

Town of Hingham Annual Town Meeting Articles 2008 Results

Registered Voters: 15,245 Attendance: 436

The Annual Town Meeting of the Town of Hingham, Massachusetts was held at the Hingham High School, 17 Union Street, on Monday, April 28, 2008. Thomas L. P. O'Donnell, Moderator, called the meeting to order at 7:15 p.m, a quorum being present. Andrew J. McElaney, Jr. was appointed to preside as Assistant Moderator. The invocation was given by Rev. Bill Turpie of New North Church. Eileen A. McCracken, Town Clerk, read the call of the meeting. The following actions were taken on the articles contained in the warrant.

ARTICLES INDEX

1. Hannah Lincoln Whiting Fund
2. County Cooperative Extension Service
3. Reports from various Town Committees
4. Report of the Personnel Board
5. Salaries of Town Officers
6. Budgets
7. Disbursement of Electric Light Department receipts
8. Assume liability for DCR on rivers, harbors, etc.
9. Building Department Revolving Fund
10. Transfer money from the Waterways Fund to Dredging Account
11. Transfer funds to the Reserve Fund
12. Transfer funds out of the Stabilization Fund
13. Transfer Light Plant Investment Income
14. Transfer funds to the Other Post Employment Benefits Trust
15. Appropriate funds for Mill Street Sewer Pump Station
16. Appropriate Community Preservation Funds – Historic Preservation
17. Appropriate Community Preservation Funds – Mill Pond Outfall Crossing
18. Appropriate Community Preservation Funds – North St. Streetscape
19. Appropriate Community Preservation Funds – Open Space Rockland Street
20. Appropriate Community Preservation Funds – Open Space Summer Street
21. Appropriate Community Preservation Funds – Affordable Housing on Nokomis Road
22. Transfer Community Preservation Funds – Pilot Loan Program
23. Appropriate Community Preservation Funds to Affordable Housing Trust
24. Affordable Housing Trust Allocation Plan
25. Affordable Housing on Beal Street – Amend Prior Vote
26. Acquire Land on Hersey Street
27. Amend Zoning By-law re: Religious or Educational Use
28. Amend Zoning By-law re: Schedule of Uses
29. Amend Zoning By-law re: Personal Wireless Services
30. Amend Zoning By-law re: Mixed Use Industrial Area
31. Amend Zoning By-law re: Retail Group in Industrial Districts
32. Amend Zoning By-law re: Off Street Parking Regulations
33. Amend Zoning By-law re: 40R District
34. Abandon a portion of the public way on North Street
35. Accept Chapter 481 of the Acts of 1993 re: sale of liqueurs
36. Hingham Centre Historic District Extension
37. Age and Assets Limits re: MGL c.59, §5, Clause 41C exemptions
38. Interest rate on taxes deferred pursuant to MGL C59, §5(41A)
39. Amend Conservation By-Law
40. Transfer property on Lincoln Street to Conservation Commission
41. Energy Policy Committee
42. Scenic road designation – South Pleasant Street
43. Increase accidental death benefit to certain surviving dependents
44. Intermunicipal Agreement re: South Shore Recycling Cooperative

45. Greenbush land conveyances
46. Special Legislation re: Removal of Deputy Fire Chief from Civil Service
47. Special Legislation re: Civil Service Maximum Age
48. Special Legislation re: Short-term borrowing
49. Special Legislation re: Site Specific liquor licenses
50. Special Legislation re: Shipyard Improvement District
51. Sidewalk on Park Circle
52. Otis Street parking, office space, etc.
53. Street acceptance – Hill Top Road
54. Street acceptance – Cranberry Lane
55. Street acceptance – Rosewood Lane

Article 1

VOTED : 1. That Tereza Prime, 703 Main Street, be re-elected a member of the Committee to have charge of the income of the Hannah Lincoln Whiting Fund for a term of three years; and

2. That Louis S. Belknap, 437 Main Street, be elected a member of the Committee to have charge of the income of the Hannah Lincoln Whiting fund to fill an unexpired term of one year.

A Unanimous Vote

Article 2

VOTED: That the Town confirm the choice by the Selectmen of Marjorie Mahoney as Director for the Plymouth County Cooperative Extension Service in accordance with the provisions to serve for one year.

A Unanimous Vote

Article 3

VOTED: That the reports, if any, of the Affordable Housing Trust; Animal Shelter Site Study Committee; Capital Outlay Committee; Central Fire Station Building Committee; Commission on Disability Issues; Community Preservation Committee; Conservation Commission; Country Club Management Committee; Council on Aging; Harbor Development Committee; Hingham Historic Districts Commission; the Historian; Historical Commission; Long Range Waste Disposal and Recycling Committee; Open Space Acquisition Committee; Public Works Building Committee; Regional Refuse Disposal Planning Committee; Scholarship Fund Committee; 2006 School Building Committee; Wastewater Master Planning Committee; Water Supply Committee; and the Zoning Permits Study Committee be received, and that all of said Committees, Commissions, the Council and the Historian be continued.

A Unanimous Vote

Article 4

VOTED: That the report of the Personnel Board, a copy of which is on file in the Town Clerk's Office, be accepted; that the amendments of the Personnel By-Law, including the Classification and Salary Plan, and any agreements reached by the Personnel Board in collective bargaining, which may be embodied or referred to in said report, be approved and adopted in their entirety, such approval and adoption to become effective July 1, 2008 or as otherwise specified in said report or agreements; that the Town raise and appropriate the sum of \$554,917 for the purpose of this

vote; and that the Town Accountant is hereby authorized and instructed to allocate said sum to and among the several Personal Services and Expense Accounts in such amounts, respectively, as are proper and required to meet such amendments and to comply with such collective bargaining agreements as may be entered into by the Board of Selectmen on behalf of the Town.

A Unanimous Vote

Article 5

VOTED: That, subject to the proviso below, the salary from July 1, 2008 through June 30, 2009 for each of the following officers shall be at the rates below stated or provided after the name of the office: Town Clerk¹ and Treasurer/Collector in accordance with the compensation rates established in Grade 15 and 17 respectively of the Town of Hingham Classification and Salary Plan of the Personnel By-Law.

Selectmen: at the annual rate of \$2,000.00 each, except that the Chair for the period of incumbency shall receive an annual rate of \$2,500.00.

Assessors: at the annual rate of \$1,800.00 each, except that the Chair for the period of incumbency shall receive an annual rate of \$2,000.00.

Municipal Light Board: at the annual rate of \$214.00 each (to be paid from the receipts of the Electric Light Department).

Provided: that the salary of each such officer except Selectman, Assessor and Municipal Light Board Member shall be reduced by all retirement allowances and pensions received by such officer from the Town of Hingham.

1 Town Clerk, when serving as a member of the Board of Registrars of Voters, shall be paid for such duties in accordance with Section 19G of Chapter 41 of the General Laws.

A Unanimous Vote

Article 6

VOTED: That there be raised and appropriated for each of the following purposes for the fiscal year beginning July 1, 2008, the sum of money stated therefor, provided that where a transfer appropriation is stated, the amount so indicated shall be transferred or specifically appropriated as stated; also that the authority is hereby given to turn in vehicles and equipment in part payment for vehicles and equipment purchased in those cases where a turn in is stated.

A Unanimous Vote

Article 7

VOTED: That, with the exception of \$497,750 which is hereby transferred to the General Fund to reduce the tax rate, all funds received by the Municipal Lighting Plant during the fiscal year commencing July 1, 2008, be appropriated to said Municipal Lighting Plant, the same to be expended by the Manager of Municipal Lighting under the control and direction of the Municipal Light Board for the expenses of the Plant for said fiscal year, as defined in section 57 and 57A of Chapter 164 of the Massachusetts General Laws and, if there should be any unexpended balance thereof at the end of said fiscal year, such amount as is deemed necessary shall be transferred to the Construction Fund of said plant and appropriated and used for such additions thereto as may be authorized by the Municipal Light Board during the next fiscal year.

A Unanimous Vote

Article 8

VOTED: That the Town, in accordance with, and to the extent only permitted by, General Laws, Chapter 91, Section 29, assume liability for all damages that may be incurred by work to be performed by the Department of Conservation and Recreation of the Commonwealth of Massachusetts for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores and shores along a public beach within the Town, in accordance with Section 11 of said Chapter 91, and that the Board of Selectmen is hereby authorized to execute and deliver a bond of indemnity to the Commonwealth assuming such liability.

A Unanimous Vote

Article 9

VOTED: That, in accordance with the provisions of Massachusetts General Laws, Chapter 44, Section 53E 1/2, which allows the Town to establish departmental revolving funds, the Town authorizes the continuation of such a fund in the Building Department. Departmental receipts for building inspections performed by the Assistant Building Inspectors shall be credited to the fund. Moneys shall be spent primarily to compensate such inspectors for their services. The Building Commissioner shall be authorized to spend moneys from the fund. The amount that may be spent from the fund shall be limited to \$350,000 during Fiscal Year 2009.

A Unanimous Vote

Article 10

VOTED: That the Town transfer \$30,000 from the Waterways Fund to the Dredging Fund, such account to be used for the future dredging of Hingham Harbor, and the Town accept and credit said account with funds from State and Federal Governments for that purpose.

A Unanimous Vote

Article 11

VOTED: That the Town transfer the sum of \$230,000 from available reserves to the Reserve Fund for use during fiscal year 2008.

A Unanimous Vote

Article 12

VOTED: That the Town transfer the sum of \$111,486 from the Stabilization Fund for the purpose of reducing the fiscal year 2009 tax rate.

2/3rds Vote Required

A Unanimous Vote

Article 13

VOTED: That the Town transfer from available funds the sum of \$200,203 to the Hingham Municipal Lighting Plant in order to return investment income earned by the Town on funds invested for the Hingham Municipal Lighting Plant.

A Unanimous Vote

Article 14

VOTED: That the the Town transfer the sum of \$300,000 from available funds to the Other Post Employment Benefits Trust.

A Unanimous Vote

Article 15

VOTED: That (1) the Town authorize and empower the Sewer Commissioners to renovate and/or replace the Mill Street sewer pumping station; and, (2) the sum of \$380,000 be, and hereby is, appropriated for purposes of this vote; and, (3) to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, hereby is authorized to borrow up to the sum of \$380,000 under MGL Chapter 44 (Municipal Finance), as amended, and that for said borrowing, the Treasurer, with the approval of the Board of Selectmen, hereby is authorized to issue bonds or notes of the Town, payable in not more than twenty (20) years from their dates of issue and upon such other terms as the Treasurer and the Board of Selectmen shall determine.

2/3rds Vote Required

A Unanimous Vote

Article 16

VOTED: That the Town appropriate \$76,120 from the Community Preservation Historic Resources Reserve for the following purposes: i) \$10,620 to restore the "Hingham" sign located at the Hingham Public Library and create a replica sign, ii) \$4,000 to inventory and preserve five historic Town markers, iii) \$21,500 to inventory and conserve gravestones at the Liberty Plain Cemetery, and iv) \$40,000 for a study to determine preservation needs for historical Hingham documents and artifacts.

A Majority Vote

Article 17

VOTED: That the Town transfer \$50,000 of unspent funds from Community Preservation funds previously appropriated at the 2003 Annual Town Meeting under Article 21, Item 4, for construction of a park and pedestrian bridge on Whitney Wharf, to the Community Preservation Open Space Reserve, to be used for a pre-engineering study, final design, preparation of construction drawings and construction cost estimates to build a Mill Pond Outfall Crossing to enhance pedestrian access along the inner shoreline.

A Majority Vote

Article 18

VOTED: That the Town appropriate \$200,000 from the Community Preservation Historic Preservation Reserve to help defray the costs of placing underground all existing telephone, cable, electric and other wire services located on a portion of North Street in the downtown **area**.

A Majority Vote

Article 19

VOTED: That the Town appropriate \$492,500 from the Community Preservation General Reserve and transfer said amount to the Community Preservation Open Space Reserve, to be used for the acquisition by the Hingham Conservation Commission, for conservation purposes, of Lot 6 on Assessors' Map 42, known as 144 Rockland Street, consisting of approximately 3.3 acres, and authorize and direct the Conservation Commission to complete such acquisition.

**2/3rds Vote Required
A Unanimous Vote**

Article 20

VOTED: That the Town (1) authorize and empower (but not instruct) the Board of Selectmen to do everything necessary or desirable to purchase or take by eminent domain, all or a portion of the land with improvements thereon located at 16 Summer Street, shown as Lot 3 on assessors' Map 51, known as the Mobil Station, for the purposes of open space and recreation, and to repair, remediate and improve said property for those purposes; and (2) appropriate the sum of \$1,850,000 for all of said purposes by transferring said amount from the Community Preservation General Reserve.

**2/3rds Vote Required
A Majority Vote**

Article 21

VOTED: That the Town appropriate \$85,000 from the Community Preservation Community Housing Reserve to help construct one (1) unit of affordable housing on the Nokomis Road parcel of land, Assessors' Map 37, Lot 54, transferred for the sum of One Dollar (\$1.00) to South Shore Habitat for Humanity, a non-profit organization, in accordance with the vote under Article 16 at the 2000 Annual Town Meeting.

A Unanimous Vote

Article 22

VOTED: That the Town transfer \$175,000, the sum appropriated by the vote under Article 25 of the 2006 Annual Town Meeting for a pilot loan program for affordable housing proceeds to be administered by the Community Preservation Committee (CPC), from the Community Preservation Community Housing Reserve to the Hingham Affordable Housing Trust (HAHT) for the same purposes and subject to the same restrictions set forth in the vote under Article 25 of the 2006 Annual Town Meeting.

A Unanimous Vote

Article 23

VOTED: That the Town appropriate \$225,000 from the Community Preservation Community Housing Reserve and transfer said sum to the Hingham Affordable Housing Trust (HAHT).

A Unanimous Vote

Article 24

VOTED: That the Town, in accordance with the Hingham Affordable Housing Trust (HAHT) By-Law, adopted by vote under Article 21 at the 2007 Annual Town Meeting, approve the following allocation plan for any funds to be appropriated to the HAHT in FY 2008 and FY 2009:

a. any unrestricted funds directed to the HAHT by the 2008 Annual Town Meeting will be allocated in FY 2009 as follows:

50% for maintaining and improving affordability of existing housing stock,

15% for construction of affordable housing,

15% for loan or grant programs,

15% for third-party costs including, but not limited to, engineering, accounting, appraisal, and financial and legal advice,

5% for administration of the HAHT;

b. purpose-restricted funds which come to the HAHT in FY 2008 or FY2009 for designated purposes via grants, gifts, donations, Town Meeting appropriation, or the like, shall be allocated according to those purposes; and

c. funds which come in FY2008 or FY2009 or have previously come to the Trust from developers' payments under the Town's former Inclusionary Zoning By-Law shall be allocated at the discretion of the HAHT Board of Trustees pursuant to the HAHT Trust Agreement approved by vote under Article 21 at the 2007 Annual Town Meeting.

A Unanimous Vote

Article 25

VOTED: That the Town amend the vote under Article 42 of the 2005 Annual Town Meeting Warrant by inserting the words "or functional equivalent" after the phrase "for the purpose of producing affordable housing under the Local Initiative Program".

A Unanimous Vote

ARTICLE 26.

