

2017 ANNUAL TOWN MEETING,
Saturday April 1, 2017

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 at Plymouth North High School at 41 Oberry Street in Plymouth, MA on Saturday, the First Day of April, 2017 at 8:00 AM, to act on the following articles to wit:

ARTICLE 1: Withdrawn

ARTICLE 2: To hear the reports of the several Boards and Officers and Committees of the Town thereon.

BOARD OF SELECTMEN

ARTICLE 3: To see what action the Town will take under the provisions of G.L. c.44, §53E 1/2 regarding the establishment, annual re-authorization or renewal as the case may be of revolving funds, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 4: To see what action the Town will take pursuant to Chapter 173 of the General By-Laws regarding the formation, reformation, organization, continuation or discharge of existing Committees created by vote of Town Meeting, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 5: To see if the Town will vote to amend the Classification and Compensation Plans and the Personnel By-Law and Collective Bargaining Agreements contained therein, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 6: To see what action the Town will take pursuant to G.L. c.41, §108 with regard to fixing the salaries of elected Town Officials, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7A: To see what action the Town will take to provide a reserve fund and to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town, including debt and interest, for the ensuing twelve month period beginning July 1, 2017, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7B: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the water enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2017, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7C: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the sewer enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2017, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7D: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the solid waste enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2017, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 7E: To see what action the Town will take to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, toward defraying charges and expenses of the Town for the airport enterprise and debt and interest, for the ensuing twelve month period beginning July 1, 2017, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 8: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the repair and/or purchase and/or lease and/or replacement of departmental equipment for the various departments substantially as follows:

	DEPT#	DEPARTMENT	EQUIPMENT
A	155	Information Tech	Police - PCs
B	210	Information Tech	Police - Dual Band APX Radios
C	155	Information Tech	Police - Tablet Computer
D	155	Information Tech	Remote Camera
E	210	Police	Marked & Unmarked Vehicles
F	220	Fire	Station Maintenance for all Stations
G	220	Fire	Firefighting Gear
H	220	Fire	Portable Radio
I	220	Fire	Dive Rescue Dry Suits
J	291	Emergency Mgmt	Facility Uninterrupted Power Supply
K	295	Harbor Master	Outboard Engine
L	295	Harbor Master	Communications Equipment
M	420	DPW-Highway	Confined Spaces Equipment
N	420	DPW-Highway	Cut Off Saw
O	420	DPW-Highway	Tracks for Skidsteere
P	420	DPW-Highway	Tracks for Skid Mini Excavator
Q	420	DPW-Highway	Power Pruner Pole Saw
R	420	DPW-Highway	78" Snowblower for Skid Steere
S	420	DPW-Highway	Compactor for Mini Excavator
T	420	DPW-Highway	Weed Wackers/Brush Saw
U	422	DPW-Maintenance	Underground Fuel Tank Pump Replacement

V	491	DPW-Cemetery	52" Mower
W	491	DPW-Cemetery	Truck Leaf Box
X	492	DPW-Parks	Lower Cylinder and Rods for Truck 64
Y	492	DPW-Parks	72" Zero Turn Mower
Z	492	DPW-Parks	Landscape Trailer
AA	492	DPW-Parks	Irrigation Electrical Enclosures
BB	492	DPW-Parks	Irrigation Well Pump
CC	492	DPW-Parks	Aluminum Bleacher Planks
DD	610	Library	Media Display Shelving
EE	630	Recreation	Control Link System for Forges Field Lights
FF	695	1749 Court House	Alarm System

or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 9: To see if the Town will vote to raise and appropriate, transfer from available funds or borrow a sum of money for the 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 as follows:

