

ADVISORY & FINANCE COMMITTEE

The following meeting of the Advisory & Finance Committee has been posted and will be held

At: Plymouth Town Hall
11 Lincoln Street
Mayflower II Meeting Room
Plymouth, MA 02360

On : Wednesday, February 11, 2015 at 7:00PM

Items on the agenda will include but are not limited to the following. Other discussion may include items that were not reasonably anticipated by the Chairman 48-hours in advance of the meeting posting.

AGENDA ITEMS:

TOWN MEETING ARTICLE PRESENTATIONS

- ATM Article 29: Elmer Raymond Play Area Anthony Schena, Petitioner
- ATM Article 22: Bylaw - Fingerprint Criminal History Check Captain Rogers, Police Dept
- ATM Article 32: Zoning - Commerce Way Bob Betters, Petitioner
- ATM Article 30: Solar PILOT - Herring Pond Road Richard Serkey, Petitioner & Tom Melehan
- ATM Article 31: Land Swap - Herring Pond/Long Pond “
- ATM Article 16A: Amend vote of STM2014 – Reduce Borrowing Bill Keohan, CPC
- ATM Article 16B: Stephens Field “
- ATM Article 16C: Acquire 161 Taylor Ave “
- ATM Article 16D: FY16 Community Preservation Budget “
- STM Article 16A: Acquire land off Old Sandwich Rd – Hilo Hill “

Public Comment

Old/New/Other Business

- Committee Liaison Updates
- Budget Sub-Committee Updates

Meeting Minutes

- January 21, 2015

Next Meeting: BUDGET HEARING: Wednesday, February 25, 2015 - Mayflower II Room - Town Hall

2015 Annual Town Meeting
April 11, 2015

ARTICLE 29:

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow a sum of \$60,000 (Sixty Thousand Dollars) for the construction and/or purchase, and the installation and maintenance of a play area structure(s) for Elmer Raymond Play Area, or take any other action relative thereto.

BY PETITION: Anthony R. Schena, et al

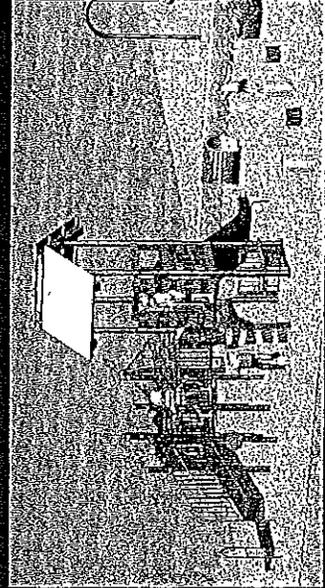
TOWN OF PLYMOUTH

ELMER RAYMOND PLAY AREA

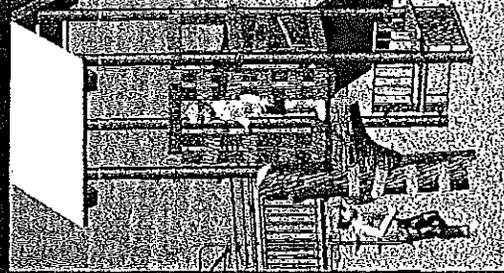
NORTHEAST PLAYGROUND BUILDERS

William J O'Neill
 Northeast Playground Builders
 89 Hancock Street, Suite #205
 Braintree MA 02184
 Drawn by: William J O'Neill, CPSI
 W - www.nepplaygroundbuilders.com
 E - bill@NEPLAYGROUND.com
 F - facebook@nepplayground.com
 Phone - 381.338.0824
 Fax - 480.247.4977
 MA CSL 953892

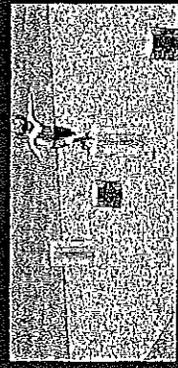
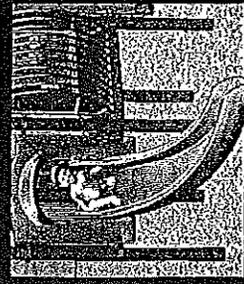
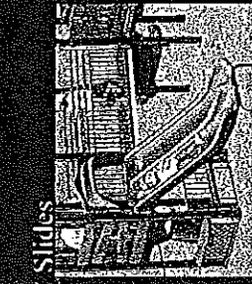
NORTHEAST
 PLAYGROUND BUILDERS
 LLC
 www.nepplaygroundbuilders.com



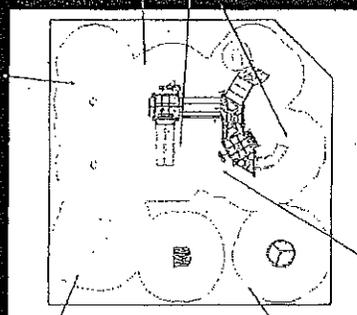
Tree Climb



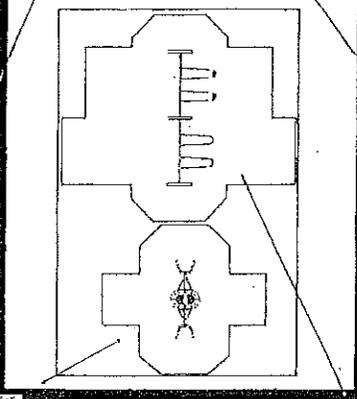
Slides



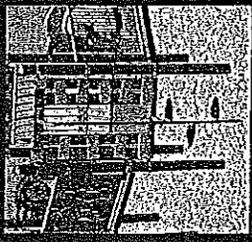
Tree Stumps



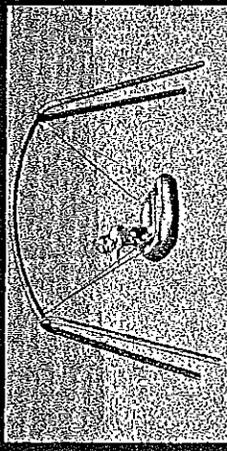
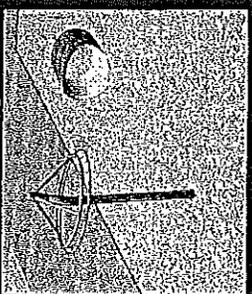
Fun Rock



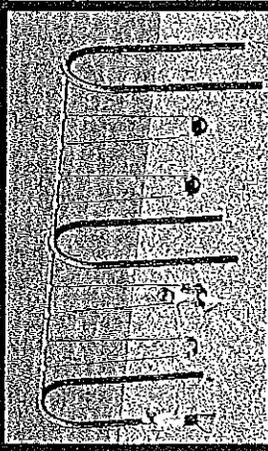
Pedal Pod



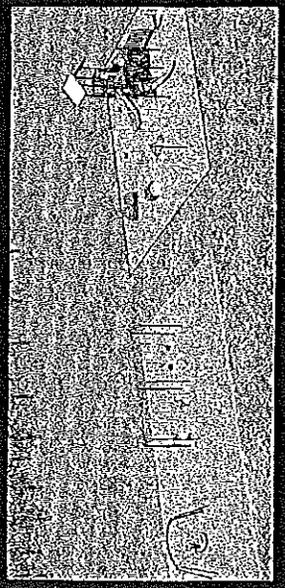
Maxipole & Log Tunnel



Team Raft Swing



Two Bay Swings



2015 Annual Town Meeting
April 11, 2015

ARTICLE 22:

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 6, Section 172 B ½, to adopt a new General By-law enabling the Police Department to conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for the following licenses: Hawking and Peddling or other Door-to-Door Salespeople, Manager of Alcoholic Beverage License, Owner or Operator of Public Conveyance, Dealer of Second-hand Articles, Pawn Dealers, Hackney Drivers and Ice Cream Truck Vendors and to adopt appropriate policies and procedures to effectuate the purposes of this bylaw, a copy of which is on file in the Town Clerk's office, or take any other action relative thereto.

BOARD OF SELECTMEN



TOWN OF PLYMOUTH

POLICE DEPARTMENT

20 Long Pond Road
Plymouth, Massachusetts 02360

(508) 830-1218

FAX: (508) 830-1227

To: Advisory & Finance Committee / Board of Selectmen

From: Chief Michael E. Botieri

Date: January 6, 2015

Re: Article 22 Civil Fingerprinting By-Law

The Police Department currently is not authorized to perform a Board of Probation (BOP) check during a background investigation for Ice Cream Venders, Hawkers, and Door to Door Venders etc. This proposed by-law authorizes the Police Department to conduct state and federal finger-print based criminal history checks for individuals applying for licenses to engage in the following occupational activities: (1) managers of alcoholic beverage licenses; (2) hawkers and peddlers; (3) owners or operators of public conveyances; (4) dealers of second-hand articles; and (5) ice cream truck vendors.

The ability to perform these fingerprint supported information checks are invaluable to the Police Department in order to confidently either issue or deny an individual for any of the above licenses. The Town must ensure that only suitable individuals are issued licenses to solicit in our community. (See attached proposed Fingerprinting By-Law).

NOTE: The FBI Access Integrity Unit (AIU) has been contacted and have authorized the Town of Plymouth to move forward with this By-Law.

Michael E. Botieri

Chief of Police



Chapter 72 Civil Fingerprinting

72-1 Criminal History Check Authorization

- A. The Police Department shall, as authorized by Massachusetts General Laws Chapter 6, Section 172 B 1/2, conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for the following licenses:
- Hawking and Peddling or other Door-to- Door Salespeople
 - Manager of Alcoholic Beverage License
 - Owner or Operator of Public Conveyance
 - Dealer of Second-hand Articles
 - Pawn Dealers,
 - Hackney Drivers, and,
 - Ice Cream Truck Vendors
- B. At the time of fingerprinting, the Police Department shall notify the individual fingerprinted that the fingerprints will be used to check the individual's criminal history records. The Police Chief shall periodically check with the Executive Office of Public Safety and Security ("EOPSS") which has issued an Informational Bulletin which explains the requirements for town by-laws and the procedures for obtaining criminal history information, to see if there have been any updates to be sure the Town remains in compliance.
- C. Upon receipt of the fingerprints and the appropriate fee, the Police Department shall transmit the fingerprints it has obtained pursuant to this by-law to the Identification Section of the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Services (DCJIS), and/or the Federal Bureau of Investigation (FBI) or the successors of such agencies as may be necessary for the purpose of conducting fingerprint-based state and national criminal records background checks of license applicants specified in this by-law.
- D. The Town authorizes the Massachusetts State Police, the Massachusetts Department of Criminal Justice Information Systems (DCJIS), and the Federal Bureau of Investigation (FBI), and their successors, as may be applicable, to conduct fingerprint-based state and national criminal record background checks, including FBI records, consistent with this by-law. The Town authorizes the Police Department to receive and utilize State and FBI records in connection with such background checks, consistent with this by-law. The State and FBI criminal history will not be disseminated to unauthorized entities.

- E. Upon receipt of a report from the FBI or other appropriate criminal justice agency, a record subject may request and receive a copy of his/her criminal history record from the Police Department. Should the record subject seek to amend or correct his/her record, he/she must take appropriate action to correct said record, which action currently includes contacting the Massachusetts Department of Criminal Justice Information Services (DCJIS) for a state record or the FBI for records from other jurisdictions maintained in its file. An applicant that wants to challenge the accuracy or completeness of the record shall be advised that the procedures to change, correct, or update the record are set forth in Title 28 CFR 16.34. The Police Department shall not utilize and/or transmit the results of the fingerprint-based criminal record background check to any licensing authority pursuant to this by-law until it has taken the steps detailed in this paragraph. Municipal officials should not deny an applicant the license based on information in the record until the applicant has been afforded a reasonable time to correct or complete the information, or has declined to do so.
- F. The Police Department shall communicate only the results of the National (FBI) fingerprint-based criminal record background checks to the appropriate governmental licensing authority within the Town as listed. The Police Department may not communicate any Massachusetts fingerprint-based criminal history record check results. The Police Department shall indicate whether the applicant has been convicted of, or is awaiting final adjudication for, a crime that bears upon his or her suitability or any felony or misdemeanor that involved force or threat of force, controlled substances or a sex-related offense. The Police Department must record this secondary dissemination in its CORI Dissemination Log.
- G. The Board of Selectmen is authorized to promulgate regulations for the implementation of the proposed by-law, but in doing so it is recommended that they consult with the Chief of Police, Town Counsel and the Massachusetts Executive Office of Public Safety and Security (or its successor agency) to ensure that such regulations are consistent with the statute, the FBI's requirements for access to the national database, and other applicable state laws.

72-2 Use of Criminal Record by Licensing Authorities

- A. Licensing authorities of the Town shall utilize the results of fingerprint-based criminal record background checks for the sole purpose of determining the suitability of the subjects of the checks in connection with the license applications specified in this by-law. A Town licensing authority may deny an application for a license on the basis of the results of a fingerprint-based criminal record background check if it determines that the results of the check render the subject unsuitable for the proposed occupational activity. The licensing authority shall consider all applicable laws, regulations and Town policies bearing on an applicant's suitability in making this determination.

