

FALL ANNUAL TOWN MEETING WARRANT
Saturday, October 21, 2023

To the Town Clerk of the Town of Plymouth, Commonwealth of Massachusetts:

GREETINGS:

In the name of the Commonwealth, you are directed to notify and warn the Inhabitants of Plymouth, qualified to consider and vote on articles at the Fall Annual Town Meeting of the Town of Plymouth, to meet in a hybrid format, on Saturday, the Twenty-First day of October 2023, at 8:00 AM, with information necessary for the Moderator, Town Meeting members, Town officials and interested members of the public to access and witness the deliberations and actions taken at the Town Meeting as follows:

Town Meeting members will have the option to be in person at Plymouth North High School at 41 Obery Street in Plymouth, MA using an electronic voting clicker to take actions or remotely using telecast through Zoom Webinar videoconferencing platform for their deliberations and the use of V-Voter to take actions remotely.

Town Officials will provide information through the Zoom Webinar videoconferencing platform.

Interested members of the public will be able to view the meeting through PACTV, Channel 9 (Comcast) or Channel 47 (Verizon) or pactv.org/live. Individuals not otherwise lawfully entitled to speak will have the opportunity to speak through the Zoom Webinar videoconferencing platform with 48-hours advanced notice given to and permission granted by the Town Moderator.

Registered Town of Plymouth voters wishing to participate in the hybrid Fall Annual Town Meeting shall submit a request to participate in the Meeting to the Town Clerk not less than forty-eight (48) hours in advance of the Town Meeting scheduled for Saturday, October 21, 2023 commencing at 8:00 AM. Upon receipt of the request and verification of the requester's voter registration status, the Town Clerk shall provide to the requester instructions for participating in the remote Town Meeting.

To act on the following articles to wit:

ARTICLE 1: Withdrawn

ARTICLE 2A: Supplemental Budget - General Fund

To see if the Town will vote to amend the vote taken under Article 7A of the 2023 Spring Annual Town Meeting warrant, and, as necessary, to raise, appropriate, transfer from available funds, 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.

SELECT BOARD

ARTICLE 2B: Supplemental Budget – Enterprise Fund

To see if the Town will vote to amend the votes taken under Article 7B, 7C, 7D, and 7E of the 2023 Spring Annual Town Meeting warrant, and, as necessary, to raise and appropriate, transfer from available funds, 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.

SELECT BOARD

ARTICLE 3: Withdrawn

ARTICLE 4: Capital Recommendations

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 for various departments of the Town and/or for feasibility and other types of studies, and to authorize contracts or lease/purchase agreements for such purposes for terms of three or more years, as follows:

ITEM	DEPARTMENT	PROJECT DESCRIPTION
A1	Town Manager	Downtown Corridor Heat Island Mitigation & Beautification
A2	IT	Security Camera Upgrades
A3	Fire	Replace & Equip Pumping Engine 5
A4	Harbor Master	Town Wharf Extension
A5	DPW - Admin	Administration Building Schematic Design & Appraisal
A6	DMEA	Engineering & Permitting for Rehab of Store Pond
A7	DMEA	Herring Ponds Management Plan Implementation
A8	DMEA	Savery Pond Groundwater Flow Model
A9	DMEA	Design of Dark Orchard All Persons Trail
A10	DPW - Sewer	CMOM Program
A11	DPW - Sewer	Infrastructure Improvements
A12	DPW - Water	Infrastructure Improvements

or take any other action relative thereto.

SELECT BOARD

ARTICLE 5: Bylaw Amendment.

To see if the Town will vote to amend its General Bylaw, Chapter 137, “PROPERTY MAINTENANCE,” as provided below with strikethrough language to be deleted and underlined language to be added:

Chapter 137

PROPERTY MAINTENANCE

Blight/Nuisances on Property

§ 137-1. Premises where building has been torn down.

[HISTORY: Adopted by the Annual Town Meeting of the Town of Plymouth 4-16-1974 by Art. 58 as Art. 5, Sec. 5.13 of the 1974 Bylaws. Amendments noted where applicable.]

§ 137-1. Premises where building has been torn down.

