

**TOWN OF PLAINVILLE**  
**WARRANT**  
for the  
**ANNUAL TOWN MEETING**  
**MONDAY, JUNE 6, 2011**  
**AT 7:30 P.M.**

**THE COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss

To Either of the Constables of Plainville:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Plainville qualified to vote in town affairs, to meet in the Beatrice H. Wood Elementary School Auditorium, 72 Messenger Street, in said Plainville, on

**MONDAY, JUNE 6, 2011**

at seven thirty in the evening, then and there to act on the following articles, viz:

**ARTICLE 1:** To choose all other necessary Town Officers not chosen at the Annual Election of April 4, 2011.

**ARTICLE 2:** To consider and act on the reports of the Selectmen, and other Town Officers. (*Sponsor: Board of Selectmen*)

**ARTICLE 3:** To see if the Town will vote to have the Surety Bonds of the Collector of Taxes, the Assistant Collector of Taxes, Treasurer, Assistant Treasurer, and, Town Clerk placed with a Fidelity or Guarantee Company, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 4:** To see if the Town will vote to authorize the Board of Selectmen to accept and enter into a contract for the expenditure of any funds allotted or to be allotted by the Commonwealth and/or County for the construction, reconstruction and improvements of Town roads, and to authorize the Town Treasurer to borrow in anticipation of such funds, or do or act in any matter relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 5:** To see if the Town will vote to appropriate and transfer \$273,214 or any other sum from funds received by the Town of Plainville as so called "Chapter 90" monies for costs associated with road resurfacing, restoration, maintenance, and land or easement purchases or takings, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 6:** To see if the Town will vote to raise and appropriate, or to transfer from available funds, \$4,680 or any other sum to pay for services rendered to citizens of Plainville by South Norfolk County Association for Retarded Citizens, Inc., such payment to be made in accordance with a fee for services agreement to be entered into by the Board of Health on behalf of the Town of Plainville, or do or act in any manner relative thereto. (*Sponsor: Board of Health*)

**ARTICLE 7:** To see if the Town will vote to raise and appropriate, or to transfer from available funds, \$20,000 or any other sum for the payment of fees associated with the collection of ambulance billings, or do or act in any manner relative thereto. (*Sponsor: Fire Department*)

**ARTICLE 8:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$31,300 or any other sum for the purpose of conducting an audit of Fiscal Year 2011, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 9:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$20,000 or any other sum for the Reserve Fund to provide for the extraordinary or unforeseen expenses as authorized by Sect. 6, Chap. 40 of Mass. General Laws, or do or act in any manner relative thereto. (*Sponsor: Finance Committee*)

**ARTICLE 10:** To see if the Town will vote to raise and appropriate, or to transfer from available funds, \$4,000 or any other sum to fund Plainville's participation in the programs and services of the Southeastern Regional Services Group, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 11:** To see if the Town will vote to establish revolving accounts pursuant to Section 53E1/2, of Chapter 44 of Massachusetts General Law. Funds credited to said revolving accounts shall be only those identified below under "*Source of Funds*", expended for purposes only as authorized under Section 53E1/2, of Chapter 44 of Massachusetts General Law and as identified below under "*Use of Funds*", and shall be expended under the direction of those so indicated. Until later changed through the action of a subsequent Town Meeting, the annual amount expended from each revolving account shall not exceed the amount indicated below under "*Annual Expenditure*".

<i>Source of Funds</i>	<i>Use of Funds</i>	<i>Expended Under Direction of:</i>	<i>Annual Expenditure</i>
1. Dog Licenses & Fines	Costs associated with the enforcement of the Animal Control By-Law	Board of Selectmen	\$10,000
2. Senior Center Rental Fees	Costs associated with the use of the Senior Center by those other than the Council on Aging	Council on Aging	\$10,000
3. Assessor's Map & Record Copying Fees	Costs associated with the copying and provision of Assessor's maps and records.	Board of Assessors	\$ 5,000
4. Purchases of Town By-Laws	Costs associated with the copying and provision of Town By-Laws	By-Law Review Committee	\$ 2,000
5. Fire Alarm Fees	Costs associated with the provision of Fire Alarm services	Fire Chief	\$12,500
6. Police Report Copying & Printing Fees	Costs associated with the copying and provision of Police Reports	Police Chief	\$10,000
7. Firearm Licenses	Costs associated with the provision and Production of firearms licenses	Police Chief	\$10,000
8. Use of Police Cruisers On Private Details	Costs associated with the maintenance of Police Cruisers	Police Chief	\$10,000
9. Use of Traffic Citations	Costs associated with the purchase of Police Cruisers	Police Chief	\$35,000
10. Library Fines	Costs associated with the Public Library	Board of Library Trustees	\$6,000
11. Cable Television Franchise Fees	Costs associated with the provision of Local Cable Access Programming	Cable Advisory Committee	\$30,000
12. Park and Recreational Fees	Costs associated with the provision of Park and Recreational Programs	Park Commissioners	\$60,838

Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 12:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$135,000 or any other sum to meet the Town's obligations for Medicare Taxes, said funds to be expended under the direction of the Town Treasurer, or do or act in any manner relative thereto. (*Sponsor: Town Treasurer*)

**ARTICLE 13:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$15,000 or any other sum to fund foreclosure costs of Tax Title properties, said funds to be expended under the direction of the Town Treasurer, or do or act in any manner relative thereto. (*Sponsor: Town Treasurer*)

