

# PLYMOUTH BOARD OF SELECTMEN

TUESDAY, JUNE 22, 2010

TOWN HALL MAYFLOWER ROOM

The Selectmen held a meeting on Tuesday, June 22, 2010 at 7:00 p.m. at Town Hall in the Mayflower Room.

Present: William P. Hallisey, Jr., Chairman  
John T. Mahoney, Jr., Vice Chairman  
Sergio O. Harnais  
Mathew J. Muratore

Mark Stankiewicz, Town Manager  
Melissa Arrighi, Assistant Town Manager

Absent: Selectman Richard J. Quintal, Jr.

## CALL TO ORDER

Chairman Hallisey called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

## TOWN MANAGER'S REPORT

**Tree City USA** – Town Manager Mark Stankiewicz was pleased to announce that the Arbor Day Foundation has once again recognized Plymouth with Tree City USA designation for the Town's commitment to urban forestry. Mr. Stankiewicz congratulated DPW Forestry Superintendent Ted Bubbins on helping Plymouth to achieve its 21<sup>st</sup> annual designation.

**Newfield Street** – Mr. Stankiewicz informed the Board that he conducted an on-site review of Newfield Street with the Town's DPW Director, Police Chief, Fire Chief, and Town Engineer. Vice Chairman Mahoney and a handful of Newfield Street residents attended the review, he noted, during which the attendees discussed the neighborhood's concerns regarding the use of Newfield Street as a 'cut-through.' Mr. Stankiewicz reported that, at the end of the review, it was decided that the Town Engineer would hold a public hearing to consider reversing the direction of one-way traffic on nearby Birch Avenue, in an effort to reduce through traffic.

**Library Service Awards** – Mr. Stankiewicz noted that he attended an award program on June 5, 2010 at the Plymouth Public Library to recognize Library employees with several years of service, ranging from five to thirty years.

**Economic Development Bus Tour** – Mr. Stankiewicz reported that Chamber of Commerce Executive Director Denis Hanks and Planning Director Lee Hartmann recently hosted a bus

tour to market business and development opportunities throughout Plymouth. Mr. Hanks and Mr. Hartmann provided the personalized tour, he said, which showcased over 45 town-wide sites for commercial, industrial, and residential projects to 98 attendees on two buses.

**Town Passes** – Mr. Stankiewicz issued a reminder that transfer station passes and beach stickers will be available for sale at the Town’s transfer stations on the following dates:

- Friday, Saturday, and Sunday – June 25, 26, and 27
- Friday, July 2
- Friday, Saturday, and Sunday – July 9, 10, and 11

There will be no ‘grace period’ for expired passes this year, Mr. Stankiewicz noted.

**Senior ‘Listening Tour’** – Mr. Stankiewicz noted that he attended a recent event at Plymouth’s Council on Aging at which Massachusetts Secretary of Elder Affairs Ann Hartstein spoke on the topic of “Aging Well in Massachusetts and How Local Councils on Aging Can Assist.”

**Guardian Energy Management** – Mr. Stankiewicz reported that he and Special Assistant Patrick O’Brien met with representatives of Guardian Energy Management to discuss the energy consulting services that Guardian provides. Guardian Energy Management, he said, will review (at no charge) the Town’s current utility bills and identify areas for potential savings.

**Wind Turbine Lease** – Mr. Stankiewicz noted that he and Special Assistant Patrick O’Brien attended a meeting at Kopelman & Paige (Town Counsel) in Boston to review the proposed wind turbine lease with representatives from Solaya Energy LLC. During the meeting, he said, the group discussed and clarified several issues within the proposed lease agreement, which is slated to be finalized within the next several weeks.

**FBI – Law Enforcement Executive Development Association (LEEDA)** – Mr. Stankiewicz informed the Board that he and Police Chief Michael Botieri attended a training session at the Radisson sponsored by the FBI’s Law Enforcement Executive Development Association (“LEEDA”). The session, he explained, involved the surge in identify theft through the nation and in Massachusetts.

**July 4<sup>th</sup> Festivities** – Mr. Stankiewicz noted that he met with July 4 Plymouth, Inc. Committee Chairman Ken Tavares to discuss the projected costs for municipal services during the July 4<sup>th</sup> events such as Police, Fire, and Public Works.

**Energy Update** – Mr. Stankiewicz reported that Special Assistant Patrick O’Brien has made a preliminary calculation on the energy cost savings resultant from the closing of Town Hall on Fridays. He referenced a memo from Mr. O’Brien in which a savings of \$8,617 is cited for the first 4 months of the changed schedule, which compares favorably to initial estimates of \$12,000 in savings for the entire year.