~~The Selectmen shall require the owner of the premises from which any building has been removed or torn down to have said premises put in good, presentable and safe condition and require said owner to erect a suitable barrier, all to be done to their satisfaction within 30 days after notice, in writing, to said owner.~~

§ 137-1. Purpose and Intent

It is the purpose and intent of this section to minimize nuisances in the municipality. Nuisances, such as dilapidated buildings, structures including fences, graffiti, overgrowth, debris, trash, stagnant pools of water, property having defective weather protection and vacant or abandoned buildings, cause and contribute to blight within neighborhoods and commercial areas of the municipality and adversely affect the property values for adjacent and surrounding property. Such nuisances on property also impair the public health and safety. This bylaw is intended to further the objectives of and to act in concert with any existing state or local laws.

§ 137-2. Definitions

The following words and phrases, when used in this bylaw, shall have the following meanings:

Enforcement Authority- the Director of Inspectional Services or his or her designee, Health Director or his or her designee, Fire Chief or his or her designee

Graffiti- the intentional painting, marking, scratching, coloring, tagging or other defacement of any property without the consent of the owner.

Nuisance- a failure to satisfy any one or more of the property standards set forth in §137-3.

Owner- any person who owns, manages, or controls any property and shall be sufficiently identified by the name and address appearing in the records of the municipal assessor.

Person- any individual, voluntary association of individuals, business, entity, organization whether incorporated or not.

Property- any land, building, structure of real property, including any fixtures attached thereto, or any personal property located within the Town of Plymouth.

§ 137-3. Property Standards

All property, whether occupied or vacant, shall be maintained in good repair and a safe and sanitary condition as provided herein, so as to not cause or contribute to the creation of a hazardous or blighted area or to affect adversely the public health and safety or property value of adjacent or surrounding property. All property in the Town of Plymouth shall be maintained in the accordance with the following property standards:

- (a) **Overgrowth**- All property shall be maintained free of vegetation that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard as determined by the fire official. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that possess a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property. This section does not apply to any vegetation growth associated with agricultural use.
- (b) **Structures**- All structures, including any buildings, fences, storage sheds, or any element thereof shall be maintained in a structurally sound condition and in good repair as determined by the enforcement authority, including proper weather protection and waterproofing, and shall be maintained in a condition so as to not cause or contribute to creation of a fire safety hazard as determined by the fire official. All property with siding and roof covering shall be maintained in a weather resistant and watertight condition as determined by the enforcement authority. Any building or structure sustaining damage due to a fire, natural disaster, or any other incident and determined by the enforcement authority to be a nuisance may cause the nuisance to be removed as provided in MGL c. 139 at the owner's expense or as provided in § 137-4.
- (c) **Accumulation of Trash, Rubbish or Debris**- All property shall be maintained in a clean and sanitary manner and free from the accumulation of litter, rubbish, trash, or other debris, except in closed receptacles intended for such use.
- (d) **Pools of Stagnant Water**- All property shall be maintained to prohibit the formation of stagnant pools of water, which may adversely affect the public health by attracting and harboring mosquitoes and other insects.
- (e) **Graffiti**- All private property shall be maintained free from graffiti as defined in § 137-2. This section shall not apply to municipal property, property owned and operated by a state or federal agency.
- (f) **Other**: Determinations made by an Enforcement Officer or his/her designated agents, that the building, structure, or parcel of land is in a condition which poses a serious nuisance or serious threat to safety, health, and or/wellbeing of the Town of Plymouth.

§ 137-4. Removal of Nuisance

It shall be unlawful for the owner of any property in the Town of Plymouth to violate any one or number of the property standards contained in § 137-3 and any such property in violation shall be deemed to be a public nuisance. The enforcement authority shall declare the property a public nuisance and order the property owner to remove the nuisance within ten (10) days after service of the notice of the violation. Such notice shall be served in accordance with G.L. c. 111, § 124.
The notice shall contain the following information:

- (1) The street address and description of the property sufficient for identification of the property.
- (2) A statement that the property has been declared a public nuisance because of the presence of a nuisance on the property.
- (3) A concise description of the conditions on the property that has led to the determination that the property is a public nuisance.
- (4) A statement that the nuisance shall be removed from the property within ten days from service of the notice and that if the owner fails to remove the nuisance within the time frame specified that the owner will be in violation of this bylaw and subject to the penalties described therein.