**ARTICLE 14:** To see if the Town will vote to transfer from available funds, \$79,906 or any other sum for the purpose of proportionally funding a fifty third week of payroll for all municipal departments for Fiscal Years 2011 and 2012, or do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 15:** To see if the Town will vote to approve the following amendments to the Personnel Bylaws:

Appendix A  
Wage and Compensation Plan - Fiscal Year 2012

Job Classification	Effective July 1, 2011 Range		
<b>A. Executive Level</b>			
Deputy Fire Chief	Minimum: 62,080.	Maximum: 70,600.	Base
Highway Superintendent	Minimum: 45,200.	Maximum: 59,450.	Base
Water/Sewer Superintendent	Minimum: 47,680.	Maximum: 73,545.	Base
Principal Assessor	Minimum: 45,900.	Maximum: 61,715.	Base
Park Director (Full-time)	Minimum: 44,560.	Maximum: 55,165.	Base
Park Director (Part-time)	Minimum: 22,280.	Maximum: 27,580.	Base
Executive Director, Council on Aging	Minimum: 38,540.	Maximum: 46,040.	Base
Planner	Minimum: 45,020	Maximum: 61,900	Base
Health Agent	Minimum: 42,435	Maximum: 64,890	Base
Outreach/Asst. Dir., Council on Aging	Minimum: 13.50	Maximum: 17.45	Hourly
Emergency Management Director	Minimum: 14.45	Maximum: 19.00	Hourly
<b>B. Library</b>			
Library Director	Minimum: 37,705.	Maximum: 48,980.	Base
<b>H. Public Needs</b>			
Bus Driver	Minimum: 16.25	Maximum: 17.35	Hourly
<b>I. Seasonal</b>			
Lifeguard, Head	Minimum: 9.00	Maximum: 15.00	Hourly
Life Guard	Minimum: 9.00	Maximum: 15.00	Hourly
Water Safety, Instructor	Minimum: 10.00	Maximum: 15.00	Weekly
Maintenance Apprentice	Minimum: 8.00	Maximum: 15.00	Hourly
Arts & Crafts Aide	Minimum: 8.00	Maximum: 15.00	Hourly
Recreation Assistant	Minimum: 8.50	Maximum: 15.00	Hourly
Recreation Aide	Minimum: 8.00	Maximum: 15.00	Hourly
Program Aide	Minimum: 8.00	Maximum: 15.00	Hourly
<b>J. Part-time Hourly</b>			
Conservation Agent	Minimum: 10.95	Maximum: 23.20	Hourly
Patrolman, Special	Minimum: 14.95	Maximum: 18.30	Hourly
Clerk	Minimum: 8.15	Maximum: 10.25	Hourly
Clerk, Senior	Minimum: 10.60	Maximum: 14.55	Hourly
Associate Librarian	Minimum: 15.20	Maximum: 18.55	Hourly
Librarian, Children's	Minimum: 12.30	Maximum: 17.75	Hourly
Librarian, Technician	Minimum: 8.15	Maximum: 11.65	Hourly
Library Page	Minimum: 7.25	Maximum: 9.60	Hourly
Custodian	Minimum: 8.50	Maximum: 12.50	Hourly
Laborer, Apprentice	Minimum: 7.25	Maximum: 8.35	Hourly
Laborer	Minimum: 8.50	Maximum: 12.50	Hourly
Laborer, Skilled	Minimum: 13.75	Maximum: 16.15	Hourly
Driver, Highway	Minimum: 11.15	Maximum: 15.00	Hourly
Dispatcher	Minimum: 15.00	Maximum: 19.00	Hourly

K. Inspector-Annual Rates:

Building Inspector	I-1	To be paid at an hourly rate of \$20.60 and an additional annual rate of compensation equal to 10% of those amounts collected in fees and remitted to the Town Treasurer, or such lesser dollar amount as may be mutually agreed upon between the Inspector and the Board of Selectmen.
Wiring Inspector	I-2	To be paid at an annual rate equal to 80% of those amounts collected in fees and remitted to the Town Treasurer, or such lesser dollar amount as may be mutually agreed upon between the Inspector and the Board of Selectmen.
Plumbing Inspector *	I-3	* To be paid at an annual rate equal to 100% of those amounts collected
Gas Piping Inspector *	I-4	in fees and remitted to the Town Treasurer, or such lesser dollar amount as may
Sealer of Weights & Measures *	I-5	be mutually agreed upon between the Inspector and the Board of Selectmen.

**ARTICLE 16:** To see if the Town will vote to fix the salary and compensation of all elected officers of the Town as provided by Section 108 of Chapter 41, General Laws, as amended as follows:

	Authorized FY 11	Recommended FY12
Moderator	\$25. per meeting	\$25. per meeting
Town Clerk	\$60,742. Annually	\$ 61,910. Annually*
Town Treasurer	\$51,367. Annually	\$ 53,533. Annually*
Tax Collector	\$37,446. Annually	\$ 39,026. Annually*
Selectmen, Each member	\$ 1,200. Annually	\$ 1,200. Annually
Board of Health, Each member	\$ 500. Annually	\$ 500. Annually
Assessors, Each member	\$ 1,500. Annually	\$ 1,500. Annually
Water – Sewer Commissioners, Each Member	\$ 1,000. Annually	\$ 1,000. Annually
Planning Board, Each Member	\$ 500. Annually	\$ 500. Annually
Library Trustees, Each Member	\$ 500. Annually	\$ 500. Annually
School Committee, Each Member	\$ 500. Annually	\$ 500. Annually
Tree Warden	\$ 7.25/hour	\$ 7.25 /hour
Constable	\$ 7.25/hour or \$3.00/posting	\$7.25 /hour or \$3.00 per posting