ITEM NUMBER	DEPARTMENT OR SPONSOR	PROJECT DESCRIPTION
A	Police Department	Active Shooter Response Protective Vest
B	Fire Department	SCBA Updates/Upgrades
C		Library Chillers, Duct, Insulation, Roof Insulation and Drains
D		Replace Boiler in Fire Station 2
E		Replace Boiler in Fire Station 1
F	Cold Spring	Replace Floor Tiles
G	South	Repave Asphalt Areas and Create New Spaces
H	West	Replace Windows-1 Pod Per Year
I	Manomet	Repave Asphalt Areas
J	Hedge	Field Renovations
K	Indian Brook	Repave Asphalt Areas
L	425	FLT Fleet Fuel Efficiency Replacement Program
M	425	FLT Replace 2005 Service Vehicle
N	420	HY Purchase New Snow Blower for Loader
O	420	HY Replace 1999 6 Wheel Truck H37
P	420	HY Replace 1995 Dump Truck H342
Q	420	HY Replace Asphalt Roller
R	492	PK Replace 1996 Truck P61
S	630	REC Purchase New Off-Road Vehicle for Morton Park
T	DW Facilities	Replace 2009 SUV
U	DW Facilities	Replace 1993 Aerial Lift Truck
V	DW Facilities	Replace Two Diesel Busses
W	Marine & Environmental	Evaluating Inlet Stabilization at Ellsville Harbor
X	Fire Department	Refurbish Tower 1
Y	Fire Department	New Station 7 in North Plymouth
Z	Fire Department	Public Safety Radio System Upgrades

AA	Police Department	Police Station Access Control System
BB	DPW Operation-Engineering	Obery Street Roadway Improvements
CC	DPW Operation-Engineering	Bridge & Culvert Inspection
DD	Marine & Environmental	Holmes Dam Construction
EE	DPW-Crematory	Rebuild Unit 2 Chamber
FF	Fire Department	Rehab Engine 6
GG	DPW-Cemetery	Replace Water Line & Paving in Vine Hills Cemetery
HH	DPW-Parks & Forestry	Splash Pad Floor Replacement
II	DPW-Parks & Forestry	Veterans Park Design
JJ	DPW-Cemetery	Replace Entrance Fencing in Oak Grove Cemetery
KK	DPW-Cemetery	Fence Replacement on Samoset St.
LL	Marine & Environmental	Harbor Master Work Skiff
MM	DPW Utilities (Sewer)	Capacity, Management, Operation & Maintenance (CMOM) Plan
NN	DPW Utilities (Sewer)	Pipe Line and Pipe Point Repairs
OO	DPW Utilities (Water)	Water System Expansion Design, Permitting and Engineering
PP	DPW Utilities (Water)	Water Infrastructure
QQ	Airport	Small Slide Sander
RR	Airport	Treatment Plant HVAC Electrical Panel

or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 10: Public and Unaccepted Road and Bridge Improvements To see if the Town will vote to appropriate the sum of Five Million Dollars (\$5,000,000), to pay costs of improving various public and unaccepted roads, and bridges, and for the payment of all costs incidental and related thereto, including but not limited to reconstructing, resurfacing, crack sealing, drainage, engineering, sidewalks, lighting, traffic control, bridges, tree planting and landscaping and to determine whether this amount shall be raised by taxation, transfer from available funds, borrowing or otherwise; or to take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 11: To see if the Town will vote to appropriate from the Town Promotion Fund created pursuant to Chapter 4 of the Acts of 1993, a sum of money 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.

BOARD OF SELECTMEN

ARTICLE 12: To see if the Town will vote to appropriate from available funds a sum of money as the State's share of the cost of work under G.L. c.90, §34(2)(a) of the Massachusetts General Laws, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 13: To see if the Town will vote to approve a payment in lieu of taxes agreement between the Town and Entergy Nuclear Generation Company for the property known as the Pilgrim Nuclear Generation Station, as on file with the Town Clerk, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 14: To see if the Town will vote to raise and appropriate, borrow, or otherwise fund \$1,000,000.00 in improvements to Gravel Public Roads, and Gravel Unaccepted Roads (the

special act relative to spending funds on Unaccepted Roads was passed by State Legislators and signed by the Governor on June 13, 2012), including any costs necessary and related thereto, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 15: To see if the Town will vote to authorize the Board of Selectmen to accept and allow as public ways the following streets or portions thereof as laid out by the Board of Selectmen and reported to the Town, and as shown on plans on file with Town Clerk; to authorize the Board of Selectmen to acquire by gift, purchase, or eminent domain an easement or easements to use said way for all purposes for which public ways are used in the Town of Plymouth, and all associated easements; and further to raise and appropriate or transfer from available funds a sum of money, or, accept gifts for this purpose and any expenses related thereto; and authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to carry out said acquisition(s);

