

**SPECIAL TOWN MEETING  
MONDAY, NOVEMBER 17, 2008**

At the Special Town Meeting held on Monday, November 17, 2008 at the Cohasset High School Sullivan Gymnasium the following articles were contained in the warrant and acted upon as follows.

Checkers sworn in by the Town Clerk, Marion L. Douglas at 6:30 p.m. were Carol St. Pierre, Sandra Murray, Abigail Alves, Debra Krupczak and James Carroll. Tellers were appointed and sworn in by the Moderator, Daniel Evans.

The Moderator called the meeting to order at 7:18 p.m. and a quorum of 100 was present at that time. The registered voters checked in on the voting list totaled for Precinct 1 – 174; and Precinct 2 – 104 for a total of 278 voters.

It was **voted unanimously** to dispense with the reading of the call of the Meeting and Return of Service having been examined by the Moderator and found to be in order. Citizens recited the pledge of allegiance.

**ARTICLE 1: AMENDMENTS TO FISCAL 2009 OPERATING BUDGET**

To see what additional action the Town will vote to amend, modify, increase or decrease, or otherwise, to balance the Fiscal Year 2009 Operating Budget as voted in Article 3 of the March 29, 2008 Annual Town Meeting, including proposed revised appropriations and any additional sums the Town will vote to raise and appropriate, borrow pursuant to any applicable statute, or transfer from available funds or otherwise, for the payment of the salaries and compensation, expenses, equipment, and outlays, capital and otherwise, of the several Town departments, for the current fiscal year, or take any other action related thereto.

**MOVED** that Twenty Thousand Dollars (\$20,000) be hereby appropriated to add to and increase the amounts voted pursuant to Article 3 of the March 29, 2008 Annual Town Meeting as adjusted as set forth below, and to fund such appropriation the amount of Twenty Thousand Dollars (\$20,000) be raised from taxation and other general revenues of the Town:

<u>Appropriation/Account</u>	<u>Original Appropriation</u>	<u>Proposed Revised Appropriation</u>	<u>Increase</u>
Unemployment General Expenses	\$20,000	\$40,000	\$20,000

And further that the amounts appropriated pursuant to Article 3 of the March 29, 2008 Annual Town Meeting be reduced by the amount of Five Hundred Six Thousand One Hundred Eighty Seven Dollars (\$506,187) as a result of the decreases listed below,

<u>Appropriation/Account</u>	<u>Original Appropriation</u>	<u>Proposed Revised Appropriation</u>	<u>(Decrease)</u>
Debt Service – Excluded Principal	\$1,885,920	\$1,609,820	(\$276,100)
Debt Service – Excluded Interest	\$1,114,548	\$ 884,461	(\$230,087)

**Motion adopted unanimously.**

**ARTICLE 2: UNION CONTRACTS & OTHER SALARY ADJUSTMENTS**

To see if the Town will vote to raise and appropriate borrow pursuant to any applicable statute, and/or transfer from available funds, a sum or sums of money, to be expended by the Town Manager, to fund the FY09 cost items of a collective bargaining agreement between the Town, represented by the Board of Selectmen, and the Fire Department employees represented by Local 2804, Cohasset Permanent Firefighters, the Police Department employees represented by the New England Police Benevolent Association, AFL-CIO, the civilian dispatch employees represented by Teamsters Local Union No. 25, the Library employees represented by SEIU Local 888, Clerical employees represented by SEIU Local 888, in accordance with Chapter 150E of the General laws, and to fund salary adjustments for non-union and employees with individual employment contracts, or take any other action related thereto.

**MOVED** that the sum of Ninety Six Thousand Dollars (\$96,000) be appropriated to fund the FY 09 cost items of certain collective bargaining agreements in accordance with Chapter 150E of the General Laws, and to fund salary adjustments for non union employees and employees with individual employment contracts, as follows:

- Civilian Dispatchers represented by Teamsters Local Union No. 25 \$6,500
- Library employees represented by SEIU Local 888 \$11,500
- Clerical employees represented by SEIU Local 888 \$13,000
- Salary adjustments for non-union and employees with individual employment contracts as set forth in a schedule on file with the office of the Town Clerk \$65,000

And to fund this appropriation, Ninety Six Thousand Dollars (\$96,000) be raised from the FY 09 tax levy and other general revenues of the Town.