(\* Calculated to reflect a fifty-three week pay cycle)

or do or act in any manner relative thereto. (Sponsor: Board of Selectmen)

**ARTICLE 17:** To see if the Town will vote to appropriate and raise by borrowing, or otherwise, the following sums of money, or any other such sums as may be required to defray Town charges for the financial year beginning July 1, 2011, and expressly for the following purposes to wit:

GOVERNMENT	DEPARTMENT #		
Selectmen	122		\$ 207,327
Salaries .....		\$ 189,982	
Expenses.....		\$ 17,345	
Finance Committee	131		\$ 300
Expenses.....		\$ 300	
Town Accountant	135		\$ 70,561
Salaries .....		\$ 69,061	
Expenses.....		\$ 1,500	
Assessors	141		\$ 92,367
Salaries .....		\$ 84,627	
Expenses.....		\$ 7,740	

Treasurer	145		\$	102,629
Salaries .....		\$	79,884	
Expenses.....		\$	22,745	
Tax Collector	146		\$	86,688
Salaries .....		\$	74,693	
Expenses.....		\$	11,995	
Legal	151		\$	46,200
Expenses.....		\$	46,200	
Data Processing	155		\$	23,800
Expenses.....		\$	23,800	
Town Clerk	161		\$	89,805
Salaries .....		\$	85,905	
Expenses.....		\$	3,000	
Out of State Travel.....		\$	900	
Election	162		\$	14,630
Expenses.....		\$	14,630	
Board of Registrars	163		\$	12,530
Salaries .....		\$	7,530	
Expenses.....		\$	5,000	
Conservation Commission	171		\$	6,580
Salaries .....		\$	6,000	
Expenses.....		\$	580	
Planning Board	175		\$	6,500
Salaries .....		\$	5,500	
Expenses.....		\$	1,000	
Zoning Board	176		\$	4,000
Salaries .....		\$	3,000	
Expenses.....		\$	1,000	
Building Maintenance	192		\$	21,000
Expenses.....		\$	21,000	
Town Insurance	193		\$	164,750
Expenses.....		\$	164,750	
Police Department	210		\$	1,437,803
Salaries .....		\$	1,262,228	
Expenses.....		\$	138,575	
Capital.....		\$	37,000	
Communications	215		\$	366,980
Salaries .....		\$	257,095	
Expenses.....		\$	109,885	
Fire & Ambulance	220		\$	1,557,572
Salaries .....		\$	1,413,677	
Expenses.....		\$	141,895	
Out of State Travel .....		\$	2,000	
Call Fire Department	225		\$	13,000
Salaries .....		\$	9,000	
Expenses.....		\$	4,000	

Building Inspection	241		\$	50,646
Salaries .....		\$	32,136	
Inspection Fees.....		\$	15,450	
Expenses.....		\$	3,060	
Gas Inspection	242		\$	15,350
Inspection Fees.....		\$	15,000	
Expenses.....		\$	350	
Plumbing Inspection	243		\$	15,350
Inspection Fees.....		\$	15,000	
Expenses.....		\$	350	
Sealer of Weights & Measurers	244		\$	5,000
Expenses.....		\$	5,000	
Wiring Inspection	245		\$	50,520
Inspection Fees.....		\$	50,000	
Expenses.....		\$	520	
Animal Control Officer	292		\$	12,000
Salaries.....		\$	9,380	
Expenses.....		\$	2,620	
Tree Warden	294		\$	3,000
Expenses.....		\$	3,000	
Local Schools	300		\$	6,956,877
Salaries & Expenses. ....		\$	6,956,877	
King Philip Regional School	350		\$	4,368,329
Salaries & Expenses. ....		\$	3,704,746	
Debt Excluded from Prop 2 ½ .....		\$	663,583	
Tri-County Vocational School	350		\$	763,333
Salaries & Expenses. ....		\$	763,333	
Highway Department	422		\$	360,618
Salaries .....		\$	265,203	
Expenses.....		\$	95,415	
Snow Removal	423		\$	52,000
Salaries .....		\$	22,000	
Expenses.....		\$	30,000	
Street Lights	424		\$	50,000
Expenses.....		\$	50,000	
Sewer Department	440		\$	712,045
Salaries .....		\$	72,150	
Expenses.....		\$	629,895	
Equipment.....		\$	10,000	
Water Department	450		\$	1,035,230
Salaries .....		\$	339,130	
Expenses.....		\$	684,100	
Equipment.....		\$	10,000	
Out of State Travel .....		\$	2,000	
Board of Health	510		\$	116,553
Salaries .....		\$	92,625	
Expenses.....		\$	23,928	

Council on Aging	541		\$ 129,665
Salaries .....		\$ 97,543	
Expenses.....		\$ 32,122	
Veteran's Benefits	543		\$ 60,250
Salaries .....		\$ 5,000	
Expenses.....		\$ 750	
Benefits.....		\$ 54,500	
Library	610		\$ 183,108
Salaries .....		\$ 118,947	
Expenses.....		\$ 64,161	
Park Department	650		\$ 3,501
Salaries .....		\$ 1	
Expenses.....		\$ 3,500	
Historical Commission	691		\$ 5,750
Expenses.....		\$ 5,750	
Memorial Day	692		\$ 1,000
Expenses.....		\$ 1,000	
Maturing General Debt	710		\$ 126,000
Principal Expense.....		\$ 126,000	
Maturing Water Dept. Debt	710		\$ 234,651
Principal Expense.....		\$ 234,651	
Maturing Debt Excldd from Prop 2 ½	710		\$ 1,085,000
Principal Expense.....		\$1,085,000	
Interest on General Debt	751		\$ 43,313
Expenses.....		\$ 43,313	
Interest on Water Dept. Debt	751		\$ 101,287
Expenses.....		\$ 101,287	
Interest on Debt Excldd from Prop 2 ½	751		\$ 543,118
Expenses.....		\$ 543,118	
Norfolk County & State Retirement	911		\$ 881,951
Expenses.....		\$ 881,951	
Group Insurance	914		\$ 1,902,869
Expenses.....		\$1,902,869	

Or, to see if the Town will vote to do or act in any manner relative thereto.