- B. The Town or any of its officers, departments, boards, committees or other licensing authorities is hereby authorized to deny any application for, including renewals and transfers thereof, for any person who is determined unfit for the license, as determined by the licensing authority, due to information obtained pursuant to this by-law.

72-3 Fees

- A. The fee charged by the Police Department for the purpose of conducting fingerprint-based criminal record background checks shall be one hundred dollars (\$100). The Town Treasurer shall periodically consult with Town Counsel and the Department of Revenue, Division of Local Services regarding the proper municipal accounting of those fees.
- B. A portion of the fee (\$30) as specified in Mass. Gen. Laws Chapter 6, Section 172B1/2, must be paid separately to the Commonwealth by either money order or bank check, and shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund. The remainder of the fee may be retained by the Town to be expended by the Police Department to help offset costs associated with the administration of the fingerprinting system, subject to Town Meeting appropriation or deposited in a revolving account if and when one is established for that purpose.

2015 Annual Town Meeting
April 11, 2015

ARTICLE 32:

To see if the Town will vote to amend the Zoning Bylaw, Official Zoning Map of the Town of Plymouth, by changing the zoning designation of land on Commerce Way shown as Lots 44, 14K-39C and 14K-40B on Plymouth Assessors Map 103 from Light Industrial (LI) to Mixed Commerce (MC), as well as to amend associated sections, provisions, definitions, tables, charts and procedures pertaining thereto, or to take any other action relative thereto.

BY PETITION: Robert C. Betters, et al

To see if the Town will vote to amend the Zoning Map to include the former Park & Ride lot on Commerce Way in "Mixed Commerce" zoning (Section 205-55 of the Zoning Bylaws) instead of Light Industrial Zoning. (Shown as ■ on the attached plan.)

Background: The Park & Ride lot was auctioned by the MassDOT in November of 2014 and Saxon Partners submitted the winning bid. Saxon's interest in this parcel was driven by the fact that it is at the "front door" of Colony Place. Having spent a great deal of time and money to build Colony Place as an attractive master-planned development, we would like to convert the Park & Ride lot into something that is complementary to Colony Place. To that end, the best zoning for the property is Mixed Commerce, not Light Industrial.

Proposed Change:

The sites on either side of the Park & Ride lot are already in the Mixed Commerce zone, and the requested change is to change the Zoning Map and move the Mixed Commerce line to the other side of the Park & Ride lot in order to incorporate the Park & Ride lot in the same zone as those two adjacent lots and Colony Place.

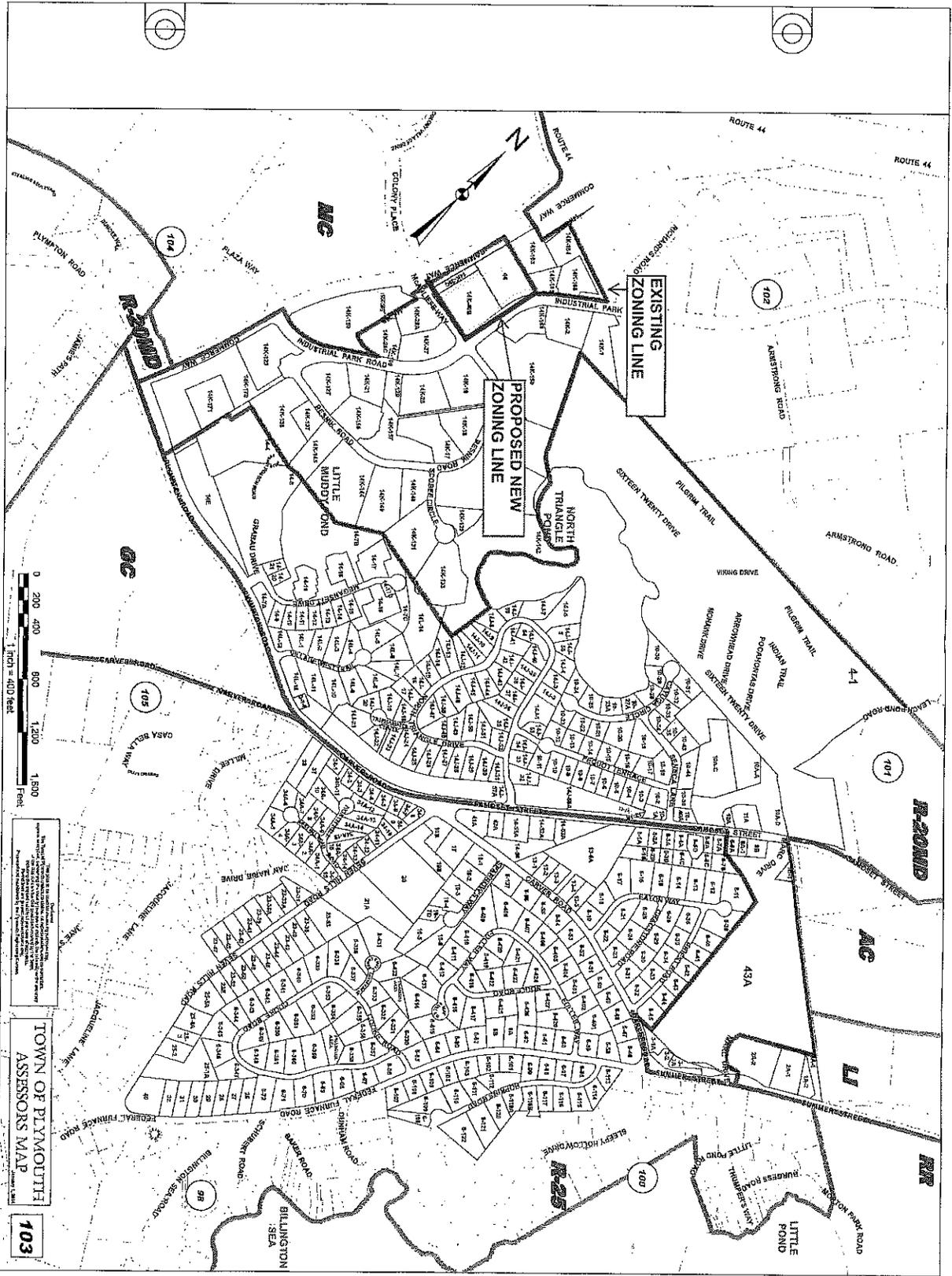
Moving the Mixed Commerce zoning line to the other side of the former Park & Ride lot would change the zoning in a manner that would

- (i) eliminate uses that we don't believe are appropriate for the entrance to this area such as salvage yards, concrete/asphalt plants, heavy manufacturing, body shops, freight terminals, etc.;
- (ii) continue to allow for appropriate uses such as office; and
- (iii) add uses that we believe are complimentary to Colony Place and the sites to either side of the Park & Ride lot such as retail.

Benefits to the Town of Plymouth:

Moving the Mixed Commerce zoning line to the other side of the former Park & Ride lot would allow the vacant site to be developed in a manner that is complimentary to Colony Place and the adjacent Mixed Use properties is beneficial in terms of:

- a nicer entrance to the Commerce Way retail and office area, especially compared to some of the unattractive uses allowed under the Light Industrial zoning (which includes concrete/asphalt plants, heavy manufacturing, salvage yards, etc.); and
- the increased tax revenue of these higher value uses.

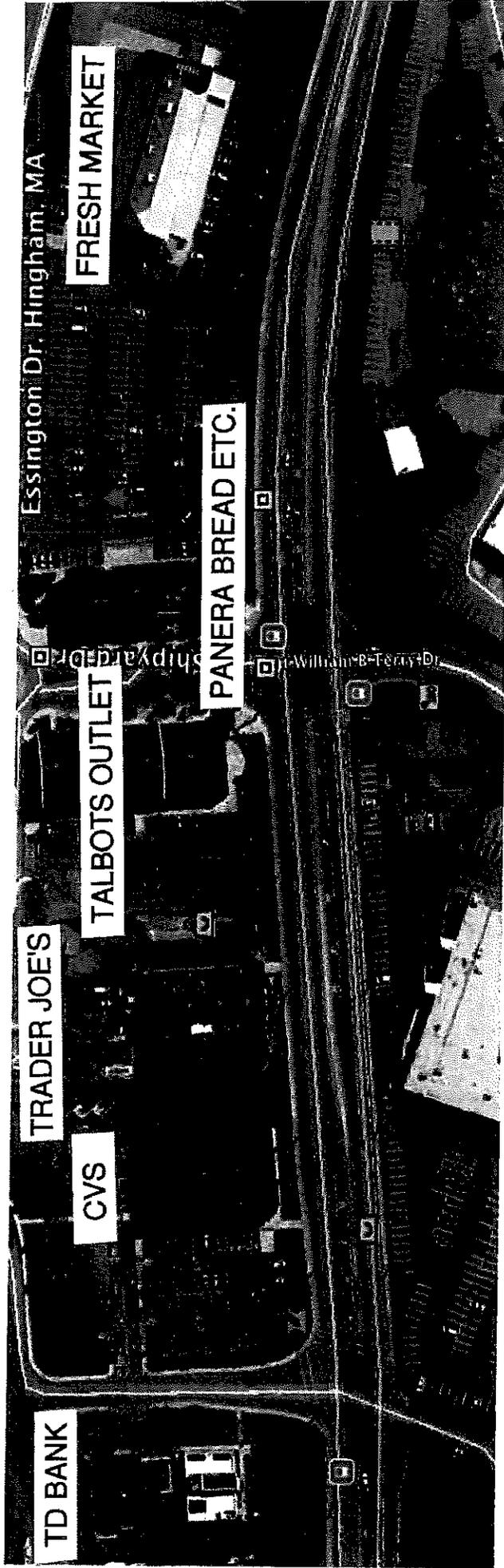


OVERVIEW OF ZONING USES

	Light Industrial	Mixed Commerce
Manufacturing	Allowed	Not Allowed
Trucking / Freight Terminals	Allowed	Not Allowed
Auto Garages, Body Shops, and Heavy Equipment Sales	Special Permit	Not Allowed
Utility Plants and Substations	Special Permit	Not Allowed
Industrial Uses w/o High Nuisance	Special Permit	Not allowed
Heavy Manufacturing	Spec Permit w/ DC	Not Allowed
Wrecking and Salvage Yards	Spec Permit w/ DC	Not Allowed
Gravel Pits	Spec Permit w/ DC	Not Allowed
Concrete Mixing and Asphalt Plants	Spec Permit w/ DC	Not Allowed
Automotive Service Stations	Special Permit	Spec Permit w/ DC
Wholesaling/Warehousing/Distribution	Allowed	Allowed < 10,000 Special Permit >10,000
Office, Labs, Research Facilities	Allowed	Allowed < 10,000 Special Permit >10,000 Spec Permit w/ DC if Planned Office Park
Hotels / Motels	Special Permit	Allowed < 10,000 Special Permit >10,000
Construction, Building Supply, etc.	Special Permit	Special Permit
Tech Schools and Training Facilities	Special Permit	Special Permit
Child Care Facility	Special Permit	Spec Permit w/ DC
Recreational Uses	Special Permit	Special Permit
Banks, restaurants	Special Permit if < 10k sf and < 25% of building	Special Permit < 10,000 Spec Permit w/ DC if > 10,000
Retail Uses	Not Allowed	Special Permit < 10,000 Spec Permit w/ DC if > 10,000
Planned Shopping Center	Not Allowed	Spec Permit w/ DC

Sample Road Front Retail Development

Lincoln Street, Hingham



Sample Road Front Retail Development

On busy commercial streets, certain small retail buildings can be the "highest and best" use of land

Such Properties in Plymouth and Hingham are generating assessed values in excess of \$1.5 million per acre, which compares favorable to other types of properties:

	Taxes		Annual Tax (6.6 acres)
	Per Acre (1)	Per Acre (2)	
Road Front Retail	1,500,000	23,310	153,846
Large Format Retail	900,000	13,986	92,308
Office Buildings in Plymouth Industrial Park	770,000	11,966	78,974
Industrial Buildings in Plymouth Indust. Park	575,000	8,936	58,974

6.6 acres

Actual Stores / Assessed Values in Hingham

	Land Area	Building Area	Building Area Per Acre	Assessed Value (1)	Assessment Per SF	Assessment Per Acre	Taxes Per Acre (2)
Trader Joes + Talbots Outlet	3.0	28,420	9,505	5,849,000	\$ 206	1,956,187	30,399
CVS	2.4	13,074	5,448	3,422,400	\$ 262	1,426,000	22,160
TD Bank	1.0	3,720	3,916	1,237,900	\$ 333	1,303,053	20,249
Panera etc. (multiple tenants)	2.4	9,878	4,048	2,548,500	\$ 258	1,044,467	16,231
Fresh Market	2.4	22,333	9,229	4,814,500	\$ 216	1,989,463	30,916
	<u>11.2</u>			<u>Average</u>	<u>\$ 255</u>	<u>1,543,834</u>	<u>23,991</u>