And further that the sum of One Hundred Four Thousand Dollars (\$104,000) be appropriated to the Town Manager’s Personal Services budget to add to and increase the amounts voted pursuant to Article 3 of the March 29, 2008 Annual Town Meeting to a new total of \$229,000, for the purpose of future funding of currently unresolved collective bargaining agreements for FY09; and to fund this appropriation, One Hundred Four Thousand Dollars (\$104,000) be raised from the FY 09 tax levy and other general revenues of the Town.

**Motion adopted unanimously.**

**ARTICLE 3: CAPITAL IMPROVEMENTS BUDGET**

To see if the Town will vote to raise and appropriate, transfer from available funds, lease or borrow pursuant to any applicable statute, a sum of money to fund various capital improvements, capital projects and/or capital equipment for the various departments, boards, commissions and agencies of the town, or take any other action related thereto.

**MOVED**

That One Hundred Sixty Thousand (\$160,000) Dollars be hereby appropriated, with the intention that these funds be available in FY 09 and beyond, to be expended by the Town Manager for the acquisition of an ambulance and for the Fire Department, and to fund this appropriation, either of two alternative methods may be employed: (i) the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow One Hundred Sixty Thousand (\$160,000) Dollars under and pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, as amended, and to issue bonds and notes of the Town, therefore, such borrowing to be a general obligation of the Town, or (ii) the Town Manager, with the approval of the Board of Selectmen is authorized to enter into a lease/purchase agreement for said ambulance for a period not to exceed five years; and

That Thirty Thousand (\$30,000) Dollars be hereby appropriated, with the intention that these funds be available in FY09 and beyond, to be expended by the Town Manager for the acquisition of a command vehicle for the Fire Department; and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow Thirty Thousand (\$30,000) Dollars under and pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, as amended, and to issue bonds and notes of the Town, therefore, such borrowing to be a general obligation of the Town, or (ii) the Town Manager, with the approval of the Board of Selectmen is authorized to enter into a lease/purchase agreement for said command vehicle for a period not to exceed three years; and

That Twenty Nine Thousand (\$29,000) Dollars be hereby appropriated, with the intention that these funds be available in FY09 and beyond, to be expended by the Town Manager for the acquisition of a police cruiser for the Police Department; and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow Twenty Nine Thousand (\$29,000) Dollars under and pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, as amended, and to issue bonds and notes of the Town, therefore, such borrowing to be a general obligation of the Town, or (ii) the Town Manager, with the approval of the Board of Selectmen is authorized to enter into a lease/purchase agreement for said police cruiser for a period not to exceed three years; and

That Twenty Five Thousand (\$25,000) Dollars be hereby appropriated, with the intention that these funds be available in FY09 and beyond, to be expended by the Town Manager for the acquisition of a heart monitor/defibrillator for the Fire Department; and that to fund this appropriation, the sum of Twenty Five Thousand (\$25,000) Dollars be transferred from the Capital Stabilization Fund; and

That Ten Thousand (\$10,000) Dollars be hereby appropriated, with the intention that these funds be available in FY09 and beyond, to be expended by the Town Manager for the acquisition of a Jaws of Life for the Fire Department; and that to fund this appropriation, the sum of Ten Thousand (\$10,000) Dollars be transferred from the Capital Stabilization Fund; and

That Ten Thousand (\$10,000) Dollars be hereby appropriated, with the intention that these funds be available in FY09 and beyond, to be expended by the Town Manager for the acquisition of public computers for the Library; and that to fund this appropriation, the sum of Ten Thousand (\$10,000) Dollars be transferred from the Capital Stabilization Fund.

**A 2/3's vote required.**

**Motion adopted unanimously.**

**ARTICLE 4: COMMUNITY PRESERVATION COMMITTEE**

To see what action the Town will take with respect to the recommendations of the Community Preservation Committee for Fiscal Year 2009, and to see if the Town will vote to implement any such recommendation by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws, and from any other source, by raising and appropriating, transferring from available funds, borrowing pursuant to any applicable statute or borrowing pursuant to any applicable statute for this purpose, and further to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain, or alternatively to convey, sell or dispose of, such real property interests as may be required by the Community Preservation Act to implement any such expenditure of community preservation funds, or take any other action related thereto.