**ARTICLE 18:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$24,000 or any other sum for the purpose of funding the tuition of Plainville students attending the Norfolk County Agricultural High School during the 2011 – 2012 school year, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 19:** To see if the Town will vote in accordance with the provisions of Chapter 44, Section 53F½ of the Massachusetts General Laws to appropriate \$428,045 or any other sums for the purpose of operating a household waste collection, recycling, and disposal program; \$384,325 of such appropriation to be funded from Fiscal Year 2012 Trash Enterprise Revenue, \$33,377 to be funded from Trash Enterprise Retained Earnings, and \$10,343 to be raised as part of general revenue to cover the costs of refuse collection for school and municipal buildings, such sums to be expended as follows by and under the direction of the Board of Health:

Salaries.....	\$ 40,348
Expenses.....	\$387,697

Or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Board of Health)*

**ARTICLE 20:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$4,750 or any other sum for the purpose of funding the Assessor's Appraisal Software License Agreement for Fiscal Year 2012, such funds to be expended under the direction of the Board of Assessors, or do or act in any manner relative thereto. *(Sponsor: Board of Assessors)*

**ARTICLE 21:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$30,000 or any other sum for the purpose of funding the Fiscal 2013 Maintenance and Re-inspection Program of all Real and Personal Property valuations within the Town of Plainville as required by the Commonwealth of Massachusetts, such funds to be expended under the direction of the Board of Assessors, or do or act in any manner relative thereto. *(Sponsor: Board of Assessors)*

**ARTICLE 22:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$6,300 or any other sum for the purpose of funding the cost of development of electronic Assessor's maps and an accompanying GIS database and software, such funds to be expended under the direction of the Board of Assessors, or do or act in any manner relative thereto. *(Sponsor: Board of Assessors)*

**ARTICLE 23:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$2,000 or any other sum for the payment of fees associated with the collection of Medicaid Reimbursement for services provided by the Plainville School Department to eligible students, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 24:** To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or authorize and fund the execution of a lease/purchase agreement, for a certain sum necessary to acquire an Ambulance along with necessary related equipment and other costs related to its procurement, such funds to be expended under the direction of the Fire Chief, or do or act in any manner relative thereto. *(Sponsor: Fire Chief)*

**ARTICLE 25:** To see if the Town will vote to raise and appropriate, or transfer from available funds, \$7,305 or any other sum to authorize and fund the execution of a lease/purchase agreement, such sum being the first year's payment of a four (4) year lease for a departmental vehicle for the use of the Fire Chief along with necessary related equipment and other costs related to its procurement, such funds to be expended under the direction of the Fire Chief, or do or act in any manner relative thereto. *(Sponsor: Fire Chief)*

**ARTICLE 26:** To see if the Town shall accept the renumbering and revision of the various general by-laws of the Town to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the General By-laws as set forth in the Draft of the Code of the Town of Plainville, dated April 2011, said codification having been done under the direction of the Board of Selectmen and Town Attorney, and said Code being a compilation and comprehensive revision of the present by-laws of the Town. All by-laws of a general and permanent nature, as amended, heretofore in force and not included in the Code shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law, and such repeal shall not apply to or affect any personnel by-law or any by-law, order or article heretofore adopted accepting or adopting the provisions of any statute of the commonwealth. These by-laws shall be referred to as the "Code of the Town of Plainville, Massachusetts.

Or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 27:** To see if the Town shall accept the renumbering and revision of the Personnel By-law of the Town from its original numbering to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the Personnel By-law as set forth in the Draft of the Code of the Town of Plainville, dated April 2011, said codification having been done under the direction of the Board of Selectmen and Town Attorney, and being a compilation and comprehensive revision of the present Personnel By-law of the Town, including amendments thereto. All Personnel By-laws, as amended, heretofore in force and not included in Chapter 515 shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law, and such repeal shall not apply to or affect any personnel by-law or any by-law, order or article heretofore adopted accepting or adopting the provisions of any statute of the commonwealth.. The Personnel By-law shall be codified as Chapter 515 of the "Code of the Town of Plainville, Massachusetts."

Or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 28:** To see if the Town shall accept the renumbering and revision of the Zoning Bylaw of the Town from its original numbering to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the Zoning Bylaw as set forth in the Draft of the Code of the Town of Plainville, dated April 2011, said codification of the Zoning Bylaw having been done under the direction of the Planning Board, and being a compilation and comprehensive revision of the present Zoning Bylaw, including amendments thereto. All Zoning Bylaws, as amended, heretofore in force and not included in Chapter 500 shall be repealed, except that such repeal shall not affect any suit or

proceeding pending as the result of an existing law. The Zoning Bylaw shall be codified as Chapter 500 of the “Code of the Town of Plainville, Massachusetts.”