§ 137-5. Violations

If the owner fails to remove such nuisance within the timeframe provided in § 137-4, the enforcement authority may enter the property and remove or cause to be removed the nuisance and the owner shall be liable for any expense incurred by the town for such removal. If the owner refuses or neglects to pay any costs incurred by the town, the municipality may take any action to recover the sum expended as allowed by law including but not limited to a municipal lien of the property.

This section may also be enforced by civil process, criminal process or by non-criminal disposition as provided in General Laws, chapter 40 § 21D. Each day on which a violation exists shall be deemed to be a separate offense and any person in violation of this section shall be subject to the following fines:

First violation:	\$ 50.00
Second violation:	\$100.00
Third violation:	\$200.00
Fourth and each subsequent violation:	\$300.00

In addition to the penalties set forth above, the enforcement authority may seek an injunction from a court of competent jurisdiction to restrain any violation of this section.

This section shall not apply to municipal property, property owned and operated by a state or federal agency.

or take any other action relative thereto.

INSPECTIONAL SERVICES

ARTICLE 6: Bylaw Amendment

To see if the Town will vote to amend its General Bylaw, Chapter 166 by striking its entirety, as on file with the Town Clerk, or take any other action relative thereto.

INSPECTIONAL SERVICES

ARTICLE 7: WITHDRAWN

ARTICLE 8: Master Plan Funding

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow \$430,000 to conduct an update of Plymouth's Comprehensive Master Plan, or take any other action thereto.

PLANNING BOARD

ARTICLE 9A: CPC Housing- Habitat for Humanity

To see if the Town will vote to appropriate from Fiscal Year 2024 Community Preservation Act estimated revenues, Community Preservation reserves or other available funds the sum of \$100,000.00 as a grant to the Habitat for Humanity of Greater Plymouth for the purposes of constructing a single family home pursuant to G.L. c. 44B, §12 and G.L. c. 184, §§ 31-33 with deed restricted affordable housing on the property located at 47 Indian Avenue, Plymouth, Massachusetts, Lot 233, Plot 000, Assessors Map 048-054-233-000 and further to authorize the Select Board to enter into a grant agreement with the Habitat for Humanity of Greater Plymouth for such purposes, and to accept the affordable housing restriction, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9B: CPC Housing- Plymouth Housing Authority

To see if the Town will vote to amend the vote taken under Article 9D of the 2019 Fall Annual Town Meeting by increasing the amount appropriated thereunder from Fiscal Year 2024 Community Preservation Act estimated revenues, Community Preservation reserves or other available funds the sum of \$381,525.00 as a grant to the Plymouth Housing Authority for the purpose of acquiring an affordable housing restriction pursuant to G.L. c. 44B, §12 and G.L. c. 184, §§ 31-33 for three units of rental housing on property located in the former Oak Street School on Oak Street Plymouth, MA 02360, with any balance of funds left over after the renovation to revert back to the Community Preservation Fund, and further to authorize the Select Board to accept the affordable housing restriction, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9C: CPC Historical- Old Russell Library

To see if the Town will vote to appropriate from Fiscal Year 2024 Community Preservation Act estimated revenues, Community Preservation reserves or other available funds the sum of \$443,942.00 as a grant to The Plymouth Guild Inc., d/b/a Plymouth Center for the Arts for the restoration and rehabilitation and preservation of the historic Russell Library located at 11 North Street, including construction, repainting of the brick and mortar façade, roof and windows restoration including incidental and related expenses, and to authorize the Select Board to enter

into a grant agreement with The Plymouth Guild Inc., for such purposes, which grant agreement shall include but not be limited to the requirement that the Town of Plymouth be provided with an historic preservation restriction in said property in accordance with G.L. c. 44B, §12 and meeting the requirements of G.L. c. 184, §§ 31-33 and to authorize the Select Board to accept such restriction, with such restriction being held under the care, custody and control of the Historic Commission or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9D: CPC Historical- Pilgrim Hall