- Pisces Lane
- Alewife Road
- Fairview Lane
- Edgewood Circle
- Douglas Lane
- George Street

or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 16A: To see if the Town will vote to revise the funding sources and thereby amend the vote taken under Article 16A of the 2014 Spring Annual Town Meeting for the restoration of the 1820 Court House, as previously amended, by reducing the amount to be borrowed by a sum of money and transferring a sum of money from Fiscal Year 2018 Community Preservation Act estimated annual revenues or other available funds for such purposes, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16B: To see if the Town will vote to revise the funding sources and thereby amend the vote taken under Article 16A of the 2015 Fall Annual Town Meeting for the historical preservation, restoration and rehabilitation for the Simes House, as previously amended, by reducing the amount to be borrowed by a sum of money and transferring a sum of money from Fiscal Year 2018 Community Preservation Act estimated annual revenues or other available funds for such purposes, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16C : To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest of land located off Sandwich Road in the Town of Plymouth comprised of 43 acres more or less being made up of lot 21 shown on Assessors Map 47 said land to be held under the care, custody and control of the Conservation Commission, to appropriate a total sum of money for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow or otherwise fund said total sum pursuant to

G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; provided, however, that any such borrowing authority shall be reduced by the amount of any grants received by the Town prior to such borrowing; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; 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 16D: To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, for open space and recreational purposes pursuant to G.L. c.44B and to accept the deed to the Town of Plymouth, of a fee simple interest of land located off Russell Mills Road in the Town of Plymouth comprised of 10.2 acres more or less being made up of lot 58A-1, 58A-2 and 58A-3 shown on Assessors Map 82 said land to be held under the care, custody and control of the Conservation Commission, to appropriate a total sum of money for the acquisition and other costs associated therewith from the Community Preservation Fund estimated annual revenues, fund balance, or reserves, and/or borrow or otherwise fund said total sum pursuant to G.L.c.44B, section 11 or G.L. c.44, section 7 or any other enabling authority; provided, however, that any such borrowing authority shall be reduced by the amount of any grants received by the Town prior to such borrowing; and further to authorize the Board of Selectmen to grant a conservation restriction in said property in accordance with G.L.c.44B, section 12 meeting the requirements of G.L. c. 184, sections 31-33; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44, §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; 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 16E: To see if the town will vote to appropriate a sum of money for Community Preservation Act Debt Service from Fiscal Year 2018 Community Preservation Act estimated annual revenues or other available funds for such purposes, or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 16F: To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2018 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 2018, 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, 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 17: WITHDRAWN

ARTICLE 18: To see if the Town will vote to authorize the Board of Selectmen to sell or lease or transfer such land and building, located at 0 Spooner Street, Plymouth, commonly known as Fire Station 7, shown as Lot 56 on Plymouth Assessors' Map 01, parcel no. 001-000-056-000 as on file with the Town Clerk, for a sum and upon conditions to be determined by the Board of Selectmen and pursuant to the requirements of G. L. c. 30B, and to authorize the Board of Selectmen to enter into all agreements and take all related actions necessary or appropriate to effectuate the purposes of this article; or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 19: To see if the Town will vote to transfer the care, custody, management and control of the property shown below as on file with the Town Clerk, from the Town Treasurer for tax title purposes to the Conservation Commission for conservation purposes pursuant to G.L. c. 40, section 8C; and further to authorize the Conservation Commission to execute any and all instruments as may be necessary to effectuate the vote taken hereunder, or take any other action relative thereto.

Parcel ID
044-006-030B-000
110-000-007-000
110-000-014-005
085-000-031-000

CONSERVATION COMMISSION

ARTICLE 20: WITHDRAWN

ARTICLE 21: To see if the Town will vote to amend the General By-Laws by authorizing the Board of Selectmen to create parking districts and enact traffic rules and regulations applicable as follows:

Chapter 197, Traffic Regulation. The Board of Selectmen, pursuant to the provisions of G.L. c. 90, §20A1/2, as may be amended, may promulgate traffic rules and shall, from time to time, establish by rule or regulation a schedule of fines for violations subject to the provisions of G.L. c. 90, §20A1/2 committed within the Town; provided, however, that all such fines shall be uniform for the same offense committed in the same zone or district, such zone or district to be established by the Board of Selectmen.