Will the Town 1) authorize the Board of Selectmen to acquire by eminent domain or other means a parcel of land, adjacent to the Department of Public Works Building on Hersey Street, consisting of approximately 6.6 acres, shown as Lot 1 on Assessors' Map 79, and 2) to raise and appropriate, borrow or transfer from available funds a sum of money for such acquisition and for mitigation of environmental contamination on such property, or act on anything relating thereto?

COMMENT: This Article relates to the Town's acquisition and initial environmental remediation of real property currently used and occupied by the Town's Department of Public Works. The property, described as Lot 1 on Assessors' Map 79, is located behind the Town-owned DPW Building at 101 Hersey Street.

Portions of the land were used as the "Town Dump" at least as far back as the 1930's, perhaps as early as 1917. In addition to using the property as a landfill, trash was also burned on site. The Hingham DPW has used the property to house a sand and salt shed and store heavy equipment for over twenty years.

The Town has occupied the property under a year-to-year lease arrangement with the landowner. The landowner does not wish to renew the lease arrangement. As the Town has made plans to vacate the property, it has performed initial environmental testing in order to assess the condition of the soil and groundwater at the site. This testing has resulted in findings of some hazardous materials. It is clear that the Town is responsible for the cost of required mitigation.

In order to control the scope and progress of the environmental remediation work at the site, the Selectmen have determined that the Town should purchase the property. By purchasing the property, the Town can better manage the remediation and control the ultimate cost associated

with the clean-up. The Selectmen have negotiated a purchase price for the property of \$1,825,000. The \$75,000 requested for initial remediation work is for further assessment, including groundwater monitoring, reporting and compliance activities to be performed by a licensed site professional.

RECOMMENDED: That the Town (1) authorize the Board of Selectmen to acquire a parcel of land adjacent to the Department of Public Works Building on Hersey Street, consisting of approximately 6.6 acres, shown as Lot 1 on Assessors' Map 79, (2) appropriate \$1,825,000 for such acquisition and \$75,000 for the initial mitigation of environmental contamination on the property and (3) to meet said appropriations transfer \$450,000 from available reserves, and authorize the Treasurer, with the approval of the Board of Selectmen, to borrow up to \$1,450,000 under and pursuant to Chapter 44, Section 3, of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the Town therefor.

ARTICLE 27.

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1: At Section III-B, Special Conditions to Schedule of Uses, add a new Subsection 8 as follows:

8. The uses allowed in Section III-A, Subsections 3.1, 3.2, 3.3 and 3.4, to the extent provided under M.G.L. c.40A, §3, are allowed as of right, but subject to Site Plan Review in accordance with Section I-I. The site plan review under this Section III-B (8) shall apply to:

i. land or structures used for religious purposes, or for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic, or by a religious sect or denomination, or by a nonprofit educational corporation;

ii. land or structures, or the expansion of existing structures, used for the primary, accessory or incidental purpose of operating a child care facility; and

shall be limited to developing guidelines and determining compliance with regulations under this By-Law concerning bulk and height of structures, yard size, lot area, setbacks, open space, parking, and building coverage requirements, or such other matters subject to reasonable requirements under M.G.L. 40A §3 as the same may be from time to time amended. A building permit shall only issue upon the completion of the site plan review in accordance with Section I-I.

Item 2: At Section III-A, Subsections 3.1, 3.2, 3.3 and 3.4, add the following phrase after each use description: ", subject to Special Condition 8 of Section III-B."

COMMENT: The two items contained in this proposed amendment are intended to correct a Zoning By-Law technical error that relates to so-called exempt uses under State enabling legislation, and to better define a reasonable and legal site plan review process for these use categories. State law does not allow local jurisdictions to limit the location of religious institutions, most educational uses and child care facilities (exempt uses), although it does permit the application of "reasonable" site development and dimensional requirements, such as height restrictions, setback requirements, parking standards, and the like; these dimensional requirements and parking standards are incorporated into Sections IV and V of our By-Law, respectively. Hingham's By-Law currently allows some of these exempt uses only by Special Permit, and it also does not permit some of these exempt uses at all in a number of zoning districts, both of which conditions are not consistent with State law. The proposed amendment

would correct this situation by specifically referencing State law regarding which uses are exempt from location restrictions. In addition, while the By-Law currently requires site plan review for most projects that would be covered by this amendment, the language of the amendment ties the extent and nature of the required review more closely to the underlying State enabling legislation. The dimensional requirements and site development standards contained within Sections IV and V of the By-Law would continue to be applied to the exempt uses addressed by this proposed amendment.

The Planning Board voted unanimously to recommend favorable action on this article.

RECOMMENDED: That the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1: At Section III-B, Special Conditions to Schedule of Uses, add a new Subsection 8 as follows:

8. The uses allowed in Section III-A, Subsections 3.1, 3.2, 3.3 and 3.4, to the extent provided under M.G.L. c.40A, §3, are allowed as of right, but subject to Site Plan Review in accordance with Section I-I. The site plan review under this Section III-B (8) shall apply to:

i. land or structures used for religious purposes, or for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic, or by a religious sect or denomination, or by a nonprofit educational corporation;

ii. land or structures, or the expansion of existing structures, used for the primary, accessory or incidental purpose of operating a child care facility; and

shall be limited to developing guidelines and to determining compliance with regulations under this By-Law concerning bulk and height of structures, yard size, lot area, setbacks, open space, parking, and building coverage requirements, or such other matters subject to reasonable requirements under M.G.L. 40A §3 as the same may be from time to time amended. A building permit shall only issue upon the completion of the site plan review in accordance with Section I-I.

Item 2: At Section III-A, Subsections 3.1, 3.2, 3.3 and 3.4, add the following phrase after each use description: ", subject to Special Condition 8 of Section III-B."

ARTICLE 28.

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 At Section III-A, Schedule of Uses, at subsection 2.4 "Seasonal sale of cut Christmas trees, subject to Special Condition 6 of Section III-B", under Official and Open Space, change the letter O (prohibited) to P (permitted by-right).

Item 2. At Section III-A, Schedule of Uses, at subsection 1.8.1 "Garaging of not more than 3 non-commercial motor vehicles", change "O" to "P" for all use categories.

Item 3. At Section III-A, Schedule of Uses, at subsection 1.8.2 "Garaging or parking of one commercial vehicle with a maximum gross weight of 10,000 lbs", change "O" to "P" for all use categories.

Item 4. At Section III-A, Schedule of Uses, at subsection 1.8.3 "Garaging or parking of a commercial vehicle in excess of 10,000 lbs., or more than one commercial vehicle", change "O" to "A1" for all use categories.

Or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: The four items contained in this proposed amendment are miscellaneous changes to the Schedule of Uses:

Item 1: The intention of Item 1 is to legitimize the traditional practice of the seasonal sale of Christmas trees at the bathing beach parking lot (and incidentally at other Official and Open Space locations as well). Though the sale of Christmas trees will now be allowed by right, the practice will be closely monitored through a Building Department permit process, as described in Special Condition 6 of Section III-B of the By-Law.

Items 2 - 4: The intention of these items is to extend the accessory parking rights associated with one- and two-family homes in residential zoning districts to such homes that might exist in non-residential zoning districts.

The Planning Board voted unanimously to recommend favorable action on this article.

RECOMMENDED: That the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1. At Section III-A, Schedule of Uses, at subsection 2.4 "Seasonal sale of cut Christmas trees, subject to Special Condition 6 of Section III-B", under Official and Open Space, change the letter O (prohibited) to P (permitted by-right).

Item 2. At Section III-A, Schedule of Uses, at subsection 1.8.1 "Garaging of not more than 3 non-commercial motor vehicles", change "O" to "P" for all use categories currently designated as "O".

Item 3. At Section III-A, Schedule of Uses, at subsection 1.8.2 "Garaging or parking of one commercial vehicle with a maximum gross weight of 10,000 lbs", change "O" to "P" for all use categories currently designated as "O".

Item 4. At Section III-A, Schedule of Uses, at subsection 1.8.3 "Garaging or parking of a commercial vehicle in excess of 10,000 lbs., or more than one commercial vehicle", change "O" to "A1" for all use categories currently designated as "O".

ARTICLE 29.

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, by amending the "Zoning Map, Part A, Town of Hingham", as heretofore amended, as follows:

By removing from the Personal Wireless Services Overlay District the Aquarion Water Company property, 900 Main Street (Assessor's Map 70-14).

Or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: When 2007 Annual Town Meeting voted to amend the Zoning By-Law by modifying the Personal Wireless Services Overlay District, the modifications included the removal of the Water Company property (900 Main Street) from the Overlay District. The removal of this property from the District was effected by a change in the language of Section III-F, Par. 2, but no additional reference was made to a change in the Zoning Map. Subsequently, the language of the amendment was reviewed by the Attorney General, as is common practice, and the Town was

notified that in order to perfect the 2007 amendment, the Zoning Map must be changed specifically as well. The amendment currently proposed will specifically change the Zoning Map to agree with the previously amended language of Section III-F, Par. 2; it is a technical correction of the amendment approved at 2007 Town Meeting, and it will have no material impact on the originally intended substance of the 2007 amendment. The recent court decisions and Zoning Board of Appeals decisions regarding a cell tower on the Water Company property are not affected by this proposed amendment.

The Planning Board voted unanimously to recommend favorable action on this article.

RECOMMENDED: That the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, by amending the "Zoning Map, Part A, Town of Hingham", as heretofore amended, as follows:

By removing from the Personal Wireless Services Overlay District the Aquarion Water Company property, 900 Main Street (Assessor's Map 70-14).

ARTICLE 30.

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

At Section IV-G(9)(a), "Site Area Requirements," delete the first sentence, and replace it with the following: "A minimum of 100 acres is required, and a maximum of 140 acres is permitted, within the Industrial District."

Or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: In 2006, Town Meeting created the Zoning Permits Study Committee. One of the Committee's charges was to identify regulatory measures that might be utilized to manage the Town's growth. Upon review of zoning in the busy Route 3A corridor surrounding the Hingham Shipyard development, it appeared that current zoning could allow development of another mixed-use project similar to the Shipyard on land in the Industrial District along Route 3A and Beal Street. This Article grew out of discussions of the Study Committee and the Planning Board concerning ways by which the Town might manage growth in the Industrial District, and thereby minimize the adverse impacts of additional mixed-use development on the Town's infrastructure in that area, and particularly on traffic congestion on Route 3A and Beal Street. Any future mixed-use project in the Industrial District could include retail, residential, open space, general commercial, limited industrial and office uses, and a variety of building types. Such a development likely would impose overwhelming burdens on the Industrial District. In order to avoid such consequences, it is advisable to reconsider the appropriate site area requirements for mixed-use projects in the Industrial District. Specifically, this Article would amend the section of the Zoning By-Law that governs the size of any proposed mixed-use site area in the Industrial District by changing the current 25-acre minimum size to a minimum size of 100 acres and a maximum size of 140 acres. This amendment would allow the 127-acre Shipyard development to remain in compliance with the Zoning By-Law, and also allow for its potential limited expansion into contiguous parcels on Route 3A, but would effectively preclude the development of any new mixed-use projects in the Industrial District. The Planning Board unanimously voted to recommend favorable action on this Article for the reason that, following completion of the Shipyard development, this area of the Town will be at or near capacity with respect to traffic and density, and the infrastructure could not tolerate significant additional growth.

RECOMMENDED: That the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

At Section IV-G(9)(a), "Site Area Requirements," delete the first sentence, and replace it with the following: "A minimum of 100 acres is required, and a maximum of 140 acres is permitted, within the Industrial District."

ARTICLE 31.

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 At Section III-A (Schedule of Uses), Subsection 4.17 (Retail Group), remove the word "uses" and insert the words "two or more businesses" after the words "consisting of".

Item 2 At Section III-A (Schedule of Uses), Subsection 4.17 (Retail Group), change the letter "P" under Industrial and Industrial Park to "A2".

COMMENT: In 2006, Town Meeting created the Zoning Permits Study Committee. One of the Committee's charges was to identify regulatory measures that might be utilized to manage the Town's growth. This Article originated in discussions of the Study Committee and the Planning Board concerning ways by which the Town might manage growth in the Industrial and Industrial Park Districts, and thereby minimize the adverse impacts of groups of retail businesses, i.e., shopping centers, on the Town's infrastructure in those areas, and particularly on traffic congestion. One purpose of this Article is to define clearly the term "retail group" in the Zoning By-Law as consisting of two or more retail businesses. Another purpose is to require a Special Permit A2 from the Zoning Board of Appeals (ZBA) to develop retail business complexes in the Industrial District, as is presently required in the South Hingham Development Overlay District. The Industrial District is located in the north-west corner of Town in the Route 3A/Beal Street area. At present, "retail group" uses are permitted "as-of-right" in the Industrial District, subject only to site plan review and the necessary building permits. This amendment would give the ZBA discretion in the permitting of retail groups in the Industrial District, and would require a higher level of scrutiny in the review process. Finally, this amendment would resolve an inconsistency in the Zoning By-Law with respect to retail groups in the Industrial Park District. Currently, the Industrial Park District is totally contained within the South Hingham Development Overlay District, which is governed by Section III-E of the By-Law. While Section III-E, Subsection 5, requires a Special Permit A2 for retail groups in the Overlay District, Section III-A (Schedule of Uses), Subsection 4.17 (Retail Group), allows retail group uses as-of-right in the Industrial Park District. Since the provisions of the overlay district (III-E) take precedence over the more general provisions of the Schedule of Uses (III-A), the proposed Industrial Park District change in III-A is merely a technical correction rather than a change in policy.

For these reasons, the Planning Board voted unanimously to recommend favorable action on this Article. In light of current conditions, including traffic congestion, in the industrial zones, it is advisable to enact these amendments to the Zoning By-Law.

RECOMMENDED: That the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 At Section III-A (Schedule of Uses), Subsection 4.17 (Retail Group), remove the word "uses" and insert the words "two or more businesses" after the words "consisting of".

Item 2 At Section III-A (Schedule of Uses), Subsection 4.17 (Retail Group), change the letter "P" under Industrial and Industrial Park to "A2".

ARTICLE 32.

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 At the Table at Section V-A (2) Off-Street Parking Requirements,

1. Change the entry in the column entitled "Requirement" at the row for Medical & Dental office from "6 Spaces/Doctor or Dentist" to "1 space/175 SF of GFA".
2. Change the entry in the column entitled "Requirement" at the row for Warehousing & Wholesaling from "1 ¼ spaces/1000 SF of GFA" to "1 space/1000 SF of GFA".
3. Delete the entry for "Institutions including Hospitals, Public Buildings, Private Schools, Museums, Stadiums, Arenas, Transportation Terminals" in its entirety.

Item 2 At Section V-A (3), Parking Dimension Requirements, in the "Table of Parking Dimensions",

1. Under "Parallel Parking Spaces" change the minimum required width from "9 ft." to "8.5 ft."

1. Under "Aisle Width", change the required minimum aisle width for parallel parking from "24 ft." to "14 ft."

Item 3 At Section V-A (5) I, add a new sentence after the second sentence as follows: "In addition to the foregoing, pervious paving materials may be permitted at the discretion of the Planning Board, subject to compliance with design and construction standards referenced in this sub-paragraph."

Or act on anything related thereto?