**MOVED**

**Recommendation A:**

Applicant has withdrawn application for funding of Item A, so no motion will be offered; and

That Twenty-Five Thousand Dollars (\$25,000), be hereby appropriated with the intention that these funds be available in FY 2009 and thereafter, which funds are to be expended by the Town Manager, for the purposes of preparing a new and required Open Space and Recreation Plan for the Town of Cohasset, which shall include the retention of qualified consultant(s) and expert(s) necessary for the completion of this task, and to meet this appropriation Twelve Thousand Dollars (\$12,000) be transferred from the Community Preservation Fund Open Space Sub Account and Thirteen Thousand Dollars (\$13,000) be transferred from the Community Preservation Fund Discretionary Account; and

That Fifteen Thousand Dollars (\$15,000) be hereby appropriated with the intention that these funds be available in Fiscal 2009 and thereafter, which funds are to be expended by the Town Manager for the purposes of conducting the necessary engineering studies and preparing the engineering drawings for the restoration of the pond located on Cohasset Common, and to meet this appropriation Fifteen Thousand Dollars (\$15,000) be transferred from the Community Preservation Fund Historical Resources Sub Account.

**Motion adopted unanimously.**

**ARTICLE 5: RELEASE OF EASEMENTS AND RIGHT OF WAY**

To see if the Town will vote to authorize the Board of Selectmen to sell, convey, release or otherwise dispose of all or any portions of the following property and interests formerly held by the Town's Board of Water Commissioners for the purposes of conveying water throughout the Town, subject to Massachusetts G.L. 30B:

the 12-foot wide easement located off Nichols Road, granted by Charles O. Smith and Marjorie M. Smith to the Town pursuant to that certain grant of easement dated May 3, 1955 and recorded at the Norfolk County Registry of Deeds in Book 3365, Page 515, and

the 30-foot wide right of way located off 100 Pleasant Street, acquired by the Town pursuant to that certain instrument of taking dated August 18, 1886 and recorded at the Norfolk County Registry of Deeds in Book 581, Page 360,

**MOVED** that the Board of Selectmen be authorized to sell, convey, release or otherwise dispose of all or any portions of the following property and interests formerly held by the Town's Board of Water Commissioners for the purposes of conveying water throughout the Town, subject to Massachusetts G. L. 30B: the 12-foot wide easement located off Nichols Road, granted by Charles O. Smith and Marjorie M. Smith to the Town pursuant to that certain grant of easement dated May 3, 1955 and recorded at the Norfolk County Registry of Deeds in Book 3365, Page 515.

**A 2/3's vote required. Motion adopted unanimously.**

**ARTICLE 6: CONSERVATION RESTRICTIONS FOR OPEN SPACE**

To see if the Town will vote to authorize the Board of Selectmen and Board of Water Commissioners to sell, grant or convey or otherwise dispose to the Trustees of Reservations or to a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose mission is to conserve our natural resources a conservation restriction on, easements over and other lesser interests in the parcels listed below and shown on that certain plan entitled "Brass Kettle Brook Conservation Area, Cohasset, Massachusetts," dated September 22, 2008, and on file with the Board of Water Commissioners; to grant and reserve to National Grid (USA), Inc. easements for use of portions of such parcels for the purposes of maintaining poles, wires, conduits and other facilities and improvements necessary for the transmission of electricity and intelligence, as shown on that certain plan entitled "Compiled Plan of Land off King Street, Cohasset, MA," dated October 3, 2007 and on file with the Board of Water Commissioners; and further to petition the General Court for enactment of a Home Rule special act set forth below and to request the Town's representatives to the General Court to introduce a Special Act set forth below, and further to authorize the General Court, with the approval of the Board of Selectmen and the Board of Water Commissioners, to make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure passage.