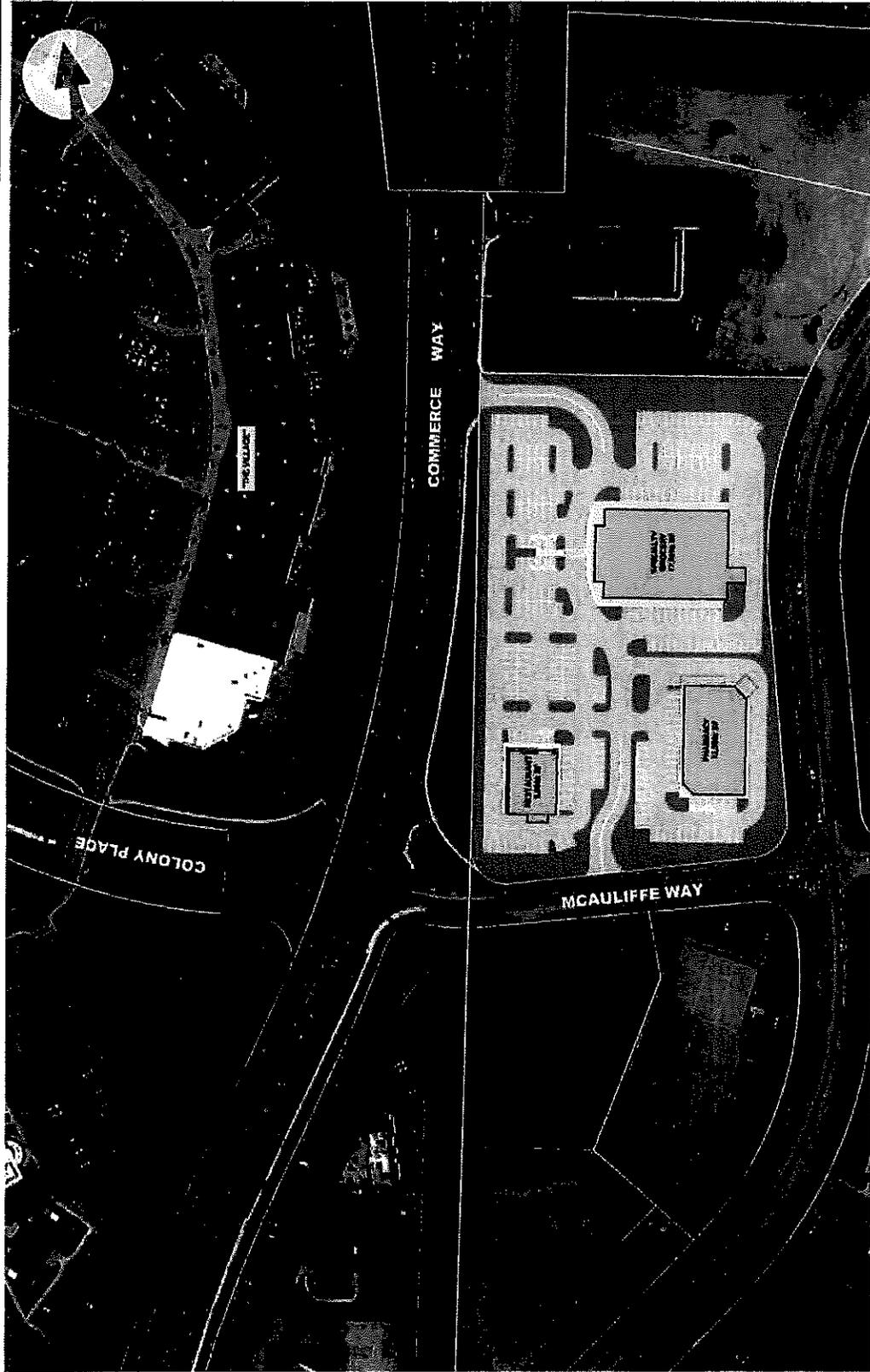
Similar Valuations are found on Small Road Front Lots on Samoset Street in Plymouth

	Land Area	Building Area	Building Area Per Acre	Assessed Value (1)	Assessment Per SF	Assessment Per Acre	Taxes Per Acre (2)
Walgreens Samoset	1.6	13,335	8,532	2,478,800	\$ 186	1,585,925	24,645
Cumberland Farms Samoset	1.8	4,915	2,764	2,326,900	\$ 473	1,308,712	20,337
Dunkin Donuts Samoset	0.9	3,636	4,124	1,562,000	\$ 430	1,771,432	27,528
				<u>Average</u>	<u>\$ 363</u>	<u>1,555,356</u>	<u>24,170</u>

Vs. standard retail lot valuation on Samoset:

Stop & Shop Center	18.4	139,892	7,611	19,518,200	\$ 140	1,061,926	16,502
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(1) Current assessed values, Hingham and Plymouth (2) Taxes that would be assessed at Plymouth rate of 15.54



PARK & RIDE LOT | CONCEPT SITE PLAN
JANUARY 14, 2015

FINAL REPORT AND RECOMMENDATION OF THE PLANNING BOARD ON THE PETITION OF ROBERT C. BETTERS, ET. AL. TO SEE IF THE TOWN WILL VOTE TO AMEND THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DESIGNATION OF LAND ON COMMERCE WAY SHOWN AS LOTS 44, 14K-39C AND 14K-40B FROM LIGHT INDUSTRIAL TO MIXED COMMERCE

PUBLIC HEARING NOTICES

DATE OF PUBLICATION OF PUBLIC HEARING: January 7, 2015
January 14, 2015
DATE OF PUBLIC HEARINGS: January 26, 2015
February 2, 2015

VOTE: On February 2, 2015, the Planning Board voted (4-0) **not to support** the following amendment to Town Meeting:

PROPOSED AMENDMENT:

To see if the Town will vote to amend the Zoning Bylaw, Official Zoning Map of the Town of Plymouth, by changing the zoning designation of land on Commerce Way shown as Lots 44, 14K-39C and 14K-40B on Plymouth Assessors Map 103 from Light Industrial (LI) to Mixed commerce (MC), as well as to amend associated sections, provisions, definitions, table, charts, and procedures pertaining thereto, or take any other action relative thereto.

PROPOSAL:

To rezone 6.4 acres of land located on Commerce Way and known locally as the "Park and Ride" lot from Light Industrial to Mixed Commerce.

PLANNING BOARD'S POSITION:

- An ample supply of land zoned for retail use already exists within the Town.
- Before the Town rezones this property from Light Industrial to Mixed Commerce, the Town should first explore all other options to make this site available for public parking during the Town's 400th anniversary celebrations.
- The Planning Board would be more inclined to support a zoning amendment that required a mix of uses with retail on the first floor and office and light industrial uses on upper floors.

TOWN OF PLYMOUTH

Paul McAlduff, Chairman

Malcolm MacGregor

Marc Garrett

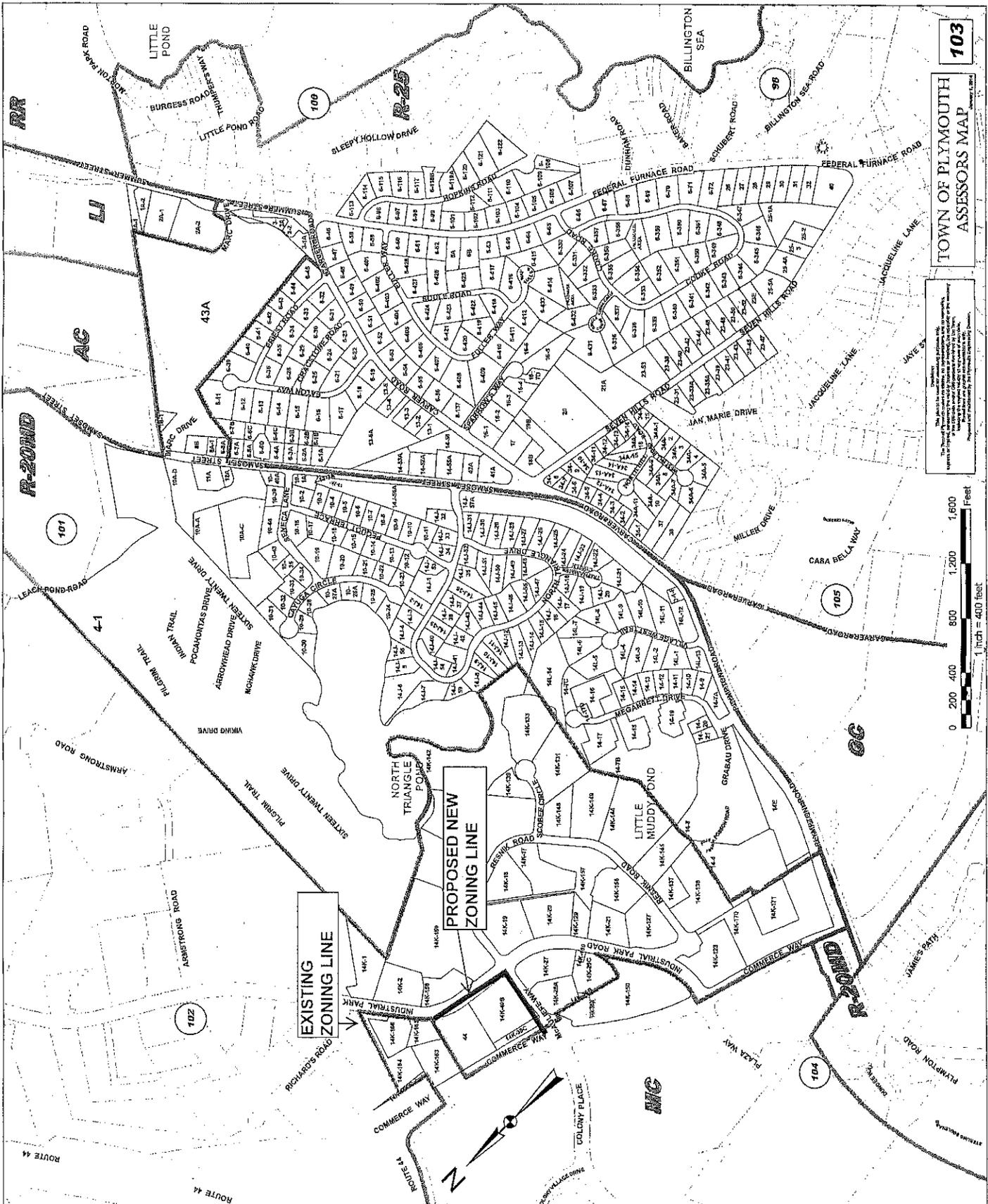
Tim Grandy

BEING A MAJORITY OF THE PLANNING BOARD

DATE SIGNED BY THE PLANNING BOARD: _____

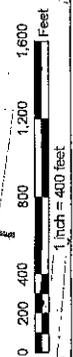
DATE FILED WITH TOWN CLERK: _____

c: Town Clerk
Board of Selectmen
Advisory and Finance Committee



103
 TOWN OF PLYMOUTH
 ASSESSORS MAP

This map is prepared by the Assessor's Office of the Town of Plymouth, Massachusetts. It is based on the most current information available to the Assessor's Office. The Assessor's Office is not responsible for any errors or omissions on this map. The Assessor's Office is not a professional surveying or engineering firm. This map is not to be used for any other purpose than for the assessment of property taxes.



**PROPOSED NEW
 ZONING LINE**

**EXISTING
 ZONING LINE**



2015 Annual Town Meeting
April 11, 2015

ARTICLE 30:

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 a payment in lieu of tax agreement with the lessee/operator of the solar photovoltaic energy generating facility to be developed on Lot 47B, Herring Pond Road, as shown on Plan No. '11-496 in Plan Book 56, Page 1084 at Plymouth Deeds, upon such terms and conditions as the Board of Selectmen and Assessors shall deem to be in the best interest of the Town, or take any other action relating thereto.

BY PETITION: Richard Serkey, et al

Payment in Lieu of Taxes Summary

The following is an explanation of the Petition placed on the Warrant for the 2015 Spring Annual Town Meeting regarding a Payment in Lieu of Taxes (PILOT) agreement for a solar facility that has been permitted in Town.

The Petitioner, Renewable Energy Development Partners (REDP), has obtained permits from the Town of Plymouth for the installation and operation of a ~600 kW solar facility on a 9.4 acre plot of land known as 136R Herring Pond Rd (Map 56, Lot 47B). The property is a spent gravel pit. REDP has received authorization to interconnect the facility to the NSTAR grid. A locus map of the property is shown in Exhibit A. Note that the current Warrant pertains to the first phase of a two-phase solar project. The second phase of the project is on adjacent land (Map 56, Lot 47B) and will start construction later in 2015.

REDP is seeking to negotiate a 20-year PILOT agreement with the Town to eliminate some of the uncertainties that surround the valuation of solar projects and therefore aid in obtaining financing for the project. REDP is an experienced solar developer and has negotiated numerous PILOT agreements with other municipalities in MA.