## LICENSES

On a motion by Vice Chairman Mahoney, seconded by Selectman Harnais, the Board approved the following Common Victualler, Comprehensive Entertainment, and One Day Wine & Malt permits/licenses, as outlined. Voted 4-0-0, approved.

### **COMMON VICTUALLER (NEW)**

- ❖ **Chlonest, Inc.** d/b/a Kiskadee Coffee, 18 Main Street, Yong Kim (New Owner)

Issuance of the above license is subject to approval from the Building and Health Departments.

### **COMPREHENSIVE ENTERTAINMENT (NEW)**

- ❖ **Chlonest, Inc.** d/b/a Kiskadee Coffee, 18 Main Street, Yong Kim (New Owner)

Applying for Radio, live entertainment

### **ONE DAY WINE AND MALT LICENSE**

- ❖ **Holy Ghost Society of Plymouth Inc.** (26 Hamilton Street, Paul Pimental) requested a One Day Wine & Malt License for the Holy Ghost Fiesta to be held at the Holy Ghost pavilion and field from 12:00 p.m. to 6:00 p.m. on July 18, 2010.
- ❖ **Plimoth Plantation/Sodexo** (137 Warren Ave, Kathleen Fitzgerald) requested four (4) One Day Wine & Malt licenses for beer tasting events to be held from 5:30 p.m. to 7:30 p.m. within the Mayflower II exhibit area on the State Pier on July 7, 14, 21, and 28, 2010. Liquor liability is in place.
- ❖ **Our House Services** (40 Russell Street, Philippe Ducrot) requested five (5) One Day Wine & Malt licenses for wine dinners to be held from 6:00 p.m. to 11:00 p.m. on June 25 and 26, and July 2, 9, and 10, 2010. Liquor liability is in place.

On a motion by Vice Chairman Mahoney, seconded by Selectman Muratore, the Board approved the following Fuel Storage, Pole Petition, and Vehicle for Hire permits/licenses, as outlined. Voted 4-0-0, approved.

### **FUEL STORAGE (CHANGE OF OWNERSHIP)**

- ❖ **Plymouth Harbor Fuel, LLC**, 10 Town Wharf

The location at 10 Town Wharf has storage tanks with a capacity of 14,000 gallons already in place and approved, currently licensed under Town Wharf Enterprises, now transferring to Plymouth Harbor Fuel, LLC.

## **POLE PETITION**

- ❖ **NSTAR and Verizon Petition 1764262** – One petition covering the installation of one (1) new pole on Sandwich Street in Plymouth. This pole is necessary to upgrade the existing pole line for better service reliability.

## **POLE PETITION**

- ❖ **NSTAR Petition 1774610** – One petition covering the installation of 52’ of underground cable and conduit on Priscilla Beach Road in Plymouth. The construction is necessary to service a customer at 18 Priscilla Beach Road. Approval and issuance of the above petition is subject to the fulfillment and outcome of all necessary hearings and documentation.

## **VEHICLE FOR HIRE BUSINESS PERMIT (NEW)**

- ❖ **Steven Morris d/b/a Morris & Sons Coach and Cab**, 193 Fairview Lane  
Steven Morris, Owner
  - One Vehicle for Hire Business Permit – Taxi(Note: Mr. Morris will come forth in the near future to license vehicles and operators.)

## **KENO**

- ❖ **Longridge Wine and Spirits**, 8 Purchase Street

The Board acknowledged that the Massachusetts State Lottery Commission will approve a Keno License for the above establishment. If the Board objects, it must claim its right to a hearing before the MSLC within 21 days of receipt of notification.

## **ADMINISTRATIVE NOTES**

**Meeting Minutes / May 11, 2010** – On a motion by Vice Chairman Mahoney, seconded by Selectman Harnais, the Board approved the minutes of the May 11, 2010 Selectmen’s meeting. Voted 4-0-0, approved.

**Meeting Minutes / May 18, 2010** – On a motion by Vice Chairman Mahoney, seconded by Selectman Harnais, the Board approved the minutes of the May 18, 2010 Selectmen’s meeting. Voted 4-0-0, approved.