(Inserted at the request of the Planning Board)

COMMENT: This article was initially triggered by a report prepared by a consultant to the Planning Board. The consultant's assignment was to suggest improvements to the By-Law's off-street parking requirements so that they will be more in line with current thinking on the subject. The article grew, in part, out of some of the consultant's recommendations, and it incorporates six separate changes to the By-Law:

Item 1a changes the basis for parking requirements for medical and dental offices from the number of professionals in the office to the floor area of the office. This is more in line with the By-Law's method of determining parking requirements for other uses.

Item 1b reduces the parking required for warehouses by 20% to better reflect this use group's actual parking requirements and to prevent the creation of unnecessary pavement. By deleting this entry in its entirety, Item 1c shifts the approval process for the use groups indicated, by default, from Special Permit A2 to Special Permit A3, which has become the standard special permit process for otherwise undefined parking standards. Items 2a and 2b are minor corrections to the existing dimensional requirements associated with parallel parking spaces. Item 3 incorporates a provision for allowing newly developed pavement materials that are less impervious than traditional pavements.

The Planning Board voted unanimously to recommend favorable action on this article.

RECOMMENDED: That the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1 At the Table at Section V-A (2) Off-Street Parking Requirements,

1. **Change the entry in the column entitled "Requirement" at the row for Medical and Dental offices from "6 Spaces/Doctor or Dentist" to "1 space/175 SF of GFA".**
2. **Change the entry in the column entitled "Requirement" at the row for Warehousing & Wholesaling from "1 ¼ spaces/1000 GFA" to "1 space/1000 SF of GFA".**
3. **Delete the entry for "Institutions including Hospitals, Public Buildings, Private Schools, Museums, Stadiums, Arenas, Transportation Terminals" in its entirety.**

Item 2 At Section V-A (3), Parking Dimension Requirements, in the "Table of Parking Dimensions",

1. **Under "Parallel Parking Spaces" change the minimum required width from "9 ft." to "8.5 ft."**

1. **Under "Aisle Width", change the required minimum aisle width for parallel parking from "24 ft." to "14 ft."**

Item 3 At Section V-A (5) I, add a new sentence after the second sentence as follows: "In addition to the foregoing, pervious paving materials may be permitted at the discretion of the Planning Board, subject to compliance with design and construction standards referenced in this sub-paragraph."

ARTICLE 33.

Will the Town amend the Zoning By-Law of the Town of Hingham, adopted March 10, 1941, as heretofore amended, as follows:

Item 1. At the end of Section II-B, add the following new entry:
6. Hingham Smart Growth Overlay District – HSGOD.

Item 2. Add the following new Section III-J:
SECTION III-J HINGHAM SMART GROWTH OVERLAY DISTRICT (HSGOD)

1. Purpose.

It is the purpose of this Section to establish a Hingham Smart Growth Overlay District (HSGOD) and to encourage smart growth in accordance with the purposes of G. L. Chapter 40R. Other objectives of this Section are to:

- a. Promote the public health, safety, and welfare by encouraging diversity of housing opportunities;
- b. Provide for a range of housing choices for households of differing incomes, ages, and sizes in order to meet the goal of preserving municipal character and diversity;
- c. Increase the production of a range of housing units to meet existing and anticipated housing needs;
- d. Establish requirements, standards, and guidelines, and ensure predictable, fair and cost-effective development review and permitting;
- e. Establish development standards to allow context-sensitive design and creative site planning; and
- f. Enable the Town to receive Zoning Incentive Payments and/or Density Bonus Payments in

accordance with G. L. Chapter 40R, 760 CMR 59.06, and additional Chapter 70 aid in accordance with G.L. Chapter 40S arising from the development of housing in the HSGOD.

2. Definitions

For purposes of this Section, the following definitions shall apply. All capitalized terms shall be defined in accordance with the definitions established under the Enabling Laws or this Section III-J. To the extent that there is any conflict between the definitions set forth in this Section and the Enabling Laws, the terms of the Enabling Laws shall govern.

Affordable Homeownership Unit - an Affordable Housing unit required to be sold to an Eligible Household.

Affordable Housing - housing that is affordable to and occupied by Eligible Households.

Affordable Housing Restriction- a deed restriction of Affordable Housing meeting statutory requirements in G.L. c. 184, Section 31 and the requirements of Section 7-17.D of this By-Law.

Affordable Rental Unit - an Affordable Housing unit required to be rented to an Eligible Household.

As-of-right Project or Project - means a Multifamily Use development or a Mixed Use development allowed under Section E without recourse to a special permit, variance, zoning amendment, or other form of zoning relief.

Building Envelope Area - The three-dimensional space within which a structure is permitted to be built on a lot and that is defined by maximum height, maximum lot coverage and minimum setback requirements.

DHCD- The Department of Housing and Community Development of the Commonwealth of Massachusetts or any successor agency.

Eligible Household - an individual or household whose annual income is less than 80 percent of the area-wide median income as determined by the United States Department of Housing and Urban Development (HUD), adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

Enabling Laws - G.L. Chapter 40R and 760 CMR 59.00.

Multifamily Use - Dwelling containing four or more dwelling units.

Open Space - the part or parts of land within a Project which are reserved or restricted for permanent open space. This space shall exclude parking areas and stormwater detention areas, but include required setbacks and walkways. The Open Space shall be open and unobstructed to the sky; however; trees, planting, arbors, flagpoles, sculptures, fountains, swimming pools, outdoor recreational facilities, such items as streetscape elements (lights, planters, benches, etc.), and decorative surface treatments for sidewalks and other hard surfaces (such as pavers, cobblestones or concrete surface treatments designed to resemble pavers or cobblestones) and similar objects shall not be considered obstructions.

Plan Approval- standards and criteria which a Project in the HSGOD must meet under the procedures established herein and in the Enabling Laws.

Plan Approval Authority- For purposes of reviewing Project applications and issuing decisions on development Projects within the HSGOD, the Plan Approval Authority (PAA), consistent with G.L. Chapter 40R and 760 CMR 59.00, shall be the Zoning Board of Appeals and the Planning Board, jointly. The PAA is authorized to approve a site plan to implement a Project.

Project - For the purposes of this By-Law, each Subzone shall be considered to be and to contain a separate and independent Project. There are two (2) Subzones and two (2) Projects in the HSGOD.

Recreational Uses - Active recreational uses, including but not limited to ballfields; and passive recreational uses, including but not limited to walking and bicycle paths. Amusements or motorized uses shall not be considered eligible recreational uses.

Smart Growth Overlay District Standards - The Design Standards for the HSGOD are attached hereto as Appendix A, and incorporated by reference as part of this Zoning By-Law (Design Standards).

Zoning By-Law - the Zoning By-Law of the Town.

3. Overlay District

a. Establishment. The Hingham Smart Growth Overlay District is an overlay district having a land area of approximately 27.79 acres, being portions of Assessor's Map 58, Lot 23; Assessor's Map 69, Lot 44; and Assessor's Map 36, Lot 160; that is superimposed over the underlying zoning district, as shown on the Zoning Map, all as set forth on the map entitled "Hingham Smart Growth Overlay District," dated _____, 2008, and attached hereto as Appendix B. This map is hereby made a part of the Zoning By-Law and is on file in the Office of the Town Clerk.

b. Underlying Zoning By-Law. The HSGOD is an overlay district superimposed on all underlying Zoning districts. Except as limited herein, the underlying Zoning By-Law shall remain in full force and effect.

c. Applicability of HSGOD. In accordance with the provisions of G.L. Chapter 40R and 760 CMR 59.00, an Applicant for a Project located within the HSGOD may seek Plan Approval in accordance with the requirements of this Section III-J. In such case, then notwithstanding anything to the contrary in this Zoning By-Law, such Plan Approval shall not be subject to any other provisions of this Zoning By-Law, including limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits. When a building permit is issued for any Project in any Subzone approved in accordance with this Section III-J, the provisions of the underlying district(s) shall no longer be applicable in the Subzone in which the Project is located.

4. Housing and Affordability.

a. Marketing Plan. Prior to granting Plan Approval for housing within the HSGOD, an Applicant for such approval must submit a narrative document and marketing plan that establishes that the proposed development of housing is appropriate for diverse populations, including households with children, other households, individuals, households including individuals with disabilities, and the elderly. These documents in combination, to be submitted with an application for Plan Approval pursuant to Section F, below, shall include details about construction related to the provision, within the Project, of units that are accessible to the disabled.

b. Number of Affordable Housing Units. For all Projects where the Affordable Units proposed are Homeownership Units, not less than twenty percent (20%) of the total housing units constructed in a Project shall be Affordable Housing. For all Projects where the Affordable Units proposed are Rental Units not less than twenty five percent (25%) of total housing units in any building containing rental units shall be Affordable Housing; provided, however, that 20% of such units may be affordable where restricted to households earning less than 50% of area median income. For purposes of calculating the number of units of Affordable Housing required within a Project, any fractional unit shall be deemed to constitute a whole unit. Each subzone shall be considered to contain a separate Project and shall independently meet these standards.

c. Requirements. Affordable Housing shall comply with the following requirements:

1. For an Affordable Rental Unit, the monthly rent payment, including utilities and parking,

shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one, unless other affordable program rent limits approved by the DHCD shall apply.

2. For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking, shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one.

3. Affordable Housing required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households.

4. The HSGOD shall not include the imposition of restrictions on age upon any Project.

d. Design and Construction. Units of Affordable Housing shall be finished housing units. Units of Affordable Housing shall be dispersed throughout the development of which they are part and be comparable in initial construction, quality and exterior design to other housing units in the development.. The total number of bedrooms in the Affordable Housing shall be proportionate to the total number of bedrooms in all the units in the development of which the Affordable Housing is part.

e. Affordable Housing Restriction. Each unit of Affordable Housing shall be subject to an Affordable Housing Restriction which is recorded with the appropriate registry of deeds or district registry of the Land Court and which contains the following:

1. specification of the term of the affordable housing restriction which shall be the maximum period allowed by law but not less than ninety nine years;

2. the name and address of an administering agency with a designation of its power to monitor and enforce the affordable housing restriction;

3.a description of the Affordable Home-ownership Unit, if any, by address and number of bedrooms; and a description of the overall quantity and number of bedrooms and number of bedroom types of Affordable Rental Units in a Project or portion of a Project which are rental. Such restriction shall apply individually to the specifically identified Affordable Homeownership Unit and shall apply to a percentage of rental units of a rental Project or the rental portion of a Project without specific unit identification.

4. reference to a housing marketing and resident selection plan, to which the Affordable Housing is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process. The housing marketing and selection plan may provide for preferences in resident selection to the extent consistent with applicable law for the Affordable Housing Units; the plan shall designate the household size appropriate for a unit with respect to bedroom size and provide that the preference for such Unit shall be given to a household of the appropriate size;

5. a requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan;

6. reference to the formula pursuant to which rent of a rental unit or the maximum resale price of a homeownership will be set;

7. designation of the priority of the Affordable Housing Restriction over other mortgages and restrictions, provided that a first mortgage of a Homeownership Housing Unit to a commercial lender in an amount less than maximum resale price may have priority over the Affordable Housing

Restriction if required by then current practice of commercial mortgage lender and approved by the PAA;

8. a requirement that only an Eligible Household may reside in Affordable Housing and that notice of any lease or sublease of any unit of Affordable Housing shall be given to the Administering Agency;

9. provision for effective monitoring and enforcement of the terms and provisions of the Affordable Housing Restriction by the Administering Agency;

10. provision that the restriction on an Affordable Homeownership Unit shall run in favor of the Administering Agency and the Town, in a form approved by municipal counsel, and shall limit initial sale and resale to and occupancy by an Eligible Household;

11. provision that the restriction on Affordable Rental Units in a rental Project or rental portion of a Project shall run with the rental Project or rental portion of a Project and shall run in favor of the Administering Agency and the Town, in a form approved by municipal counsel, and shall limit rental and occupancy to an Eligible Household;

12. provision that the owner[s] or manager[s] of Affordable Rental Unit[s] shall file an annual report to the Administering Agency, in a form specified by that agency certifying compliance with the affordability provisions of this Bylaw and containing such other information as may be reasonably requested in order to ensure affordability;

13. a requirement that residents in Affordable Housing provide such information as the Administering Agency may reasonably request in order to ensure affordability.

f. Administering Agency. An Administering Agency which may be the Local Housing Authority, or other qualified housing entity (the "Administering Agency") shall be designated by the PAA as the Administering Agency for all Projects in the HSGOD. In a case where the Administering Agency cannot adequately carry out its administrative duties, upon certification of this fact by the PAA or by DHCD, such duties shall devolve to and thereafter be administered by a qualified housing entity designated by the PAA or, in the absence of such timely designation, by an entity designated by the DHCD. In any event, such Administering Agency shall ensure the following, both prior to issuance of a Building Permit for a Project within the HSGOD, and on a continuing basis thereafter, as the case may be:

1. prices of Affordable Homeownership Units are properly computed; rental amounts of Affordable Rental Units are properly computed;

2. income eligibility of households applying for Affordable Housing is properly and reliably determined;

3. the housing marketing and resident selection plan conforms to all requirements and is properly administered;

4. sales and rentals are made to Eligible Households chosen in accordance with the housing marketing and resident selection plan with appropriate unit size for each household being properly determined and proper preference being given; and

5. Affordable Housing Restrictions meeting the requirements of this section are recorded with the proper registry of deeds.

g. Housing Marketing and Selection Plan. The housing marketing and selection plan shall make provision for payment by the Project applicant of reasonable costs to the administering agency to

develop, advertise, and maintain the list of Eligible Households and to monitor and enforce compliance with affordability requirements, as set forth in Section D.

h. Phasing. For any Project that is approved and developed in phases, the proportion of Affordable Housing Units and the proportion of market rate units shall be consistent across all phases.

i. Computation. Prior to the granting of any Plan Approval of a Project, the applicant must demonstrate, to the satisfaction of the Administering Agency, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or federal guidelines for affordability applicable to the Town.

j. No Waiver. Notwithstanding anything to the contrary herein, the Affordability provisions in this Section D shall not be waived.

5. Permitted and Prohibited Uses; Density.

a. Permitted Uses. The following uses are permitted as of right in the HSGOD:

Subzone A: Multifamily dwellings

Subzone B: Townhouse dwellings

Accessory uses customarily incidental to such permitted uses are also allowed; provided, however, that no home occupation shall be conducted within any Project in any Subzone.

b. Density.

Subzone A: Multifamily dwellings with a density of 30 dwelling units per acre of developable land.

Subzone B: Townhouse dwellings with a density of 12 dwelling units per acre of developable land.

6. Application for Plan Approval

a. Preapplication. Prior to the submittal of a site plan, a "Concept Plan" shall be submitted to help guide the development of the definitive site plan for Project buildout and individual elements thereof. Such Concept Plan should reflect the following:

1. Overall building envelope areas;
2. Areas to remain undeveloped, including but not limited to open space;
3. General site improvements, groupings of buildings, and proposed land uses.

The Concept Plan is intended to be used as a tool for both the applicant and the PAA to ensure that the proposed Project design will be consistent with the Design Standards and Guidelines and the other requirements of the HSGOD.

b. Application. An application for Plan Approval shall be submitted to the PAA on the form provided by the PAA. An application shall show the proposed buildout of the entire Project in the Subzone, whether the Project will be phased or not.

c. Required Submittals. The application for Plan Approval shall be accompanied by the following plans and documents:

1. Properly executed application form, and (if applicable) all materials necessary for facilitating a public hearing on the application;
2. A filing fee of \$_____ plus \$_____ per dwelling unit to cover administrative costs.
3. List of any requested waivers from the requirements of this Section III-J, including a detailed explanation/justification of the reason for such request.

