics

- Number of households in Plymouth = ~18,000
- Number of seniors age 65-85+ yrs old = ~7,890 or 14% (as of 2010)
- Number of seniors owning their own home = unknown by assessors
- Seniors who have owned the same home for 20+ years = unknown
- Number of seniors eligible for Plymouth Senior Tax Cap (SPTC) = ?

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“Average” Homeowner Cost Scenario @ \$300,000

<u>Fiscal Year</u>	<u>Tax Rate</u>	<u>Taxes Due</u>
2007	\$9.71	\$2,913
2013	\$14.43	\$4,329
2014	\$15.13	\$4,539
2015	\$15.54	\$4,662
2016	\$16.27	\$4,881
	<hr/>	
	\$ Increase in 8 yrs	\$1,968
2017	\$17.XX? -	\$5,100 minimum

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Impact on Tax Revenue Collected

- \$300,000 home at current rate of \$16.27/k = \$4,881
- \$300,000 home in FY07 at \$9.71/k = \$2,913
- Dollar Increase from FY07 – FY16 = \$1,968
- Average annual property tax increase = \$200-\$350/year
- Example scenarios -
 - 100 senior homeowners eligible @ \$300 savings = \$30,000/year
 - 200 senior homeowners eligible @ \$300 savings = \$60,000/year

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