**End of Year Transfers** – The Board approved the following End of Year Appropriation Transfers, as presented by the Finance Director:

- DPW - \$16,997.14 (from DPW Highway Salaries to Snow Supplies & Materials)
- DPW - \$24,000 (from DPW Highway Salaries to Vehicle Maintenance)
- DPW - \$25,000 (from DPW Highway Salaries to Vehicle Maintenance)

**Authorization to Resubmit Liquor License Applications** – The Board authorized the Administrative Assistant to the Town Manager to resubmit Form 43 liquor license applications to the Alcoholic Beverage Control Commission for reconsideration.

**One-Time Fee Waiver for Sewer Charges** – The Board granted a one-time fee waiver for past sewer charges owed to the Town that were not billed to thirteen (13) water/sewer accounts, as identified by the Water Department, that were subject to the former Elderly Sewer Discount Rate structure.

**Letter of Support for Comcast Merger** – The Board authorized the Chairman to endorse a letter of support for the proposed merger between Comcast and NBCU.

**Deed of Easement** – The Board approved and executed an *Acceptance of Deed of Easement* from Brian C. Cooney for property at 220 Carver Road identified as Lot 17 on Assessors Map 106, for the purpose of highway easement, as recommended by the Town Engineer.

**Temporary Note** – The Board approved the sale of a \$269,700 1.150 percent General Obligation Grant Anticipation Note (the "Note") of the Town dated June 24,2010 and payable December 17, 2010, to Eastern Bank at par and accrued interest plus a premium of \$191.49.

Further Voted: that in connection with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 3,2010, and a final Official Statement dated June 10,2010, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the consent to the financial advisor bidding for the Note, as executed prior to the bidding for the Note, is hereby confirmed.

Further Voted: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a material events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.

Further Voted: that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

**Town Wharf Lease Documents** – The Board approved and executed the following lease documents pertaining to a change in ownership of leases on Town Wharf:

- *Lease Agreement* between the Town of Plymouth and Plymouth Harbor Fuel, LLC (Town Wharf, Map 14A, Lot 5A)
- *Notice of Lease* between the Town of Plymouth and Plymouth Harbor Fuel, LLC (Town Wharf, Map 14A, Lot 5A)

- *Amended Notice of Lease* between the Town of Plymouth and Plymouth Harbor Fuel, LLC (Town Wharf, Lots 3, 3A, 4, and 4A on a plan entitled “Plan of Land at Town Wharf in Plymouth”)
- *Second Lease Amendment* between the Town of Plymouth and Plymouth Harbor Fuel, LLC (Town Wharf, Lots 3, 3A, 4, and 4A on a plan entitled “Plan of Land at Town Wharf in Plymouth”)
- *Lease Amendment* between the Town of Plymouth and Plymouth Sea Tours, LLC (Town Wharf, location as described in lease)
- *Amended Notice of Lease* between the Town of Plymouth and Plymouth Sea Tours, LLC (Town Wharf, location as described in lease)

## **PUBLIC COMMENT**

Ken Tavares, Jeff Metcalfe, and Mark Wells of July 4 Plymouth, Inc. provided the Board with an update on fundraising efforts and plans for the July 4<sup>th</sup> parade and fireworks events.

As of the meeting, Mr. Tavares noted, the committee was within \$5,300 of its goal, thanks to in-kind donations and further work by the Town to determine how it could lower event expenses. He acknowledged large donations from Wal-Mart and Entergy but reminded the public that individual contributions are just as vital to the committee’s fundraising success. Mr. Tavares informed the Board that several political candidates will march in this year’s parade, including U.S. Senator Scott Brown. Atlas Pyrotechnics will again provide the fireworks display, he said, and the Plymouth Philharmonic will provide a free concert.

Jeff Metcalfe provided information on how residents can purchase T-shirts emblazoned with “The Parade is Back,” from which funds will be directed to the parade and fireworks events. He issued a plea for volunteer assistance with banner-carrying and parade set-up.

Mr. Tavares responded to some brief questions from the Board regarding parade information and fundraising initiatives. The Board thanked him and his fellow committee members for their diligent work in producing the July 4<sup>th</sup> events for the community.

Gail Fitzpatrick, president of the Friends of the Plymouth Pound, addressed the Board with a complaint about how she feels her organization was mistreated by the Plymouth Fire Department during the Friends’ annual carnival fundraising event. Ms. Fitzpatrick explained that her organization was formed in 1984 by volunteers who helped to raise funds for the construction of the Plymouth Animal Shelter. Since the construction of the shelter in 1997, she said, the group maintained the name but changed its mission/focus towards that of a private humane society providing various types of services and care for animals.