4. A Site Plan prepared by a professional architect or registered professional engineer, at a scale of one inch equals forty feet (1" = 40'), or at other scale as may be necessary to show all detail

clearly and accurately. Sheet sizes shall not exceed twenty-four inches by thirty-six (24" x 36"), and shall not be less than eleven inches by seventeen inches (11" x 17"). If multiple sheets are used they shall be accompanied by an index sheet showing the entire parcel at an appropriate scale. If the plans submitted are 11" x 17" in size, a total of twenty-five (25) copies of the plans shall accompany the application. If the plans prepared exceed 11" x 17" in size, a total of five (5) copies of such plans and twenty (20) sets of reduced-size copies (11" x 17") shall be submitted. The Plan shall include the following information:

- a. Name and address of the person or entity submitting the application;
- b. Name and address of the owner of the subject property, if different;
 - c. Present use of the land and description and use of existing building thereon, if any;
- d. Proposed use of the land;
- e. Proposed use of existing buildings, if any;
 - f. Description and proposed use of the proposed building, if any;
 - g. Zoning District in which the parcel is located, including floodplain if applicable;
 - h. Locus Map (scale of 1"=1,000') and north arrow;
- i. Title Block containing: name of the project; applicant; property owner; property address and Assessor's Map/Lot number; date (with revisions); name, address and phone number, and the signature and seal of the professional architect or engineer preparing the plan;
- j. Wetlands, Ponds, Streams, or other water bodies, including all applicable buffer zones as certified by a professional engineer;
- k. Ownership of all abutting land and approximate location of buildings, driveways, and parking areas thereon within a maximum distance of two hundred feet (200') of the property lines;
- l. Existing and proposed topography at two-foot (2') elevation intervals;
- m. All property lines of the subject property, and all setbacks of buildings and parking areas from said lines, and existing and proposed easements, if any;
 - n. Extent and type of all existing and proposed surfaces (pervious and impervious) on the property, including specific materials;
 - o. Lot coverage calculations showing percentage of buildings, percentage of pavement, and percentage of open space/landscaped areas;
 - p. Parking calculations for proposed use, including all existing use that will continue to exist on the property, if applicable;
 - q. Calculations of the volume of earth material to be removed or filled on the property, and delineation of the location of such activity;
 - r. Driveways and driveway openings/ entrances;
 - s. Parking and loading spaces;
- t. Service areas and all facilities for screening;
 - u. Landscaping;
 - v. Lighting;
- w. Proposed signs (business, traffic, etc.);
 - x. Sewage, refuse and other waste disposal;
 - y. Stormwater management facilities (drainage);
 - z. All structures and buildings associated with the proposed and existing use(s) on the property;
 - aa. Exterior storage areas and fences;
- bb. Utilities and their exterior appurtenances (e.g., fire connections);
 - cc. Provisions for dust and erosion control and;
- dd. Any other details or information deemed necessary by the PAA due to the unique nature of a proposed use or the subject property;

5. A stormwater management hydrological study prepared in accordance with the Design Standards.

6. A report, if applicable, showing calculations of the volume of earth material to be removed from or delivered to the site, including a description of such removal or fill activity. Depending upon the volume of material to be removed or filled, the PAA may require the Applicant to submit additional information (if not submitted in the report) regarding, but not limited to, the following: the hours of fill/removal activity; proposed route of transporting materials to and from site; measures for dust and erosion control (both on- and off-site) for the activity.

7. Scaled architectural drawings showing all proposed development, including site plans, elevation drawings, and floor plans. Drawings should clearly and comprehensively illustrate all aspects of the project and detail conformance with the Design Standards.

7. Procedures

a. Filing. An applicant for Plan Approval shall file the application and all required submittals with the Town Clerk and shall also file forthwith 20 copies of the application and the other required submittals with the PAA including notice of the date of filing with the Town Clerk.

b. Circulation to Other Boards. Upon receipt of the Application, the PAA shall immediately provide a copy of the application materials to the Board of Selectmen, Zoning Board of Appeals, Board of Health, Conservation Commission, Fire Department, Police Department, Building Commissioner, Department of Public Works, Affordable Housing Trust, Sewer Department, Aquarion Water Company, and other municipal officers, agencies or boards designated by the PAA for comment, and any such board, agency or officer shall provide any written comments within 60 days of its receipt of a copy of the plan and application for approval.

c. Hearing. The PAA shall hold a public hearing for which notice has been given as provided in Section 11 of G.L. Chapter 40A. The decision of the PAA shall be made, and a written notice of the decision filed with the Town Clerk, within 120 days of the receipt of the application by the Town Clerk. The required time limits for such action may be extended by written agreement between the applicant and the PAA, with a copy of such agreement being filed in the office of the Town Clerk. Failure of the PAA to take action within said 120 days or extended time, if applicable, shall be deemed to be an approval of the application and site plan.

d. Peer Review. In addition to the application fee, the applicant shall be required to pay for reasonable consulting fees to provide peer review of the Plan Approval application, pursuant to G.L. c. 40R, s. 11. This technical review fee shall be paid at the time of the application. The initial deposit shall be \$10,000 and shall be subject to replenishment as needed. Such fees shall be held by the Town in a separate account and used only for expenses associated with the review of the application by outside consultants, including, but not limited to, attorneys, engineers, urban designers, housing consultants, planners, and others. Any surplus remaining after the completion of such review, including any interest accrued, shall be returned to the applicant.

8. Design Standards

In order to ensure that the physical character of projects within the HSGOD will be complementary to nearby buildings and structures and will provide high-density quality development consistent with the character of building types, streetscapes and other community facilities typically found in densely settled areas, the PAA hereby adopts the "HSGOD Design Standards," attached hereto and as amended from time to time by majority vote of the PAA and upon approval of DHCD. The HSGOD Design Standards may address the scale, proportions and exterior appearance of buildings; the placement, alignment, width and grade of streets and sidewalks; the type and location of infrastructure; the location of building and garage entrances; off-street parking; the protection of significant natural site features; the location and design of on-site open spaces; landscaping; exterior signs; and buffering in relation to adjacent properties.

9. Performance Standards

a. Exemption. The Minimum Lot Area and Lot Frontage, Minimum Yard Dimensions, and Maximum Coverage requirements set forth in Section IV, Schedule IV-A, shall not apply in the HSGOD.

b. Parking. The following parking standards shall apply:

Subzone A: ___ spaces per dwelling unit

Subzone B: ___ spaces per dwelling unit

The following provisions of Section V-A of the Zoning By-Law in effect on the date of the adoption of this HSGOD shall apply:

V-A.3 to 5, inclusive.

c. Signs. The following standards shall apply:

The following provisions of Section V-B of the Zoning By-Law in effect on the date of the adoption of this HSGOD shall apply:
V-B, Schedule of Sign Regulations, Residence District Standards only.

10. Decision

a. Waivers. Except where expressly prohibited herein, upon the request of the Applicant the Plan Approval Authority may waive dimensional and other requirements of this Section III-J, including the Design Standards, in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the HSGOD, or if it finds that such waiver will allow the Project to achieve the density, affordability, mix of uses, and/or physical character allowable under this Section.

b. Plan Review. An Application for Plan Approval shall be reviewed for consistency with the purpose and intent of this Section, and such Plan Review shall be construed as an as-of-right review and approval process as required by and in accordance with the Enabling Laws.

c. Plan Approval. Plan Approval, or approval with conditions, shall be granted by a simple majority where the PAA finds that:

1. the applicant has submitted the required fees and information as set forth herein; and
2. the Project and site plan meet the requirements and standards set forth this Section III-J, or a waiver has been granted therefrom; and
3. adverse potential impacts of the Project on nearby properties have been adequately mitigated by means of suitable conditions.

d. Plan Disapproval. A site plan may be disapproved only where the PAA finds that:

1. the applicant has not submitted the required fees and information as set forth herein; or
2. the Project and site plan do not meet the requirements and standards set forth this Section III-J, or a waiver has not been granted therefrom; or
3. it is not possible to adequately mitigate adverse Project impacts on nearby properties by means of suitable conditions.

e. Form of Decision. All decisions of the PAA shall be by a majority vote of the members present and voting. The PAA shall issue to the applicant a copy of its decision containing the name and address of the owner, identifying the land affected, and the plans that were the subject of the decision, and certifying that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file with the PAA. If twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. A copy of the decision shall be provided to the Building Commissioner. A copy of the decision or application bearing such certification shall be recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The fee for recording or registering shall be paid by the applicant.

11. Change in Plans After Approval by PAA

a. Minor Change. After Plan Approval, an applicant may apply to make minor changes involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall buildout or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the PAA on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the PAA. The PAA may authorize such changes at any regularly scheduled meeting, without the need to hold a public hearing. The PAA shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the applicant for filing with the Town Clerk. A copy of the decision shall be provided to the Building Commissioner.

b. Major Change. Those changes deemed by the PAA to constitute a major change because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the PAA as a new application for Plan Approval pursuant to this Section.

12. Enforcement; Appeal

The provisions of the HSGOD and Plan Approval shall be administered by the Building Commissioner, except as otherwise provided herein. Any appeal arising out of action by the PAA regarding an application for Plan Approval shall be governed by the applicable provisions of G. L. c. 40R. Any other request for enforcement or appeal arising under this Section shall be governed by the applicable provisions of G. L. c. 40A.

13. Severability

If any provision of this Section III-J is found to be invalid by a court of competent jurisdiction, the remainder of Section III-J shall remain in full force. The invalidity of any provision of this Section III-J shall not affect the validity of the remainder of the Town's Zoning By-Law .
Or act on anything relating thereto?

APPENDICES

- A HINGHAM SMART GROWTH OVERLAY DISTRICT DESIGN STANDARDS
- B MAP OF HSGOD

APPENDIX A

PLAN APPROVAL AUTHORITY
HSGOD DESIGN STANDARDS

An applicant for plan approval, in accordance with Section III-J(6) of the Zoning By-Law, shall comply with the following minimum criteria:

SUBZONE A

I. Dimensional Requirements

Number of lots allowed in District: 1

Number of buildings allowed per lot: 1

Maximum size of building: 107,500 s.f.

Maximum building footprint: 26,000 s.f.

Maximum lot coverage (building only): 20%

Maximum Floor Area Ratio (FAR): .85

Setbacks from property line: 20' minimum on all sides

Height: No more than 4 Stories or 55' feet*

*Parking Facilities within the building shall not be calculated as part of the allowable height. The maximum allowable height allowed for parking facilities shall be nine feet, provided that this shall not apply to free-standing parking garages.

II. Signage

The following standards shall be in addition to those set forth in Section V-B of the Zoning Bylaw, for the Residence District. In the event of a conflict between said Section V-B and these standards, these standards shall control.

1. Parallel signs affixed to the facade of the structure shall not exceed 30 square feet. Further, the location of said sign is limited to the first floor of the building.
2. Awnings at entrances shall not be considered signs; however, the area used to denote the name of the building on the awning shall not exceed 30 square feet.
3. Perpendicular signs are not allowed on residential buildings.
4. Free standing signs, located in an area clearly associated with the residential structure, are allowed.
5. In no instance shall any sign be more than 30 square feet or 6 feet in height or within 20 feet of a roadway.

III. Landscaping

1. The front façade of the building shall have a planted, landscaped entry area of at least 25% the size of the building footprint.
2. The rear and sides of the building shall be separated from surrounding parking areas or roadways by landscaping and/or walkways at least 20' wide.
3. Parking areas shall have at least one tree per 10 spaces.

IV. Parking

Off Street parking areas shall be laid out in accordance with the standards set forth in Section V-A of the Hingham Zoning By-Law as follows:

TABLE OF PARKING DIMENSIONS

Standard	Parallel
Parking Spaces	Parking Spaces
Width 9 ft.	Width 9 ft.
Length 18 ft. with overhang	Length 22 ft.
20 ft. without overhang	

Loading Spaces

Width	12 ft.
Height Clearance	14 ft.
Aisle Width/Parking Angle	
45 degree	14 ft.
60 degree	18 ft.
75 degree	22 ft.
90 degree	24 ft.
Parallel	14 ft.
Minimum Driveway Widths	
One way	- 12 ft.
Two way	- 20 ft.

V. Design Standards

1. All parking areas designated for a use other than single-family residential shall be designed to provide safe and convenient vehicular and pedestrian access, circulation and maneuverability and pedestrian activity, in accordance with this Section.
2. All driveways shall be located and designed so as to minimize conflict with traffic on public and private ways and to provide good visibility and sight distance for observation of approaching vehicular or pedestrian traffic.
3. Loading spaces shall be provided for all commercial activities.
4. Ample space shall be designated for access to loading and service doors separate from all parking areas and without obstruction or hindrance to travel on streets, driveways and aisles.
5. Required parking and loading facilities shall be laid out so that each vehicle may proceed to and from its parking space without requiring the movement of any other vehicle. In no case shall parking or loading spaces be located as to require the backing or maneuvering of a vehicle onto a sidewalk, or public or private way in order to leave the space. Driveways should be located and designed so that queues do not obstruct effective use of aisles and parking spaces.
6. Parking space overhangs are not permissible beyond a property line, over a sidewalk, into a fire lane, or adjacent to a structure where a minimum clear distance of four feet cannot be provided.

7. A substantial bumper of masonry, steel or heavy timber, or concrete or granite curb, or berm curb which is backed shall be placed at the edge of the surfaced areas except driveways to protect abutting structures, properties, sidewalks and screening materials.

8. Any illumination of parking areas or loading or service areas shall be directed so as not to shine upwards or on abutting properties or public or private ways.

9. Parking spaces shall be delineated by white pavement markings.

10. Handicap spaces shall be provided in accordance with the Architectural Access Board regulations (521 CMR) for all parking areas exceeding 15 spaces.

11. The layout of the parking area shall provide sufficient space for the storage of plowed snow unless removal by other means is assured.

12. The maximum parking lot grade shall be 4 percent and the minimum 1 percent. Parking areas shall be surfaced with asphalt, concrete, or similar nonerosive surface, and drained in a manner deemed to be best management practice (BMP) to prevent erosion or excessive water flow across public and private ways or abutting properties as well as graded and drained such that stormwater runoff does not accumulate on the ground surface. The drainage system shall be designed to control the 10-year storm event, and stormwater management shall conform to the Stormwater Performance Standards and Guidelines of the Massachusetts Department of Environmental Protection.

13. Parking lots containing 10 or more parking spaces shall have at least one live tree per 10 spaces, such trees to be located within or around the parking area so as to soften the visual impact of parked vehicles as much as possible. Trees and landscaped plots shall be so designed and located to provide visual relief, channelize logical areas for safe pedestrian and vehicular circulation, and screen the parking lot from adjoining properties. Trees shall be at least a three inch (3") caliper, with a clear trunk at least five feet (5') from the ground, and planted in raised plots providing a minimum of fifty square feet of seeded or landscaped permeable area per tree, whether planted singly or in groves. Preference should be given to species of growth and cultivation habit appropriate to the site. Existing trees shall be retained to meet this requirement whenever appropriate and practicable. Any landscaped areas may be included in the calculations for open space areas.

