

**Recommendations of the Finance Committee
to the Voters of Canton, Massachusetts**

2015

TOWN OF CANTON



**SPECIAL TOWN MEETING
Within the Annual Town Meeting
(Plymouth Rubber Redevelopment)**

**MONDAY, MAY 11, 2015
At 7:05 p.m.**

**Morse Auditorium
Canton High School
900 Washington Street, Canton**

**Study this report and come to Town Meeting.
Bring this report with you.**

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**Town of Canton
Commonwealth of Massachusetts**



Norfolk, ss

To the Constables of the Town of Canton,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby required to notify and warn the inhabitants of the Town of Canton to meet at Morse Auditorium, on the grounds of the Canton High School, 900 Washington Street in said town on;

**SPECIAL TOWN MEETING
MONDAY, THE ELEVENTH DAY
OF MAY 2015**

At seven-o-five (7:05 P.M.) in the evening for the special town meeting at which time and place the following articles are to be acted upon:

ARTICLE 1

AMEND THE ZONING BY-LAW TO ADD "PRIORITY REVITALIZATION AREA C" (CANTON CENTER ECONOMIC OPPORTUNITY DISTRICT BY-LAW)

ARTICLE 1 To see if the town will vote to amend the zoning by-law to add "Priority Revitalization Area C" to Section 9.8 (Canton Center Economic Opportunity District By-Law) as follows or to take any other action related thereto:

Item 1. Delete Section 9.8.1 and replace it with a new Section 9.8.1, as follows:

9.8.1 Subdistricts. The CCEOD is divided into three separate and distinct subdistricts of Canton Center as follows:

1. **Priority Revitalization Area "A"**: That area of Canton Center that runs (1) along Washington Street from Neponset Street to Sherman Street, a distance of approximately 2000 linear feet and (2) that area zoned "Industrial" that runs along Pequit Street in the vicinity of Washington Street, to the Northern border of the district.
2. **Priority Revitalization Area "B"**: That area of Canton Center that runs (1) along Washington Street from Sherman Street to Lewis Street, a distance of approximately 1000 linear feet, but excluding (2) that area of land designated as "Industrial" that runs along Pequit Street in the vicinity of Washington Street to the Northern border of the District.
3. **Priority Revitalization Area "C"**: That area of Canton Center that runs along Revere Street from the boundary of Priority Revitalization Area "A" to the intersection of the railroad bridge/tracks and Revere Street, a distance of approximately 2,300 linear feet.
4. Priority Revitalization Areas "A" and "B" are shown on a map entitled "Canton Center Economic Opportunity District (Priority Revitalization Area "A" and Priority Revitalization Area "B")" prepared by the Canton Planning Department and dated December 20, 2004.
5. Priority Revitalization Area "C" is shown on a map entitled "Canton Center Economic Opportunity District (Priority Revitalization Area "C")" prepared by Vanasse Hangen Brustlin, Inc. and dated January 5, 2015.
6. The maps described immediately above are hereby incorporated by reference in this Section 9.8.

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7. Certain activities in The Priority Revitalization Areas are subject to Design Review as set forth in section 10.7.

Item 2. Add the following new Sections immediately after Section 9.8.33:

9.8.34 Priority Revitalization Area "C"; Purpose. Priority Revitalization Area "C" is established for the accomplishment of the following purposes:

1. To promote the economic health and stability of the Town by encouraging development and economic investment that will generate employment and tax revenue.
2. To provide additional planning flexibility for projects located in and near Canton Center, including enhancing the coordination of the project with the environmental and natural features of the development site.
3. To permit and encourage mixed-use development, including but not limited to, Multi-family Dwellings, Fifty-Five Years of Age or Older Housing, offices, kindergarten and pre-schools, municipal uses, historic preservation, recreational uses, retail shops and industrial uses.
4. To permit the use of new development standards, which will promote the desired changes in and near Canton Center.
5. To permit and encourage the development of open spaces which would be available for use by the general public.
6. To provide information on the potential impacts of a proposed development.
7. To enable the Special Permit Granting Authority (SPGA) to require adherence to "Development and Use Plans" in the granting of a special permit.
8. To provide for development in a manner that creates harmony between residential and non-residential neighborhoods, protects existing abutting neighborhoods, and minimizes the development impact on nearby neighborhoods, while conserving and enhancing environmental features, woodlands, wet areas, the Canton River, open spaces and areas of scenic views, beauty, and vistas such as, for example, the Viaduct.