To see if the Town will vote to appropriate from Fiscal Year 2024 Community Preservation Act estimated revenues, Community Preservation reserves or other available funds or borrow the sum of \$3,200,000, or any other sum, as a grant to Pilgrim Hall Museum for the preservation, rehabilitation and restoration of the Pilgrim Hall Museum located at 75 Court Street including all incidental and related costs, and further to authorize the Select Board to enter into a grant agreement with Pilgrim Hall Museum, for such purposes, which grant agreement shall include but not be limited to the requirement that the Town of Plymouth be provided with an historic preservation restriction in said property in accordance with G.L. c. 44B, §12 and meeting the requirements of G.L. c. 184, §§ 31-33 and to authorize the Select Board to accept such restriction, with such restriction being held under the care, custody and control of the Historic Commission, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9E: CPC Open Space- Land off Rocky Pond Road

To see if the Town will vote to authorize the Select Board 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 of land located off 36 Rear Rocky Pond Road in the Town of Plymouth comprised of 50 acres, more or less, shown on Assessors Map 91, Lot 4B and including Assessor's Parcel 091-000-004B-000, and further that said land be held under the care, custody and control of the Conservation Commission; and as funding therefor to appropriate \$175,000 for the acquisition and other costs associated therewith from Fiscal Year 2024 Community Preservation Act estimated revenues, Community Preservation reserves or other available funds and further to authorize the Select Board to grant a conservation restriction in said property in accordance with G. L. c. 44B, §12 meeting the requirements of G.L. c.184, §§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 COMMITTEE

ARTICLE 9F: CPC Open Space- Land Rocky Hill Road

To see if the Town will vote to authorize the Select Board 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 of land located at 280 Rocky Hill Road in the Town of Plymouth comprised of 23.6 acres, more or less, shown on Assessors Map 43, Lot 18-C, and including Assessor's Parcel 043-000-018C-000, and further that said land be held under the care, custody and control of the Conservation Commission; and as funding therefor to appropriate \$1,210,000 for the acquisition and other costs associated therewith from Fiscal Year 2024 Community Preservation Act estimated revenues, Community Preservation

reserves or other available funds, and further to authorize the Select Board to grant a conservation restriction in said property in accordance with G. L. c. 44B, §12 meeting the requirements of G.L. c.184, §§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 COMMITTEE

ARTICLE 9G: CPC Recreational- Hedges Pond Demolition

To see if the Town will vote to appropriate from Fiscal Year 2024 Community Preservation Act estimated revenues, Community Preservation reserves or other available funds the sum of \$157,500 for the demolition of buildings at Hedges Pond Recreational and Preserve off Long Pond Road including all incidental and related costs, to preserve recreation and open space; or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9H: CPC- Reduce Stephens Field Borrowing

To see if the Town will vote to revise the funding sources and thereby amend the vote taken under Article 16B of the 2015 Spring Annual Town Meeting for the restoration and rehabilitation of Stephens Field, as previously amended, by reducing the amount to be borrowed by a sum of money and appropriating a sum of money from Fiscal Year 2024 Community Preservation Act estimated revenues, Community Preservation reserves or other available funds for such purposes, or take any other action relative thereto

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 9I: CPC- FY24 Budget

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2024 Community Preservation Budget and to appropriate from the Community Preservation Fund Fiscal Year 2024 a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for Fiscal Year 2024, 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

ARTICLE 10: Land Donation

To see if Town will vote to authorize the Select Board to acquire by gift, purchase or otherwise, and upon such terms and conditions as the Select Board deems appropriate, to accept a deed to the property located on Bourne Road being a portion of Lot A-16, in Plymouth, Massachusetts, for general municipal purposes, consisting of approximately 2.33 acres for general municipal purposes as shown on a plan of land on file with the Town Clerk, entitled Makepeace - Bourne Road - Proposed Fire Station, Prepared For: The Town of Plymouth, Prepared by: Scott Ludwig, Dated: July 8, 2023. Said land or interest to be managed by the Select Board, or take any other action relative thereto.