Parking lot trees must be maintained in a healthy growing condition at all times. The property owner is responsible for regular trash removal, weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all plantings as needed. Any tree which dies shall be removed promptly and replaced within the next planting season.

Parking lot trees shall not be cut down or removed when a parking lot is reconstructed or enlarged. Said trees may be moved to another location on the lot upon approval of a site plan modification by the Planning Board.

SUBZONE B

I. Landscaping

Existing trees and other vegetation shall be saved, where feasible. Significant new vegetation shall be part of the landscaping plan.

II. Open Space

Site plan shall include considerable planned open space and connecting pedestrian and bicycle ways, designed to promote various outdoor activities and the development of community.

III. Screening

Screening shall exceed 100' in width from Beal Street and provide a dense and varied buffer.

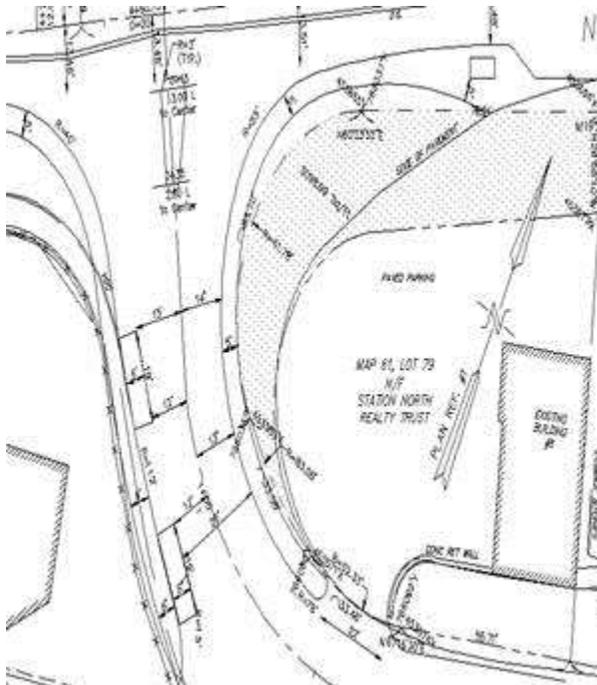
IV. Unit Profiles

The majority – i.e., more than fifty percent (50%) – of units shall have more than two bedrooms. The design shall address quality of life features such as entrance areas, closets, storage, garbage holding areas, storage sheds, parking and/or garages.

RECOMMENDED: The Advisory Committee will make its recommendation at Town Meeting.

ARTICLE 34.

Will the Town vote to (1) discontinue, as a Town Way, a portion of the way known as North Street, beginning at the intersection of the Easterly sideline of Station Street with the Southern sideline of North Street, said intersection being the Southwest corner of the herein described parcel located on Assessors' Map 61, Parcel 79; thence running from existing HHB N26°55'10"W, a distance of 20.00 feet along the Easterly sideline; thence turning and running N119°29'13"W, a distance of 79.21 feet along the Southern sideline of North Street; thence turning and running South along an arc length of 83.70' with a radius of 41.78'; thence turning and running Southeast along an arc length of 33.58' with a radius of 83.08'; thence turning and running East along an arc length of 33.46' with a radius of 52.33' to an existing HHB located on the north side of Station Street, which parcel contains an area of 3098.99 square feet and is shown on a plan entitled "Roadway Discontinuance Plan, Station Street, Hingham, Mass." dated Monday, January 28, 2008, which the Board of Selectmen has determined that the common convenience and necessity no longer require the Town be bound to keep this portion of said way in repair; and (2) authorize, but not require, the Board of Selectmen to transfer, convey and/or lease said parcel or any portion thereof under such terms it deems in the best interest of the Town, or act on anything relating thereto?



COMMENT: Over the past several years, the Hingham Development and Industrial Commission, with support from the Selectmen, has led efforts to improve the downtown experience by enhancing the streetscape and creating a pedestrian friendly walkway from upper North Street to the Harbor area. Improvements have been made to the upper North Street area, including new sidewalks making it more accessible and friendly.

This article supports those initiatives by seeking authorization to convey part of the street layout on North Street directly abutting the "Settles Glass" parcel. Currently, the intersection is characterized by an expanse of asphalt that results in unclear intersection markings and subpar pedestrian access that deters people from venturing on to the lower portion of North Street. If approved, this article would allow the Town to reengineer the intersection, decrease the width of the roadway and create pedestrian friendly access to lower North Street and the

Harbor and allow the development of a new building in the "Settles Glass" property that is more in keeping with the streetscape on North Street.

The new owners of the "Settles Glass" property have expressed an interest in obtaining additional land from the Town so that they can redevelop the parcel for restaurant and/or retail use.

The potential agreement between the Town and the landowners was not finalized as of the time of the printing of this warrant book. The Advisory Committee will provide details regarding the agreement and the Town's disposition of the land at the time of Town Meeting.

RECOMMENDED: The Advisory Committee will make its recommendation at Town Meeting.

ARTICLE 35.

Will the Town accept Chapter 481 of Massachusetts Acts of 1993 in the Massachusetts General Laws, or act on anything relating thereto?

COMMENT: Chapter 481 of the Massachusetts Acts of 1993 allows Common Victuallers who hold a license to sell wines and malt beverages under MGL c 138 §12 to sell liqueurs and cordials upon approval of the Local Licensing Authority and the Alcoholic Beverages Control Commission. Acceptance of Chapter 481 would allow holders of Wine & Malt beverage licenses to also sell liqueurs and other cordial beverages, thereby enhancing the value of the licenses. Currently holders of these licenses are prohibited from selling liqueurs and cordials. If adopted, those parties applying for or requesting such licenses would still be required to get approval of Local Licensing Authority (i.e., Selectman) and the Alcoholic Beverages Control Commission.

RECOMMENDED: That the Town accept Chapter 481 of the Acts of 1993.

ARTICLE 36.

Will the Town, pursuant to the provisions of Chapter 40C, Section 3, of the Massachusetts General Laws, and Article XV-L of the General By-Laws of the Town of Hingham, and in accordance with the recommendations of the Historic Districts Commission and the Massachusetts Historical Commission, duly establish the Hingham Centre Local Historic District, Phase II, in the manner shown on a plan entitled: "Hingham Centre Local Historic District, Phase II, Hingham, Massachusetts, prepared for the Hingham Historic Districts Commission", dated February 11, 2003, and revised August 7, 2007, by Perkins Engineering, Inc., filed in the office of the Town Clerk, and bounded and described as follows:

Beginning at a point in the Northerly sideline of Union Street at the Southeasterly corner of land now or formerly of Mary L. & Betsy McLellan, thence running in a generally Northwesterly direction, along the Easterly boundaries of land now or formerly of said McLellan, now or formerly of Ronald L. & Janice L. Bacon, land now or formerly of Wilma S. & Russell Halliday, now or formerly of Debra L. Elwell, land now or formerly of Patrick S. & Megan M. Durkin, land now or formerly of George W. & Margery M. Price, land now or formerly of Hugh T. & Noreen L. Devine, land now or formerly of Gary R. Ast & Joan G. Quenneville, land now or formerly of the Hersey Real Estate Trust, land now or formerly of Deborah Leggat, land now or formerly of Susan L. Merrill, land now or formerly of Herbert W. Farrar, land of Stephen P. & Ann S. Skinner, and land now or formerly of Berthe V. Melikian, respectively, in twenty-two courses measuring eighty-four (84) feet, more or less, thirteen (13) feet, more or less, one hundred and fifty-one (151) feet, more or less, twenty-six (26) feet, more or less, one hundred and fifty-two (152) feet, more or less, seven (7) feet, more or less, ninety-five (95) feet, more or less, ninety-eight (98) feet, more or less, one hundred and twenty (120) feet, more or less, eighty-six (86) feet, more or less, one hundred and seventy-two (172) feet, more or less, ten (10) feet, more or less, seventy-six (76) feet, more or less,

thirty-five (35) feet, more or less, fifty (50) feet, more or less, fifty-six (56) feet, more or less, one hundred and twenty-five (125) feet, more or less, forty-seven (47) feet, more or less, one hundred and forty-two (142) feet, more or less, eighteen (18) feet, more or less, eighty-eight (88) feet, more or less, and ninety-two (92) feet, more or less, to a point in the Westerly sideline of School Street; thence running Easterly, across School Street, fifty-seven (57) feet, more or less, to a point in the Easterly sideline of School Street; thence running Northwesterly by School Street, one hundred and thirty-eight (138) feet, more or less, by to a point in the Easterly sideline of School Street; thence turning and running Easterly in two courses, measuring forty-six (46) feet and three hundred and thirty-one (331) feet, more or less, by land of the Town of Hingham, to a point in the Westerly sideline of Spring Street; thence turning and running Northerly along the Westerly sideline of Spring Street nine hundred and sixty-eight (968) feet, more or less, to the intersection of Spring Street and Leavitt Street; thence running one hundred and twenty (120) feet, more or less, Northeasterly across Spring Street to the Northwesterly corner of land now or formerly of Mark D. & Jane D. Cahill; thence running Easterly by said land of Cahill, land now or formerly of Charles H. Jr. & Winifred E. Cushing, land now or formerly of Edward J. Jr. & Margaret Brennan, land now or formerly of Bonnie S. Handrahan, and land now or formerly of Barry W. Littleton, six hundred and seventy point one (670.1) feet, more or less, in five courses measuring one hundred and forty-five and one-half (145.5) feet, more or less, one hundred and six (106) feet, more or less, one hundred and thirty-six (136) feet, more or less, one hundred and one point one (101.1) feet, more or less, and one hundred and eighty-three (183) feet, more or less, to the Northeasterly corner of said land of Littleton; thence turning and running Northeasterly across Leavitt Street seventy-eight (78) feet, more or less, to a point in the sideline of Leavitt Street at the Southwesterly corner of land now or formerly of Michael S. Whitner & Ruth C. Gilbert-Whitner; thence running Northerly, by said land of Whitner, three hundred and thirty (330) feet, more or less; thence turning and running Easterly by said land of Whitner, land now or formerly of Clifford S. & Norah S. Webster, land now or formerly of Bernadette M. & Richard Higgins, and land now or formerly of Henry A. Rice, five hundred and seventy-seven (577) feet, more or less, to a point in the middle of the Weir River; thence turning and running Northerly and Easterly along the center line of the Weir River one hundred and sixteen (116) feet, more or less, to the Northeasterly corner of land now or formerly of Isabelle Littleton & Gardner D. Hawkes, et. al; thence turning and running Southeasterly by said land of Littleton, Hawkes et. al, three hundred and sixty-one (361) feet, more or less, in two courses measuring two hundred and thirty-five (235) feet, more or less, and one hundred and twenty-six (126) feet, more or less, to a point in the Northerly sideline of Jones Street; thence running Southerly across Jones Street eighty (80) feet, more or less, to the Northerly corner of land now or formerly of Alden Weston, Jr. & Sally Cernik; thence running Southerly, by land of said Weston & Cernik, four hundred and fourteen (414) feet, more or less, in five courses measuring thirty-one (31) feet, more or less, fifty-two (52) feet, more or less, one hundred and thirty-three (133) feet, more or less, forty-seven (47) feet, more or less, and one hundred and fifty-one (151) feet, more or less, to a point in the Northerly sideline of Leavitt Street; thence turning and running Easterly by said sideline forty-two point forty-one (42.41) feet, to the Southwesterly corner of land now or formerly of Michael J. & S. Ann Shilhan; thence turning and running Northerly, Easterly and Southeasterly by said land of Shilhan, six hundred and fifty-two (652) feet, more or less, in four courses measuring one hundred and twenty-one (121) feet, more or less, sixty-five (65) feet, more or less, one hundred and sixty-three (163) feet, more or less, and three hundred and three (303) feet, more or less, to the Northwesterly corner of land now or formerly of Allan E. & June B. Pratt; thence turning and running Easterly by said land of Pratt, three hundred and twenty-four (324) feet, more or less, to a point in the Westerly sideline of land now or formerly of Steven J. & Claire H. Overlee; thence turning and running Northerly, Easterly and Southerly by said land of Overlee, six hundred and forty-five (645) feet, more or less, in three courses measuring two hundred and fifty-six (256) feet, more or less, one hundred sixty-one (161) feet, more or less, and two hundred and twenty-eight feet, more or less, to the Northwesterly corner of land now or formerly of Troop 1, Boy Scouts of America; thence running Easterly and Southerly by said land of Troup 1, in two courses measuring three hundred and eighty (380) feet and two hundred and ninety (290) feet, more or less, respectively, to a point in the Northerly sideline of Leavitt Street; thence running Southerly, across Leavitt Street and by land now or formerly of Leslie J. & Dale F. Revzon, in three courses measuring sixty (60) feet, three hundred and ninety-three (393) feet, and sixty (60) feet, more or less, respectively, to the Southeasterly corner of said land of Revzon; thence running Westerly, by said land of Revzon, land now or formerly of Jan & Jill Faller, land now or formerly of Antonio & Emma M. Rizzotto, and land