2015 Annual Town Meeting
April 11, 2015

ARTICLE 31:

To see if the Town will vote to authorize the Board of Selectmen to sell and convey a portion of the parcel of land located off the easterly side of Herring Pond Road shown as Lot 59A on Assessors Map 56 and, in exchange therefor, to purchase and acquire a parcel of land located off the southwesterly side of Long Pond Road shown as Lot 25 on Assessors Map 113, upon such terms and conditions as the Board of Selectmen shall deem to be in the best interest of the Town, or take any other action relating thereto.
BY PETITION: Richard Serkey, et al

Land Swap Summary

The following is an explanation of the Petition placed on the Warrant for the 2015 Spring Annual Town Meeting regarding a land swap between land owned by an individual and land owned by the Town of Plymouth:

The Petitioner, John J McLaughlin, as Trustee of the Testamentary Trust created under the Will of Joseph G Callahan, seeks to swap a parcel of land owned by Callahan, located on the southwesterly side of Long Pond Road, shown as Lot 25 on Assessors Map 113, containing 8.25 acres more or less, for a 6 acre portion of the 17.6 acre parcel owned by the Town of Plymouth off of the easterly side of Herring Pond Road, near the Bourne Town Line, shown as Lot 59A on Assessors Map 56. A locus map for the Callahan parcel is attached as Exhibit A and a locus map for the Town owned parcel is attached as Exhibit B.

McLaughlin desires to make the swap because the new land will be contiguous to other land owned by Callahan (i.e. Map 56, Lot 57A). The land at Map 56, Lot 57A has been permitted by the Town of Plymouth for a solar facility. Callahan would most likely seek to expand the solar facility onto the swapped land, but that use is not a consideration in the swap. Any future use would be subject to permitting with the Town. The 6 acre portion of the 17.6 acre parcel has been selected so that there is a 200' treed buffer of land to be retained by the Town, which will provide a significant buffer from any proposed future use to abutters or Route 3. The proposed 6 acre portion of the Town owned parcel is shown on Exhibit B. The exact location of the 6 acres would be subject to negotiation with the Board of Selectmen. The land owned by the Town at Lot 59A, Map 56 was gotten thru a tax taking in 1984.

The land that the Town would get in the swap is located in the middle of a large undeveloped area and is adjacent to other lands owned by the Town or other conservation entities. Exhibit A shows the parcel in the context of other lands. Since the land to be gotten by the Town in the swap abuts other conserved lands, the Petitioner suggests that the parcel be deeded to the care and control of the Plymouth Conservation Commission.

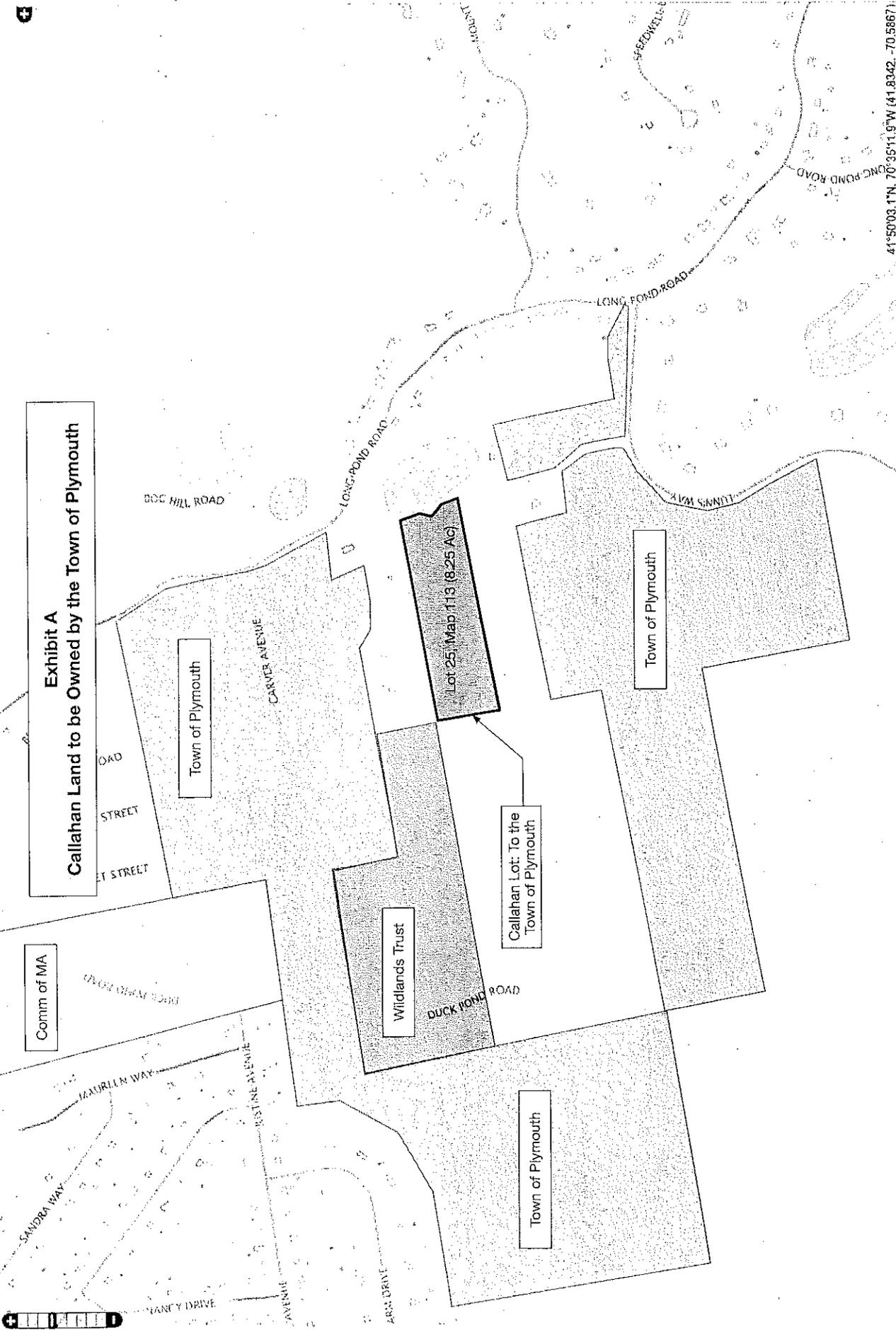


Exhibit A
Callahan Land to be Owned by the Town of Plymouth

Town of Plymouth

Lot 25 (Map 113) (8.25 AC)

Town of Plymouth

Callahan Lot: To the Town of Plymouth

Wildlands Trust

Town of Plymouth

Comm of MA





Exhibit B
Town Land to be Owned by Callahan

Parcel Owned by the Town of Plymouth:
17.6 Ac Lot 59A, Map 56
Buffer Land (11.6 Ac) to Remain in the Ownership of the Town

Land to
Callahan
6 AC

Parcel Owned by Callahan with
Permitted Solar Project
(Lot 57A, Map 56)

Memorandum

TO: Melissa Arrighi
Town Manager

FROM: Richard J. Vacca, JD
Conservation Planner

C: Kere Gillette ✓
Advisory and Finance

DATE: January 21, 2015

RE: **Article 31 – Land Swap Petitioned by: Renewable Energy Development Partners (REDP) – Land Swap**

I want to take the opportunity to update you as to the status of the above matter.

On December 23, 2014, Tom Melehan of REDP, made a presentation before the Plymouth Conservation Commission to describe a proposed land swap for a potential installation of a solar array project proposed on six (6) acres of a 17.5 acre Tax Title parcel (Parcel ID 056-000-059A-000), located east of Herring Pond Road and abutting Route 3.

Mr. Melehan will propose to transfer the ownership of an eight (8) acre parcel (Parcel ID 113-000-025-000), into the Care and Custody of the Conservation Commission. The parcel is located west of Long Pond Road.

The positive consensus of the Commission was unanimous – the land proposed to be swapped was of relatively high value from a conservation perspective. The eight (8) acre parcel which the Commission would take custody of has frontage on a small pond (Black Pond) and is located in proximity of a substantial parcel managed by Wildlands Trust. This 8- acre parcel is also close to Natural Heritage and Endangered Species mapped habitat.

In summary, if Article 31 is successful at spring 2015 Annual Town Meeting, the Conservation Commission would accept the parcel under its Care and Custody, once formally requested.

In addition, Mr. Melehan has prepared a narrative and annotated GIS maps, describing the goals and objectives of the land swap as well as the acreage, subdivision, buffer zones and other environmental constraints of the parcels to be conveyed.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Friday January 25, 2015
Re: ANNUAL SPRING TM 2015: CPA Article 16A

ARTICLE 16A: To see if the Town will vote to amend the vote taken under Article 16A of the 2014 Spring Annual Town Meeting by reducing the \$4,500,000 borrowing authorization approved thereunder for the restoration for 1820 Court House by the sum of \$500,000 and further to transfer \$500,000 for fiscal 2016 Community Preservation Act revenues for purposes of future restoration of said 1820 Court House, including construction, demolition, renovation, operation, and related costs, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Article 16A at its meeting held Thursday, January 22, 2015

SUMMARY & INTENT:

The Community Preservation Committee recommends the reduction of the original borrowing appropriation under Article 16A from Spring Town Meeting 2014 for the 1820 Court House. The Committee intends to move available funds into a dedicated Fund to be utilized for the renovation, preservation and creation of the 1820 Court House. The CPC in the spring of 2015 made a similar recommendation at \$5 Hundred Thousand. The plan was to reduce the borrowing from \$5 Million to \$4.5 Million. The borrowing reduction strategy is a policy the CPC is pursuing to pay for construct with cash on hand.

Community Preservation Fund - Available Funds				FATM 2014 Articles	ATM & STM 2015	Balances
	Balance 6/30/2014 CP - 2	FY2015 Annual Town Meeting Action	Available for FY2015 Town Meetings - FATM, April STM & ATM	Articles 16A, 16B, 16C & 16D	2015 Annual & Special Town Meeting Action	Balances Remaining for STM in April
Fund Balances:						
Reserved for Open Space	239,009.00	249,016.00	488,025.00	(450,000.00)		38,025.00
Reserved for Community Housing	258,328.00	249,015.00	507,343.00			507,343.00
Reserved for Historic Resources	33,659.00	249,015.00	282,674.00	(20,000.00)		262,674.00
Budgeted Reserve		1,643,500.00	1,643,500.00	(750,000.00)		893,500.00
						-
						-
						-
Unreserved - for any Purpose						-
Undesignated Fund Balance	552,345.35		552,345.35	(500,000.00)		52,345.35
						-
						-
						-
2016 Estimated Revenues for Annual Town Meeting:			1,778,811.00			1,778,811.00
						-
						-
Grand Total	\$1,083,341.35	\$2,390,546.00	\$5,252,698.35	(\$1,720,000.00)	-	3,532,698.35

Lynne A. Barrett
Finance Director
2/4/2015



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Friday January 25, 2015
Re: ANNUAL SPRING TM 2015: CPA Article 16B

ARTICLE 16B: To see if the Town will vote to appropriate \$2,000,000.00 for the creation and/or restoration and rehabilitation of land for recreational use pursuant to the Community Preservation Act, which land is commonly known as Stephens Field, and is shown as Assessors Map 23, Lot 16b, 16c, 17c, 23, 24 and 26, and specifically for the creation and rebuilding Stephens Field as described in the Final Schematic Plan design by Ray Dunetz Landscape Architecture Dated August 2014 as voted and adopted by the Stephens Field Planning & Design Committee ("SFPDC") on October 8, 2014; and revisions to the Final Schematic Plan shall be presented to the Community Preservation Committee (CPC) for review and if the CPC determines that the revision is significant, the SFPDC will be requested to approve the revision and as funding therefor to appropriate said sum from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow pursuant to G.L. c.44B or any other enabling authority and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue notes and bonds therefor; and, in connection therewith, to authorize the Board of Selectmen to grant to a nonprofit or charitable corporation a restriction in said land meeting the requirements of G.L. c.184, §§31-33; provided however, that prior to expenditure of the funds appropriated hereunder, shall execute a mutually acceptable Grant Agreement with the Community Preservation Committee; or take any other action related thereto.