SELECT BOARD

ARTICLE 11: EV Charging Fund

To see if the Town will vote pursuant to G.L. c.44, §53E ½ to establish a new revolving fund, to be known as EV Charging; and further, to amend General Bylaws Chapter 143: Departmental Revolving Funds, particularly §143-5, by inserting the underlined text in a new row at the end of the Table of authorized revolving funds, as follows, and, further, to establish a fiscal year expenditure limit of \$200,000 for such fund, to be applicable from fiscal year to fiscal year unless amended by Town Meeting prior to July 1 in any fiscal year:

<u>A</u> Revolving Fund	<u>B</u> Department, Board, Committee, Agency or Officer Authorized to spend from the Fund	<u>C</u> Fees, Charges or other Receipts Credited to Fund	<u>D</u> Program or Activity Expenses Payable from Fund	<u>E</u> Fiscal Years
<u>EV</u> <u>Charging</u>	<u>Climate Resiliency</u> <u>and Sustainability</u> <u>Planner</u>	<u>Any fees</u> <u>collected for use</u> <u>of the EV</u> <u>chargers</u>	<u>This fund shall be used for</u> <u>electricity charges,</u> <u>equipment, and recurring</u> <u>network software costs</u>	<u>Fiscal Year</u> <u>2024 and</u> <u>subsequent</u> <u>years</u>

or take any other action relative thereto.

SELECT BOARD

ARTICLE 12: WITHDRAWN

ARTICLE 13: Conveyance of Tax Title Property to Parks & Forestry

To see if the Town will vote to transfer the care, custody, management, and control of the parcels listed below from the Town Treasurer for tax title purposes to Parks & Forestry for open space and recreational purposes, and further to authorize Parks & Forestry to execute any and all instruments as may be necessary to effectuate the vote taken hereunder, as follows:

Parcel ID	Location	Legal Reference	Recording Date
100-000-029-000	Billington Street	Bk: 15751, Pg: 309	Dec 23, 1997
100-000-051-000	Billington Sea	Bk: 7580, Pg: 202	March 30, 1987
100-000-052-000	Billington Sea	Bk: 7580, Pg: 202	March 30, 1987
100-000-053-000	Billington Sea	Bk: 7580, Pg: 202	March 30, 1987

or take any other action relative thereto.

OPEN SPACE COMMITTEE

ARTICLE 14: Conveyance of Tax Title Property to Conservation Commission

To see if the Town will vote to transfer the care, custody, management, and control of the parcels listed 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, as follows:

Parcel ID	Location	Legal Reference	Recording Date
058-000-013-000	Off Valley Road	Bk. 1820, Pg. 50	November 15, 1941
073-000-007-192	Off Shallow Pond Lane	Bk. 26980, Pg. 115	November 6, 2003

or take any other action relative thereto.

OPEN SPACE COMMITTEE

ARTICLE 15: Bylaw Amendment

To see if the Town will vote to adopt the following ban on the sale of miniature single use containers for alcoholic beverages as a general by-law and to insert into the Bylaw of the Town of Plymouth, Massachusetts as Chapter 133 as follows:

133-1 Definitions

Miniature Single Use Alcohol Container (Nip) - Any bottle or container of alcohol that is 100 ml or less in size.

Establishment - Establishment shall mean any business within the Town of Plymouth offering nips for sale.

133-2 Findings, Purpose, and Declaration

(a) Findings. The Town Meeting finds and determines that:

1. Nip bottles are harmful to the marine and land environments as well as to wildlife as they take hundreds of years to biodegradable, leach toxins and are not recyclable in Massachusetts due to their size.
2. Nip bottles are a significant part of litter resulting in potential impacts upon the desirability of Plymouth for tourism as well as upon the attractiveness of the town for residents and businesses alike.
3. Nip bottles frequently end up on the sides of roads, in waterways and the drainage system as well as in other areas of the environment, thereby contributing to the expense for the collection and disposal of litter and trash throughout the town.

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

1. Help lessen the deterioration of the environment.
2. Provide an additional and effective method to protect public and private property from litter while reducing some of the burden of enforcement.

(c) Declaration. Town Meeting declares that for all these reasons, as well as others, that nip bottles are a nuisance to the Town that must be abated as set forth herein.

133-3 Ban on Sale of Nips by Establishments within the Town of Plymouth

The sale of alcoholic beverages in containers less than or equal to 100 milliliters is prohibited by all establishments within the Town of Plymouth, effective: July 1, 2024.