Or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Planning Board)*

**ARTICLE 29:** To see if the Town will vote to amend the Town of Plainville’s Zoning By-Law Chapter III by amending Section 2.8 **Use Regulations** as follows:

	Currently		Proposed	
	<u>CA</u>	<u>CB</u>	<u>CA</u>	<u>CB</u>
<u>Commercial uses</u>				
Restaurant, Indoor	P	P	P	P
With outdoor service	O	O	A	A

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Town of Plainville’s Zoning By-Law Chapter III or the numbering format of the Code of Plainville should the Code of Plainville be adopted, or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Planning Board)*

**ARTICLE 30:** To see if the Town will vote to amend the Town of Plainville’s Zoning By-Law Chapter III , Section 3 by adding Section 2.18 **Solar Photovoltaic Facilities** to read as follows:

**2.18.1 Purpose:**

The purpose of this bylaw is to allow for the creation of new large-scale ground-mounted solar photovoltaic facilities (SPFs) by providing standards for the placement, design, construction, operation, monitoring, modification, and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources, and to provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted SPFs.

**A. Applicability**

This section applies to large-scale ground-mounted SPFs proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

**2.18.2 Location**

Solar Photovoltaic Facilities shall be allowed as-of-right in the IB- Limited Industrial District, and by Special Permit issued by the Planning Board in the RA and RB – Single Family Residential Districts.

**2.18.3 Definitions**

**Large-Scale Ground-Mounted Solar Photovoltaic Facility (SPF):** A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

**Rated Nameplate Capacity:** The maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).

**2.18.4 General Requirements for SPFs**

The following requirements are common to all SPFs to be sited in designated locations.

**A. Compliance with Laws, Ordinances, and Regulations**

The construction and operation of all large-scale ground-mounted SPFs shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a SPF shall be constructed in accordance with the State Building Code.

**B. Building Permit and Building Inspection**

No large-scale ground-mounted SPF shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

**C. Fees**

The application for a building permit for a large-scale ground-mounted SPF must be accompanied by the fee required for a building permit.

**D. SPF Site Plan Review**

SPFs with 250 kW or larger of rated nameplate capacity whether permitted as-of-right in IB- Limited Industrial District, or by Special Permit issued by the Planning Board in the RA and RB – Single Family Residential Districts shall be subject to site plan review in accordance with Section 3.13 of the Town of Plainville Zoning By-Laws.

1. Submission Requirements:

In addition to the Site Plan Review Information Requirements of Section 3.13.4, the materials listed in this section must also be included in a Site Plan Review Application for large-scale ground-mounted SPF..

- a) Blueprints or drawings of the solar photovoltaic installation showing the proposed layout of the system and any potential shading from nearby structures;
- b) One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
- c) Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- d) Name, address, and contact information for proposed system installer;
- e) An operation and maintenance plan (See also Section 2.18.4.F);
- f) Proof of liability insurance; and
- g) Description of financial surety that satisfies Section 2.18.4.L.3.

**E. Site Control**

The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed SPF.

**F. Operation & Maintenance Plan**

The project proponent shall submit a plan for the operation and maintenance of the large- scale ground-mounted SPF, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

**G. Utility Notification**

No large-scale ground-mounted SPF shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

**H. Dimension and Density Requirements**

1. Setbacks

For large-scale ground-mounted SPFs, front, side and rear setbacks shall be as follows:

- a) Front yard: The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a Residential district, the front yard shall not be less than 50 feet.
- b) Side yard: Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a Residential district, the side yard shall not be less than 50 feet.
- c) Rear yard: The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a Residential district, the rear yard shall not be less than 50 feet.

2. Appurtenant Structures

All appurtenant structures to large-scale ground-mounted SPFs shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

**I. Design Standards**

1. Lighting

Lighting of SPFs shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution

2. Signage

Signs on large-scale ground-mounted SPFs shall comply with Plainville’s sign regulations, Section 3.3 of these Zoning By-Laws. A sign consistent with Section 3.3 shall be required to identify the owner and provide a 24-hour emergency contact phone number.

SPFs shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation. Where feasible, lighting of signage shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

3. Utility Connections

Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the SPF underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

**J. Safety and Environmental Standards**

1. Emergency Services

The large-scale ground-mounted solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local Fire Chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

2. Land Clearing, Soil Erosion, and Habitat Impacts

Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large-scale ground-mounted SPF or otherwise prescribed by applicable laws, regulations, and bylaws.

**K. Monitoring and Maintenance**

1. Solar Photovoltaic Installation Conditions

The large-scale ground-mounted SPF owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

2. Modifications

All material modifications to a solar photovoltaic installation made after issuance of the required building permit shall require approval by the Planning Board.

**L. Abandonment or Decommissioning**

1. Removal Requirements

Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Section 2.18.4.L.2 of this bylaw shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- a) Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

2. Abandonment

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

3. Financial Surety

Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Town of Plainville's Zoning By-Law Chapter III or the numbering format of the Code of Plainville should the Code of Plainville be adopted, or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Energy Committee)*

**ARTICLE 31:** To see if the Town will vote to adopt the “Stretch Energy Code” set forth in the State Building Code at 780 CMR 120.AA (i.e., Appendix 120.AA), as may be amended from time to time, and to amend the Town of Plainville’s General By-laws by inserting a new Section 29 under Chapter I, entitled “Stretch Energy Code” as set forth below:

**Section 29. Stretch Energy Code**

**A. Adoption.** The Town of Plainville has adopted the provisions of 780 CMR 120.AA (i.e., Appendix 120.AA of the State Building Code or the “Stretch Energy Code”), as may be amended from time to time, in place of the provisions set forth under 780 CMR 13.00, 34.00, 61.00 and 93.00.