AN ACT APPROVING THE TOWN OF COHASSET TO  
GRANT, SELL, CONVEY OR OTHERWISE DISPOSE OF CERTAIN INTERESTS IN  
LAND SITUATED IN THE TOWN OF COHASSET ACQUIRED FOR  
CONSERVATION,  
OPEN SPACE AND WATER PROTECTION PURPOSES

Section 1. Pursuant to Article XCVII of the Amendments to the Constitution of the Commonwealth of Massachusetts, and notwithstanding the provisions of any general or special law to the contrary, the Town of Cohasset, acting by and through its Board of Selectmen and Board of Water Commissioners, is hereby authorized to grant to the Trustees of Reservations or to a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose mission is to conserve our natural resources, a conservation restriction on, easements over and other lesser interests in the parcels listed below and shown on that certain plan entitled “Brass Kettle Brook Conservation Area, Cohasset, Massachusetts,” dated September 22, 2008, and on file with the Board of Water Commissioners or any portions thereof, for conservation, open space and water protection purposes; to grant and reserve to National Grid (USA), Inc. easements for use of portions of such parcels for the purposes of maintaining poles, wires, conduits and other facilities and improvements necessary for the transmission of electricity and intelligence, as shown on that certain plan entitled “Compiled Plan of Land off King Street, Cohasset, MA,” dated October 3, 2007 and on file with the Board of Water Commissioners, or to take any other action related thereto.

<u>MAP</u>	<u>PARCEL</u>	<u>LOCATION</u>	<u>MAP</u>	<u>PARCEL</u>	<u>LOCATION</u>
54	19	Off Riverview Drive	60	13	Off King Street
54	24	Off Riverview Drive	65	1	Off King Street
54	27	Off Riverview Drive	65	2	Off King Street
54	25	Off Riverview Drive	65	3	Off King Street
54	33	Off Riverview Drive	65	4	Off King Street
56	12	Off King Street	65	5	Off King Street
56	14	Off Doane Street	65	6	Off King Street
56	15	Off Doane Street	65	6B	Off King Street
56	16	Off Doane Street	65	7	Off King Street
56	16A	Off Doane Street	65	8	Off King Street
56	52	Off Doane Street	65	9	Off King Street
59	11	Off King Street	65	10	Off King Street
59	12	Off King Street	65	18	Off King Street
59	13	Off King Street	65	19	Off King Street

60	1	Off King Street	65	19	Off King Street
60	2	Off King Street	65	35	Off King Street
60	3	Off King Street	66	1	Off King Street
60	4	Off King Street	66	2	Off King Street
60	5	Off King Street	66	3	Off King Street
60	6	Off King Street	66	4	Off King Street
60	7	Off King Street	66	5	Off King Street
60	8	Off King Street	66	6	Off King Street
60	9	Off King Street	66	7	Off King Street
60	10	Off King Street	72	1	Off Howes Lane
60	11	Off King Street	72	2	Off Howes Lane
60	12	Off King Street	72	3	Off Howes Lane

Section 2. This act shall take effect upon its passage.

**MOVED** that the Board of Selectmen and/or the Board of Water Commissioners be authorized to sell, grant or convey or otherwise dispose to the Trustees of Reservations or to a governmental body of the Commonwealth of Massachusetts or a non-profit organization whose mission is to conserve our natural resources a conservation restriction on, easements over and other lesser interests in the parcels listed below and shown on that certain plan entitled “Brass Kettle Brook Conservation Area, Cohasset, Massachusetts,” dated September 22, 2008, and on file with the Board of Water Commissioners; to grant to and reserve for National Grid (USA), Inc. easements for use of portions of such parcels for the purposes of maintaining poles, wires, conduits and other facilities and improvements necessary for the transmission of electricity and intelligence, as shown on that certain plan entitled “Compiled Plan of Land off King Street, Cohasset, MA,” dated October 3, 2007 and on file with the Board of Water Commissioners; and further to petition the General Court for enactment of a Home Rule special act set forth below and to request the Town’s representatives to the General Court to introduce a Special Act set forth below, and further to authorize the General Court, with the approval of the Board of Selectmen and the Board of Water Commissioners, to make constructive changes in language as may be necessary or advisable towards perfecting the intent of this legislation in order to secure its passage.