now or formerly of Richard C. & Lynn T. Rizzotto, in four courses measuring one hundred and sixty-six (166) feet, eighty-seven (87) feet, sixty-three (63) feet, and two hundred and thirty (230) feet, more or less, respectively, to a point in the Westerly sideline of Pope's Lane; thence turning and running Southerly by said Westerly sideline in two courses measuring seventy-four point seventy-three (74.73) feet, and one hundred and eighty point thirty (180.30) feet, respectively, to the Southeasterly corner of land now or formerly of 133 Leavitt Street Realty Trust; thence turning and running Westerly and Northerly by said land of the Trust, in two courses measuring four hundred and sixty-seven (467) feet and two hundred and eighty-four (284) feet, more or less, respectively, to the Southeasterly corner of land now or formerly of John Rogers Thomas & Elizabeth Thomas; thence turning and running Westerly and Northerly, by said land of Thomas, in three courses measuring seventy-five (75) feet, forty-six (46) feet, and one hundred and forty-eight (148) feet, more or less, respectively, to a point in the Southerly sideline of Leavitt Street; thence running Westerly, by said sideline, one hundred and twenty-three (123) feet, more or less, to the Northeasterly corner of land now or formerly of John E. & Ellen A. Gallagher; thence turning and running Southerly and Westerly by said land of Gallagher, in four courses measuring five hundred and seventy-three (573) feet, one hundred and fifty-three (153) feet, seventy-seven (77) feet, and three hundred and twenty-two (322) feet, more or less, respectively, to a point on the Easterly bank of the Weir River; thence turning and running Northerly, by said Easterly bank, five hundred and eighty-two (582) feet, more or less, to a point; thence turning and running Westerly, Northerly and again Westerly, across the Weir River, by land now or formerly of the Hingham Conservation Commission, across Village Lane, by land now or formerly of Henry G. & Gail R. Farley, by land now or formerly of James M. & Carol Maryanski O'Neill, land now or formerly of Barry W. Littleton, land now or formerly of Bonnie S. Handrahan, land now or formerly of Edward J. Brennan, Jr. & Margaret Brennan, and land now or formerly of Charles H. Cushing and Winifred Cushing, in eleven courses measuring eighty-six (86) feet, one hundred and forty (140) feet, one hundred and sixteen (116) feet, thirty-seven (37) feet, sixty (60) feet, twelve (12) feet, eighty-nine (89) feet, twenty-four (24) feet, two hundred and fifty (250) feet, two hundred and thirty-eight (238) feet, and one hundred and eight (108) feet, more or less, respectively, to the Southwesterly corner of said land of Cushing; thence turning and running Southerly and Westerly, by land now or formerly of Linda G. Lucas, land now or formerly of Richard E. & Toni E. Trudell, land now or formerly of Dorothy M. Fitzpatrick, across Spring Lane, by land now or formerly of 26 Spring Street Realty Trust, land now or formerly of John M. Sheskey & Anne Morrison, land now or formerly of Herbert I. & Janice L. Hirsch, land now or formerly of Elmer & Pricilla L. Hume, land now or formerly of JRC Realty Trust, land now or formerly of Polly Haskins, land now or formerly of William B. & Glynn A. McCulloch, and Stephanie & Hans Von Der Luft, in fourteen courses measuring two hundred and twenty (220) feet, more or less, one hundred and six (106) feet, more or less, one hundred and sixty (160) feet, more or less, thirty-one (31) feet, more or less, ninety-two (92) feet, more or less, sixty-five (65) feet, more or less, one hundred and fifteen (115) feet, more or less, one hundred and twelve (112) feet, more or less, ninety-eight (98) feet, more or less, two hundred and eighty-six (286) feet, more or less, two hundred and eleven (211) feet, more or less, three hundred and thirty-two (332) feet, more or less, one hundred and fifty-four (154) feet, more or less, and eighty-six (86) feet, more or less, respectively, to a point in the Northerly sideline of Studley Road; thence running Southwesterly across Studley Road, sixty-two (62) feet, more or less, to the Northwesterly corner of land now or formerly of Charles L. & Christy E. Bacon; thence running Southerly and Westerly, by said land of Bacon, land now or formerly of William Thomas Mansfield, land now or formerly of Kurt E. & Susan B. Weisenbeck, land now or formerly of Alan S. McKim, land now or formerly of Farrell J. & Dianne S. Dolan, land now or formerly of Stephen A. & Patricia A. Villani, land now or formerly of Stephen L. & Maureen M. Demenna, land now or formerly of Richard W. & Barbara L. Hatch, across Triphammer Lane, and by land now or formerly of Catherine U. (Le) Wall, in eight courses measuring eighty (80) feet, more or less, one hundred and forty-eight (148) feet, more or less, eighty-six (86) feet, more or less, one hundred and fifteen (115) feet, more or less, two hundred and sixteen (216) feet, more or less, one hundred and eleven (111) feet, more or less, two hundred and thirty-two (232) feet, more or less, and eight hundred and seven (807) feet, more or less, to the Southeasterly corner of said land of Wall, with the final course running along the Westerly boundary of a right of way belonging to the Hingham Water Company; thence turning and running Westerly and Northerly, by said land of Wall, in two courses measuring two hundred and sixty-six (266) feet, more or less, and three hundred and two (302) feet, more or less, respectively, to the Northwesterly corner of said land of Wall; thence running Westerly by the Southerly sideline of Stoddard Road seventy-seven (77) feet, more or less, to a point in said

sideline; thence running Northerly, across Stoddard Road, forty-one (41) feet, more or less, to the Southwesterly corner of land now or formerly of Robert L. & Mary Clare Hickey; thence running Northerly and Westerly, by said land of Hickey, land now or formerly of Daniel W. & Jennifer A. Murray, land now or formerly of Mark & Jayne M. Giarusso, land now or formerly of Robert G. & Kathryn M. Johnson, land now or formerly of Dennis J. Kelly, land now or formerly of Thomas H. and Jennie E. McGirr, and land now or formerly of Sean Preston & Peter Platt, and across Pleasant Street, in thirteen courses measuring one hundred and fifty-three (153) feet, more or less, eighty-one (81) feet, more or less, nineteen (19) feet, more or less, seventy (70) feet, more or less, sixty-three (63) feet, more or less, one hundred and seven (107) feet, more or less, ninety-six (96) feet, more or less, one hundred and fifty-seven (157) feet, more or less, eighty-six (86) feet, more or less, one hundred and twenty-six (126) feet, more or less, one hundred and fifty-five (155) feet, more or less, fifty-two (52) feet, more or less, and fifty-seven (57) feet, more or less, respectively, to the point of beginning, or act on anything relating thereto?

COMMENT: The establishment of a historic district in Hingham Centre was initially approved at the 1990 Annual Town Meeting with the adoption of phase one of the Hingham Centre Historic District. The first phase of what is envisioned to be a three-phase implementation consists primarily of the area bounded by Main, Pleasant and Middle Streets. The purpose of this article is to adopt the second phase consisting of all or portions of School and Spring Streets and the portion of Leavitt Street from Spring Street toward Turkey Hill ending at the far end of the property owned by Troop 1, Boy Scouts of America. This would also encompass the Militia Training Field adjacent to the Hingham Centre Cemetery. Included in the proposed district are twelve houses built in the 1700's, 25 in the 1800's and 27 in the early 1900's. Adoption of historic districts, where appropriate, is an important step if it is the Town's desire to preserve and promote its history and heritage.

Prior to submitting this article for consideration, the Hingham Centre Extension Task Force solicited input from every affected property owner, hosted several neighborhood informational gatherings and held two public hearings. Support, by the affected property owners, for inclusion in the historic district has been overwhelmingly favorable, although not unanimous. One property owner has expressed his opposition to the creation of the district. Troop 1 also had reservations about inclusion in the district. The Hingham Centre Extension Task Force and Troop 1 have each agreed to accept a provision which protects the property should it no longer be used for scouting while providing Troop 1 with flexibility in continuing to use the property to promote the mission of scouting. The recommendation of the Advisory Committee reflects the agreed-upon provision.

RECOMMENDED: That the Town, pursuant to the provisions of Chapter 40C, Section 3, of the Massachusetts General Laws, and Article XV-L of the General By-Laws of the Town of Hingham, and in accordance with the recommendations of the Historic Districts Commission and the Massachusetts Historical Commission, duly establish the Hingham Centre Local Historic District, Phase II, in the manner shown on a plan entitled: "Hingham Centre Local Historic District, Phase II, Hingham, Massachusetts, prepared for the Hingham Historic Districts Commission", dated February 11, 2003, and revised August 7, 2007, by Perkins Engineering, Inc., filed in the office of the Town Clerk, and bounded and described as follows:

Beginning at a point in the Northerly sideline of Union Street at the Southeasterly corner of land now or formerly of Mary L. & Betsy McLellan, thence running in a generally Northwesterly direction, along the Easterly boundaries of land now or formerly of said McLellan, now or formerly of Ronald L. & Janice L. Bacon, land now or formerly of Wilma S. & Russell Halliday, now or formerly of Debra L. Elwell, land now or formerly of Patrick S. & Megan M. Durkin, land now or formerly of George W. & Margery M. Price, land now or formerly of Hugh T. & Noreen L. Devine, land now or formerly of Gary R. Ast & Joan G. Quenneville, land now or formerly of the Hersey Real Estate Trust, land now or formerly of Deborah Leggat, land now or formerly of Susan L. Merrill, land now or formerly of Herbert W. Farrar, land of Stephen P. & Ann S. Skinner, and land now or formerly of Berthe V. Melikian, respectively, in twenty-two courses measuring eighty-

four (84) feet, more or less, thirteen (13) feet, more or less, one hundred and fifty-one (151) feet, more or less, twenty-six (26) feet, more or less, one hundred and fifty-two (152) feet, more or less, seven (7) feet, more or less, ninety-five (95) feet, more or less, ninety-eight (98) feet, more or less, one hundred and twenty (120) feet, more or less, eighty-six (86) feet, more or less, one hundred and seventy-two (172) feet, more or less, ten (10) feet, more or less, seventy-six (76) feet, more or less, thirty-five (35) feet, more or less, fifty (50) feet, more or less, fifty-six (56) feet, more or less, one hundred and twenty-five (125) feet, more or less, forty-seven (47) feet, more or less, one hundred and forty-two (142) feet, more or less, eighteen (18) feet, more or less, eighty-eight (88) feet, more or less, and ninety-two (92) feet, more or less, to a point in the Westerly sideline of School Street; thence running Easterly, across School Street, fifty-seven (57) feet, more or less, to a point in the Easterly sideline of School Street; thence running Northwesterly by School Street, one hundred and thirty-eight (138) feet, more or less, by to a point in the Easterly sideline of School Street; thence turning and running Easterly in two courses, measuring forty-six (46) feet and three hundred and thirty-one (331) feet, more or less, by land of the Town of Hingham, to a point in the Westerly sideline of Spring Street; thence turning and running Northerly along the Westerly sideline of Spring Street nine hundred and sixty-eight (968) feet, more or less, to the intersection of Spring Street and Leavitt Street; thence running one hundred and twenty (120) feet, more or less, Northeasterly across Spring Street to the Northwesterly corner of land now or formerly of Mark D. & Jane D. Cahill; thence running Easterly by said land of Cahill, land now or formerly of Charles H. Jr. & Winifred E. Cushing, land now or formerly of Edward J. Jr. & Margaret Brennan, land now or formerly of Bonnie S. Handrahan, and land now or formerly of Barry W. Littleton, six-hundred and seventy point one (670.1) feet, more or less, in five courses measuring one hundred and forty-five and one-half (145.5) feet, more or less, one hundred and six (106) feet, more or less, one hundred and thirty-six (136) feet, more or less, one hundred and one point one (101.1) feet, more or less, and one hundred and eighty-three (183) feet, more or less, to the Northeasterly corner of said land of Littleton; thence turning and running Northeasterly across Leavitt Street seventy-eight (78) feet, more or less, to a point in the sideline of Leavitt Street at the Southwesterly corner of land now or formerly of Michael S. Whitner & Ruth C. Gilbert-Whitner; thence running Northerly, by said land of Whitner, three hundred and thirty (330) feet, more or less; thence turning and running Easterly by said land of Whitner, land now or formerly of Clifford S. & Norah S. Webster, land now or formerly of Bernadette M. & Richard Higgins, and land now or formerly of Henry A. Rice, five hundred and seventy-seven (577) feet, more or less, to a point in the middle of the Weir River; thence turning and running Northerly and Easterly along the center line of the Weir River one hundred and sixteen (116) feet, more or less, to the Northeasterly corner of land now or formerly of Isabelle Littleton & Gardner D. Hawkes, et. al; thence turning and running Southeasterly by said land of Littleton, Hawkes et. al, three hundred and sixty-one (361) feet, more or less, in two courses measuring two hundred and thirty-five (235) feet, more or less, and one hundred and twenty-six (126) feet, more or less, to a point in the Northerly sideline of Jones Street; thence running Southerly across Jones Street eighty (80) feet, more or less, to the Northerly corner of land now or formerly of Alden Weston, Jr. & Sally Cernik; thence running Southerly, by land of said Weston & Cernik, four hundred and fourteen (414) feet, more or less, in five courses measuring thirty-one (31) feet, more or less, fifty-two (52) feet, more or less, one hundred and thirty-three (133) feet, more or less, forty-seven (47) feet, more or less, and one hundred and fifty-one (151) feet, more or less, to a point in the Northerly sideline of Leavitt Street; thence turning and running Easterly by said sideline forty-two point forty-one (42.41) feet, to the Southwesterly corner of land now or formerly of Michael J. & S. Ann Shilhan; thence turning and running Northerly, Easterly and Southeasterly by said land of Shilhan, six hundred and fifty-two (652) feet, more or less, in four courses measuring one hundred and twenty-one (121) feet, more or less, sixty-five (65) feet, more or less, one hundred and sixty-three (163) feet, more or less, and three hundred and three (303) feet, more or less, to the Northwesterly corner of land now or formerly of Allan E. & June B. Pratt; thence turning and running Easterly by said land of Pratt, three hundred and twenty-four (324) feet, more or less, to a point in the Westerly sideline of land now or formerly of Steven J. & Claire H. Overlee; thence turning

and running Northerly, Easterly and Southerly by said land of Overlee, six hundred and forty-five (645) feet, more or less, in three courses measuring two hundred and fifty-six (256) feet, more or less, one hundred sixty-one (161) feet, more or less, and two hundred and twenty-eight (228) feet, more or less, to the Northwesterly corner of land now or formerly of Troop 1, Boy Scouts of America; thence running Easterly and Southerly by said land of Troop 1, in two courses measuring three hundred and eighty (380) feet and two hundred and ninety (290) feet, more or less, respectively, to a point in the Northerly sideline of Leavitt Street; thence running Southerly, across Leavitt Street and by land now or formerly of Leslie J. & Dale F. Revzon, in three courses measuring sixty (60) feet, three hundred and ninety-three (393) feet, and sixty (60) feet, more or less, respectively, to the Southeasterly corner of said land of Revzon; thence running Westerly, by said land of Revzon, land now or formerly of Jan & Jill Faller, land now or formerly of Antonio & Emma M. Rizzotto, and land now or formerly of Richard C. & Lynn T. Rizzotto, in four courses measuring one hundred and sixty-six (166) feet, eighty-seven (87) feet, sixty-three (63) feet, and two hundred and thirty (230) feet, more or less, respectively, to a point in the Westerly sideline of Pope's Lane; thence turning and running Southerly by said Westerly sideline in two courses measuring seventy-four point seventy-three (74.73) feet, and one hundred and eighty point thirty (180.30) feet, respectively, to the Southeasterly corner of land now or formerly of 133 Leavitt Street Realty Trust; thence turning and running Westerly and Northerly by said land of the Trust, in two courses measuring four hundred and sixty-seven (467) feet and two hundred and eighty-four (284) feet, more or less, respectively, to the Southeasterly corner of land now or formerly of John Rogers Thomas & Elizabeth Thomas; thence turning and running Westerly and Northerly, by said land of Thomas, in three courses measuring seventy-five (75) feet, forty-six (46) feet, and one hundred and forty-eight (148) feet, more or less, respectively, to a point in the Southerly sideline of Leavitt Street; thence running Westerly, by said sideline, one hundred and twenty-three (123) feet, more or less, to the Northeasterly corner of land now or formerly of John E. & Ellen A. Gallagher; thence turning and running Southerly and Westerly by said land of Gallagher, in four courses measuring five hundred and seventy-three (573) feet, one hundred and fifty-three (153) feet, seventy-seven (77) feet, and three hundred and twenty-two (322) feet, more or less, respectively, to a point on the Easterly bank of the Weir River; thence turning and running Northerly, by said Easterly bank, five hundred and eighty-two (582) feet, more or less, to a point; thence turning and running Westerly, Northerly and again Westerly, across the Weir River, by land now or formerly of the Hingham Conservation Commission, across Village Lane, by land now or formerly of Henry G. & Gail R. Farley, by land now or formerly of James M. & Carol Maryanski O'Neill, land now or formerly of Barry W. Littleton, land now or formerly of Bonnie S. Handrahan, land now or formerly of Edward J. Brennan, Jr. & Margaret Brennan, and land now or formerly of Charles H. Cushing and Winifred Cushing, in eleven courses measuring eighty-six (86) feet, one hundred and forty (140) feet, one hundred and sixteen (116) feet, thirty-seven (37) feet, sixty (60) feet, twelve (12) feet, eighty-nine (89) feet, twenty-four (24) feet, two hundred and fifty (250) feet, two hundred and thirty-eight (238) feet, and one hundred and eight (108) feet, more or less, respectively, to the Southwesterly corner of said land of Cushing; thence turning and running Southerly and Westerly, by land now or formerly of Linda G. Lucas, land now or formerly of Richard E. & Toni E. Trudell, land now or formerly of Dorothy M. Fitzpatrick, across Spring Lane, by land now or formerly of 26 Spring Street Realty Trust, land now or formerly of John M. Sheskey & Anne Morrison, land now or formerly of Herbert I. & Janice L. Hirsch, land now or formerly of Elmer & Pricilla L. Hume, land now or formerly of JRC Realty Trust, land now or formerly of Polly Haskins, land now or formerly of William B. & Glynn A. McCulloch, and Stephanie & Hans Von Der Luft, in fourteen courses measuring two hundred and twenty (220) feet, more or less, one hundred and six (106) feet, more or less, one hundred and sixty (160) feet, more or less, thirty-one (31) feet, more or less, ninety-two (92) feet, more or less, sixty-five (65) feet, more or less, one hundred and fifteen (115) feet, more or less, one hundred and twelve (112) feet, more or less, ninety-eight (98) feet, more or less, two hundred and eighty-six (286) feet, more or less, two hundred and eleven (211) feet, more or less, three hundred and thirty-two (332) feet, more or less, one hundred and fifty-four (154) feet, more or less, and eighty-six (86)