**B. Purpose.** The purpose of the Stretch Energy Code shall be to provide the Town with a more energy efficient alternative to the base energy code otherwise set forth under the State Building Code.

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Town of Plainville’s General By-Law Chapter I or the numbering format of the Code of Plainville should the Code of Plainville be adopted, or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Energy Committee*)

**ARTICLE 32:** To see if the Town will vote to amend the Town of Plainville By-laws by amending Section 24.9, Redemption of Dogs, subsection 5 which currently reads:

“If the dog is unlicensed, the owner must license the dog within seven (7) days of redemption.”

To instead read:

“If the dog is unlicensed, the owner must license the dog with either the Town Clerk or the Animal Control Officer prior to redemption.”

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Town of Plainville’s By-Laws or the numbering format of the Code of Plainville should the Code of Plainville be adopted, or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 33:** To see if the Town will vote to amend the Town of Plainville By-laws by amending Section 1.6 to read:

“All business, except the election of such officers, and the determination of such matters, as by law are required, to be elected or determined by ballot, shall be considered at the Annual Town Meeting which shall be called by the Board of Selectmen by means of a separate warrant dedicated to such purposes. The Annual Town Meeting shall be held on the first Monday in June, at 7:00 P.M. and any business still remaining to be addressed at the conclusion of said Monday’s session of Town Meeting shall be adjourned to succeeding Wednesday and Monday evenings at 7:00 P.M. until all business has been concluded.”

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Town of Plainville’s By-Laws or the numbering format of the Code of Plainville should the Code of Plainville be adopted, or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 34:** To see if the Town will vote to transfer \$200,000 or any other sum from Water Surplus for the purchase and installation of new water meters, such funds to be expended under the direction of the Water and Sewer Commissioners, or do or act in any manner relative thereto. (*Sponsor: Board of Water and Sewer Commissioners*)

**ARTICLE 35:** To see if the Town will vote to transfer \$125,000 or any other sum from Water Surplus for the installation of a new 12” water main and necessary appurtenances in Maple Street from South Street to Pleasant Street, such funds to be expended under the direction of the Water and Sewer Commissioners, or do or act in any manner relative thereto. (*Sponsor: Board of Water and Sewer Commissioners*)

**ARTICLE 36:** To see if the Town will vote to transfer \$300,000 or any other sum from Water Surplus for the replacement of filter media in the filter system at the Turnpike Lake Well Water Treatment Plant, such funds to be expended under the direction of the Water and Sewer Commissioners, or do or act in any manner relative thereto. (*Sponsor: Board of Water and Sewer Commissioners*)

**ARTICLE 37:** To see if the Town will vote to transfer \$8,021 or any other sum from Water Surplus for the payment of bills of a previous fiscal year payable to the Town of North Attleboro which were incurred by the Water Department, or do or act in any manner relative thereto. *(Sponsor: Board of Water and Sewer Commissioners)*

**ARTICLE 38:** To see if the Town will vote to raise and appropriate or transfer from available funds, \$617.84 or any other sum for the payment of a bill of a previous fiscal year payable to the Town of North Attleboro which was incurred by the Highway Department, or do or act in any manner relative thereto. *(Sponsor: Highway Superintendent)*

**ARTICLE 39:** To see if the Town will vote to transfer \$103.00 or any other sum, from the Animal Control Revolving Account to the Town Clerk Fiscal Year 2011 Salary Account, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 40:** To see if the Town will vote to transfer \$420.00 or any other sum, from the Animal Control Revolving Account for the payment of a bill of a previous fiscal year payable to the Plainville Animal Inspector, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 41:** To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set down below; and provided further 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, or do or act in any manner relative thereto.

### **AN ACT EXEMPTING THE POSITION OF POLICE CHIEF IN THE TOWN OF PLAINVILLE FROM THE CIVIL SERVICE LAW.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** The position of Police Chief in the Town of Plainville shall be exempt from Chapter 31 of the General Laws.

**SECTION 2.** Section 1 shall not impair the civil service status of the person holding the position of Police Chief in the Town of Plainville on the effective date of this act.

**SECTION 3.** This act shall take effect upon its passage.

Or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 42:** To see if the Town will vote to transfer from available funds, or borrow \$120,000 or any other sum for the replacement of the roof of the Public Safety Building as well as to perform necessary repairs to interior systems and finishes which may have been damaged or impacted by roof leaks, such funds to be expended under the direction of the Board of Selectmen, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 43:** To see if the Town will vote to transfer a certain sum from available funds to the Fiscal Year 2011 Snow Removal Expense Account, or do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 44:** To see if the Town will vote to amend the Town of Plainville By-laws by deleting from Section XII - CAPITAL EXPENDITURE PLANNING COMMITTEE the following sentence from Section 12.2:

“No appropriation shall be voted for a capital improvement requested by a department, board or commission unless the proposed capital improvement is considered in the Committee’s report, or the Committee shall first have submitted a report to the Finance Committee explaining the omission.”

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Town of Plainville’s By-Laws or the numbering format of the Code of Plainville should the Code of Plainville be adopted, or, to see if the Town will vote to do or act in any manner relative thereto. *(Sponsor: Board of Selectmen)*

**ARTICLE 45:** To see if the Town will vote to amend the Town of Plainville's General By-laws by inserting a new Section 30 under Chapter I, entitled "Registration and Maintenance of Vacant Buildings" as set forth below:

## SECTION XXX - REGISTRATION AND MAINTENANCE OF VACANT BUILDINGS

### 30.1 Intent

The purpose of this by-law is to help protect the health, safety and welfare of the residents of Plainville by preventing blight, protecting property values and neighborhood integrity, protecting Town resources and ensuring the safe and sanitary maintenance of vacant buildings. Vacant buildings create an increased risk for fire damage, encourage vandalism and unlawful entry, and give rise to other public health and safety hazards. This by-law is intended to promote the Town's public welfare by requiring all property owners to register and properly maintain vacant buildings.