133-4 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.

or take any other action relative thereto.

OPEN SPACE COMMITTEE

ARTICLE 16: Legislative Petition

To see if the Town will vote to authorize the Select Board to petition the Massachusetts General Court for special legislation in the form set forth below, provided, however, that the Massachusetts General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments to the bill before enactment by the Massachusetts General Court, and provided further that the Select Board are hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

An Act Relative to the Town of Plymouth Harbormaster Employees

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:

In the Town of Plymouth, the position of Harbormaster, and the Town of Plymouth Harbormaster Department employees who have statutory powers of law enforcement, shall be Group 4 employees pursuant to M.G.L. c. 32, § 3(2)(g). Notwithstanding any provision in M.G.L. c. 32, §§ 1-28, inclusive to the contrary, all prior creditable service rendered before the effective date of this act rendered by the Harbormaster and Harbormaster Department employees as of the date of this act will be considered Group 4 service.

Section 2:

This act shall take effect upon its passage.

or take any other action relative thereto.

SELECT BOARD

ARTICLE 17: HOLTEC PILOT

To see if the Town will vote to approve a payment in lieu of taxes agreement between the Town and Holtec Pilgrim, LLC (or any affiliate, subsidiary, or successor in interest thereof), for the property known as the Pilgrim Nuclear Generation Station, as on file with the Town Clerk, or take any other action relative thereto.

SELECT BOARD

ARTICLE 18: SOLAR PILOT – 17 Plymouth Street.

To see if the Town will vote, pursuant to the provisions of G. L. c.59, §38H, to authorize the Select Board and Board of Assessors to negotiate and enter into an agreement for payments in lieu-of-taxes (“PILOT”), for a 2.476 Megawatt DC (more or less) solar photovoltaic energy generating facility for ReWild Renewables Solar Project (or its affiliates, successors or assigns) to be located on a 12 acre agricultural reservoir (more or less) at 17 Plymouth Street, submitted as 0 Carver Road Floating Solar, currently shown on Plymouth Assessor’s Map 107 Lots 3, 4, 5, and 6U, upon such terms and conditions as the Select Board and Board of Assessors shall deem to be in the best interest of the Town, or take any other action relative thereto.

SELECT BOARD

ARTICLE 19: SOLAR PILOT – Exit 13

To see if the Town will vote, pursuant to the provisions of G. L. c.59, §38H, to authorize the Select Board and Board of Assessors to negotiate and enter into an agreement for payments in lieu-of-taxes (“PILOT”), for a .67745 Megawatt DC (more or less) solar photovoltaic canopy energy generating facility for Ameresco (or its affiliates, successors or assigns) to be located on the 1.19 acre parcel of land at Exit 13 Long Pond Road Park & Ride, currently shown on Plymouth Assessor’s Map 89, upon such terms and conditions as the Select Board and Board of Assessors shall deem to be in the best interest of the Town, or take any other action relative thereto.

SELECT BOARD

ARTICLE 20: WITHDRAWN**ARTICLE 21: Amendment to April 2023 Annual Art 9 A38 – Amend Funding Source**

To see if the Town will vote to amend the vote taken under Article 9, A38 of the 2023 April Annual Town Meeting, Design Cemetery Space, by reducing the amount of \$9,855 from the vote taken under Article 9A-15 of the 2009 April Annual Town Meeting, Cemetery Software, and by increasing the amount from sales of lots by \$9,855, or take any other action relative thereto.

FINANCE DEPARTMENT

ARTICLE 22: Amendment to Annual 2023 Article 13 – Promotion Fund

To see if the Town will vote to amend the vote taken under Article 13 at the 2023 April Annual Town Meeting, Promotion Fund, to fix a typographical error, and increase the appropriation by transferring \$136,478 from the Town Promotion Fund created pursuant to Chapter 4 of the Acts of 1993, for programs and projects that enhance the beautification, recreational resources, public safety, promotional and marketing activities, events, services, and public improvements, or take any other action relative thereto.

FINANCE DEPARTMENT

ARTICLE 23: Special Purpose Article- Opioid Settlement

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow to establish a special purpose article to utilize and administer the Opioid Settlement Abatement payments distributed to the Town, or take any other action relative thereto.