feet, more or less, respectively, to a point in the Northerly sideline of Studley Road; thence running Southwesterly across Studley Road, sixty-two (62) feet, more or less, to the Northwesterly corner of land now or formerly of Charles L. & Christy E. Bacon; thence running Southerly and Westerly, by said land of Bacon, land now or formerly of William Thomas Mansfield, land now or formerly of Kurt E. & Susan B. Weisenbeck, land now or formerly of Alan S. McKim, land now or formerly of Farrell J. & Dianne S. Dolan, land now or formerly of Stephen A. & Patricia A. Villani, land now or formerly of Stephen L. & Maureen M. Demenna, land now or formerly of Richard W. & Barbara L. Hatch, across Triphammer Lane, and by land now or formerly of Catherine U. (Le) Wall, in eight courses measuring eighty (80) feet, more or less, one hundred and forty-eight (148) feet, more or less, eighty-six (86) feet, more or less, one hundred and fifteen (115) feet, more or less, two hundred and sixteen (216) feet, more or less, one hundred and eleven (111) feet, more or less, two hundred and thirty-two (232) feet, more or less, and eight hundred and seven (807) feet, more or less, to the Southeasterly corner of said land of Wall, with the final course running along the Westerly boundary of a right of way belonging to the Hingham Water Company; thence turning and running Westerly and Northerly, by said land of Wall, in two courses measuring two hundred and sixty-six (266) feet, more or less, and three hundred and two (302) feet, more or less, respectively, to the Northwesterly corner of said land of Wall; thence running Westerly by the Southerly sideline of Stoddard Road seventy-seven (77) feet, more or less, to a point in said sideline; thence running Northerly, across Stoddard Road, forty-one (41) feet, more or less, to the Southwesterly corner of land now or formerly of Robert L. & Mary Clare Hickey; thence running Northerly and Westerly, by said land of Hickey, land now or formerly of Daniel W. & Jennifer A. Murray, land now or formerly of Mark & Jayne M. Giarusso, land now or formerly of Robert G. & Kathryn M. Johnson, land now or formerly of Dennis J. Kelly, land now or formerly of Thomas H. and Jennie E. McGirr, and land now or formerly of Sean Preston & Peter Platt, and across Pleasant Street, in thirteen courses measuring one hundred and fifty-three (153) feet, more or less, eighty-one (81) feet, more or less, nineteen (19) feet, more or less, seventy (70) feet, more or less, sixty-three (63) feet, more or less, one hundred and seven (107) feet, more or less, ninety-six (96) feet, more or less, one hundred and fifty-seven (157) feet, more or less, eighty-six (86) feet, more or less, one hundred and twenty-six (126) feet, more or less, one hundred and fifty-five (155) feet, more or less, fifty-two (52) feet, more or less, and fifty-seven (57) feet, more or less, respectively, to the point of beginning, with the exceptions that: (1) the existing building located on the land previously described of Troop 1, Boy Scouts of America shall be exempted from application of the Town's Historic District (Article 28) and M.G.L. c. 40C, provided that it is not demolished and for as long as the dimensions of the building remain unchanged, provided that such dimensional change would otherwise be subject to application of the Historic District By-Law, and the property remains in use for charitable, scouting purposes; and (2) that the architectural features defined in M.G.L. c. 40C, sec. 8(a) that currently exist on the property, and those features defined at M.G.L. c. 40C, sec. 8 (a) (2) whether existing or not, will also be exempted from application of the Town's Historic District By-Law (Article 28) and M.G.L. c. 40C so long as the property remains in use for charitable, scouting purposes.

ARTICLE 37.

Will the Town adopt a change in the age and assets limits of certain MGL Chapter 59, Section 5 Clause 41C elderly exemptions, or act on anything relating thereto?
(Inserted by the Board of Assessors)

COMMENT: MGL Chapter 59, Section 5 provides limited property tax exemptions to eligible elderly property owners. The exemptions require persons to satisfy various eligibility criteria, but the statute permits Town Meeting to adjust those criteria within certain limits. Over the years, at the request of the Board of Assessors, Town Meeting has adopted various changes in an effort to

maximize the property tax relief available to eligible elderly property owners. Under current law, there are only two remaining changes that could be made, and they relate to age and taxable value of assets of the elderly taxpayer. Clause 41C of Section 5 permits Town Meeting to reduce the eligible age from 70 to 65, and to increase the asset limit to the statutory maximum of \$40,000 for an unmarried person. (Town Meeting previously increased the asset limit to \$55,000 for a married couple, the maximum permitted by Clause 41C.) In light of current economic conditions, the Board of Assessors recommends that these changes be adopted by Town Meeting.

RECOMMENDED: That the Town adopt the following changes in the age and asset limits of certain MGL Chapter 59, Section 5 Clause 41C elderly exemptions: reduce the eligible age from 70 to 65 and increase the asset limit from \$20,000 to \$40,000 for unmarried persons.

ARTICLE 38.

Will the Town determine the interest rate on property taxes deferred pursuant to MGL Chapter 59, Section 5 (41A), as amended by Chapter 136 of the Acts of 2005, or act on anything relating thereto?

(Inserted at the request of the Board of Assessors)

COMMENT: The tax deferral program created by Chapter 59, Section 5 is intended to benefit elderly homeowners with limited incomes. The prescribed statutory interest rate was 8% per annum. The 2006 Annual Town Meeting adopted adjustments to the program which allow the Town to set the interest rate on deferred taxes each year in light of current economic conditions. Because we no longer use the statutory 8% interest rate, the Town Treasurer/Collector reviews current conditions and recommends an appropriate interest rate each year for Town Meeting approval. In each of the last two years, Town Meeting approved an interest rate of 4%. This year, in order to avoid the necessity of resetting the interest rate annually at Town Meeting, based on variable conditions, the Treasurer recommends tying the interest rate to the Town's cost of borrowing in the Statehouse Note Program. That interest rate, based on the average of the published rates in the Statehouse Note Program, is currently 4%, rounded to the nearest full percentage point.

RECOMMENDED: That the interest rate on property taxes deferred pursuant to MGL Chapter 59, Section 5 (41A), as amended by Chapter 136 of the Acts of 2005, be tied to the Town's cost of borrowing in the Statehouse Note Program, for fiscal years beginning on or after July 1, 2008, using the average of the published rates in the Statehouse Loan Program, rounded to the nearest full percentage point, as of June 30 of the previous fiscal year, said interest rate to be determined and confirmed to the Board of Assessors by the Treasurer/Collector each fiscal year.

ARTICLE 39.

Will the Town amend the General By-Laws of the Town of Hingham adopted March 13, 1939, as heretofore amended, at Article 22 by replacing the 1984 bylaw with the new revised Article 22 in the Town of Hingham By-Law, or act on anything relating thereto?

(Inserted at the request of the Conservation Commission)

RECOMMENDED: The Advisory Committee will make its recommendation at Town Meeting.

ARTICLE 40.

Will the Town authorize the Board of Selectmen to transfer the care, custody and control of a parcel of land, consisting of approximately 6.21 acres, more or less, known as Parcel 102 on Assessors' Map 38, from the Selectmen to the Conservation Commission or act on anything relating thereto?

COMMENT: The executors of the estate of Peter B. Bradley, pursuant to his last will and testament, on July 22, 1936, sold for the sum of \$1.00 the land shown on Assessors' Map 38, Parcels 102 and 103, to the Town of Hingham. The Town was committed to build a Police Station on the land. The current building, now renovated for private commercial use, was that Police Station.

The Town of Hingham entered into a mutually agreeable Agreement for Judgment with the heirs and descendants of Peter Bradley; abutters; and, the Coalition to Save Broad Cove Park. This article is to carry out part of the Agreement for Judgment that included the lease of Assessors' Map 38, Parcel 103, to private parties. The resulting funds from the lease were deposited into the Stabilization Fund by the 2006 Annual Town Meeting vote under Article 13. A provision in the Agreement calls for the transfer of the parcel of land defined as Assessors' Map 38, Parcel 102, totaling approximately 6.21 acres, to the Town's inventory of conservation land under the control of the Conservation Commission.

This article authorizes the transfer.

RECOMMENDED: That the Town authorize the Board of Selectmen to transfer the care, custody and control of a parcel of land consisting of approximately 6.21 acres, more or less, known as Parcel 102 on Assessors' Map 38, from the Selectmen to the Conservation Commission.

ARTICLE 41.

Will the Town (1) establish a permanent Energy Action Committee and (2) appropriate, borrow or transfer from available funds a sum of money to be expended under the direction of the Energy Action Committee to implement the energy plan as prepared by the Energy Policy Committee and carry forward the mission to reduce the energy footprint of the Town, or act on anything relating thereto?

(Inserted at the request of the Energy Policy Committee)

COMMENT: The Board of Selectmen established a temporary Energy Policy Committee in November 2006 to benchmark the energy footprint of the Town and develop a plan to understand and control energy consumption, raise public awareness, and reduce the Town's impact on the environment. The Town Administrator and the Energy Policy Committee submitted this article to establish a standing Energy Action Committee to continue the work of the Energy Policy Committee by performing the following duties: (1) implement the short and long-term energy plan recommendations as approved by the Board of Selectmen; (2) continually monitor the energy footprint and act accordingly per the established targets; (3) submit an annual line item funding request for approval by the Board of Selectmen; (4) increase public awareness; (5) mobilize citizen volunteers to assist in implementing the energy plan; and (6) continue to develop and implement energy-related recommendations based on market conditions and available technologies.

RECOMMENDED: That the Town establish an Energy Action Committee with seven members: three citizens to be appointed by the Board of Selectmen, three citizens to be appointed by the Moderator, and the General Manager of the Municipal Light Plant (or designee), with the chair of said Committee to be jointly designated by the Board of

Selectmen and the Moderator. The Town Accountant and the Business Manager of the School Department (or their designees) will serve as non-voting ex-officio members of the Committee.

ARTICLE 42.

Will the Town designate South Pleasant Street in Hingham as a Scenic Road pursuant to Chapter 40, Section 15C of the Massachusetts General Laws (Scenic Roads Act) upon the joint recommendation and request of the Planning Board and Historical Commission and in accordance with the Rules and Regulations of the Planning Board adopted under the Scenic Roads Act on April 2, 1984, as amended, or act on anything related thereto?

COMMENT: The Town designated Lazell and Union Streets as Scenic Roads at the 1978 Annual Town Meeting. Since then, Free Street, a portion of Leavitt Street, Turkey Hill Lane, and Popes Lane have been designated Scenic Roads in the Town.

The Board of Selectmen voted in favor of this designation for South Pleasant Street at its February 26, 2008 meeting.

The entire length of South Pleasant Street, from Main Street to its termination at the Wompatuck State Park boundary, would be encompassed by the Scenic Road designation. The street is bordered by large, old trees and stone walls of exceptional quality, Fulling Mill Pond, George Washington Town Forest, Spring Brook, and eight 18th and 19th century homesteads. Since shade trees along all Town right-of-ways are already protected through the Town's adoption of the Public Shade Tree Law (M.G.L. Ch. 87), the Scenic Road designation basically adds protection for those stone walls in or bordering a so-designated right-of-way. Each of these laws governs only the land contained within a Town right-of-way.

Within thirty days of the Scenic Road designation, the Planning Board would be obligated to notify all municipal departments, the State Department of Public Works, and all affected utility companies that any repair, maintenance, reconstruction, or paving work done shall not involve the tearing down or destruction of stone walls except with the prior written consent of the Planning Board after a duly advertised public hearing attended by the Tree Warden, as appropriate.

RECOMMENDED: That the Town designate South Pleasant Street in Hingham as a scenic road in accordance with MGL Chapter 40, Section 15C and the corresponding Rules and Regulations of the Planning Board adopted on April 2, 1984, as amended.

ARTICLE 43.

Will the Town accept the provisions of Chapter 55 of the Acts of 2006, so as to increase the accidental death benefit paid to surviving eligible children of deceased members of the Hingham Contributory Retirement System pursuant to MGL C.32. §9(2) (d)(ii), or act on anything relating thereto?

(Inserted at the request of the Hingham Retirement Board)

COMMENT: The 2007 Annual Town Meeting voted unanimously to authorize a supplemental dependents' allowance for eligible children of town employees retired for accidental disability (Massachusetts General Laws, Chapter 32, §7 (2)(a)(iii). That approval did not include language to authorize an increase in the accidental death benefit allowance for eligible children. This article, if approved, will provide that an eligible dependent, defined as under 18 (or under 21 if a full-time

student) will receive an annual survivor's benefit equal to the benefit allowance paid to eligible children of persons retired due to accidental disability. Presently this annual amount totals \$630.

RECOMMENDED: That the Town accept the provisions of Chapter 55 of the Acts of 2006, so as to increase the accidental death benefit paid to surviving eligible children of deceased members of the Hingham Contributory Retirement System pursuant to MGL C.32. §9(2) (d)(ii).

ARTICLE 44.

Will the Town authorize the Board of Selectmen to sign a five-year extension of the Intermunicipal Agreement relative to the South Shore Recycling Cooperative, effective July 1, 2008, or act on anything relating thereto?

COMMENT: The South Shore Recycling Cooperative (SSRC), established in 1998, is made up of fifteen (15) Towns: Abington, Cohasset, Duxbury, Hanover, Hanson, Holbrook, Kingston, Marshfield, Norwell, Plymouth, Rockland, Scituate, Weymouth, Whitman, and Hingham. The Cooperative was established to help member towns improve their recycling programs, and reduce the amount, toxicity and cost of disposal. Hingham benefits from the Cooperative by maintaining full local authority and control of the Town's solid waste management and recycling activities while utilizing the SSRC as a resource. The SSRC assists Hingham, and other member Towns, with: managing their solid waste programs efficiently; providing economy of scale through regional procurement of services; and advocating for funding, sensible laws and regulations to accomplish the goal of minimizing waste and cost and maximizing recovery at the municipal level.

The annual cost of \$4,500 is covered under the DPW budget under Article 6 of the 2008 Annual Town Meeting.