### 30.2 Definitions

- a. **Building:** A structure enclosed within exterior walls or firewalls, built, erected, or framed of any materials, and fixed to the ground, having a roof, to form a structure for the shelter of persons, animals or property, or the storage of commercial or industrial personal property.
- b. **Building Commissioner:** The Building Inspector of the Town of Plainville or his designee
- c. **Owner:** A person or entity who, alone or severally with others:
  - i. has legal or equitable title to any building or has care, charge or control of any building in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, or guardian of the estate of the holder of legal title; or
  - ii. is a tenant a legal right to possess an entire building; or
  - iii. is a mortgagee in possession of any building; or
  - iv. is an agent, trustee, receiver or other person appointed by the courts and vested with possession or control of a building; or
  - v. is an officer or trustee of an association of unit owners of a condominium or cooperative which contains a vacant building.
- d. **Vacant Building:** Any building which is not legally occupied, is abandoned, or is not used for a period of at least forty-five (45) consecutive days, and shows visible signs of substantial physical distress, including, but not limited to, boarded-up or broken windows or doors, fire damage, exposure to the elements, susceptibility to unauthorized entry, disconnected utilities, accumulation of trash, junk and/or debris, or that appears to pose a risk to public safety, as determined by the Building Commissioner.
- e. **Board of Survey:** A board consisting of the head of the Fire Department, a surveyor, and one disinterested person to be appointed by the Building Commissioner, in accordance with the provisions of G.L. c.143, §8.
- f. **Legally Occupied:** Occupied in accordance with the provisions of the Massachusetts Building Code.

### 30.3 Registration

Prior to or not more than seven (7) days after a building becomes vacant, the owner(s) must register the building with the Building Commissioner on forms provided by the Building Commissioner. All registrations must state the owner's name, phone number, and mailing address as well as an emergency contact, if not the same. This registration must state if the property is vacant at the time of filing, and if so for how long the building shall remain vacant. None of the required addresses shall be a Post Office Box. Once the building is no longer vacant or is sold, the owner must provide proof of sale or written notice and proof of lawful occupancy to the Building Commissioner. The Building Commissioner will notify Police, Fire, Water and Sewer, and Health Departments of the submitted registration of vacant building as well as the re-occupancy of the building.

### 30.4 Annual Registration Fee, Failure to Pay

On or before October 15<sup>th</sup> of each calendar year, the Town shall send a billing statement, setting forth the annual registration fee, to the owner of the Vacant Building. The annual registration fee shall be set by the Board of Selectmen pursuant to G.L. c.40, §22F.

On or before November 15<sup>th</sup> of each calendar year the Owner of any Vacant Building shall pay to the Town an annual registration fee to cover the administrative cost of monitoring and ensuring the security and proper maintenance of such building, as identified in said billing statement. Failure to pay the annual registration fee shall be a violation of this by-law, and the full fee shall be deemed an assessment resulting from a violation of this by-law. Such fee, and any fines issued for violations of this by-law, shall constitute a "municipal charges lien" on the property on which the Vacant Building is located, to be collected in accordance with G.L. c.40, §58.

### 30.5 Maintenance Requirements

- a. The owner of a vacant building must maintain the vacant building in accordance with all applicable local and state Sanitary Codes, Building Codes and Fire Codes, pertaining to the external/visible maintenance of the building and major system maintenance of the property.
- b. The owner of a vacant building must promptly repair all broken windows, doors, other openings and any unsafe conditions at a vacant building. Boarding up of open or broken windows and doors is prohibited except as a temporary measure for no longer than forty-five (45) consecutive days, unless the Commissioner determines that, due to vandalism or security reasons and due to circumstances out of the owner's control, the proper boarding of windows and doors is necessary for a period of time longer than forty-five (45) consecutive days. Boards or coverings must be fitted to the opening size and colored to blend with the existing building color scheme.
- c. The owner must maintain the building and property for the duration of the vacancy or abandonment. The owner shall maintain the condition of the building and property so as to appear not to be vacant. Upon notice by the Building Commissioner, any accumulated trash and/or graffiti shall be removed from the property by the owner within (7) days. The Building Commissioner and/or his designee will document violations. The owner of any building vacant for a period exceeding six (6) months, whose utilities have been shut off, shall have those utilities removed or cut and capped to prevent accidents.
- d. If deemed necessary by the Building Commissioner and the Board of Survey, the owner must erect and maintain, at his/her own expense, a six (6)-foot privacy fence within thirty (30) feet of the entire building. The Building Commissioner shall notify the owner in writing of the basis for requiring any such fencing.
- e. Compliance with this by-law shall not relieve the owner of any obligations set forth in any other applicable by-law, regulation, codes, covenant conditions or restrictions and/or association rules and regulations. In case of a conflict with these rules and regulations, the stricter of the rules and regulations shall apply.

### 30.6 Inspections

The Building Commissioner, Police Chief, Fire Chief and the Health Agent, or their designees shall have the authority to periodically inspect the exterior and interior of any building subject to this by-law for compliance, as authorized under the terms of registration form filed with the Building Commissioner. The Building Commissioner shall have the discretionary authority to disconnect utilities immediately if a potential hazard that may be dangerous to life and limb is present.