9.8.35. Priority Revitalization Area "C"; Definitions. For the special purposes of Priority Revitalization Area "C" only, the following words and phrases shall have the meanings hereinafter indicated.

Applicant: The person or legal entity that applies for issuance of a special permit for permission to construct a Project that conforms to the requirements of this By law for Priority Revitalization Area C. The Applicant must own or be the beneficial owner of all the land included in the proposed site, or have written authorization from the owner(s) to act for him or must hold an option or contract duly executed by the owner(s) giving the Applicant the right to acquire the land to be included in the site.

Buffer Area: An area within the CCEOD Revitalization Area "C" adjacent to the boundaries, streams, rivers, ponds, which may not be developed except in accordance with the Massachusetts Wetlands Protection Act and its implementing regulations (MGL Chapter 131, Sections 40 and 40A, and 310 CMR 10.00) and other requirements herein.

Building Height: Building height shall be measured as set forth in this section 9.8 and measured as set forth in the State Building Code 780 CMR 101.0 et seq. Height shall be subject to the provisions of Section 4.3 of the By-Law except as otherwise provided in this Section 9.8.

Buildable Lot Area: The area of a Lot excluding any land defined as a Resource Area.

Common Open Land: An area of land containing no building, structure, parking areas, driveways or roadways other than those structures and/or facilities which are used for recreational and/or community use by the occupants of a Development Parcel or members of the public.

Development Agreement: A written agreement executed by the Board of Selectmen and the Applicant concerning the Project containing, without limitation, actions to be taken by the Applicant to mitigate potential adverse effects of the Project.

Development Parcel: One or more Lots within Priority Revitalization Area "C" which together are designated as a Development Parcel on a Site Development and Use Plan. The Lots comprising a Development Parcel need not be in the same ownership. Where the Development Parcel consists of more than a single Lot, the Lots, in combination, shall be treated as the Development Parcel, may be contiguous or non-contiguous, and shall be considered one 'Development Parcel'.

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Development Schedule: A schedule showing the anticipated order and timing of construction and the sequence of the improvements to be built on the Priority Revitalization Area "C" site, separated into stages where applicable.

Fifty-Five Years of Age or Older Housing: Housing facilities (including, without limitation, in independent or congregate facilities) for individuals fifty-five (55) years of age or older as allowed under Massachusetts General Laws c. 151B, Section 4.

Gross Floor Area: Total floor area contained within exterior walls, excluding basement space, attic space and spaces used for heating and utilities and other mechanical apparatus, storage and/or automobile parking.

Lot: A single contiguous tract of land including at least the minimum amount of Buildable Lot Area required herein and located entirely within the Development Parcel and Priority Revitalization Area "C", which may be shown on an approved definitive subdivision plan under G.L. c. 41, Section 81K or an endorsed "approval not required" plan under G.L. c. 41, Section 81 P. More than one building may be located on a Lot, subject to compliance with all applicable dimensional requirements of this Section 9.8.

Lot Development and Use Plan: A plan approved by the SPGA for the development and use of a particular Lot within a Development Parcel pursuant to the special permit process for the Priority Revitalization Area "C". A Lot Development and Use Plan shall comply with the plan contents requirements of Section 10.5.2 of the Zoning By-Law. The Special Permit process and the Site Plan Review process under Section 10.5.1 may occur contemporaneously.

Mixed-Use Development: A development that contains both residential and non-residential uses.

Professional Office: The office of one skilled in an occupation that primarily services clients or patients rather than customers including, but not limited to, the office of a lawyer, doctor, dentist, architect, engineer, landscape architect, real estate agent, insurance agent, or the studio of an artist, musician, teacher, or the workroom of a dressmaker, milliner, or photographer in which retail sales are incidental to office use.

Project: A residential, non-residential or mixed-use development for which a special permit or Special Permits is sought pursuant to Section 9.8, the Priority Revitalization Area "C" overlay provisions. The Project may be developed and constructed in multiple phases, subject to conditions to be set forth in the Special Permit(s).

Regulations: The applicable rules and regulations adopted by the Board of Appeals relative to special permits pursuant to M.G.L c.40A, Section 9.

Resource Area: All land subject to jurisdiction under 310 CMR 10.02(1)(a) and (b) (which shall not include land subject to flooding or riverfront area).

Small Scale Retail: Retail stores with a gross floor area of 10,000 square feet or less.