Ms. Fitzpatrick explained that her organization relies heavily upon proceeds from its annual carnival event outside the Armstrong Skating Arena on Long Pond Road, which the Friends have held each spring for 17 consecutive years. During this year’s event, she said, the Plymouth Fire Department forced her to rent rooms for the carnival employees because the

department would not allow them to stay in their bunkhouses. Ms. Fitzpatrick insisted that the accommodations were consistent with the regulations initially provided to her by the Fire Department during the event permitting process, and yet the Department, she said, tried to shut the event down, again, after she rented motel rooms for the carnival employees. As a result, she noted, the Friends' were forced to expend \$1,300 before event began, and, thus, the organization would like to seek restitution for the loss that she believes was caused by the Department's seemingly "extreme" regulations.

Ms. Fitzpatrick responded to several questions from the Board regarding the incidents that prompted her complaint before the Board. Selectman Muratore suggested that the Board invite the Fire Chief and Ms. Fitzpatrick to an upcoming meeting to discuss the matter with both parties present. No objections were offered to his recommendation.

Kevin Doyle, Town Meeting member from Precinct 6, thanked the Board for their help in getting the placement of trash barrels at White Horse Beach. He thanked Vice Chairman Mahoney and Selectman Harnais for meeting with him and other White Horse beach residents to discuss the matter.

## **PUBLIC HEARING: ANNUAL ALL ALCOHOL RESTAURANT LICENSE** **CMGM CORPORATION D/B/A IL MAESTRO RISTORANTE**

Chairman Hallisey opened a public hearing to consider the application for a new Annual All Alcohol Restaurant Liquor License from CMGM Corporation d/b/a Il Maestro Ristorante, 63 Long Pond Road, Michael F. DePaolo as Manager. Chairman Hallisey affirmed that notice of the hearing was given in accordance with Chapter 138 of the Massachusetts General Laws and those wishing to be heard on the matter were encouraged to attend.

Michael DePaolo, owner of CMGM Corporation, provided a brief explanation to the Board on his plans to bring the success of his Il Maestro Ristorante location in Hyannis to the location formerly occupied by Sabor Market in Plymouth.

Following some brief questions from the Board, Chairman Hallisey opened the hearing to public comment from citizens, whether in favor of, or against, the license. No citizens came forth, and, thus, Chairman Hallisey closed the hearing to await a motion of the Board.

On a motion by Selectman Muratore, seconded by Vice Chairman Mahoney, the Board voted to approve a new Annual All Alcohol Restaurant Liquor License for CMGM Corporation d/b/a Il Maestro Ristorante, 63 Long Pond Road. Voted 4-0-0, approved.

## **LICENSES IN CONJUNCTION WITH A PUBLIC HEARING**

- ❖ **CMGM Corporation d/b/a Il Maestro Ristorante** (63 Long Pond Road, Michael F. DePaolo, Manager) requested the following licenses in conjunction with the request for a new Annual All Alcohol Restaurant Liquor License:

- Common Victualler
- Comprehensive Entertainment – Radio, TV, live entertainment
- Sunday Entertainment – Live entertainment
- Pledge of License to Salem Five

On a motion by Vice Chairman Mahoney, seconded by Selectman Muratore, the Board approved the licenses listed above for CMGM Corporation d/b/a Il Maestro Ristorante. Voted 4-0-0, approved.

**PUBLIC HEARING: ANNUAL ALL ALCOHOL INNHOLDER LICENSE**  
**BRADFORD INN LLC D/B/A BRADFORD INN**

Chairman Hallisey opened a public hearing to consider the application for a new Annual All Alcohol Innholder Liquor License from Bradford Inn LLC d/b/a Bradford Inn, 98 Water Street, Antonio Lama as Manager. Chairman Hallisey affirmed that notice of the hearing was given in accordance with Chapter 138 of the Massachusetts General Laws and those wishing to be heard on the matter were encouraged to attend.

Selectman Harnais disclosed that his brother serves as an attorney for the applicant but stated that he has no financial interest in the license matter. Selectman Harnais noted that he contacted the State Ethics Commission and received a determination that he could deliberate on the license.

Antonio Lama, the manager named on the license application, addressed the Board on behalf of Bradford Inn, LLC. He requested that the Board continue the hearing to its next meeting.

Chairman Hallisey noted that several citizens in the audience wished to share concerns about the license application and, hence, he opened the hearing to public comment.