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<u>MAP</u>	<u>PARCEL</u>	<u>LOCATION</u>	<u>MAP</u>	<u>PARCEL</u>	<u>LOCATION</u>
54	19	Off Riverview Drive	60	13	Off King Street
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54	33	Off Riverview Drive	65	4	Off King Street
56	12	Off King Street	65	5	Off King Street
56	14	Off Doane Street	65	6	Off King Street
56	15	Off Doane Street	65	6B	Off King Street
56	16	Off Doane Street	65	7	Off King Street

56	16A	Off Doane Street	65	8	Off King Street
56	52	Off Doane Street	65	9	Off King Street
59	11	Off King Street	65	10	Off King Street
59	12	Off King Street	65	18	Off King Street
59	13	Off King Street	65	19	Off King Street

60	1	Off King Street	65	19	Off King Street
60	2	Off King Street	65	35	Off King Street
60	3	Off King Street	66	1	Off King Street
60	4	Off King Street	66	2	Off King Street
60	5	Off King Street	66	3	Off King Street
60	6	Off King Street	66	4	Off King Street
60	7	Off King Street	66	5	Off King Street
60	8	Off King Street	66	6	Off King Street
60	9	Off King Street	66	7	Off King Street
60	10	Off King Street	72	1	Off Howes Lane
60	11	Off King Street	72	2	Off Howes Lane
60	12	Off King Street	72	3	Off Howes Lane

Section 2. This act shall take effect upon its passage.

**A 2/3's vote required. Motion adopted unanimously.**

**Proclamation offered by Ted Carr, Chairman of the Board of Selectmen for Stephen Bowen.**

**PROCLAMATION**

**WHEREAS CAPTAIN STEPHEN G. BOWEN** was born and raised in Cohasset and is a 1982 graduate of Cohasset High school where he was a star student and athlete; and

**WHEREAS CAPTAIN BOWEN** is a graduate of the United States Naval Academy and holds a Degree of Ocean Engineering from the Massachusetts Institute of Technology; and

**WHEREAS CAPTAIN BOWEN** serves in the United States Navy with a specialty in nuclear submarines, and in May of 2000 became the first Executive Officer of the first of the new VIRGINIA Class submarines; and

**WHEREAS CAPTAIN BOWEN** was selected by NASA in July of 2000 as the first Submarine Officer to ever serve as a member of the crew of a space shuttle mission; and

**WHEREAS CAPTAIN BOWEN** is currently a member of the six person crew of the Space Shuttle Endeavor which launched from the Kennedy Space Center on November 14<sup>th</sup> for a sixteen day mission to help double the living quarters of the International Space Station; and

**WHEREAS CAPTAIN BOWEN** will be making a total of three spacewalks during the course of the space shuttle mission, during which he will spend close to twenty hours undertaking highly technical work in support of the International Space Station.

**NOW THEREFORE BE IT RESOLVED** that on behalf of all the citizens of Cohasset, the Board of Selectmen and the November 17, 2008 Cohasset Town Meeting hereby hail the accomplishments and bravery of CAPTAIN STEPHEN G. BOWEN both for his highly decorated service in the United States Navy and as a crew member of the Space Shuttle Endeavor, and call upon the citizens of Cohasset to recognize and honor the incredible service of this Cohasset native son and wish both he and the entire Space Shuttle Crew a safe journey home.

Given under our hands and the seal of the **Town of Cohasset** on this seventeenth day of November in the year Two Thousand and Eight.

**Proclamation adopted unanimously.**

**ARTICLE 7: REINFORCEMENT TO CURRENT DESIGN STANDARDS OF JERUSALEM ROAD WALL AND ROADWAY**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow, pursuant to any applicable statute, a sum or sums of money, to be expended by the Town Manager, to reinforce and/or otherwise bring up to current design standards the roadway and deficient retaining wall system currently located on the easterly side of Jerusalem Road between Bow Street and Steep Rocks Way, so as to ensure sufficient stability to support the intended vehicle loads, to acquire by purchase, gift, eminent domain, or otherwise, temporary and permanent real estate easements, leases or other interests in private ways and lands for the purpose of implementing said improvements, to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust, or to take any action related thereto.

**MOVED** that Two Hundred Seventy Thousand (\$270,000) Dollars be hereby appropriated, with the intention that these funds be available in FY09 and beyond, to be expended by the Town Manager to reinforce and/or otherwise bring up to current design standards the roadway and deficient retaining wall system currently located on the easterly side of Jerusalem Road between Bow Street and Steep Rocks Way; and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow Two Hundred Seventy (\$270,000) Dollars pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, as amended, and to issue bonds and notes of the Town, therefore, such borrowing to be a general obligation of the Town.

**A 2/3's vote required. Motion adopted unanimously.**

**ARTICLE 8: TOWN HALL RESTORATION PROJECT**

To see if the Town of Cohasset will vote to authorize the Board of Selectmen to accept grants, gifts, tax credits, and monies for the purposes of restoring and renovating the Cohasset Town Hall, or take any other action related thereto.