Or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 22: WITHDRAWN

ARTICLE 23: To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise fund \$100,000 for the purposes of title research and any related costs and expenses as recommended by the Town Manager and approved by the Board of Selectmen, or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 24: WITHDRAWN

ARTICLE 25: WITHDRAWN

ARTICLE 26: To see if the Town will vote to amend the Town of Plymouth General By-laws for LICENSES AND PERMITS, § 109-1 through § 109-6 in accordance with G.L. c. 40, §57, as provided below and as on file with the Town Clerk, with struck-through language deleted and bold and underlined language inserted.

LICENSES AND PERMITS

§ 109-1. Denial or revocation for failure to pay charges.

§ 109-2. List of delinquents.

§ 109-3. Notice and hearing; certificate of good standing.

§ 109-4. Payment agreements.

§ 109-5. Waivers.

§ 109-6. Exemptions.

[**HISTORY:** Adopted by the Special Town Meeting of the Town of Plymouth 4-3-1993 by Art. 14. Amendments noted where applicable.]

§ 109-1. Denial or revocation for failure to pay charges. [Amended 4-12-1995 ATM by Art. 33]

Any town board, officer or department may deny any application for, or revoke or suspend, a building permit, or any local license or permit, including renewals and transfers, issued by any such board, officer or department for any person, corporation or business enterprise who or which has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or other matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, in accordance with the following procedure.

§ 109-2. List of delinquents.

The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the "Tax Collector," shall annually, and may periodically, furnish to each town department, board, commission or division, hereinafter referred to as the "licensing authority," that issues licenses or permits, including renewals and transfers, a list of any person, corporation or business enterprise, hereinafter referred to as the "party," that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges, ~~for not less than a twelve month period~~ and that such party has not filed in good faith a pending application for any abatement of such tax or a pending petition before the Appellate Tax Board.

§ 109-3. Notice and hearing; certificate of good standing. [Amended 4-12-1995 ATM by Art. 33]

- A. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on said list furnished to the licensing authority from the Tax Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the Tax Collector; provided, however, that written notice is given to the party and the Tax Collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than 14 days after said notice. Said list shall be *prima facie* evidence for denial, revocation or suspension of said license or permit to any party.
- B. The Finance Director Tax Collector or his/her designee shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension.
- C. Any license or permit denied, suspended or revoked under this chapter shall not be reissued or renewed until the licensing authority receives a certificate issued by the Finance Director Tax Collector or his/her designee that the party is in good standing with respect to any and all taxes, fees, assessments, betterments or other municipal charges payable to the municipality as of the date of issuance of said certificate.

§ 109-4. Payment agreements.

Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit, and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder shall be given notice and a hearing as required by applicable provisions of law.

§ 109-5. Waivers.

The Board of Selectmen may waive such denial, suspension or revocation if it finds that there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his or her immediate family, as defined in MGL c. 268A, § 1, in the business or activity conducted in or on said property.

§ 109-6. Exemptions.

This chapter shall not apply to the following licenses and permits: open burning (MGL c. 48, § 13); sales of articles for charitable purposes (MGL c. 101, § 33); children work permits (MGL c. 149, § 69); clubs and associations dispensing food or beverage license (MGL c. 140, § 21E); dog licenses (MGL c. 140, § 137); fishing, hunting and trapping licenses (MGL c. 131, § 12); marriage licenses (MGL c. 207, § 28); and theatrical events and public exhibition permits (MGL c. 140, § 181).

Or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 27: To see if the Town will vote to amend its General Bylaw by striking Chapter 154 – Soil Removal in its entirety, as on file with the Town Clerk, or take any other action relative thereto.

PLANNING BOARD

ARTICLE 28: To see if the Town will vote to amend its Zoning Bylaw, Section 205-18 Natural features conservation requirements, to further define regulations associated with the excavation of earth (soil, sand, gravel or quarried stone) as well as associated definitions, procedures, and schedules, as on file with the Town Clerk, or take any other action relative thereto.