Paul Stasinos spoke to the Board on behalf of an abutter who (according to Mr. Stasinos) supports the license application but wants to know what restrictions and seating capacity will be placed on the license.

Brenda Silvius, owner of a bed & breakfast establishment on Winslow Street (across from the Bradford Inn), expressed concerns about the granting of a liquor license to the Bradford Inn and the effect it might have on her business. At the present time, she said, the front desk at the inn is not managed from 11:00 p.m. to 7:00 a.m., during which her guests are often subjected to the loud noise of patrons yelling and partying on the outdoor decks of the inn. Ms. Silvius noted that several of her neighbors on Brewster and Winslow streets signed a petition outlining concerns about the operation of the Bradford Inn and the resultant effect on the surrounding neighborhood and historic waterfront district. She acknowledged that Mr. Lama met with her the previous day before the Board’s hearing to address the issues raised by the neighborhood, but her concerns will not be assuaged, she said, until the management of the inn can demonstrate responsibility and respect for its abutters.

Rick Greenwood of 22 Brewster Street (a direct abutter) questioned whether the Bradford Inn was a suitable location for alcohol and entertainment.

Ric Cone, downtown resident, business owner, and member of the Historic District Neighborhood Watch, referenced the work done by the Plymouth Center Steering Committee (on which he served as a member) on the Plymouth Center Master Plan. The committee, he explained, identified quality of life as a key component within the mixed residential character of downtown neighborhoods. He asked the Board to consider how the allowance of alcohol service and entertainment at an open, outdoor pool area in the heart of the tourism district could be detrimental to the character of the downtown/waterfront environment, and he questioned whether there are sufficient management practices in place to manage rowdiness and noise.

Seeing no further comments, Chairman Hallisey brought the discussion back to the Board for consideration of the Bradford Inn's request to continue the license hearing to a later date. Selectman Muratore and Selectman Harnais both expressed hesitation to grant a license to the Bradford Inn, based on whether there was a need for such service and whether the Inn's apparent lack of 24-hour management/supervision would be adequate for the service of alcohol at the premises.

Selectman Muratore made a motion to continue the hearing to consider the application for a new Annual All Alcohol Innholder Liquor License for Bradford Inn LLC to the Board's meeting of July 6, 2010. Vice Chairman Mahoney seconded the motion for discussion.

Chairman Hallisey echoed the concerns shared by Selectmen Muratore and Harnais, and he asked Mr. Lama to take the comments offered during the meeting by the Inn's neighboring residents into consideration. Mr. Lama acknowledged the reputation of the Inn but noted that the new owners (whom he represents) are working diligently to correct 10-15 years worth of problems in the hopes of creating a more family-friendly environment. The guests of the Inn can already serve themselves alcohol, Mr. Lama said, but with a liquor license, the new owners hope to gain more control and supervision of alcohol consumption on the premises. Mr. Lama pointed to several initiatives undertaken by the new owners to improve the facility, establish 24-hour management service, and restore the reputation of the Inn.

The Board voted 4-0-0 in favor of continuing the hearing to consider the application for a new Annual All Alcohol Innholder Liquor License for Bradford Inn LLC to the Board's next meeting on July 6, 2010.

## **COMMITTEE INTERVIEWS**

### **AGRICULTURAL COMMITTEE**

Chairman Hallisey noted that the Board would appoint one (1) citizen to the open farmer seat on the Agricultural Committee, for a term effective June 23, 2010 through June 30, 2011. There were two (2) applicants:

- John Risso                            1067 Old Sandwich Road      new applicant
- Patti Striar                            25 Steeple Chase              new applicant

Chairman Hallisey invited the applicants to appear before the Board, one-by-one, for a brief interview. Each applicant was given the opportunity to introduce him/herself and to answer questions posed by the Board.

Chairman Hallisey read the names of the applicants and asked the members of the Board to cast votes for the candidate they wished to appoint. The first vote cast by the Board resulted in a split of 2-2 (Harnais and Mahoney for Mr. Risso, and Hallisey and Muratore for Ms. Striar). After some discussion, the Board voted again and appointed Mr. Risso by unanimous decision (4-0) to the Agricultural Committee for the term specified above.

**CEDARVILLE STEERING COMMITTEE**

Chairman Hallisey noted that the Board would appoint one (1) citizen to the Cedarville Steering Committee, for a term effective July 1, 2010 through June 30, 2013. There were two (2) applicants:

- Margaret Fitzgibbons      14 Tananger Road              incumbent
- Steven Striar                    25 Steeple Chase              new applicant

Chairman Hallisey stated that the Board received notice that Ms. Fitzgibbons could not attend the interview. He invited Mr. Striar to appear before the Board for a brief interview.