COMMUNITY PRESERVATION COMMITTEE

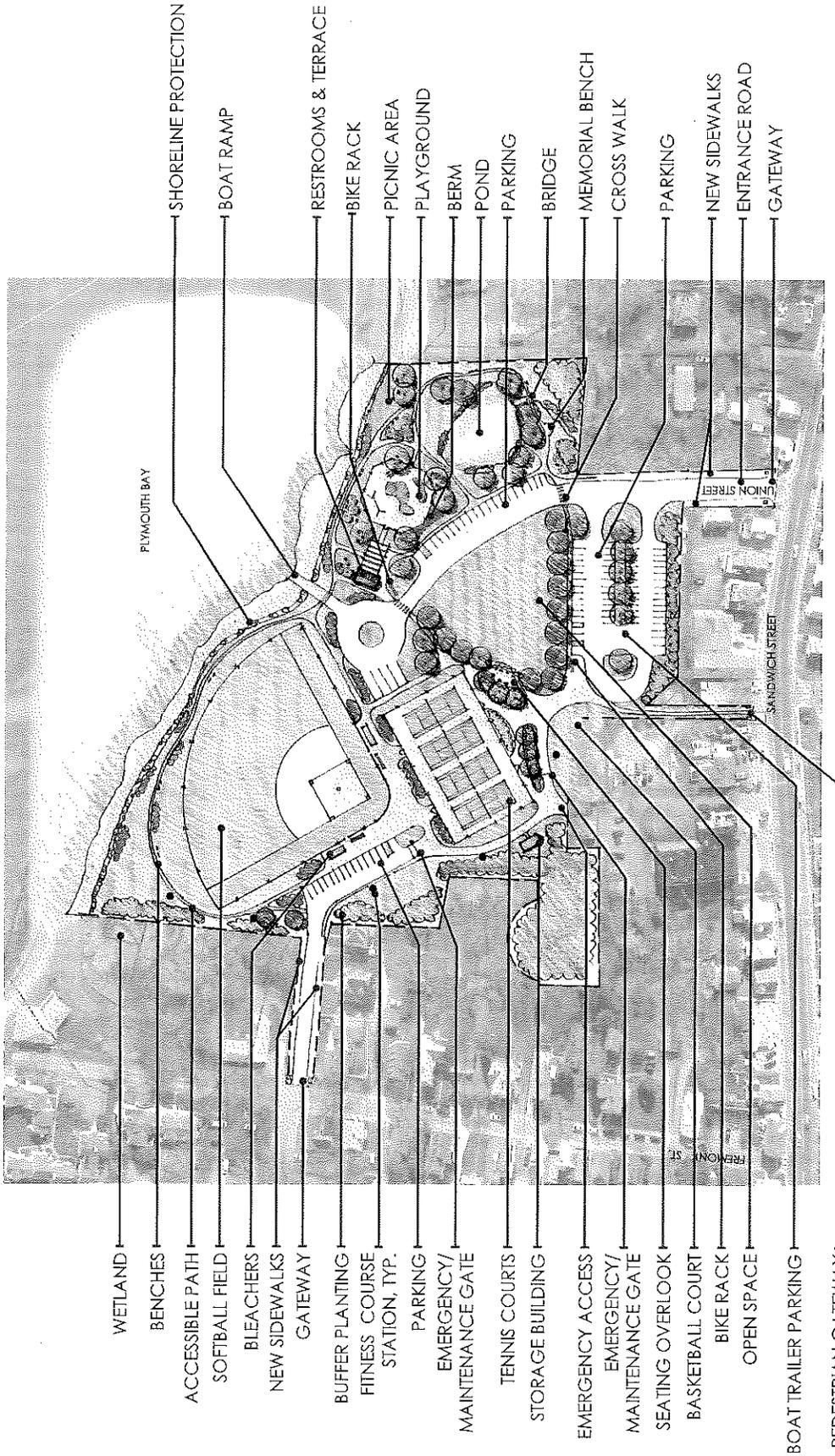
CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Article 16B at its meeting held Thursday, January 22, 2015.

SUMMARY & INTENT:

The intent of the CPC is to appropriate \$2,000,000.00 from the Community Preservation Fund to rebuild Stephens Field in accordance with the Final Schematic Plan design by Ray Dunetz Landscape Architecture dated August 2014 as voted and adopted by the Stephens Field Planning & Design Committee. Any revisions to the Final Schematic Plan shall be presented to the Community Preservation Committee (CPC) for review and if the CPC determines that the revision is significant, the SFPDC will be requested to approve the revision.

W



SCHEMATIC DESIGN

STEPHENS FIELD

PLYMOUTH, MA



NORTH

AUGUST 2014

GRAPHIC SCALE IN FEET

0 80 160 320



RAY DINNETZ
ARCHITECTS
ARCHITECTURE



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Friday January 25, 2015
Re: ANNUAL SPRING TM 2015: CPA Article 16C

ARTICLE 16C: To see if the Town will vote to appropriate the sum of \$200,000 for the acquisition, and to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain, or otherwise, for the acquisition of open space and to create, restore and/or rehabilitate land for recreational purposes pursuant to the Community Preservation Program, and to accept the deed to the Town of Plymouth, of a fee simple interest or less to 0.07 acres of land, more or less, in the Town of Plymouth located at 161 Taylor Avenue, Plymouth, shown on Assessor's Map 45B as Lot 14-24, and further that said land shall be held under the care, custody, and control of the Conservation Commission, and to authorize appropriate Town officials enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effect said purchase; further to appropriate the sum of \$30,000 for the removal of infrastructure, restoration and rehabilitation of land for recreational use, shown as Assessors Map 45B Lot 14-24, including all costs incidental and related thereto; and as funding therefor to appropriate the total sum of \$230,000 from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow said total sum for such purposes pursuant to G.L. c.44B or any other enabling authority, and to authorize the Treasurer, with the approval of the Board of Selectmen to borrow said sum and issue notes and bonds therefor; and further to authorize the Board of Selectmen to grant a conservation restriction in said property pursuant to G.L. c.44B, §12 and G.L. c.184, §§31-33; and shall execute a mutually acceptable Grant Agreement with the Community Preservation Committee; or take any other action related thereto.
COMMUNITY PRESERVATION COMMITTEE

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Article 16C at its meeting held Thursday, January 22, 2015.

SUMMARY & INTENT:

The CPC believes that the acquisition of this property will allow the removal of failed septic systems and other infrastructure which are harmful to Bartlett Brook and White Horse Beach. By controlling the property at Bartlett Brook Bridge, the Town can maximize future road and safety improvements at this location and protect adjacent properties from future damage. Town Meeting is asked to appropriate \$230,000.00 from the Community Preservation Fund for the acquisition of 161 Taylor for open space recreational purposes under the Community Preservation Act, \$200,000.00 for the acquisition of 161 Taylor Avenue and \$30,000.00 for removal of the improvements and the septic system located on 161 Taylor Ave.

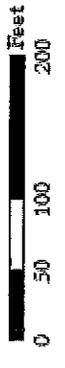


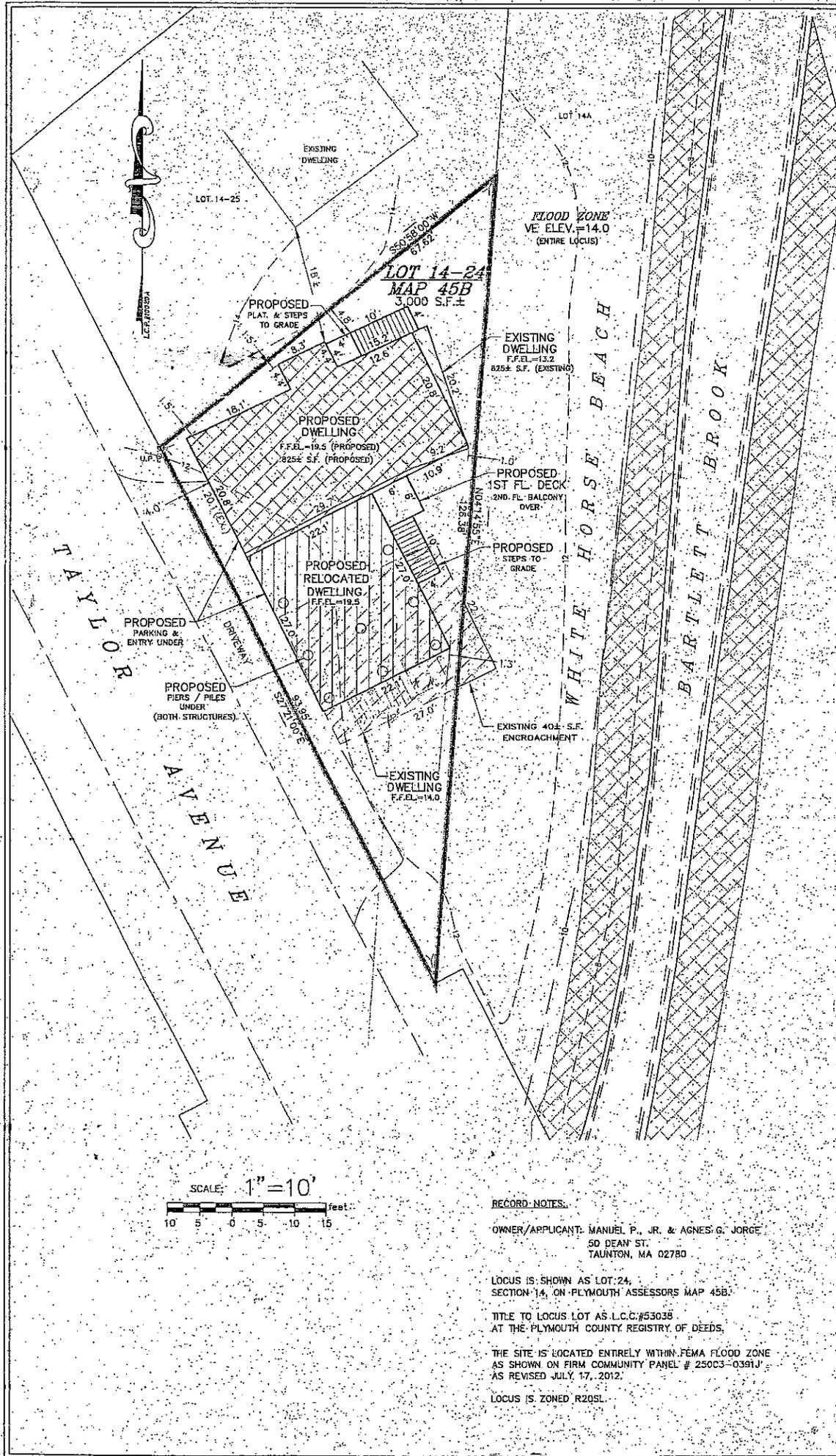
June 2013

White Horse Beach Improvement Phase 2 Plymouth, Massachusetts



White Horse Beach Improvement Phase 2





RECORD NOTES:

OWNER/APPLICANT: MANUEL P., JR. & AGNES G. JORGE
 50 DEAN ST.
 TAUNTON, MA 02780

LOCUS IS SHOWN AS LOT 24,
 SECTION 14, ON PLYMOUTH ASSESSOR'S MAP 45B.

TITLE TO LOCUS LOT AS L.C.C.#53038
 AT THE PLYMOUTH COUNTY REGISTRY OF DEEDS.

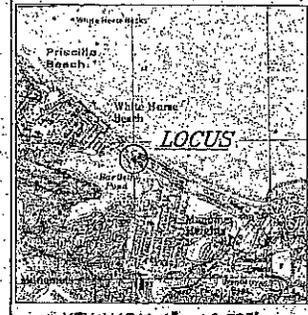
THE SITE IS LOCATED ENTIRELY WITHIN FEMA FLOOD ZONE
 AS SHOWN ON FIRM COMMUNITY PANEL # 250C3-0391J
 AS REVISED JULY 17, 2012.

LOCUS IS ZONED R205L.

REVISIONS No.	DESCRIPTION	DATE

CONSTRUCTION NOTES:

1. ALL UNDERGROUND UTILITIES SHOWN WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS AND ARE APPROXIMATE ONLY. WE ASSUME NO RESPONSIBILITY FOR DAMAGES AS A RESULT OF INACCURATELY SHOWN OR OMITTED UTILITIES. SEE CHAPTER 370, ACTS OF 1963, MASSACHUSETTS GENERAL LAWS, THE APPROPRIATE PUBLIC ENGINEERING DEPARTMENT SHALL BE CONTACTED AS WELL AS DIO-SAFE, (PH: NUMBER 1-888-344-7233) PRIOR TO THE START OF CONSTRUCTION.