RECOMMENDED: That the Town authorize the Board of Selectmen to sign a five-year extension of the Intermunicipal Agreement relative to the South Shore Recycling Cooperative, effective July 1, 2008.

ARTICLE 45.

Will the Town authorize the Board of Selectmen to transfer and convey parcels of Town-owned real estate, and to accept for Town ownership other parcels of real estate, in connection with the Massachusetts Bay Transportation Authority's Greenbush Line project, as said parcels are identified on Land Acquisition Plans and Existing Condition Plans for the Old Colony Railroad Rehabilitation Project, Greenbush Line on file in the office of the Board of Selectmen, and establish terms and conditions therefor; or act on anything relating thereto?

COMMENT: In connection with the construction of the Greenbush Line project, the Massachusetts Bay Transportation Authority (MBTA) and the Town have agreed that various real estate conveyances will be transacted on a "friendly" basis at no cost to either party. The Town will accept the parcels of land that the MBTA proposes to deed to the Town and the MBTA will provide the Town with recordable plans of such property.

RECOMMENDED: That the Town authorize the Board of Selectmen to transfer and convey Town-owned real estate, and to accept for Town ownership other parcels of real estate, in connection with the Massachusetts Bay Transportation Authority's Greenbush Line

project, as said parcels are identified on Land Acquisition Plans and Existing Condition Plans for the Old Colony Railroad Rehabilitation Project, Greenbush Line, on file in the office of the Board of Selectmen, and establish terms and conditions therefor.

ARTICLE 46.

Will the Town authorize the Board of Selectman to petition the Great and General Court of the Commonwealth to enact special legislation that would exempt the position of Deputy Fire Chief from the provisions of the Civil Service Law and Rules, or act on anything related thereto?

COMMENT: Town Meeting approved this article in 2007; however, the Legislature did not act on the petition before their session ended. Once the legislative session ends, anything not acted on must be resubmitted for the new session and, in order for it be resubmitted, Town Meeting is required to re-vote the article. This article proposes to exempt the position of Deputy Fire Chief from the provisions of Civil Service. The article would provide the Fire Chief, who serves as the appointing authority for the Deputy Fire Chief, the flexibility to appoint qualified persons who do not appear on the list provided by Civil Service. The proposed change will fully integrate the Deputy Fire Chief position into the management of the Fire Department and help the Fire Chief with succession planning. There is no cost to the Town associated with this article.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation that would exempt the position of Deputy Fire Chief from the provisions of the Civil Service Law and Rules.

ARTICLE 47. Will the Town authorize the Board of Selectman to petition the Great & General Court of the Commonwealth to enact special legislation to permit Michael P. Hickey to be placed on a Hingham Civil Service list for Police Officer notwithstanding the maximum age requirements or act on anything related thereto?

(Inserted at the request of Michael Hickey and others)

COMMENT: At the time Michael P. Hickey sat for the Civil Service Exam in May 2007, he was 33 years of age, having turned 33 on March 5, 2007. Mr. Hickey was under the impression that Hingham was a community covered by Section 58A of Chapter 31 of the Massachusetts General Laws, which allows a veteran to exceed the maximum age provision (32) by the number of years served on active military duty but not for more than four years of active military duty. Mr. Hickey is a Marine Corps veteran and served for four years. Hingham is not covered by Section 58A of Chapter 31 of the Massachusetts General Laws.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to permit Michael P. Hickey to be placed upon a Hingham Civil Service List for Police Officer notwithstanding the maximum age requirements.

ARTICLE 48. Will the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation authorizing the Town of Hingham to issue temporary loans for periods greater than two years, and allow the Town to charge the Town's actual interest costs to betterment assessments issued by the Town, or act on anything relating thereto?

COMMENT: This article was approved at the 2005, 2006 and 2007 Annual Town Meetings; however, the state legislature has not acted on the petition during those legislative sessions. Thus the article is re-proposed in this 2008 Annual Town Meeting Warrant.

Current state law limits the Town's authority to issue short-term notes, with no required payment against principal, to a term of no more than two years. Section 1 of this home rule petition will remove that number of years restriction, but will require the Town to begin making principal payments within two years. Section 2 of this home rule petition will allow the Town to pass on the Town's actual interest costs for betterments. Current state law provides the Town with only two options in regard to charging betterments interest costs to property owners. One method is a straight 5.0%, and the second is the Town's actual cost, plus 2.0%. Both methods increase the interest charges to property owners for betterments well beyond Town's true cost of interest. This petition would allow for an allocation of interest that reflects only the Town's true costs, thereby reducing the cost to property owners currently being charged to them. Approval of this article would authorize the Town to petition the legislature to authorize these changes in its debt issuance practices.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation authorizing the Town of Hingham to issue temporary loans for periods greater than two years, and allow the Town to charge the Town's actual interest costs to betterment assessments issued by the Town.

ARTICLE 49.

Will the Town authorize but not require the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to make the following All Alcoholic Beverages Licenses site specific: (1) South Shore Country Club, 274 South Street and (2) Linden Ponds Inc., d/b/a Linden Ponds, 300 Linden Ponds Way, or act on anything relating thereto?

COMMENT: This article was approved at the 2005, 2006, and 2007 Annual Town Meetings; however, the Legislature did not act on the petition before their session ended. Once the legislative session ends, anything not acted on must be resubmitted for the new session and, in order for it to be resubmitted, Town Meeting is required to revote the article.

The special legislation requested would ensure that the operator of the restaurant at the South Shore Country Club could not transfer the license to another site and leave our town facility without a liquor license. When the 2004 Annual Town Meeting voted to petition the Great and General Court to enact special legislation authorizing an additional liquor license for Linden Ponds Inc., it was with the intent that the license be site specific. The legislation did not include that provision. This article would correct that.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the Great and General Court of the Commonwealth to enact special legislation to make the following All Alcoholic Beverages Licenses site specific: (1) South Shore Country Club, 274 South Street and (2) Linden Ponds Inc., d/b/a Linden Ponds, 300 Linden Ponds Way.

ARTICLE 50.

Will the Town authorize the Board of Selectmen to petition the General Court to enact special legislation establishing the Hingham Shipyard Improvement District, a body politic and corporate,

independent from the Town, which will assume all financial liability for the capital and operating costs associated with certain existing, proposed and future public improvements within the boundaries of the district, and be empowered to purchase, own, maintain, construct, reconstruct and operate such public improvements, including streets, parking facilities, sidewalks, water and sewer lines and related facilities, and fiber optic and telecommunications links, to take property within the District by eminent domain, to borrow funds for capital improvements and to assess betterments, assessments and fees in relation thereto and to support operating expenses, to enter into such contracts as may be necessary to carry out the purposes of the District, and to exercise such additional powers as shall be defined in the special act, a summary of which is available at the office of the Town Clerk; provided that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court, and the Board of Selectmen are authorized to approve amendments which shall be within the scope of the general public objectives of the petition, or take any other action relative thereto?

COMMENT: Town Meeting approved this article in 2004, 2005, 2006 and 2007; however, the Legislature did not act on the petition before their session ended. Once the legislative session ends, anything not acted on must be resubmitted for the new session and, in order for it to be resubmitted, Town Meeting is required to re-vote the article.

By creating such a District, it would enable the entity to issue bonds as a financing mechanism to fund infrastructure improvements required for a large development project such as the Hingham Shipyard. Through the establishment of an Improvement District, the developer can obtain more financing and at a faster rate than with traditional borrowing methods. Interest payments on the bonds are paid through the assessment of betterments that are paid by the businesses and residences within the District. The creation of an Improvement District within the Shipyard would enhance its economic development by allowing the District to construct and maintain critical infrastructure required to serve the needs of those in the district, such as roads, sewer lines, bridges, sidewalks, parks, lighting etc., in advance of businesses and/or residences coming into the District. The District would also have the authority to acquire by eminent domain land that is located within its bounds. Members within the District would still pay property taxes to the Town and would receive the same Town services as residents outside the District (schools, police, fire, etc.). The District would buy its electricity from the Hingham Municipal Lighting Plant, and members would contract with the same providers as non-District residents for services such as phone and cable TV services. The District would be governed by a board of commissioners that would be appointed by the Board of Selectmen; four (4) members would be nominated by the Hingham Shipyard Property Owners Association, and one (1) member would be the Hingham Town Administrator or his or her designee. In the proposed legislation there is a provision that after twenty-five years, if all the bonds have been paid off and the Town wishes that the District be dissolved, it can do so through a vote of Town Meeting.

Favorable action on this article does not create the District, but allows the Board of Selectmen to petition the state legislature to authorize its creation.

RECOMMENDED: That the Town authorize the Board of Selectmen to petition the General Court to enact special legislation establishing the Hingham Shipyard Improvement District, a body politic and corporate, independent from the Town, which will assume all financial liability for the capital and operating costs associated with certain existing, proposed and future public improvements within the boundaries of the district, and be empowered to purchase, own, maintain, construct, reconstruct and operate such public improvements, including streets, parking facilities, sidewalks, water and sewer lines and related facilities, and fiber optic and telecommunications links, to take property within the District by eminent domain, to borrow funds for capital improvements and to assess betterments, assessments and fees in relation thereto and to support operating expenses, to enter into such contracts as may be necessary to carry out the purposes of the District, and to exercise such additional powers as shall be defined in the special act, a summary of which is available at the office of the Town Clerk; provided that the General Court may make clerical or editorial changes of form only to the bill, unless the

Board of Selectmen approve amendments to the bill before enactment by the General Court, and the Board of Selectmen are authorized to approve amendments which shall be within the scope of the general public objectives of the petition.

ARTICLE 51.

Will the Town build a sidewalk on Park Circle, and widen the sidewalk on Planters Field Lane, for the safety of children walking to Foster Elementary School?
(Inserted at the request of Robert Baynes and others)

COMMENT: Rather than seek Town Meeting action on their petition, the proponents will pursue their sidewalk proposal through the Department of Public Works and the Capital Outlay Committee.

RECOMMENDED: That no action be taken on this article.

ARTICLE 52.

Will the Town authorize the Board of Selectmen to enter into an agreement (1) for the regulation and authorization of parking in proximity to the public launch ramp on Lot 50 of Assessors' Map 50; and (2) for the acquisition of office space, restroom facilities and public access to the harbor at 3 Otis Street, or act on anything relating thereto?
(Inserted at the request of Jeffery A. Tocchio and others)

COMMENT: This article relates to the marina property located at 3 Otis Street at Hingham Harbor. Currently, the marina, with its associated slips, needs additional parking spaces to attain compliance with Zoning By-Law requirements. This article would authorize the Selectmen to enter into a lease or other arrangement to make a number of Town-owned parking spaces near the public launch ramp available for use by the marina property in return for certain improvements beneficial to the public and other consideration. This article also appeared in the 2007 Annual Town Meeting as Article 24. At the time of the publication of the 2008 Annual Town Meeting warrant, no further progress has occurred with respect to negotiation of the terms of the arrangement.

RECOMMENDED: That no action be taken on this article.



ARTICLE 53.

Will the Town accept the laying out, as a town way, of a way beginning at the intersection of Thaxter Street extending approximately 1,106.58 feet, more or less, in a southwesterly direction as shown through a

turnaround as shown on a plan entitled: "Roadway Acceptance Plan & Profile, Hill Top Road, Hingham, MA" dated October 12, 2007, prepared by Coler & Colantonio Inc., Engineers and Scientists, as revised from time to time, and the name Hill Top Road be given said way, or act on anything relating thereto?

COMMENT: While there remains some amount of work which must be completed in order for the Town to accept this road, the work is expected to be completed by the time of Town Meeting. If the work is not completed by that time, the Planning Board presently holds a bond of \$37,000, an amount deemed adequate by the Planning Board to complete the balance of the work to finish Hill Top Road.

RECOMMENDED: That the Town accept the laying out, as a town way, of a way beginning at the intersection of Thaxter Street extending approximately 1,106.58 feet, more or less, in a southwesterly direction as shown through a turnaround as shown on a plan entitled: "Roadway Acceptance Plan & Profile, Hill Top Road, Hingham, MA" dated October 12, 2007, prepared by Coler & Colantonio Inc., Engineers and Scientists, as revised from time to time, and the name Hill Top Road be given said way.

ARTICLE 54. Will the Town accept the laying out, as a Town way, of a way beginning at the intersection with French Street extending approximately 797 feet, more or less, in an easterly

direction, through a turnaround as shown on a plan entitled: "As Built Plan" Cranberry Lane and Rosewood Lane, dated 09/08/06, prepared by Coneco Engineers & Scientists, Inc., as revised from time to time, and the name Cranberry Lane be given said way, or act on anything relating thereto?

COMMENT: There remains work to be done in order for the Town to accept this road as a public way. If the work to finish the road in a manner acceptable to the Town is completed by Town Meeting, it is expected the Advisory Committee's recommendation will likely be favorable.

RECOMMENDED: The Advisory Committee will make its recommendation at Town Meeting.



ARTICLE 55.

Will the Town accept the laying out, as a town way, of a way beginning at the intersection with Cranberry Lane extending approximately 469 feet, more or less, in a northerly direction as shown on a plan entitled: "As Built Plan" Cranberry Lane and Rosewood Lane, dated 09/08/06, prepared by Coneco Engineers & Scientists, Inc., as revised from time to time, and the name Rosewood Lane be given said way, or act on anything relating thereto?

COMMENT: The formal acceptance of Rosewood Lane is contingent upon the acceptance of Cranberry Lane, as Cranberry provides access to Rosewood Lane. For this reason Rosewood will not be accepted until Cranberry Lane is accepted by the Town. However, it is anticipated that, if the work needed to complete Cranberry Lane in a manner acceptable to the Town is completed by Town Meeting, then the Advisory Committee's recommendation will likely be favorable.

RECOMMENDED: The Advisory Committee will make its recommendation at Town Meeting.

And you are hereby also directed to notify and warn the inhabitants of the Town of Hingham qualified to vote in Town affairs to meet at two designated polling places in said Town of Hingham according to their precinct, to wit: Precinct 1, 2, 3, and 5: High School, 17 Union Street; Precincts 4 and 6: Middle School, 1103 Main Street on SATURDAY, the Third day of May 2008 at EIGHT O'CLOCK in the forenoon, then and there to give in their votes on the official ballot for:

A Moderator to serve one year; a Selectman to serve three years; an Assessor to serve three years; one member of the Board of Health to serve three years; two members of the School Committee to serve three years; a member of the Planning Board to serve five years; a member of the Sewer Commission to serve three years; a member of the Recreation Commission to serve five years; a member of the Municipal Light Board to serve three years; and a member of the Housing Authority to serve five years.

And you are directed to serve this warrant by causing an attested copy thereof to be posted in the Town Hall seven days at least before the day appointed for said meeting.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk on or before the ninth day of April 2008.

Given under our hands at Hingham this 8th day of April 2008.

Melissa A. Tully
John A. Riley
Laura A. Burns

A True Copy
Attest:

Kathleen A. Peloquin
Constable of Hingham
April 8, 2008

By virtue of the within warrant I hereby certify that I have noticed and warned the inhabitants of the Town of Hingham, qualified to vote in town affairs to meet at the time and place indicated in the above warrant, by causing an attested copy thereof to be published in The Hingham Journal seven days at least before the day appointed for said meeting. It was presented to and posted by the Town Clerk in the Town Hall on this date.

Kathleen A. Peloquin
Constable of Hingham
April 9, 2008