

**TOWN OF MATTAPOISETT
TOWN MEETING WARRANT**

SPECIAL TOWN MEETING

OCTOBER 20, 2014

6:30 PM

**OLD ROCHESTER REGIONAL
HIGH SCHOOL AUDITORIUM**

**PLEASE BRING THIS COPY WITH YOU TO
TOWN MEETING**

**WARRANT
FOR THE SPECIAL TOWN MEETING
TO BE HELD
OCTOBER 20, 2014**

Commonwealth of Massachusetts

Plymouth, ss

To either of the Constables of Mattapoisett, in said County of Plymouth:

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Mattapoisett qualified to vote in Elections and Town Affairs to meet at the Old Rochester Regional High School, located at 135 Marion Road, on Monday, the Twentieth day of October at Six Thirty in the evening, then and there to act on the following Articles:

MAJORITY VOTE

**ARTICLE 1: ACCEPTANCE OF GL CH. 59 SEC. 5L FOR ACTIVE
DUTY NATIONAL GUARD AND RESERVE PERSONNEL**

To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 59, section 5L, for the purpose of allowing the Town to defer the property taxes and interest of any Mattapoisett resident on Active Duty with the US National Guard and Reserve until they return home or take any action relative there to.

**BY: BOARD OF ASSESSORS
FINANCE COMMITTEE RECOMMENDS**

MAJORITY VOTE

ARTICLE 2: INTEREST REDUCTION ON SENIOR DEFERRED TAXES

To see if the Town will vote to reduce the rate of interest that accrues on property taxes deferred by eligible taxpayers under Massachusetts General Laws Chapter 59 Section 5 Clause 41 from 8% to 4% with such reduced rate to apply to taxes assessed for any fiscal year beginning on or after July 1, 2015, or take any action relative there to.

RECOMMENDATION FROM FLOOR

BY BOARD OF ASSESSORS

MAJORITY VOTE

ARTICLE 3: PETITION FOR SPECIAL ENABLING LEGISLATION

To see if the Town will vote to authorize the Mattapoissett Board of Selectmen to seek Special Legislation to allow the Town to credit 100% of the sums received by the Town from the collection of boat excise taxes to the Municipal Waterways Fund, instead of having only 50% of such sums deposited into the Fund; provided however that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and that the Board of Selectmen is authorized to approve amendments which shall be within the scope of the general public objectives of the petition:

An Act Relative to Boat Excise Tax Revenue for the Mattapoissett Waterfront

Section 1: Notwithstanding section 2(i) of Chapter 60B or section 53 of Chapter 44 of the Massachusetts General Laws or any other special or general law to the contrary, 100% of the sums collected by the Town of Mattapoissett as Boat Excise Tax pursuant to the provisions of Chapter 60B of the Massachusetts General Laws shall be credited to the Town Municipal Waterway Fund established by Section 5G of Chapter 40 of the Massachusetts General Laws, which funds may be expended solely for the purpose set forth in Section 5G.

Section 2: This act shall take effect upon passage.

Or take any action relative thereto.

**BY BOARD OF SELECTMEN
FINANCE COMMITTEE RECOMMENDS**

9/10 VOTE

ARTICLE 4: PRIOR YEAR BILLS

To see if the Town will vote to appropriate the sum of \$10,416 from Free Cash for the purpose of paying outstanding legal expenses of FY14, or take any action relative thereto.

**BY: BOARD OF SELECTMEN
FINANCE COMMITTEE RECOMMENDS**

2/3 VOTE

ARTICLE 5: REGIONAL AGRICULTURAL SCHOOL EXPENSE APPROPRIATION

To see if the Town will vote to appropriate the sum of \$72,000 from the Regional School Expense Stabilization Fund for the purpose of paying tuition of Mattapoissett Students at Bristol Agricultural High School, or take any action relative thereto.

**BY: BOARD OF SELECTMEN
FINANCE COMMITTEE RECOMMENDS**

2/3 VOTE

ARTICLE 6: FUNDING FOR ROAD IMPROVEMENTS

To see if the Town will vote to appropriate the sum of \$275,000 from Free Cash for the purpose of doing repairs to Mattapoissett roads, drainage and sidewalks, including engineering and all costs incidental and related thereto, or take any action relative thereto.