Chairman Hallisey read the names of the applicants and asked the members of the Board to cast votes for the candidate they wished to appoint. By vote of 4-0, the Board chose to appoint Mr. Striar to the Cedarville Steering Committee for the term specified above.

**ENERGY COMMITTEE**

Chairman Hallisey noted that the Board would appoint three (3) citizens to the Energy Committee, for terms effective July 1, 2010 through June 30, 2013. There were four (4) applicants:

- John Corcoran                    7 Wendy Lane                    incumbent
- Frank Killorin                    31 Turnberry Drive              incumbent
- Anne Lynch                        6 Grey Shale                      incumbent
- Marlene McCollem              273 Court Street                new applicant

Chairman Hallisey reported that the Board received notice that Ms. McCollem chose to withdraw her name from consideration, and thus there were only three remaining incumbent applicants for the three open seats. By unanimous vote (4-0), the Board chose to re-appoint incumbents John Corcoran, Frank Killorin, and Anne Lynch to the Energy Committee, for the terms specified above.

## BOARD OF HEALTH

Chairman Hallisey noted that the Board would appoint one (1) citizen to the Board of Health, for a term effective July 1, 2010 through June 30, 2013. There were three (3) applicants:

- Kathy Cartmell-Sirrico 150 Court Street incumbent
- Kimberly Eldridge 14 Boutemain Avenue new applicant
- Nancy O'Connor Gantz 42 Abigail's Path new applicant

Chairman Hallisey stated that the Board received notice that Ms. Cartmell-Sirrico could not attend the interview. He invited the applicants to appear before the Board, one-by-one, for a brief interview. Ms. Eldridge did not appear, and, thus, the Board conducted an interview with Ms. Gantz, only.

By unanimous vote (4-0), the Board chose to appoint Nancy O'Connor Gantz to the Board of Health, for the term specified above.

## OPEN SPACE

Chairman Hallisey noted that the Board would appoint one (1) citizen to the Open Space Committee, for a term effective June 23, 2010 through June 30, 2011. There were two (2) applicants:

- Stephen C. Travis 29 White Trellis new applicant
- Anne Lynch 6 Grey Shale new applicant

Chairman Hallisey reported that the Board received notice that Mr. Travis chose to withdraw his name from consideration, and thus there was only one remaining applicant for the single open seat. By unanimous vote (4-0), the Board chose to appoint Ms. Lynch to the Open Space Committee, for the term specified above.

## ZONING BOARD OF APPEALS

Chairman Hallisey noted that the Board would appoint **ONE** full-voting member and **TWO** alternate members to the Zoning Board of Appeals, for terms effective July 1, 2010 through June 30, 2013. He explained that, though there were only three applicants (see below), two applicants applied for the one available full-voting seat, and because of the difference in seats available—1 full-voting seat and 2 alternate seats—the Board would consider how to assign the applicants.

- Walter Kelley 5 Cordage Terrace incumbent alternate applying for full seat
- William Keohan 19 Fremont Street incumbent full voting member applying for full voting seat
- Ryan Matthews 2 Clyfton Street incumbent alternate applying for alternate seat (uncontested)

Chairman Hallisey invited the applicants to appear before the Board, one-by-one, for a brief interview. Each applicant was given the opportunity to introduce himself and to answer questions posed by the Board.

Chairman Hallisey read the names of the applicants for the full voting seat and asked the members of the Board to cast votes for the candidate they wished to appoint. The first vote cast by the Board resulted in a split of 2-2 (Hallisey and Muratore for Mr. Kelley, and Harnais and Mahoney for Mr. Keohan). After some discussion, the Board voted again and appointed Mr. Keohan to a full-voting seat on Zoning Board of Appeals in a 3-1 decision (Hallisey in favor of Mr. Kelley) for the term specified above.

By unanimous decision (4-0), the Board appointed Mr. Kelley and Mr. Matthews to the two available alternate seats on Zoning Board of Appeals for the terms specified above.

At the close of the committee interviews, Chairman Hallisey thanked all of the committee applicants and then called for a brief break to allow preparation for the next presentation.