Upland Acres: Land area not in a Resource Area.

All terms not defined in the provisions of this Zoning By-law related to the Priority Revitalization Area "C" shall have the meanings ascribed to them in Section 11 of this Zoning By-law.

9.8.36 Priority Revitalization Area "C"; Scope of Authority.

Priority Revitalization Area "C" shall be an overlay district and shall not restrict the landowner's rights relative to the underlying zoning districts. However, if the landowner elects to apply for a special permit under the provisions of this section 9.8 applicable to Priority Revitalization Area "C", the development shall conform to the requirements of this section 9.8 for Priority Revitalization Area C and shall not be required to conform to the requirements of the underlying zoning districts to the extent the Project is built pursuant to a Special Permit(s).

9.8.37 Priority Revitalization Area "C"; Special Permit Granting Authority.

The Board of Appeals is hereby designated as the Special Permit Granting Authority (SPGA) for all purposes with respect to Projects within the Priority Revitalization Area "C" pursued under this Section 9.8. All special permit applications shall conform to the provisions, of this Section 9.8 with respect to Priority Revitalization Area "C" and the Board of Appeals' Rules and Regulations adopted pursuant to M.G.L. c.40A, Section 9 governing the administration of applications for special permits.

In determining whether the criteria for grant of a special permit stated in this Zoning By-law have been

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satisfied, the SPGA may grant a special permit applicable to a Project in Priority Revitalization Area "C" only if the SPGA finds that the adverse impacts of the Project will be outweighed by the benefits of the project to the Town, including without limitation any mitigation and/or other benefits to be provided to the Town by the Applicant pursuant to any Development Agreement between the Applicant and the Town. Notwithstanding, the foregoing, any mitigation required under the Performance Standards contained in Section 6.7 of this Zoning By-law may be found by the SPGA to be satisfied by the terms of a Development Agreement between the Town and the Applicant

The SPGA may in its discretion waive any of the Standards and Criteria stated in Section 9.8.40, any of the Densities stated in Section 9.8.41 and any of the Setbacks and Yard Regulations stated in Section 9.8.42 if the SPGA finds that such waiver satisfies the criteria stated in Section 10.4.2 of this Zoning By-law for grant of a special permit and the general conditions stated in Section 10.5.5 of this Zoning By-law for approval of a site plan.

9.8.38 Priority Revitalization Area "C"; Applicability.

In Priority Revitalization Area C, no building shall be constructed or externally enlarged, and no use shall be expanded in ground area, or established in an existing building except in conformity with a special permit issued by the Board of Appeals and a Lot Development and Use Plan that bears the endorsement of approval by the Board of Appeals. Requirements and Procedures for approval of such Site Development and Use Plan shall be in accordance with Section 10.5 and this Section.

In the event of damage or destruction to any buildings or structures originally constructed pursuant to a Special Permit and Lot Development and Use Plan issued hereunder, such buildings and structures may be rebuilt and restored consistent with the original Special Permit and such Lot Development and Use Plan without the requirement of obtaining a new Special Permit or Lot Development and Use Plan from the SPGA.

9.8.39 Priority Revitalization Area "C"; Uses Permitted by Special Permit.

Within Priority Revitalization Area "C", the SPGA may issue a special permit authorizing the following uses. No building or structure shall be designed, arranged or constructed and no building, structure or land shall be used, in whole or in part, for any purpose other than for one or more of the uses herein set forth as permissible by special permit.

A. Residential Uses:

1. Multi-family Dwellings, including, without limitation, Townhouse style dwellings, Mid-rise style units, and ancillary facilities and amenities.
2. Fifty-Five Years of Age or Older Housing and ancillary facilities and amenities.
3. Accessory structures (whether at, below or above grade) and surface parking, driveways and roadways, serving any uses within the Development Parcel.
4. All other residential uses allowed by right or by special permit in the underlying zoning district.

B. Non-Residential Uses:

1. Small-scale Retail stores.
2. Offices, including salesrooms and showrooms, consumer service establishments, business and professional offices, executive and administrative offices, banks and other institutions.
3. Restaurants with or without the service of alcoholic beverages (provided that if alcoholic beverages are served any bar area does not comprise more than thirty-five percent (35%) of the floor area of the restaurant), including both indoor and outdoor seating.