**BY: BOARD OF SELECTMEN
FINANCE COMMITTEE RECOMMENDS**

2/3 VOTE

ARTICLE 7: CONTRIBUTION TO CAPITAL EQUIPMENT STABILIZATION FUND

To see if the Town will vote to appropriate \$100,000 from Free Cash for the purpose of funding the Town of Mattapoissett Capital Equipment Stabilization Fund, or take any action relative thereto.

**BY: BOARD OF SELECTMEN
FINANCE COMMITTEE RECOMMENDS**

2/3 VOTE

ARTICLE 8: CONTRIBUTION TO STABILIZATION FUND

To see if the Town will vote to appropriate \$50,000 from Free Cash for the purpose of funding the Town of Mattapoisett Stabilization Fund, or take any action relative thereto.

**BY: BOARD OF SELECTMEN
FINANCE COMMITTEE RECOMMENDS**

MAJORITY VOTE

ARTICLE 9: FUNDING OF EASEMENT FOR BIKE PATH

To see if the Town will vote to appropriate the sum of \$25,000 from Free Cash for the purpose of compensating for the taking of an easement for the purpose of securing the necessary right for the Multi-Use Bike Path to pass through a certain portion of the proposed location of the Path, or take any action relative thereto.

**BY BOARD OF SELECTMEN
FINANCE COMMITTEE RECOMMENDS**

2/3 VOTE

ARTICLE 10: SUPPLEMENTAL BUDGET APPROPRIATION- WATER AND SEWER

To see if the Town will vote to appropriate the sum of \$9,200, to supplement the FY15 Annual Operating Budget of the Water and Sewer Department, with \$4,600 to be transferred from Water Retained Earnings to the FY15 Water Department Budget and \$4,600 to be transferred from Sewer Retained Earnings to the FY15 Sewer Budget, or take any action relative thereto.

**BY WATER/SEWER COMMISSION
FINANCE COMMITTEE RECOMMENDS**

MAJORITY VOTE

ARTICLE 11: SEWER OPERATING BUDGET FY15

To see if the Town will vote to transfer the sum of \$261,000 from Sewer Retained Earnings for the purpose of covering a projected revenue shortfall in the Sewer Enterprise Fund FY15, or take any action relative thereto.

**BY: WATER/SEWER COMMISSION
FINANCE COMMITTEE RECOMMENDS**

MAJORITY VOTE

**ARTICLE 12: FAIRHAVEN SEWER APPORTIONMENT OF SEWER COSTS
FOR MATTAPOISETT**

To see if the Town will vote to appropriate the sum of \$185,915 from Sewer Enterprise Retained Earnings to the Sewer Enterprise Fund Budget as voted within Article 2 of the May 12th, 2014 Annual Town Meeting for the purpose of paying Mattapoissett's share of annual sewer system costs to the Town of Fairhaven, or take any action relative thereto.

**BY: WATER/SEWER COMMISSION
FINANCE COMMITTEE RECOMMENDS**

2/3 VOTE

ARTICLE 13: SEWER PROJECT AND GRANT INDUSTRIAL DRIVE

To see if the Town will vote to appropriate \$1,200,000 by borrowing, or transfer from available funds including any available State, Federal, or other Grant Sources and Funds, including any grant money that maybe received under the MassWorks Grant Program, a sum of money for the purpose of paying for the costs of installing sanitary sewer and appurtances to the area of Industrial Drive in Mattapoissett, including all costs incidental and related thereto, that one hundred percent of the total costs to the Town for this project shall be assessed as betterments using the uniform unit method, and shall be borne by the owner(s) benefitting from this project, that the Treasurer with the approval of the Board of Selectmen is authorized to borrow all or portion of said sum from the Water Pollution Abatement Trust established pursuant Chapter 29C

and authorize the Board of Water/Sewer Commissioners to expend all funds available for the project and take any other action necessary to carry out the project, or take any action relative thereto.

**BY: WATER/SEWER COMMISSION
FINANCE COMMITTEE RECOMMENDS**

MAJORITY VOTE

ARTICLE 14: WATER MAIN DESIGN AND ENGINEERING COSTS

To see if the Town will vote to appropriate a sum of money from Water Retained Earnings for the purpose of engineering, and designing the replacement of the water main on Mechanic Street, or take any action relative thereto.