PLANNING BOARD

ARTICLE 29: To see if the Town will vote to authorize the Board of Selectmen to convey a portion of the parcel of land located on the westerly side of Rocky Pond Road shown as lot 4C on Assessors Map 91 and, in exchange therefore, to acquire a portion of the parcel of land located on the westerly side of Rocky Pond Road shown as Lot 6-22 on Assessors Map 91, 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: Roy Geiger et al

ARTICLE 30: To see if the Town Meeting will vote to amend Section 205-77, Ground-Mounted Solar Photovoltaic Systems, by amending the language of Section 205-77 so that said Section 205-77 as so amended shall read in its entirety as follows (changed language is shown as underlined or deleted, as the case may be):

205-77. Ground-Mounted Solar Photovoltaic Systems

A. Intent. The intent of this bylaw is to promote, by-right, subject to Site Plan Review, in all Districts, the generation of solar energy and to minimize the impacts of solar facilities on the character of neighborhoods, on property values, on the scenic, historic and environmental resources of the Town; and to protect health and safety, while allowing solar energy technologies to be utilized.

B. Location and Area Requirements.

Except as otherwise provided herein, GMSPS are allowed by right in all zoning districts subject to Site Plan Review under Section 205-32.

1. Site Plan Review is not required for a GMSPS that:
 - a. Actively occupies 1,500 square feet or less of land and has a total GMSPS height of less than 8 feet from final grade, subject to Section C.2.e.; or
 - b. is located on agricultural land, and used primarily for the accessory generation of energy for the operation of the agricultural use; or
 - c. is located on a Development Site consisting primarily of Disturbed Area and, if located within any of the following Districts, provided a minimum 200-foot Buffer is in place along each Lot line that abuts a Residential District:
 - I. Airport (AP)
 - II. Arterial Commercial (AC)
 - III. General Commercial (GC)
 - IV. Highway Commercial (HC)
 - V. Light Industrial (LI)
 - VI. Light Industrial/Waterfront (LI/WF)
 - VII. Mixed Commerce (MC)
 - VIII. Parking Lots
 - IX. Power Line Utility Easements
2. Prohibited.
 - a. A GMSPS that actively occupies more than ~~fifteen~~ five acres in area in any Residential District.
 - b. GMSPS are prohibited on any parcel that include Estimated Habitats of Rare Wildlife or Priority Habitats of Rare Species as identified by the Commonwealth of Massachusetts Natural Heritage and Endangered Species Program or that are located within a State designated Area of Critical Environmental Concern (ACEC).
 - c. GMSPS are not allowed on parcels in R20-SL, R20-MD, R20-MF, R25, R40 and RR zones that have been previously disturbed (i.e. cleared or substantially cleared of natural vegetation by other than natural forces such as fire or flood) for a period of five years from the date of disturbance.

C. Standards. The following standards apply to all GMSPS:

1. **Setback** – A GMSPS site and construction thereon shall conform to the dimensional and intensity requirements set forth in Table 5 of the Zoning Bylaw.
2. **Design –**
 - a. **Lighting** – High efficiency lighting, such as LED, or equivalent, shall be limited to that required for safety and operational purposes, and shall comply with the requirements of §205-65 Prevention of Light Pollution.

- b. **Utility Connections** – Cabling and utility connections within the GMSPS shall be placed underground.
- c. **Security** – The GMSPS must be physically secured by measures including, but not limited to, appropriate fence material, construction, locking devices and surveillance equipment.
- d. **Signage** –
 - i. Required: A sign complying with Sign bylaw §205-19 shall identify the owner and operator, if not the same, and provide the following information: business name for any company or other entity owning and/or operating the installation, with the business address and name of a contact person for each; electric utility or other safety warnings and a 24-hour emergency contact phone number.
 - ii. Prohibited: Any advertising display.
- e. All emergency vehicle access ways shall conform to dimensional requirements of the Plymouth Fire Department.
- f. Screening, as defined in §205-3, shall be installed to shield residences from a GMSPS.
- g. Buffers as defined in §205-3 are required as follows:
 - i. A minimum of 75 150 feet for 1 to 2 MW DC systems;
 - ii. A minimum of 150 200 feet for systems greater than 2 MW DC.

3. Land Clearing, Soil Erosion and Habitat Impacts.

- a. Clearing of native vegetation on any undeveloped or land in its natural state shall be limited to that necessary for the construction, operation and maintenance of the GMSPS. Effective internal storm water management and erosion control features shall be maintained at all times during and post-construction. Installed fencing shall maintain a minimum distance of 8 inches from final grade for small wildlife passage.
- b. Stormwater management controls shall comply with Plymouth's Stormwater Design Guidelines. Percolation tests will be required if no stormwater system controls are provided.
- c. Management of all vegetated areas within the GMSPS shall be maintained throughout the life of the project through mechanical means and without the use of chemical herbicides.