**MOVED** that the Board of Selectmen be hereby authorized to accept grants, gifts, tax credits, and monies for the purposes of restoring and renovating the Cohasset Town Hall.

The following resolution would replace the motion.

## **RESOLUTION**

**MOVED** that the Board of Selectmen be hereby authorized and encouraged to pursue grants, gifts, tax credits, and monies for the purposes of restoring and renovating the Cohasset Town Hall.

**Resolution adopted unanimously.**

### **ARTICLE 9: FUNDING FOR ALTERNATIVE ENERGY COMMITTEE**

To see if the Town will vote to raise, appropriate or transfer from a available funds, or borrow pursuant to any applicable statute a sum of money to be expended by the Town Manager with the approval of the Alternative Energy Committee, to continue to engage consulting services to assist the Committee to investigate alternative energy options for the Town, pursue grant funding, promote clean energy alternatives within the community, and related duties, or take any other action related thereto.

**MOVED** that the sum of Ten Thousand Dollars (\$10,000) be appropriated to be expended by the Town Manager with the approval of the Alternative Energy Committee, to engage consulting services to assist the Committee to investigate alternative energy options for the Town, pursue grant funding, promote clean energy alternatives within the community, and related duties; and to fund this appropriation, Ten Thousand Dollars (\$10,000) be raised from the FY 09 tax levy and other general revenues of the Town.

**Motion adopted.**

### **ARTICLE 10: ZONING BYLAW RECONCILIATION**

To see if the Town will vote to amend the Town of Cohasset Zoning Bylaws, as follows:

That Section 7.1 in the column entitled “Number of Parking Spaces Required Per Unit” for Use “L” be amended in line 6 by changing the word “on” to “of” so that said Section 7.1, Use L as amended shall read as follows: “One space per unit unless the apartments are proposed within that portion of a building existing on 1/5/55 or unless a reduced number is specifically authorized within the final action of the special permit granting authority upon a finding that one space per unit is not necessary for public safety and convenience, that the creation of on-site parking spaces is incompatible with approved design guidelines or that adequate provision for parking has otherwise been proposed.”

That Section 17.3.2, second sub-section “f” reading as follows: “Any other information required by the Planning Board in the rules and regulations adopted by it with respect to such special permit process.” be amended to be re-labeled as sub-section “g”.

That Section 17.4.1, sub-section “g” reading as follows: “Buildings and uses accessory to the above, including, without limitation, parking garages that are accessory to dwelling units and cafeterias.” be amended to be re-labeled as sub-section “f”.

That Section 17.9.3, be amended in line 1 by changing “Rules are Regulations consistent ...” to read “Rules and Regulations consistent ...” so that Section 17.9.3 as amended shall read as follows: “The Planning Board shall adopt, and from time to time amend, Rules and Regulations consistent with the provisions of this Zoning Bylaw, Chapter 40A of General Laws and other

applicable provisions of the General Laws and shall file a copy of said rules and regulations with the Town Clerk. Such rules and regulations shall, subject to provisions of this Section 17, prescribe as minimum the size, contents, form, style and number of plans and specifications, the Town boards or Departments from which the Planning Board will request written reports and the procedure for submission and approval of a Special Permit under the provisions of this section. The Planning Board shall also specify the fees to be paid in connection with application for a TOD Overlay Development, bonding requirements to satisfy conditions of approval, and reporting requirements to satisfy compliance with the affordability restrictions. Other specifications as deemed necessary by the Planning Board shall be included in the Rules and Regulations. Failure to adopt such Rules and Regulations shall not affect the validity of this Section 17.”

That Section 19.4.1.3.c, be amended by changing “S.P.G.A.” to read “SPGA” as is used throughout the rest of the document, so that Section 19.4.1.3.c as amended shall read as follows: “c) All signs shall comply with the requirements of the Town’s sign regulations unless relief is granted by the SPGA.”