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4. Banks or similar financial institution, including drive-through facilities.
5. Child Care Centers, Pre-Schools and Kindergartens.
6. Recreational facilities.
7. Private and public open spaces.
8. Municipal uses.
9. Accessory structures (whether at, below or above grade) and surface parking, driveways and roadways, serving any uses within the Development Parcel.
10. All uses allowed by right or by special permit in the underlying zoning district.

C. The following uses are specifically prohibited within Priority Revitalization Area "C":

1. Fast food establishments.
2. Drive-through for the sale of food. Any other drive-through, with the exception of banks and financial institutions noted above, may be authorized by the SPGA as part of a special permit for a Priority Revitalization Area "C" Project.

D. For Projects permitted in the Priority Revitalization Area "C" there shall be no non-resident deliveries or shipments between 10:00 p.m. and 7:00 a.m. Monday through Friday; and there shall be no non-resident deliveries or shipments between 10:00 p.m. and 8:00 a.m. on weekends.

9.8.40 Priority Revitalization Area "C"; Standards and Criteria.

A. In addition to the specific criteria contained within Section 10.4, the SPGA shall issue a special permit for development within Priority Revitalization Area C only after consideration of the project's compliance with the following additional criteria:

1. Adequacy of the site in terms of the size of the proposed use(s);
2. Adequacy of the provision of open space, its accessibility to the general public, and/or its association with adjacent or proximate open space areas;
3. Suitability of the site for the proposed use(s);
4. Impact on traffic and pedestrian flow and safety;
5. Impact on the visual character of the neighborhood;
6. Adequacy of utilities, including sewage disposal, water supply and storm water drainage; and
7. Degree to which the proposed project complies with the goals of the Canton Center Revitalization Plan and the provisions of this Section 9.8.

B. Minimum Development Size

1. Development Parcel Area Requirement:
 - a. The minimum Development Parcel area is twenty- five (25) acres of Buildable Lot Area determined as of the time of approval and endorsement of the application for the first Lot Development and Use Plan.
 - b. No portion of a public way or public street, as defined by this Zoning By-law may be included in computing the minimum required Buildable Lot Area.
2. Lot Area Requirement:
 - a. The minimum Lot area is 10,000 sq. ft. of Buildable Lot Area.

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b. No portion of a public way or public street, as defined by this Zoning By-law may be included in computing the minimum required Buildable Lot Area.

C. Building Coverage:

1. Development Parcel Requirement: No building on the Development Parcel shall be constructed so as to cover, together with any other buildings on the Development Parcel, more than thirty percent (30%) of the Buildable Lot Area of the Development Parcel.

2. Lot Requirement: No building on a Lot shall be constructed so as to cover, together with any other building on the Lot, more than fifty percent (50%) of the Buildable Lot Area.

D. Minimum Frontage and Access:

1. Development Parcel Requirement:

a. Each Development Parcel shall have a minimum frontage of two hundred and fifty (250) feet on a street or way and at least two means of ingress/egress.

b. Each means of required ingress/egress shall have a paved width of no less than twenty-four (24) feet.

c. Lot Requirement: Each Lot shall have a minimum frontage of fifty (50) feet on a street or way.

E. Transition Area: Where a portion of the Development Parcel abuts another parcel which is zoned for residential purposes, a "Transition Area" of fifteen (15) feet or a screen wall of adequate height shall be provided at the perimeter of the Development Parcel along the border with such abutting parcel. The Applicant shall file a landscape plan, prepared by a Massachusetts Registered Landscape Architect that demonstrates in the opinion of the Board of Appeals sufficient plantings to provide adequate screening within such Transition Area. Buildable Lot Areas or portions thereof that are also designated as Transition Areas shall be included in the calculation of "Common Open Land".

a. The SPGA may reduce the width of the required "Transition Area" and modify other landscape requirements where the SPGA finds that suitable screening will be provided by other means such as fencing or topography, and that such reduction will not have material adverse impact on the surrounding neighborhood.

9.8.41 Priority Revitalization Area "C"; Density

No building or structure shall be designed, arranged or constructed and no building, structure or land shall be used, in whole or in part, which exceeds the densities specified below for residential and non-residential uses.

A. Residential Uses

Maximum permissible densities are as follows:

1. Multi-family Dwellings including, without limitation, Townhouse and Mid-rise style dwellings and ancillary facilities and amenities:

One dwelling unit per 2,600 square feet of Buildable Lot Area in the Development Parcel.

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2. Fifty-Five Years of Age or Older Housing and ancillary facilities and amenities:

One dwelling unit per 2,600 square feet of Buildable Lot Area in the Development Parcel.