4. Information Required with Zoning Permit for all GMSPS.

- a. **Landscape Plan** – A landscape plan prepared by a Registered Landscape Architect is required and shall include location of existing significant trees, shrubs and grasses to remain and all proposed additions, identified by specimen size and species at installation. Low growth vegetation shall be planted and maintained in areas under GMSPS rack equipment.
- b. **Materials** – Manufacturer's specifications for a proposed GMSPS shall be provided for all equipment and attendant facilities and include documentation of

the major system components to be used, including panels, mounting system, rated name plate capacity, colors, inverter and interconnection details.

- c. **Safety** – The GMSPS Owner or Operator shall submit a copy of the project summary, electrical schematic, and Development Site plan to the Building Commissioner, with a copy for review by the Fire Chief. Instructions to de-energize the system shall be made available to public safety personnel. The owner or operator shall identify a responsible person for public inquiries throughout the life of the GMSPS.
- d. **Financial Surety** – Except for a municipally owned GMSPS, a project designed to generate in excess of 2MW shall require a performance guarantee in the form of a cash bond in an amount approved by the Building Commissioner to cover the cost of GMSPS removal in the event the town must remove the installation and stabilize the Development Site with loam and seed.

5. Other Requirements.

- a. **Notification** – 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 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 in 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 feet of when work will commence and that site plans are available for public review at Town Hall.
- b. **Modification** – A substantial modification to a GMSPS shown on an approved Site Plan shall require Site Plan modification in compliance with the standards and procedures applicable to the original application.
- c. **Segmentation** – Adjacent parcels in the same ownership or control shall be deemed to be one parcel for purpose of calculating the area limitation of §B.2 above.
- d. **Abandonment** – A GMSPS shall be deemed abandoned when its operations are discontinued for more than one year without the written consent of the Building Commissioner; or if the Building Commissioner has determined that the installation is a hazard to public safety and the conditions have not been corrected within three months. A GMSPS must be removed by its owner and the site restored when it has been abandoned as provided herein.
- e. **Site Restoration** – A GMSPS must be removed by its owner within 150 days from the date of discontinuation of operations. The owner or operator shall notify the Building Commissioner by certified mail of the proposed date of discontinuation and provide detailed plans and schedule for GMSPS removal and

restoration of the site to a function approved by the Building Commissioner or to a natural vegetative state.

- f. **Exemption** – This Section 205-77 shall not apply to a GMSPS for which a zoning permit was issued and was still in effect as of July 20, 2016 [the first publication date of notice of the August 8, 2016 Planning Board public hearing], but the record owner of the land shall have the right to waive this exemption, in which case this Section 205-77 shall apply.

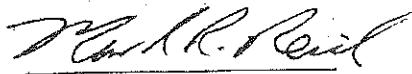
or take any other action relative thereto.

BY PETITION: Sharl Heller et al

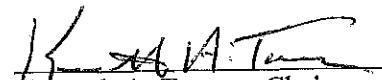
Given under our hands this 18 day of February 2017.

Approved as to Legal
Form

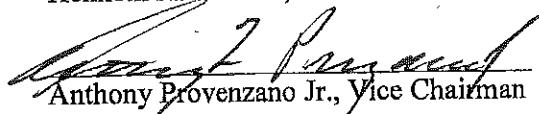
BOARD OF SELECTMEN



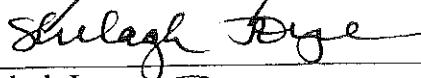
Mark R. Reid
Town Counsel



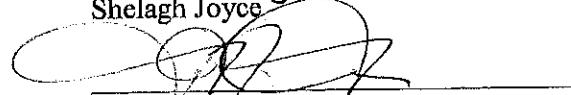
Kenneth A. Tavares, Chairman



Anthony Provenzano Jr., Vice Chairman



Shelagh Joyce



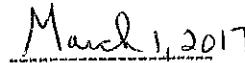
John T. Mahoney Jr.

Sean P. Page

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 on Saturday, the First Day of April, 2017, at 8:00AM to conduct the 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


March 1, 2017
Date & Time
Posted