**BY: WATER/SEWER COMMISSION
FINANCE COMMITTEE RECOMMENDS**

MAJORITY VOTE

ARTICLE 15: AUTHORITY TO NEGOTIATE PILOT AGREEMENT

To see if the Town will vote to authorize the Board of Assessors pursuant to Massachusetts General Laws Chapter 59, Sub Section 38H, the authority to enter into agreements with solar power generation companies, for the purpose of having a payment in lieu of taxes (PILOT) agreement relative to the valuation and assessment of property and improvements in the property, or take any action relative thereto.

**BY: BOARD OF ASSESSORS
RECOMMEND FROM FLOOR**

2/3 VOTE

ARTICLE 16: ZONING BYLAW AMENDMENT

To see if the Town will vote to amend Article 3, Subsection 3.8.4 of the Town of Mattapoisett Zoning Bylaw regarding dimensional requirements of Cluster Subdivisions (single family detached) by inserting a new Subsection 3.8.4.4 as follows:

3.8.4.4 Zero-Lot Line Lots

3.8.4.4.1

Up to Twenty (20) percent of the lots in a Cluster Subdivision may be designed as Zero Lot Line Lots, provided that the entire Cluster Subdivision is served by a public sewer

system. A Zero Lot Line Lot is a Single-Family Residential Lot created with a No Side Yard Setback on one side of the lot, thereby creating a Shared Building Envelope between two adjoining lots. This Shared Building Envelope shall only be used to build a duplex where the common wall between the two units is the common boundary line separating the two adjoining residential lots. No lot can have more than one side yard with a zero setback.

3.8.4.4.2

The following minimum dimensional regulations shall apply to Zero Lot-Line Lots in lieu of those identified in Article 6, for conventional Single-Family Developments:

Minimum Lot Area	10,000 square feet
Minimum Lot Frontage	45 feet
Minimum Front Yard Setback	25 feet
Minimum Side Yard Setback	0 Feet (shared side)/20 feet (unshared side)
Minimum Rear Yard Setback	10 feet
Maximum Lot Coverage	25 Percent
Maximum Building Height	35 feet

Or take any action relative thereto

BY: PLANNING BOARD

2/3 VOTE

ARTICLE 17: ZONING BYLAW AMENDMENT

To see if the Town will vote to amend Article 3, Subsection 3.8.9 of the Town of Mattapoisett Zoning Bylaw regarding Cluster Subdivisions (Single Family Detached) Common Space, by inserting in Subsection 3.8.9.5 the **bolded underlined following text**; Such Open Space may be in one (1) or more parcels of a size and shape appropriate for its intended use as determined by the Planning Board. **Such Open Space may include lands located in the Limited Industrial (LI) District, as well as lands located in Districts within which Cluster Housing is permitted.**

Or take any action relative thereto.

BY PLANNING BOARD

2/3 VOTE

ARTICLE 18: ZONING BYLAW AMENDMENT

To see if the Town will vote to amend Article 3, Subsection 3.8 of the Town of Mattapoisett Zoning Bylaw regarding Cluster Subdivisions (Single Family Detached), by inserting the bold underlined text as follows:

In order to permit maximum flexibility for developing land for single family housing, and to encourage the preservation of Open Space and promote the more efficient use of the land in harmony with its natural features, tracts of land consisting of eight (8) acres or more in the following districts R 80, RR 45, R 40, R 30, RR 30, and **GB** shall be made available for Cluster Housing subject to the requirements of this Section.

To afford the Town of Mattapoisett ample assurance that such developments will enhance the amenities of the neighborhoods in which they occur, and the Town as a whole, Cluster Subdivision may be constructed by filing a Cluster Subdivision Plan under the Subdivision Control Law, MGL Ch. 41, Sec. 81K-1GG with the Planning Board as hereafter defined or take any action relative thereto.

BY: PLANNING BOARD

You are hereby notified to serve this Warrant by posting up attested copies thereof at the several places designated in the Town By-laws, namely the Mattapoisett Post Office and the Mattapoisett Town Hall, (14) days at least before the day appointed for said meeting.

Here of fail not and make due return of this Warrant with your doing thereon to the Town Clerk at the time and place of the meeting aforesaid.

Given under our hands this second day of October in the year Two Thousand and Fourteen

BOARD OF SELECTMEN

Paul A. Silva, Chairman

Jordan C. Collyer, Vice Chairman

R. Tyler Macallister, Clerk