B. Non-Residential Uses

Maximum permissible density is as follows:

Two thousand (2,000) square feet of Gross Floor Area per 10,000 square feet of Buildable Lot Area in the Development Parcel.

9.8.42 Priority Revitalization Area "C"; Setbacks and Yard Regulations for Buildings.

No building shall be constructed so as to be nearer to the line of any street than the required setback distance or nearer to the sidelines of its lot than the required side yard width or nearer to the rear line of its lot than the required rear yard depth specified below. The required setback distance shall be measured from the nearest exterior line of the street in question.

A. Development Parcel

Each Development Parcel shall have a side yard setback of not less than ten (10) feet; except that if the side yard abuts land owned by the Town, or the East Branch of the Neponset River dam or diversion channel, or the Plymouth Rubber triple drainage culvert, such side yard shall be not less than five (5) feet. There shall be a front yard setback for any Development Parcel along Revere Street of no less than five (5) feet but there shall be no front yard setback requirement for any internal subdivision road within any Development Parcel.

1. Each Development Parcel shall have a rear yard setback of not less than five (5) feet.

B. Lot

Each lot shall have a minimum side and rear yard of fifteen (15) feet except that if a side or rear yard abuts land owned by the Town, or the Canton River dam diversion channel, or the Plymouth Rubber triple drainage culvert, such side or rear yard shall be not less than fifteen (15) feet. There shall be no front yard setback requirement for a Lot.

C. Additional Setback Requirements

1. The SPGA may waive the setback distance where it finds such a waiver appropriate because of specific physical circumstances, such as irregular lot lines or other natural features that create open space or buffers.
2. No commercial storage or display of goods, products, materials or equipment, vending machines or similar commercial devices shall be allowed within the required front, side, or rear yard setback; provided, however, that the foregoing shall not be interpreted so as to prohibit the placement in any such yards of HVAC, mechanical, plumbing, and fire protection equipment, transformers or similar equipment utilized in connection with the operation of any buildings in any portion of the Development Parcel.
3. No Lot on which a building is located shall be reduced or changed in size or shape so that the building or Lot fails to comply with the Lot Area, frontage, building coverage, yard setback, or other dimensional provisions, of this Section.

9.8.43 Priority Revitalization Area "C"; Height Regulations.

No building shall be constructed to exceed the height of (a) forty – eight feet (48'); or (b) a total of four (4) stories inclusive of enclosed parking, whichever is lower.

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9.8.44 Common Open Land and Public Access.

A. Common Open Land:

Each Project shall have a minimum of thirty percent (30%) of the Development Parcel designated as Common Open Land for use by the occupants of the Development Parcel.

B. Public Access:

A Project shall provide pedestrian access walkways to and from natural resource areas within the Development Parcel within an area or areas shown on a Lot Development and Use Plan.

9.8.45 Priority Revitalization Area "C"; Parking and Loading Requirements.

For each Project there shall be provided and maintained improved off-street automobile parking in connection with the erection, establishment or increase in units or dimensions of buildings, structures and uses, in the following amounts:

- A. For dwelling units: 1.5 parking spaces per each dwelling unit, except for Fifty-Five Years of Age or Older Housing units which shall require 1 parking space per unit.
- B. For restaurants and other on premises eating and drinking establishments: one (1) parking space for each three (3) seats, plus one (1) parking space for every three (3) employees on the largest shift, subject to the discretion of the SPGA to allow fewer parking spaces where the SPGA finds that fewer parking spaces are needed. Where benches are used, not less than one (1) parking space for each six (6) feet of bench, subject to the discretion of the SPGA to allow fewer parking spaces where the SPGA finds that fewer parking spaces are needed.
- C. For retail stores and offices including salesrooms and showrooms, consumer service establishments, public administration buildings, business and professional offices, executive and administrative offices, banks and other financial institutions: one (1) parking space for each two hundred fifty (250) square feet of Gross Floor Area.
- D. Uses not listed in this Section 9.8.45 Parking Requirements, Subsections (A), (B), (C) or (D) shall comply with the parking space requirements of the Zoning By-law Section 6.1 Off-Street Parking.
- E. In the case of mixed-use projects, the parking spaces required shall be the sum of the requirements for the various individual uses, computed separately in accordance with this Section 9.8.45. Parking spaces for one use shall not provide the required parking spaces for any other use unless the SPGA finds that the need for parking occurs at different times.
- F. Off-street automobile parking spaces, to the extent required in this section, may be provided either on the same lot or premises with the parking generator or on any lot or premises associated therewith a substantial portion of which, at least, is within three hundred (300) feet of such generator.