PREPARED BY:
LAND MANAGEMENT SYSTEMS, INC.
 783 STATE ROAD # PLYMOUTH, MA
 P.O. BOX 999 MANOMET, MA 02345
 508-224-2201

J. Randolph Parker, Jr.
 J. RANDOLPH PARKER, JR. P.L.S. DATE

PROJECT TITLE:
ZONING BOARD OF APPEALS PETITIONERS PLAN
 AT:
 161 TAYLOR AVE
 PLYMOUTH, MA
 LOT 24
 SECTION 14
ASSESSOR'S MAP 45B
 PCL #045B-000-014-024

PREPARED FOR:
 MANUEL P. JORGE, JR.
 50 DEAN ST.
 TAUNTON, MA 02780

DATE: 01-08-13
 COMP./DESIGN: RAL
 CHECK: J.R. PARKER JR.
 DRAWN: RAL
 FIELD: AGP/ED
 LMSI JOB #4269.1
 DWG.No. # 4269.1_ZBA

SHEET 1 OF 1

Sale Date 5/24/1974
Sale Price 20,500

Legal Reference C53038
Grantor(Seller) BITTER, MELVIN

Current Property Assessment

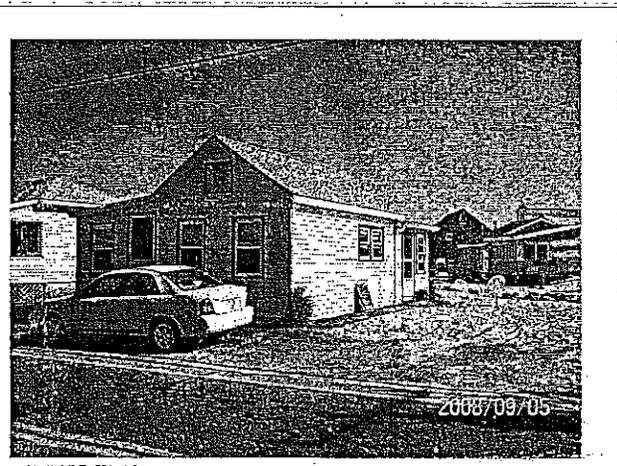
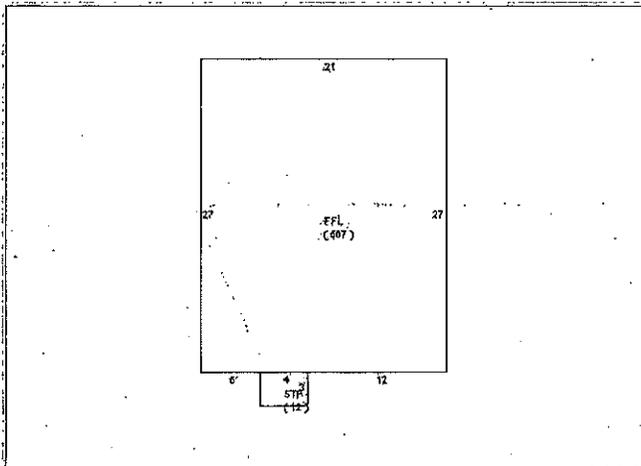
	Card 1 Value	Total Parcel Value
Year 2013	Building Value 18,100	Building Value 40,500
	Xtra Features Value 0	Xtra Features Value 0
Land Area 0.070 acres	Land Value 224,200	Land Value 224,200
	Total Value 242,300	Total Value 264,700

Narrative Description

This property contains 0.070 acres of land mainly classified as MULTI HOUSE with a(n) Cottage style building, built about 1940 , having VINYL exterior and Asphalt roof cover, with 1 unit(s), 5 total room(s), 2 total bedroom(s), 0 total bath(s), 0 total half bath(s), 1 total 3/4 bath(s).

Legal Description

Property Images

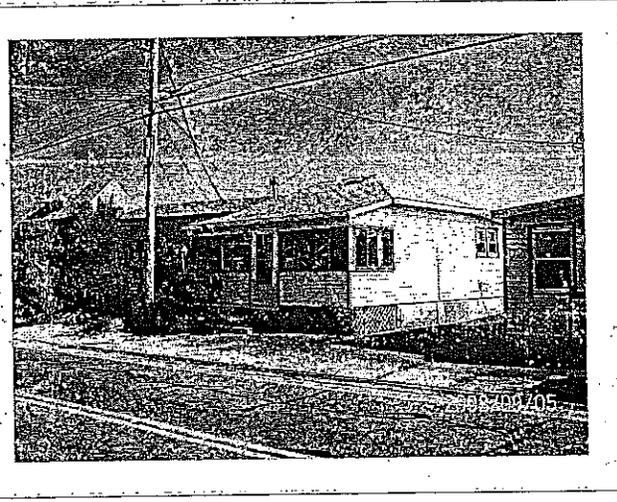
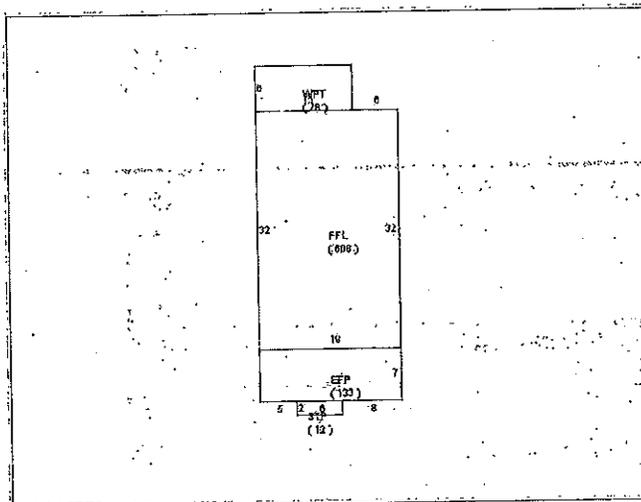


Narrative Description

This property contains 0.000 acres of land mainly classified as MULTI HOUSE with a(n) Cottage style building, built about 1940 , having VINYL exterior and Asphalt roof cover, with 1 unit(s), 5 total room(s), 3 total bedroom(s), 0 total bath(s), 0 total half bath(s), 1 total 3/4 bath(s).

Legal Description

Property Images



APPLICATION
to the
PLYMOUTH
COMMUNITY PRESERVATION
COMMITTEE

JUNE, 2013

**PROJECT: WHITE HORSE BEACH ACCESS AND
IMPROVEMENT PROJECT—PHASE II**
(on White Horse Beach)

LOCATION: 161 TAYLOR RD.
(Adjacent to Bartlett Brook)

ACREAGE: Approximately 0.07

CURRENT OWNER:

MANUEL P. JORGE, JR.
Map. 45B, Parcel 14-24

CURRENT ASSESSED VALUE: \$264,700

PROJECT SUMMARY: Wildlands Trust ("WLT") hereby submits an application to the Plymouth Community Preservation Committee, pursuant to the possibility of the Town acquiring a strategically situated parcel of land on the east side of Taylor Avenue, with frontage on White Horse Beach and closely proximate to Bartlett Brook.

It includes two c. 1940 cottages in average condition. The Town's acquisition of the Premises would be the second phase of an ongoing effort to create badly-needed amenities for White Horse Beach, and would complement the recent Town acquisition of a property at 214 Taylor Avenue that represents the first phase of this effort.

Multiple possibilities are being considered for the site, including demolishing one of the cottages and converting the remaining structure to an operations center for beach staff that would also include public restrooms. The site might also provide some additional parking for beachgoers.

The Premises are located within important wildlife habitat zones as designated by the Commonwealth of Massachusetts' Natural Heritage and Endangered Species Program ("NHESP"), and lies within an area identified as possessing multiple "Coastal Features" areas as designated by the Commonwealth of Massachusetts.

The conversion of the site from a residential use to a seasonal facility for Town Environmental Management staff and the beach-going public would have multiple benefits for proactive beach management and Plymouth residents, but would also offer public safety benefits by removing residential housing units from an exposed and periodically dangerous location in the coastal zone.

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 current Town of Plymouth Open Space and Recreation Plan.

PROJECT HISTORY: The current owner Manuel Jorge acquired the subject property in 1974, and has enjoyed seasonal use of the two cottages, occasionally renting one or both.

Mr. Jorge has been exploring the possibility of restoring and/or replacing the two existing cottages. After vetting this idea and realizing how potentially costly and time-consuming a process it would require, he is willing to consider a sale to the Town.

DEVELOPMENT POTENTIAL: The subject property is located within the R20SL Zoning District. It appears it would be legally feasible for Mr. Jorge to restore or replace the existing cottages. However, it is not clear if it is economically feasible to do so, particularly given the site's constraints. It is subject to storm surges from both the nearby Atlantic Ocean and Bartlett Brook, just 15 ft. south of the smaller cottage's back door. Additionally, a site plan prepared for Mr. Jorge earlier this year (included herewith as an attachment) depicts a 40 s.f. encroachment on adjacent Town-owned land. Any redevelopment proposal advanced by Mr. Jorge or a subsequent owner would need to rectify this encroachment.

NATURAL RESOURCES SUMMARY: The Premises' topography is primarily level. Bartlett Brook is situated just to the south, and to the east the Atlantic Ocean is just 100 ft. distant. The actual mean high tide line is approximately 115 ft. to the east.

The Premises is within an area designated by NHESP as BioMap 2 "Critical Natural Landscape". It also lies entirely or partially within, or adjacent to, multiple "Coastal Features" areas as designated by the Commonwealth of Massachusetts, including:

- Barrier Beaches
- Coastal Zone
- Worst Case Flooding by Hurricane Category
- Adjacent to Lobster Harvest Zones
- Adjacent to Shellfish Growing Areas
- The adjacent Bartlett Brook is within a Tidelands Jurisdiction Chapter 91 Area

The totality of these designations attests to the Premises' location in a low-lying and vulnerable coastal zone. It is situated in one of the most scenic and beloved areas anywhere in Plymouth, but is almost completely exposed to the full force and fury of storm surges from the nearby Atlantic Ocean and Bartlett Brook.

LANDSCAPE CONTEXT: The Premises is situated in the densely settled White Horse Beach neighborhood along Taylor Avenue. Bartlett Brook is situated just a few feet away to the east, White Horse Beach is located approximately 150 feet to the northeast, and Bartlett Pond is closely proximate to the southwest, just across Taylor Avenue...

IMPROVEMENTS/ACCESS: The Premises contains two cottages built around 1940. Both structures have been improved over time, but have recently suffered storm damage, particularly the cottage closest to Bartlett Brook. The attached Plymouth Assessors Field Card characterizes the structures' condition as "average".

OTHER: The Manomet Village Center Steering Committee strongly supports the proposed acquisition, and has formally voted to endorse the project.

ALIGNMENT WITH COMMUNITY PRESERVATION ACT GOALS FOR OPEN SPACE

GOAL 2: *Protect rare, unique, and endangered plant and wildlife habitat.* The Premises lie within NHESP-designated BioMap 2 "Critical Natural Landscape", and are proximate to areas identified as "Priority Habitats for Rare Species" and "Estimated Habitats of Rare Wildlife".

GOAL 5: *Balance open space with development demand to reduce service demands and tax burden on Town.* The Premises is situated entirely within a FEMA Flood Zone, and is subject to frequent flooding and storm surges. The Town's acquisition of the Premises would preclude its

further residential use, and thus remove a potential safety hazard and liability that could impose a burden on municipal services.

GOAL 6: *Increase the Town's ability to protect environmentally sensitive, historic and culturally significant properties.* The Town's acquisition of the Premises would allow for the creation of a beach stewardship building for the Town's Environmental Management Department, thereby enabling the Town to more efficiently manage White Horse Beach. The stewardship building would also include public restrooms and trash receptacles, thereby reducing negative impacts on the beach ecosystem.

GOAL 7: *Improve public access and trail linkages to existing conservation, recreational and other land uses.* The Town's acquisition of the subject Property would provide another ingress to White Horse Beach, and also provide additional parking for beachgoers.

GOAL 8: *Enhance the quality and variety of passive and active recreational opportunities for all age groups and for people with disabilities.* The proposed acquisition would enhance the public's capacity to access and enjoy White Horse Beach for a variety of passive recreational pursuits, including swimming, fishing, and nature study.

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."*
- *Objective: "Inventory, maintain and create access to waterfront (ocean, river and pond) with support facilities in appropriate locations."* The proposed acquisition would create another access to White Horse Beach, and also allow for the establishment of a support facility for Town Environmental Management staff and the public.

Scenic Views

- *Goal: "Maintain the existing scenic views in Plymouth that give Plymouth a distinctive sense of place."*
- *Objective: "Provide access for residents to walk/hike/park near scenic views for passive recreation".* The proposed acquisition would provide access to the scenic amenities offered by White Horse Beach.

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: "Identify, locate and map historic Rights of Way, including ones that are neglected or impeded".* While the strip of Town-owned land adjacent to the subject property is not necessarily now or in the past a historic Right of Way, at present it is under-utilized because of access and parking constraints, and also includes an encroachment as previously described herein. The proposed acquisition would remove the encroachment, and by annexing additional land to what the Town presently controls, would increase the public's capacity to enjoy the amenities offered by White Horse Beach.

The Open Space Plan also specifically recognizes the importance of White Horse Beach to the Town, and to the Manomet Village in particular, references some of the challenges the Town confronts in managing the beach and affording quality public access, and also speaks specifically to the need for the proposed acquisition of the Jorge property. On pg. 17 in the plan, it is noted that *"its wide public beach makes it very attractive to local residents and tourists. Public parking is extremely limited in this congested area. Primarily because of septic disposal problems, year round residential conversions have been discouraged, but are beginning to become more commonplace as septic upgrades are installed. This beach is one of the village's most valuable resources. As development continues it is essential that access to the beaches be established and preserved. Adequate support facilities such as parking, bathrooms, showers, etc. do not exist in this area, although a public beach limited parking has been established"*.