That Section 19.7.2, line 3, be amended to correct the first quotation mark by changing ”Physically remove” to read “Physically remove”, so that Section 19.7.2 as amended shall read as follows: “ Upon abandonment or discontinuation of use, the owner shall physically remove the wind turbine(s) within 90 days from the date of abandonment or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the SPGA. “Physically remove” shall include, but not be limited to:”

That Section 19.9.1.Special Permit Granting Authority (SPGA), line 1, be amended by changing “Wind Turbine(s) is ...” to read “Wind Turbine(s) in ...”, so that Section 19.9.1.Special Permit Granting Authority (SPGA) as amended shall read as follows: “The SPGA for wind energy conversion facilities, also referred to as Wind Turbine(s) in this bylaw shall be the Planning Board.”

**MOVED** that the Town’s Zoning Bylaws be amended as follows:

That Section 7.1 in the column entitled “Number of Parking Spaces Required Per Unit” for Use “L” be amended in line 6 by changing the word “on” to “of” so that said Section 7.1, Use L as amended shall read as follows: “One space per unit unless the apartments are proposed within that portion of a building existing on 1/5/55 or unless a reduced number is specifically authorized within the final action of the special permit granting authority upon a finding that one space per unit is not necessary for public safety and convenience, that the creation of on-site parking spaces is incompatible with approved design guidelines or that adequate provision for parking has otherwise been proposed.”

That Section 17.3.2, second sub-section “f” reading as follows: “Any other information required by the Planning Board in the rules and regulations adopted by it with respect to such special permit process.” be amended to be re-labeled as sub-section “g”.

That Section 17.4.1, sub-section “g” reading as follows: “Buildings and uses accessory to the above, including, without limitation, parking garages that are accessory to dwelling units and cafeterias.” be amended to be re-labeled as sub-section “f”.

That Section 17.9.3, be amended in line 1 by changing “Rules are Regulations consistent ...” to read “Rules and Regulations consistent ...” so that Section 17.9.3 as amended shall read as

follows: “The Planning Board shall adopt, and from time to time amend, Rules and Regulations consistent with the provisions of this Zoning Bylaw, Chapter 40A of General Laws and other applicable provisions of the General Laws and shall file a copy of said rules and regulations with the Town Clerk. Such rules and regulations shall, subject to provisions of this Section 17, prescribe as minimum the size, contents, form, style and number of plans and specifications, the Town boards or Departments from which the Planning Board will request written reports and the procedure for submission and approval of a Special Permit under the provisions of this section. The Planning Board shall also specify the fees to be paid in connection with application for a TOD Overlay Development, bonding requirements to satisfy conditions of approval, and reporting requirements to satisfy compliance with the affordability restrictions. Other specifications as deemed necessary by the Planning Board shall be included in the Rules and Regulations. Failure to adopt such Rules and Regulations shall not affect the validity of this Section 17.”

That Section 19.4.1.3.c, be amended by changing “S.P.G.A.” to read “SPGA” as is used throughout the rest of the document, so that Section 19.4.1.3.c as amended shall read as follows: “c) All signs shall comply with the requirements of the Town’s sign regulations unless relief is granted by the SPGA.”

That Section 19.7.2, line 3, be amended to correct the first quotation mark by changing “Physically remove” to read “Physically remove”, so that Section 19.7.2 as amended shall read as follows: “ Upon abandonment or discontinuation of use, the owner shall physically remove the wind turbine(s) within 90 days from the date of abandonment or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the SPGA. “Physically remove” shall include, but not be limited to:”

That Section 19.9.1.Special Permit Granting Authority (SPGA), line 1, be amended by changing “Wind Turbine(s) is ...” to read “Wind Turbine(s) in ...”, so that Section 19.9.1.Special Permit Granting Authority (SPGA) as amended shall read as follows: “The SPGA for wind energy conversion facilities, also referred to as Wind Turbine(s) in this bylaw shall be the Planning Board.”

Report of Planning Board given by Alfred Moore.

**A 2/3’s vote required. Motion adopted unanimously.**

#### **ARTICLE 11: GRANT OF EASEMENT FOR GAS LINE**

To see if the Town will vote to authorize the Board of Selectmen to grant a permanent easement or lesser title interest in under that portion of Town-owned property, commonly known as Town Hall, identified as Parcel 89 on Assessor Map No. 27 and numbered 41 Highland Avenue, as shown on that certain plan entitled "Easement Drawing, 29 & 41 Highland Avenue, Cohasset, MA," a copy of which plan is on file with the Town Manager's Office, for the purposes of providing gas service to property owned by St. Stephen’s Episcopal Church located at 29 Highland Avenue, or to take any other action related thereto.