Off-street parking facilities and connecting drives between such facilities and the street shall be designed to insure the safety and convenience of persons traveling within or through the parking area, and between the parking facility and the street. The provisions of Section 6.1.6 of this Zoning By-law as to General Design shall be considered the minimum criteria for evaluating such design.

Below grade automobile parking may be permitted within the basements of buildings provided that such structured basement automobile parking is exclusively reserved for motor vehicles of residents or employees of the Project.

- G. In addition to the requirements for automobile parking spaces there shall also be provided for each building or group of buildings sufficient off-street loading space to insure that all loading operations take place off of the public way. Loading spaces and

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access drives leading to loading spaces shall be so designed that vehicles to be loaded or unloaded are not required to maneuver in the public way to enter or leave the designated loading area. The provisions of Section 6.2, Loading Areas, shall be considered minimum criteria for evaluating such design.

9.8.46 Priority Revitalization Area "C"; Signs and Advertising Devices.

The provisions of Section 6.3 of this Zoning By-law (Signs) is hereby adopted for the regulation and restriction of billboards, signs and other advertising devices within Priority Revitalization Area "C".

9.8.47 Priority Revitalization Area "C"; Certified Acoustical Barriers.

Except for demolition, infrastructure construction, renovation or repair of existing buildings and structures and construction new buildings and structures, no activity or use shall be allowed which causes exterior noise levels to exceed a day-night average sound level of 65 decibels (65 L dn) at the Lot line; no dwelling unit shall be located where exterior noise levels exceed a day-night average sound level of 65 decibels (65 L dn); and no dwelling unit shall be constructed which allows interior noise levels to exceed a day-night average sound level of 45 decibels (45 L dn). The day-night average sound level (L dn) is the 24-hour average sound level, in decibels, resulting from the accumulation of noise from all sources contributing to the external noise environment of the site with 10 decibels added to sound levels occurring from 10:00 AM to 7:00 PM. The day-night average sound level (L dn) shall be determined in accordance with The Code of Federal Regulations, Title 24-Housing and Urban Development, Part 51 Environmental Criteria and Standards (24 CFR 51.100-51.106).

9.8.48 Priority Revitalization Area "C"; Moderate Income Units.

As a condition for the grant of a special permit pursuant to this Section authorizing an increase in the otherwise permissible density or population or intensity of a particular use in a proposed development pursuant to the requirements of this Section, at least ten percent (10%) of the dwelling units shall be deed restricted in perpetuity for occupancy by persons earning not more than eighty percent (80%) of the area median income as defined and regulated by the Commonwealth's Department of Housing and Community Development. The Special Permit may require that such moderate income housing units be integrated into the overall development so as to prevent the physical segregation of such units and otherwise shall be indistinguishable from market rate units except in size and interior finishing and appliances.

Copies of said plans are available for public review at the offices of the Planning Board, Town Clerk, the Board of Selectmen, all in Memorial Hall, and at the research desk of the Canton Public Library and on the town web site, or take any other action in relation thereto.

Board of Selectmen

PLANNING BOARD MOTION:

MOVED: That the Zoning By-law be amended by adding "Priority Revitalization Area C" to Section 9.8 (Canton Center Economic Opportunity District By-Law), as written in the 2015 Special Town Meeting Warrant, except that the definition of "Development Parcel" in Section 9.8.35 and Paragraph B of Section 9.8.42 of said Section 9.8 shall be amended and adopted as follows.

Section 9.8.35

Development Parcel: One or more Lots within Priority Revitalization Area "C" which together are designated as a Development Parcel on a Lot Development and Use Plan. The Lots comprising a Development Parcel need not be in the same ownership. Where the Development Parcel consists of more than a single Lot, the Lots, in combination, shall be treated as the Development Parcel, may be contiguous or non-contiguous, and shall be considered one 'Development Parcel'.

Section 9.8.42

B. Lot

Each lot shall have a minimum side and rear yard of fifteen (15) feet except that if a side or rear yard abuts land owned by the Town, or the Canton River dam diversion channel, or the Plymouth Rubber triple drainage culvert, such side or rear yard shall be not less than five (5) feet. There shall be no front yard setback requirement for a Lot.