PROJECT BUDGET

Proposed Sales Price \$ TBD following Appraisal

Funding Sources

Town of Plymouth CPC Funds \$ TBD

Other \$ TBD

Project Costs

Due Diligence \$ TBD¹ (to potentially include revision of existing survey plan, EHA, title exam, closing costs, demolition of one cottage, restoration of the other)

\$ TBD

Project Total \$ TBD

¹Estimated figure—some of the indicated due diligence steps may not be required.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Friday January 25, 2015
Re: ANNUAL SPRING TM 2015: CPA Article 16D

ARTICLE 16D: To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2016 Community Preservation Budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2016, future appropriation amounts as recommended by the Community Preservation Committee: a sum of money for the acquisition, creation, and preservation of land for open space, and including restoration and rehabilitation of land for recreational use, a sum of money for acquisition, preservation, restoration and rehabilitation of historic resources, and a sum of money for the acquisition, creation, preservation and support of community housing, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Art 16D CPA Fund set-asides at its meeting held Thursday, January 22, 2015

CPC SUMMARY & INTENT:

The Community Preservation Committee recommends that 10% of the Fiscal Year 2016 estimated annual Community Preservation Fund revenues be set aside for each of the following purposes: a) community housing, b) historic resources and c) open space, including land for recreational use; and further, that 4% of the annual revenues in the Community Preservation Act Fund be appropriated for the purpose of funding the administrative and operating expenses of the Community Preservation Committee in Fiscal Year 2016 including legal and appraisal work, as well as signage for and improvement of safe access to, approved CPA projects. It should be noted that any unused portion of funds appropriated for the administrative purposes of the Committee reverts to the CPA unallocated balance at the end of each fiscal year.

**Community Preservation Fund
FISCAL 2016 SOURCES & USES OF FUNDS
Report for Community Preservation Committee**

SOURCES:

Estimated 2016 CPA Revenues:

Estimated 2016 Tax Revenue		\$ 141,105,149
CPA Surcharge Rate		1.50%
Estimated Surcharge for 2016 less Abatements & Exemptions		\$ 2,091,577
Investment Earnings		\$5,000
 State Trust Fund Distribution estimated at 30%	 2,005,303.65	 <u>\$598,591</u>
	 <u>(10,000.00)</u>	 <u>\$2,695,168</u>
	 1,995,303.65	

USES:

To meet the required Percentages (%) from 2016 Estimated CPA Revenues:

Open Space	10%	\$269,517
Historic Resources	10%	\$269,517
Community Housing	10%	\$269,517
Total required to be spent or set aside		\$808,550

Amount available for CPA Administrative costs:

CPA Operating Budget	4%	\$107,807
Amount available for budget (but not required)		\$107,807

Amount recommended to be set aside in a Budgeted Reserve for Future FY2016 Town Meetings - Remaining FY2015 Estimated Revenues

<i>Available for all 4 CPA Purposes (If not used during FY2016 it will close out to Unreserved Fund Balance at June 30, 2016)</i>	\$1,778,811
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Note that the budgeted reserve amount will be reduced by the amount of special purpose CPA articles voted within the Annual Town Meeting.



TOWN OF PLYMOUTH COMMUNITY PRESERVATION COMMITTEE

MEMO

TO: Town Meeting, Board of Selectmen, and the Advisory & Finance Committee
From: The Community Preservation Committee
Date: Friday January 25, 2015
Re: ANNUAL SPECIAL TM 2015: CPA Article 16A

ARTICLE 16A ARTICLE 16A: 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 or less of land located off Old Sandwich Road in the Town of Plymouth comprised of 88 acres, more or less, shown on Assessors' Map 51 as Lot 5 and 6, said land to be held under the care, custody and control of the Conservation Commission, to appropriate \$705,000 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.

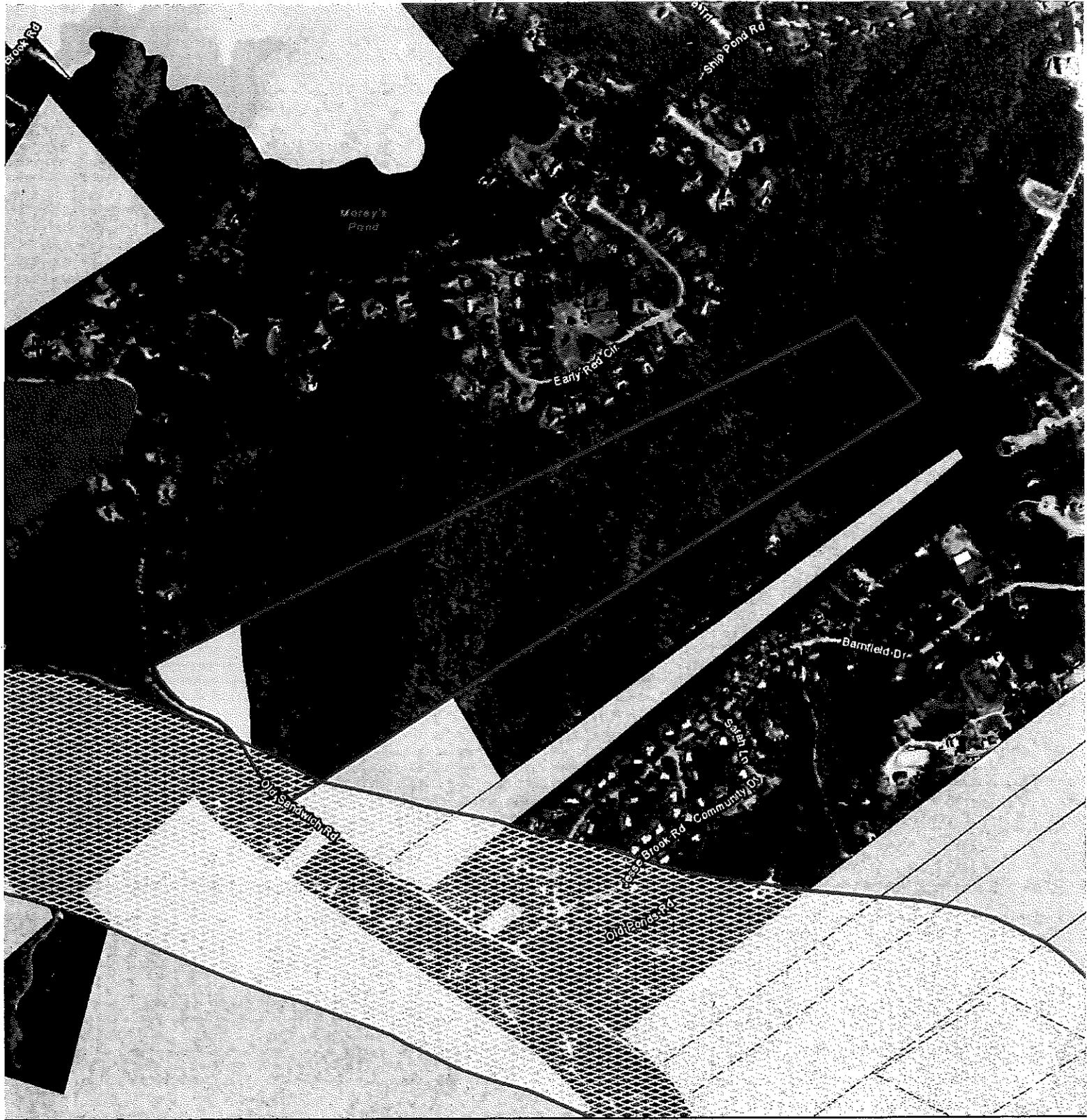
COMMUNITY PRESERVATION

CPC RECOMMENDATION: Approval (unanimous)

The Community Preservation Committee voted unanimously in favor of Article 16A at its meeting held Thursday, January 22, 2015

SUMMARY & INTENT:

The Community Preservation Committee is recommending the purchase of the Hilo Hill property for the purposes of passive recreational use and the protection of priority habitats of rare species. Acquisition of this property will enhance the conservation corridor along Old Sandwich Road from Ellisville Harbor to Myles Standish State Park. The property abuts four hundred acres of existing conservation land purchased with CPA funds. The land is near the Savery Pond Town Well, Zones 1 and 2. This purchase is in accord with the Town's 1998 ENSER plan, which calls for acquiring conservation land between the State Forest and Ellisville State Park on Cape Cod Bay.



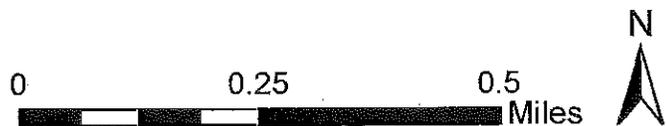
Hio Hill Acquisition

November 2013

-  Dixon Property
-  DEP Approved Zone IIs
-  BioMap2 Critical Natural Landscape

Open Space Lands

-  Municipal
-  Land Trust



APPLICATION
to the
PLYMOUTH
COMMUNITY PRESERVATION
COMMITTEE

NOVEMBER 20, 2013

PROJECT: HIO HILL ACQUISITION

LOCATION: EAST SIDE OF OLD SANDWICH ROAD
(south of junction with Ship Pond Rd.)

ACREAGE: Approximately 88

CURRENT OWNER:

EUGENE DIXON
Plymouth Assessors Map 51, Parcels 5 and 6

CURRENT ASSESSED VALUE:

\$374,151 (note that Premises are enrolled in Chapter 61B)

PROJECT SUMMARY: 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 on the east side of Old Sandwich Road, south of its junction with Ship Pond Road.

Identified on many maps new and old as including “Hio Hill”, one of the higher elevations in Plymouth at 201 feet above sea level, the Premises are located within important wildlife habitat zones as designated by the Commonwealth of Massachusetts’ Natural Heritage and Endangered Species Program (“NHESP”), and lies partially within a Zone II Wellhead Protection Area.

The Premises directly abut town conservation land, and are closely proximate to several other town conservation holdings, including the 348-acre Old Sandwich Road Preserve acquired in December 2012. The Premises is also proximate to a town wellfield situated approximately one-quarter mile to the southeast.

Landowner Eugene Dixon has held full or partial title through several different ownership structures since 1950. He has been approached by multiple developers seeking to purchase his land.

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 current Town of Plymouth Open Space and Recreation Plan.

PROJECT HISTORY: The CPC requested that WLT meet with the Dixon family in advance of preparing an application, and a meeting was held on 11/13/13. At this meeting, the Dixons were apprised of what the CPC application process typically entails, including timelines. At the conclusion of this meeting, Mr. Dixon established his proposed asking price.

Mr. Dixon is a Trustee of a Trust, the Jay Dee Trust, that owns a directly adjacent eight-acre parcel (Assessors Map 51, Parcel 8). This application does not include Parcel 8 in the scope of the proposed acquisition at this time, as it is our understanding that only Parcels 5 and 6 are for sale. However, the Town may have interest in acquiring Parcel 8, and may want to ascertain from Mr. Dixon whether it is also available.

NATURAL RESOURCES SUMMARY: (Note: WLT has not had the benefit of conducting a field visit to the Premises, and the information contained below is derived from Mass GIS Data Layers). The Premises includes rolling topography and are primarily wooded, with a pine/oak-dominated forest cover typical for this area of Plymouth. Its northwest corner is within NHESP-designated “BioMap 2 Critical Natural Landscape”.

LANDSCAPE CONTEXT: The Premises is situated in an area that includes multiple conservation parcels held by several stakeholders, primarily the Town and WLT. Town conservation land directly abuts the southeast corner of the Premises, and the 348-acre preserve acquired by the Town in December 2012 is just across Old Sandwich Road to the southwest. A Town wellfield is located approximately one-quarter mile to the southeast. Two WLT

preserves, the Sacrifice Rock Preserve and the Thrasherville Preserve, are proximate to the northwest.

IMPROVEMENTS/ACCESS: As far is known at the time this application is being submitted, the land proposed for acquisition contains no structures or improvements. Per the property deed, it has 1,122' frontage on Old Sandwich Road.

ZONING/DEVELOPMENT POTENTIAL: The Premises are located within the "Rural Residential" Zoning District.

There are no known conceptual or formal subdivision plans existing for the Premises. With its extensive road frontage and primarily upland terrain, it would appear that the property could support a fairly sizable development, whether a conventional one or an open space subdivision.

LONG-TERM MANAGEMENT PROGNOSIS: It is not anticipated that the Premises would impose a significant burden on Town resources, as it is undeveloped, and includes no infrastructure or improvements requiring maintenance or replacement.

ALIGNMENT WITH COMMUNITY PRESERVATION ACT GOALS FOR OPEN SPACE

GOAL 1: *Preserve Plymouth's Rural Character.* The Premises have extensive wooded frontage on Old Sandwich Road, and help maintain the area's rural character along one of Plymouth's oldest and most scenic roads.