**MOVED** that the Board of Selectmen be authorized to grant a permanent easement or lesser title interest in, over, or under that portion of Town-owned property, commonly known as Town Hall, identified as Parcel 89 on Assessor Map No. 27 and numbered 41 Highland Avenue, as shown on that certain plan entitled "Easement Drawing, 29 & 41 Highland Avenue, Cohasset, MA," a copy of which plan is on file with the Town Manager's Office, for the purposes of providing gas service to property owned by St. Stephen's Episcopal Church located at 29 Highland Avenue in Cohasset

**A 2/3's vote required. Motion adopted unanimously.**

**ARTICLE 12: JACOBS MEADOW CULVERT REPAIR AND UPGRADE**

To see if the Town of Cohasset will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute a sum of money to be expended by the Town Manager for the purpose of reconstruction and upgrading the open culvert and tide gates at the Jacobs Meadow culvert at the American Legion Post, and that the town be authorized to accept grants, gifts, tax credits, and monies for that intended purpose, to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain permanent easements or lesser title interests in all or any portions of the following parcels located off Summer Street and Elm Street for drainage purposes, or to take any other action related thereto.

<u>Map</u>	<u>Parcel</u>	<u>Location</u>	<u>Map</u>	<u>Parcel</u>	<u>Location</u>
27	5	85 Elm Street	32	24	80 Summer Street
27	4	87 Elm Street	32	23	84 Summer Street
27	2	95 Elm Street	32	22	88 Summer Street
27	1	97 Elm Street			

**MOVED** that Four Hundred Fifty Thousand (\$450,000) Dollars be hereby appropriated, with the intention that these funds be available in FY09 and beyond, to be expended by the Town Manager to reconstruct and upgrade the open culvert and tide gates at the Jacobs Meadow culvert at the American Legion; and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow Four Hundred Fifty Thousand (\$450,000) Dollars pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, as amended, and to issue bonds and notes of the Town, therefore, such borrowing to be a general obligation of the Town.

**A 2/3's vote required. Motion adopted unanimously.**

**ARTICLE 13: CITIZENS' PETITION – TURF FIELD**

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, a sum of money to be expended by the Town Manager for the creation of new recreational opportunities by the construction of a synthetic turf field and track at the Clark Chatterton Athletic Complex, or take any other action related thereto.

<u>NAME</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>ADDRESS</u>
Ellen Maher	63 Old Pasture Road	Glenn Pratt	482 King Street
Chris Haggerty	10 Sankey Road	George McGoldrick	744 Jerusalem Road
SallyAnn Chatterton	9 Red Gate Lane	Richard Evans	24 Lantern Lane
Wayne Sawchuk	432 Beechwood Street	Ralph Froio	327 Forest Ave.
Joseph Fitzgerald	516 CJC Way.	Gary Vanderweil	500 Jerusalem Road

**MOVED** that One Million Fifty Thousand Dollars (\$1,050,000) Dollars be hereby appropriated, with the intention that these funds be available in FY 09 and beyond, to be expended by the Town Manager to design, permit and construct a synthetic turf field and track at the Clark Chatterton Athletic Complex; and that to fund this appropriation, the Treasurer, with the approval of the Board of Selectmen, is hereby authorized to borrow Five Hundred Thousand Dollars (\$500,000) pursuant to Chapter 44, Section 7 of the Massachusetts General Laws, as amended, and to issue bonds and notes of the Town therefore, such borrowing to be a general obligation of the Town; and Five Hundred Fifty Thousand Dollars (\$550,000) to come from donations to be received by the Town as gifts, provided however, that no money shall be borrowed under this vote unless the following condition is met: that the Cohasset Sports Partnership will have raised a sum of at least Five Hundred Fifty Thousand Dollars (\$550,000), and delivered same to the Town Manager, by December 31, 2010 it being the understanding of the Town that said Five Hundred Fifty Thousand Dollars(\$550,000) shall be given to the Town by the Cohasset Sports Partnership for this purpose.

**A 2/3's vote required. Motion adopted by the required 2/3's.**

**It was moved and seconded that this Special Town Meeting be dissolved at 9:15 p.m.**

**A True Record, ATTEST:**

**Marion L. Douglas  
Town Clerk**