## **1820 COURTHOUSE UPDATE**

Dean Rizzo, Secretary of the Plymouth Redevelopment Authority (“PRA”) and chairman of the 1820 Courthouse Consortium (“the Consortium”), provided a PowerPoint presentation to the Board on the status of the restoration and revitalization of the Courthouse and surrounding structures formerly owned and occupied by Plymouth County (the “Courthouse Corridor”).

Within his presentation, Mr. Rizzo referenced the *June 2010 Interim Report of the 1820 Courthouse Consortium*, a comprehensive document detailing the activities of the Consortium and the PRA to stabilize and protect the Courthouse and ready it for occupation. The Consortium, he said, has met either weekly or bi-weekly since November of 2009 to develop a historic preservation and reuse plan for the nearly 200-year-old structure.

Mr. Rizzo noted the vote of the 2009 Fall Town Meeting to authorize the purchase and repair of the County structures within the Courthouse Corridor through the allocation of \$1,400,000 in Community Preservation Funds. A purchase price of \$840,000, he said, left a remaining balance of \$560,000 to be used for maintenance, repairs, and long-term planning needs. The consortium, Mr. Rizzo reported, has identified the following as three key steps towards its goals within the redevelopment process:

1. Stabilize and protect the former County structures
2. Occupy the buildings, if possible, on an interim basis
3. Preserve and adaptively reuse the buildings as part of a larger redevelopment effort with a private development partner

Mr. Rizzo provided the following details on the activities that each step (listed above) will require. The stabilization and protection of the former County structures will require emergency roof repairs, asbestos removal, and the installation of security measures (including

lighting and fire protection). The removal of two fuel storage tanks at the site was just recently completed, with no indication of leakage; it was determined that a third tank did not exist, contrary to what was originally predicted. Additional repairs may include: the restoration of the cupola; brick pointing; spot painting; and the design/installation of a fire suppression system.

Pertaining to short-term occupancy, the County Commissioners building currently requires no out-of pocket expenses and is still occupied by the Commissioners and their administration staff. If the County vacates its lease, the building is ready for occupation by another tenant whose use of the facility would be similar. The feasibility of short term occupancy of the 1820 Courthouse is still unclear at this time, as occupancy would trigger the need for several improvements to bring the building within regulatory compliance (i.e. a fire suppression system, handicapped accessibility, etc.). In order to make the building attractive to tenants, additional cosmetic upgrades would be required.

The repairs and restoration associated with long term re-use will necessitate a historic structure survey report and reuse feasibility study to ensure that all necessary work is done correctly. Proper long-term planning, with the assistance of professionals, will produce the most exciting and attractive results for the redevelopment of the Courthouse Corridor

Mr. Rizzo stated that the PRA is fulfilling the promises it made at the 2009 Fall Town Meeting to use the allocated Community Preservation funds. He reiterated his belief that thorough and thoughtful planning is vital to the success of the redevelopment project, and, as such, it should be conducted at the same time as the stabilization phase.

At the end of his presentation, Mr. Rizzo discussed some of the grants and programs for which the PRA will apply to assist with completion of the project, including a MassDevelopment grant. He distributed a list of cost estimates for proposed work plans and Request for Proposals (“RFP’s”) issued by the PRA for necessary repairs.

Chairman Hallisey opened the presentation to questions or comments from the Board. Vice Chairman Mahoney posed questions pertaining to the estimated project timelines and RFP’s issued for the work needed at the Courthouse. Mr. Rizzo talked about the RFP’s issued for the roof and cupola repairs and the estimates for spot painting and caulking, and he explained that the PRA is working closely with the Community Preservation Committee on all expenditures.

Chairman Hallisey asked Mr. Rizzo to speak more about the proposal to hire a real estate/development consultant and the PRA’s efforts to market to and attract prospective tenants. Mr. Rizzo estimated the cost of real estate/development consulting at \$100,000, in addition to costs associated with marketing implementation. The Consortium’s Short-Term Reuse Subcommittee, Mr. Rizzo noted, is developing a marketing report, with a focus on the Commissioners Building, as it is the most ready for occupancy.

Seeing no further discussion, Chairman Hallisey thanked the members and staff of the PRA for their presentation.

## **BOARD LIAISON / DESIGNEE UPDATES**

**Nuclear Matters** – Selectman Muratore informed the Board that he attended a recent meeting of the Nuclear Matters Committee at which the members discussed a report issued by the committee to the Selectmen in 2006. The committee, he said, would like to return before the Board to provide an update on the report.