GOAL 2: *Protect rare, unique, and endangered plant and wildlife habitat.* A portion of the Premises lies within NHESP-designated BioMap 2 "Critical Natural Landscape", areas that buffer BioMap Core Habitat. Core Habitat blocks are defined by NHESP as "large natural landscape blocks that provide habitat for wide-ranging native species, support intact ecological processes, maintain connectivity among habitats, and enhance ecological resilience, as well as buffering land around coastal, wetland, and aquatic Core Habitats to help ensure their long-term integrity" (excerpt taken from NHESP's 2010 publication "BioMap 2—Conserving the Biodiversity of Massachusetts in a Changing World").

The Premises are also proximate to, though not within, a NHESP-designated "Priority Habitat" area to the north.

GOAL 3: *Protect aquifer and aquifer recharge areas to preserve quality and quantity of future water supply.* The southeastern tip of the Premises lies within a Zone II Wellhead Protection Area, and a Town well is situated approximately one-quarter mile to the southeast.

GOAL 4: *Ensure adequate size and connection of protected natural areas to maximize environmental and habitat benefits.* The Premises directly abut town open space land, and are proximate to other conservation land, most particularly the Town's 348-acre Old Sandwich Road preserve acquired in 2012.

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:

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 is helping to facilitate this project that will preserve wildlife habitat identified as significant by the Commonwealth of Massachusetts.

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 Areas (Zone 1 and Zone 2)".*
The northwest corner of the Premises is within a Zone 2 Wellhead Protection Area established for a town drinking water well to the southeast.

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 include 1122' of wooded frontage along Old Sandwich Road, one of the most historic routes in North America, and portions of which the Town has designated as a Scenic Street under a charter by-law.

**ADVISORY AND FINANCE COMMITTEE
MEETING MINUTES
January 21, 2015**

A meeting of the Advisory & Finance Committee was held on Wednesday, January 21, 2015. The meeting was called to order by Chairman John Moody at 7:00PM and was conducted in the Mayflower II Meeting Room at the Plymouth Town Hall, 11 Lincoln Street, Plymouth, Massachusetts.

PRESENT **Fourteen members of the committee were present:**
Kevin Canty, Richard Gladdys, Michael Hanlon, Harry Helm, Kevin Hennessey,
Michael Hourahan, Shelagh Joyce, Ethan Kusmin, Kevin Lynch, Christopher Merrill,
John Moody, Harry Salerno, Marc Sirrico, Charles Stevens

ABSENT **One member of the committee was absent:**
Cornelius Bakker

AGENDA ITEMS

ANNUAL TOWN MEETING ARTICLE PRESENTATION

Article 20: New Bylaw – Regulations: Swearing in Appointees

To see if the Town will vote to amend the General Bylaws by adopting a bylaw establishing regulations to swear in all appointees as, a copy of which is on file in the Town Clerk's office; or take any other action relative thereto. BOARD OF SELECTMEN

Town Clerk, Laurence Pizer, presented Article 20. Chapter 41 §107, of the Massachusetts General Laws states, "Every other elected member and every appointed member of every board or commission of a town, and every other elected officer and every appointed officer of a town, shall also, before entering upon his official duties, be sworn to the faithful performance thereof." Thus, it mandates that appointees take their oath before serving. Failure to do so exposes the Town to liability if a complainant took exception to the action of a committee with members serving without legal authority. Although there has been an improvement in convincing appointees to take the required oath before performing committee responsibilities, Plymouth has not come close to universal success.

Article 20 proposes to add Chapter 123, "Oath of Office" to the General Bylaws and to include the language as Section 1. "All elected and appointed officials shall be qualified by the Town Clerk within 30 days of their appointment or reappointment except where a different period is specified in the General Laws. If an appointed official is not qualified in this period, his appointment shall terminate and the appointing authority shall be so notified by the Town Clerk."

In summary, appointed officials have 30 days to take the oath of office and if they do not take the oath within that time their appointment would be vacated. This has been reviewed and approved by Plymouth's legal counsel. Similar bylaws or ordinances are in effect in the Town of Blackstone and the City of Woburn.

Questions:

- This does not include elected officials? (M Hanlon) Correct, only appointed officials.
- Town Meeting members are not included in this because they are elected? (S Joyce) Correct.
- Can appointees attend meetings before they are sworn in? (K Hennessey) Not legally. They must be sworn in before participating in a meeting. They shouldn't but some do. By having this added to the bylaws there will be wider understanding and enforcement.

Christopher Merrill made a motion to recommend Article 20. Harry Helm, second. The motion carries unanimously (13-0-0).

RETIREE HEALTH CARE

Carolyn Ryan from the Massachusetts Taxpayers Foundation was scheduled to make a presentation but she was not able to attend the meeting. Months ago, Harry Salerno volunteered to “sink his teeth” into OPEB (Other Post Employment Benefits), so he presented the following statements, comments and numbers:

He said that this was a challenging analysis because there is no single source for data and the more he dug, the more layers he uncovered. While OPEB is made up of two components medical insurance for retirees and life insurance, he focused on the medical insurance portion because the life insurance portion was so small. He said we must approach the issue with an open mind, in consultation with leadership, and deal with it in a straight forward manner. The State is on track to not keep its promises. Promises made in Plymouth should be kept.

Plymouth uses a hybrid system to pay for retiree health insurance, paying for current retirees as incurred while saving a very small amount for future obligations. The last actuarial report was as of 1/1/2013 and the next report will be done 1/1/2015.

The report has several goals including:

- 1- Compute Actuarially Accrued Liability – the present liability for that promise to substantially pay for retirees medical insurance
- 2- Compute Annual Required Contribution – the amount needed to pay each year to have enough saved up to keep the promise to substantially pay for retirees medical insurance

The Actuarially Accrued Liability at 1/1/2013 was \$492,791,598.

The amount funded as of 12/31/14 is \$968,803 which funds 2%.

In FY15 \$145,000 was budgeted, in FY16 \$650,000 is budgeted (a big increase but still inadequate).

The Annual Required Contribution for FY14 was \$35,863,702 (w/4% interest, 30 year amortization)

OPEB Liability	<u>1/1/13</u>	<u>1/1/15</u>	<u>1/1/16</u>
Accrued Liability	\$492,791,598	\$515,150,615	\$538,192,426
Fund	<u>\$ 612,214</u>	<u>\$ 780,815</u>	<u>\$ 812,048</u>
Unfunded Amount	\$492,179,384	\$514,369,800	\$537,380,378

To help illustrate these numbers, he divided the unfunded liability by the residential valuation to calculate what would be the impact per average home in Plymouth (approx. \$300,000):

	\$ 17,162	\$ 17,927	\$ 18,562
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Annual Required Contribution	<u>FY14</u>	<u>FY15</u>	<u>FY16</u>
Report projections	<u>\$35,863,702</u>	<u>\$37,391,228</u>	<u>\$38,977,349</u>
Town pay as you go	\$14,645,365	\$15,687,476	\$16,375,080
OPEB contribution	<u>\$ 146,564</u>	<u>\$ 145,000</u>	<u>\$ 150,000</u>
Projected Paid	\$14,791,929	\$15,832,476	\$16,525,080
Projected Unpaid	\$21,071,773	\$21,558,752	\$22,452,269
Per Avg Home	\$ 735	\$ 751	\$ 776

He said that we are transferring the equity in our homes to the employees of the town and it is not reasonable to continue to do that. Don't panic, don't blame employees, promises were made so we need to plan to keep those promises. We need to figure out a solution together and stop pushing it to future generations. It is going to take leadership, employees, unions, legislature, local and state levels, to work together. Most other towns in the state and even in the country are dealing with the same issue. Some towns in Massachusetts, like Wellesley, are doing a good job figuring it out. Maybe Plymouth should form a committee to start the process.

Questions/Comments:

- Maybe we can look at Wellesley and the other towns that seem to have a handle on it to see what techniques they use that we might be able to use.
- Maybe use meals tax after the Court House project is paid.
- Why is Quincy in better shape than Plymouth? Not sure. State statute covers what towns can do to mitigate, like what medical plan is offered and how it is funded. Maybe Quincy has a young active employee base, there are lots of factors that radically change actuarial valuations.
- Do other towns self-insure? This report did not look at that but most towns do self-insure.
- Is pension liability of the same magnitude as OPEB? Pension is on track to be funded by state law.
- Need to look at pension liability and eventual closing of Entergy too.
- How do we make the tough decisions and put more aside to take care of this liability? That is not the job of the Advisory & Finance Committee. Maybe town leadership will form a committee to start looking at the options. The majority of people do not understand these unfunded liabilities.
- Will we hit a wall eventually? In 7 years we will hit the \$1 billion figure. Detroit crashed. Springfield is bankrupt. This translates to Enron or Polaroid in the private sector.
- Can we look back in history and see when this started and who may be responsible? This goes back many decades when it was cheap to make a promise, now we are finding it more expensive to keep the promise. It was not a mistake, we just stayed on the same path.
- Not saying there is no answer but it will take time and hard work and is complicated.
- Only way issue will be addressed is to talk about it so this is a great step.

Lynne Barrett, Director of Finance, said that Harry Salerno did an excellent job summarizing the OPEB liability but the town has taken many steps to minimize the liability that were not discussed. Some examples of steps the town has taken include:

- Adopting Section 18 and requiring retirees to go on Medicare
- Utilizing legislative changes to work with employees to make changes to the health plan through the PEC process
- Adopting legislation to address OPEB and created the OPEB Trust Fund 4 years ago
- Looking at Wellesley and Cambridge and funding policies and options like capital exclusions.
- Looking at Municipal Healthcare Reform again through collective bargaining but it is a process and takes time.

She wanted to assure the public that the town is not going to be increasing taxes by the amounts illustrated in the presentation. Plymouth is a very well run town and is always rated very well and was even upgraded in its ratings with Standard & Poor's and Moody's. She serves on the Retirement Board and it is fascinating, Massachusetts does so much more than other states. The town is looking at this issue and is working together and is trying to do the right thing.

Dale Webber, an employee, President of COBRA Union, and member of the Insurance Advisory Committee, says that the Insurance Advisory Committee has been working on these issues for decades. It is a gradual process. He is glad the town started the Trust Fund four years ago. Some towns like Brookline, Arlington and Wellesley put aside large sums of money to fund this liability and some are at full funding already. It is important to balance their strategy with sticker shock and take small steps towards the goal of addressing OPEB as incurred and not deferred.

Harry Salerno made a motion for the Advisory & Finance Committee to adopt a rule, effective May 2015, requiring those that present an Article to provide an estimate of the impact of their article on any long term liability and include the source and method. Charles Stevens, second.

Questions/Discussion:

- What type of article? All articles of any type.
- Understand intention but how will that be done, is there a standard format or formula? Not sure. It will most likely fall to the Director of Finance to calculate for each article.
- Are we going to vote on this motion or take time to figure out the details first? Maybe the Advisory & Finance Rules Committee can figure out the details.

Harry Salerno made a subsidiary motion to refer the motion on the table to the Rules Committee and for them to report back at the monthly meeting in May. Harry Stevens, second.

Questions/Discussion:

- Is May a good time? Yes it is between Spring and Fall Town Meetings, no articles heard then.
- Supports motion and gets point across that this is a serious issue.
- Would like to see May happen but if needed can defer and recommit it to a future date.

The motion carries (12-1-0). Kevin Canty, opposed.

OLD/NEW/OTHER BUSINESS

- The School Budget Sub-Committee is meeting Thursday, January 22 at 6:30PM at the School Administration Building.
- In the 1970s the nuclear power plant was Plymouth's golden goose. Concerned about what effects might be on Plymouth of having a nuclear waste dump in future.
- Springfield was a gateway city and their industry left. Brockton is similar. Plymouth had Cordage Park close but tourism kept it afloat. Entergy is a problem. Need to do something to offset that \$9 million once they leave. Nuclear waste dump and tourism clearly do not go together. OPEB may not be the largest of our worries.
- All the gateway cities are competing. Plymouth has to be innovative as to what industries it attracts to town.

Ken Tavares, Chairman of the Board of Selectmen, reported that the Board of Selectmen have been working quietly and steadily with the congressional delegation and the NRC addressing issues with the nuclear plant and what the future might hold. The federal government is regulating how waste storage may be taxed. It is time exhausting work. Once the power plant closes there will definitely be decreased revenue but there will still be taxes paid on that site. When Cordage closed, 100 business people stepped up and formed the Industrial Corporation. The Board of Selectmen are concerned with what the new industry to Plymouth might be. Biomed was mentioned tonight but there is also the NIMBY mindset in Plymouth, Not In My Back Yard. These are all issues we are dealing with. We are currently hiring a new Economic Development Director and they will be charged with helping to fill that gap. Tourism is a clean industry for this town. Looking forward to 2020 and Boston's 400th and perhaps the 2024 Olympics in Boston, there are great possibilities for Plymouth. Plymouth has dealt with challenges over time. The community will take on these challenges and will get there. Plymouth is the most exciting place in Massachusetts to live and work.

ADJOURNMENT

Charles Stevens moved for adjournment. Kevin Lynch, second.

The motion for adjournment carries unanimously (13-0-0).

The meeting adjourned at 8:50PM.

Respectfully submitted,

Kere Gillette