### 30.7 Penalties and Enforcement

Violations of any portions of this by-law shall be punishable by a fine of \$100.00 a day in total. However, the Building Commissioner may waive the fine in total or in part upon the abatement of the violation(s).

The Building Commissioner or his designee shall enforce all provisions of this by-law and shall institute all necessary administrative or legal action to assure compliance. Any owner found to be in violation of this by-law shall receive a written warning and a minimum of seven (7) days to remedy all violations prior to the institution of any enforcement action by the Commissioner. The Building Commissioner, acting on behalf of the Town of Plainville, may also bring a civil action in a court of competent jurisdiction seeking equitable relief to enforce this by-law. This by-law may also be enforced through noncriminal disposition in accordance with the provisions of Section XXII of the Town's By-laws.

### 30.8 Unsafe Buildings

If the Building Commissioner determines the building to be unsafe, the Commissioner may act immediately in accordance with the Massachusetts State Building Code to protect public safety. Furthermore, nothing in this by-law

shall abrogate the powers and/or duties of municipal officials to act pursuant to any general statutory authority including, without limitation, M.G.L. c. 139, § 1 *et seq.* and M.G.L. c. 143, § 6 *et seq.*

30.9 Severability

If any provision of this by-law is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

And further, that nonsubstantive changes to the numbering of this by-law be permitted in order that it be in compliance with the numbering format of the Town of Plainville's By-Laws or the numbering format of the Code of Plainville should the Code of Plainville be adopted, or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Board of Selectmen*)

**ARTICLE 46:** To see if the Town will vote to accept as a Public Way within the Town of Plainville, the following street to be known as Harness Path described as a certain parcel of land situated on the westerly side of Mirimichi Street in the Town of Plainville, in the County of Norfolk, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the westerly side of Mirimichi Street at the southerly corner of the described premises; thence

- Northwesterly and curving to the left along the arc of a curve having a radius of twenty-five and no hundredths feet (25.00'), a length of forty-three and sixty-seven hundredths feet (43.67') to a point of tangency; thence
- N69°36'19"W a distance of one hundred thirty-two and eighty hundredths feet (132.80') to a point of curvature; thence
- Northerly and curving to the right along the arc of a curve having a radius of two hundred seventy-five and no hundredths feet (275.00'), a length of four hundred twenty-four and forty-three hundredths feet (424.43') to a point of tangency; thence
- N18°49'26"E a distance of one hundred thirty and forty-six hundredths feet (130.46') to a point of curvature; thence
- Easterly and curving to the right along the arc of curve having a radius of seventy and no hundredths feet (70.00'), a length of three hundred twenty-two and eighty-six hundredths feet (322.86') to a point of reverse curvature; thence
- Southerly and curving to the left along the arc of a curve having a radius of thirty and no hundredths feet (30.00'), a length of forty-four and twelve hundredths feet (44.12') to a point of tangency; thence
- S18°49'26"W a distance of thirty and ninety-six hundredths feet (30.96') to a point of curvature; thence
- Southerly and curving to the left along the arc of a curve having a radius of two hundred twenty-five and no hundredths feet (225.00'), a length of three hundred forty-seven and twenty-six hundredths feet (347.26') to a point of tangency; thence
- S69°36'19"E a distance of one hundred fifty-three and fifty hundredths feet (153.50') to a point of curvature; thence
- Easterly and curving to the left along the arc of a curve having a radius of twenty-five and no hundredths feet (25.00'), a length of thirty-four and sixty-four hundredths feet (34.64') to a point of tangency on the westerly side of Mirimichi Street; thence
- S31°00'30"W a distance of thirty-four and eighty-seven hundredths feet (34.87') to a point; thence
- S32°43'47"W a distance of sixty-four and ninety-eight hundredths feet (64.98') to the point of beginning, the previous two courses bounded by the westerly side of Mirimichi Street.


Meaning and intending to describe that parcel of land shown as Harness Path on a plan entitled, "As-Built Plan of Harness Path, 'Shepardville Woods' Plainville, MA"; dated: May 2010; scale: As Noted, prepared by: Bay Colony Group, Inc., 4 School Street, Foxborough, MA.

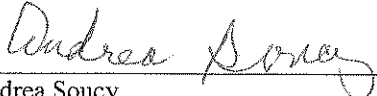
Or, to see if the Town will vote to do or act in any manner relative thereto. (*Sponsor: Planning Board*)

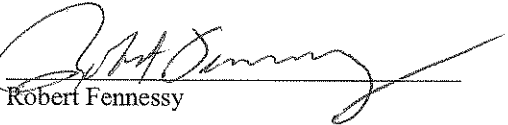
And you are directed to serve this Warrant by posting copies thereof in six (6) public places, in said Town, fourteen (14) days at least before the time of holding said meeting.

Hereof, fail not, and make due return of the Warrant with your doing thereon, to the Town Clerk at or before the time and place of said meeting as foresaid.


Given under our hands this 19<sup>th</sup> day of May, in the year of our Lord two thousand and eleven.

  
\_\_\_\_\_  
Robert Rose, Chairman

  
\_\_\_\_\_  
Andrea Soucy

  
\_\_\_\_\_  
Robert Fennessy

A true copy Attest:

  
\_\_\_\_\_  
Ellen M. Robertson, Town Clerk

May 23, 2011

I have this day posted six (6) copies in six (6) public places in the Town of Plainville and have returned one signed copy to the Town Clerk.

  
\_\_\_\_\_  
Constable

May 21, 2011

Return of the Warrant May 23, 2011.

A True Copy, Attest:

  
\_\_\_\_\_  
Ellen M. Robertson, Town Clerk