**Council on Aging** – Selectman Muratore discussed his visit to the most recent meeting of the Council on Aging. The Council, he said, is in the process of reorganizing and working on the COA accreditation process.

**Regional Casino Consortium** – Selectman Muratore noted that there are no upcoming meetings of the Regional Casino Consortium scheduled at this time.

**400<sup>th</sup> Anniversary** – Vice Chairman Mahoney reported on the meeting of the 400<sup>th</sup> Anniversary Committee, at which the group chose a branding logo for the celebration.

**Roads Advisory** – Selectman Harnais noted that he will attend the next meeting of the Roads Advisory Committee on the first Wednesday in July.

**Plymouth Airport Advisory Group** – Chairman Hallisey explained that, though he could not attend the recent meeting of the Plymouth Airport Advisory Group (“PAAG”), he spoke with Carver Selectman Dick Ward (a member of the PAAG) to receive any updates on the group’s progress. The PAAG appears to be close to a compromise decision on the proposal to lengthen the airport runways, he said.

## **OLD BUSINESS / LETTERS / NEW BUSINESS**

**Consolidation of Town Committees** – Selectman Muratore inquired about the Board’s ability to consolidate—and thereby reduce the number of—the Town’s numerous committees. Selectman Harnais requested information on the activities of each committee (i.e. the date of the last set of meeting minutes, how often the committee meets, etc.) to determine whether those that are languishing warrant dissolution.

Mr. Stankiewicz noted that the means by which a committee is created determines whether or not—and how—it can be dissolved. For example, he explained, those committees established by the Town’s Charter or by state statute would require an act of the respective legislature to be dismissed. The Board may wish to broaden the charge of the recently-created Consolidation Committee to include a review of Town committees, he suggested.

**Fire Department Grant** – Selectman Muratore asked if the five firefighters that will be hired with the Fire Department’s recently-acquired staffing grant will be new recruits or recent retirees. Mr. Stankiewicz responded that none of the Town’s retired firefighters are eligible to return under the grant; Civil Service regulations, he noted, will dictate those who are eligible.

The Fire Chief, Mr. Stankiewicz added, will hold a swearing-in ceremony once the five new recruits are hired.

**Lights at Memorial Hall Crosswalk** – Selectman Muratore inquired about a request to place a flashing yellow light beside the crosswalk on Court Street at Memorial Hall. Assistant Town Manager Melissa Arrighi noted that the request was passed on to the Parking & Traffic Task Force.

**White Horse Beach** – Selectman Harnais referenced his tour of White Horse Beach with Town meeting member Kevin Doyle and noted that an old, rusted chain link fence remains near the entrance of the beach that appears as if it could be a hazard. He also mentioned a drainage pipe that was removed and asked that the resulting gap be properly marked.

**Monument at the Town Green** – Selectman Harnais noted that the base stone of the monument at the Town Green appears to be eroding. He suggested that it be fenced or stabilized.

**Parking Signs on Cole’s Hill** – Selectmen Muratore inquired about the status of a request for no parking signs along the top of the State Park at Cole’s Hill. Mr. Stankiewicz confirmed that his staff will look into the matter.

**Simes House / 29 Manomet Point Road** – Chairman Hallisey commended the Manomet Village Steering Committee and its volunteers for the work that they have accomplished, to-date, at the historic Simes House at 29 Manomet Point Road.

**White Horse Beach / Dogs** – Vice Chairman Mahoney asked if the Town could install a bag dispenser (for dog waste) at White Horse Beach. Ms. Arrighi mentioned that the Town has considered asking local humane societies—like the Friends of the Plymouth Pound—to help the Town install and refill such dispensers.

**Wind Turbine Proposal for South Plymouth** – Vice Chairman Mahoney asked staff to ensure that the Zoning Board of Appeals’ hearing for the Mann wind turbine proposal for South Plymouth be taped and broadcast by PACTV.

**Newfield Street / Birch Avenue Proposal** – Vice Chairman Mahoney reported that the hearing to consider reversing the direction of one-way traffic on Birch Avenue will be held on Thursday, June 24, 2010 at 6:30PM in the Otto Fehlow Room at the Plymouth Public Library. He encouraged those who would be affected by such a change to attend and voice an opinion.

## **ADJOURNMENT OF MEETING**

On a motion by Selectman Harnais, seconded by Selectman Muratore, the Board voted to adjourn its meeting at approximately 9:52 p.m. Voted 4-0-0, approved.

*Recorded by Tiffany Park, Clerk to the Board of Selectmen*