SELECT BOARD

ARTICLE 24: Citizens Petition

To see if the Town will vote to amend its Zoning Bylaws governing Ground-Mounted Solar Photovoltaic Systems (§ 207-11). The intent is to ensure that when there are nearby residents who are not naturally shielded from a proposal, a plan to adequately do so MUST be presented to Planning Board, who in turn MUST make the implementation of such a plan a recommendation to the Building Commission.

This plan further adds to the Financial Surety section of the bylaw concerning bonds and increases abutter notification requirements from 300 to 700 feet.

SEE ATTACHED

Or take any other action relative thereto.
BY PETITION: MARC PACHECO, et al

(The following was attached)

§ 207-11. Ground-Mounted Solar Photovoltaic Systems [Amended 10-23-2018 FTM by Article 22; Amended 4-8-19 SATM by Article 22]

4. Information Required with Zoning Permit for all GMSPS.

d) **Financial Surety.** Except for a municipally owned GMSPS, or a GMSPS designed to cover a parking lot, a project designed to generate in excess of 2MW, or exceed 8 feet above grade, 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.** When site plan review is required, at least fourteen days prior to site plan review by the Planning Board, notice of the time and place of said review shall be sent by mail by the GMSPS Owner/Operator, postage prepaid to abutting owners of land within three SEVEN hundred feet of the property line of the parcel or parcels upon which the GMSPS proposes to be situated, as said abutters appear on the most recent applicable tax list. The assessors maintaining any applicable tax list shall certify the names and addresses of parties interest and such certification shall be conclusive for all purposes. At least 60 business days prior to the commencement of work on a project, the GMSPS Owner/Operator shall notify abutters within 300 700 feet of when work will commence and that site plans are available for public review at Town Hall.
- g) **Viewshed affected.** Exempting the municipality, when site plan review is required and there are residents within 700 ft of the proposed GMSPS whose viewshed will be impacted, affecting community/scenic character and property values (as determined by the Building Commissioner), the following SHALL apply:

1. A viewshed SHALL be defined as the geographical area that is visible from a location. It includes all surrounding points that are in line-of-sight with that location and excludes points that are beyond the horizon or largely obstructed by terrain and other features (e.g., buildings, multiple trees {Deciduous, Conifers or otherwise}).
2. An applicant SHALL present a complete plan which includes screening, as defined in §201-3 of the Bylaw and which accomplishes the goal of adequately and sufficiently reducing the impact of the GMSPS, regardless of the height of the GMSPS, for the abovementioned residents. The plan SHALL include but not be limited to the use of berms, fencing and/or vegetation.
3. The Planning Board SHALL make a recommendation for screening which accomplishes the goal of adequately and sufficiently reducing the visual impact of the GMSPS, regardless of the height of the GMSPS, from the residents. The plan should include, but not be limited to the use of berms, fencing and/or vegetation.
 - a. The Planning Board MAY waive this provision IF the applicant obtains the notarized, written permission of every one of the abutting property's LANDOWNERS meeting the 700 ft viewshed criteria.

And you are hereby required to serve this warrant in the manner prescribed by vote of the Town by posting notice thereof seven (7) days at least before such meeting in the Town Hall, in the Town's Libraries and posted on the Town's website, and make return thereof with your doings thereon at the time and places above mentioned.

Given under our hands this _____th day of September 2023.

Approved as to Legal Form

SELECT BOARD

Town Counsel

Richard Quintal, Chairman

Kevin Canty, Vice Chairman

John Mahoney

Harry Helm

Charlie Bletzer

Plymouth, ss.

Pursuant to the foregoing Warrant, I have this day notified and warned the Inhabitants of Plymouth qualified to vote in elections and Town affairs to meet in Plymouth North High School or to meet virtually by remote participation on Saturday, the Twenty-First Day of October, 2023, at 8:00AM to conduct the Fall Annual Business Meeting of the Town of Plymouth, by posting copies of this Warrant in the Town Hall in the town's libraries and posted on the town's website seven days at least before such meeting

Signature
Town Clerk

Date & Time
Posted