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PLANNING BOARD VOTE: 4-1

FINANCE COMMITTEE MOTION:

MOVED: The Finance Committee recommends that the motion presented by the Planning Board to Special Town Meeting for Article 1 as written in the warrant be adopted.

FINANCE COMMITTEE VOTE: 10-1-0

PLANNING BOARD DISCUSSION: The Planning Board supports this motion and views the proposed redevelopment as a significant opportunity to achieve an enhanced environmental clean up and public/private reuse of an historic and woefully underutilized area in the Canton Center Economic Opportunity District. This rezoning and redevelopment project would result in a benefit not only for Canton Center but also for the Town as a whole.

The developer's rezoning proposal is consistent with and subject to a comprehensive development agreement signed by the proponent and the Board of Selectmen, with input from the Planning Board, School Committee, Historical Commission, Conservation Commission, ADA Committee and other Town agencies. Copies of the development agreement and exhibits have been available on the Town's webpage for public review for the past few months.

The developer has proposed a mixed-use, community-focused development of the approximately 35-acre former Paul Revere site, consisting of a total of 272 fully ADA-compliant residences. Two hundred twelve (212) of the residences would be owner-occupied and only 60 (all age restricted 55 and older) would be rental apartments. The proposal also includes historic preservation and renovation of the Revere Barn and Mill, Town ownership and control of waterways and walking trails, infrastructure improvements financed by project tax revenues, new annual tax revenue of approximately \$1.2 million, the creation of commercial space, and demolition and enhanced clean up of a heavily contaminated site, including the clean up of all open space transferred to the Town. Ten percent (10%) or twenty-seven (27) of the residences will be affordable housing for moderate-income persons but the Town will be credited with seventy-two (72) units for purposes of our SHI housing inventory, as a result of the number of age-restricted rentals set-aside for moderate-income persons. Lastly, this proposal includes approximately nine acres of useable open space to be purchased with Community Preservation Act funds if STM Article 6 as proposed by the Canton Community Preservation Committee, Planning Board and Conservation Commission is adopted.

FINANCE COMMITTEE MAJORITY DISCUSSION: The Finance Committee recommends the Planning Board motion on this article. This article amends the Zoning By-law to create a new Priority Revitalization Area C, which allows both residential and commercial development.

FINANCE COMMITTEE MINORITY DISCUSSION: The minority opinion of the Finance Committee is opposed to the rezoning and development agreement to develop the property on the former Plymouth Rubber plant. Although the Finance Committee members recognize the substantial amount of time and energy that was spent preparing and negotiating this agreement, two of the members do not believe that this development is in the best long term interest for the Town of Canton. The members have concerns about the number of units to be built in the development, the ability of the developer to sell all 212 condominium units for sale, and the impact this development will have on traffic. The minority opinion does not believe that the developer will be able to sell as many units as they anticipate, which causes additional financial concerns for the condominium owners who do purchase units in the complex. The minority opinion is not convinced that the development overall will be successful for the developer, and does not believe that the development would serve the best long term financial and aesthetic interests for the Town of Canton. For the foregoing reasons, the minority of the Finance Committee is opposed to all of the articles on the Special Town Meeting Warrant.

APPROVED _____ DISAPPROVED _____

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ARTICLE 2

AMEND ZONING MAP BY PLACING PARCELS ALONG REVERE STREET AND NEPONSET STREET WITHIN CCEOD REVITALIZATION AREA C

ARTICLE 2 To see if the Town will vote to amend the zoning map, as most recently amended, by placing parcels of land located along Revere Street and Neponset Street within the Canton Center Economic Opportunity District (Revitalization Area C) established by vote under Article 12 of this 2015 Annual Town Meeting warrant or take any action in relation thereto. Said parcels of land are described in the Board of Assessors' Maps as Map 26, Lots 92, 94, 95 and an area shown on Map 14 and 26 immediately abutting Map 26, Lot 94 consisting of approximately 5.3 acres known as the diversion channel; and as Map 15, Lot 86.

Copies of this Article and the accompanying plan are available for public review at the offices of the Planning Board, Town Clerk, and the Board of

Selectmen, all in Memorial Hall, and at the research desk of the Canton Public Library and on the town web site.

Board of Selectmen

PLANNING BOARD MOTION:

MOVED: That the Zoning Map be amended by placing parcels of land located along Revere Street and Neponset Street within the Canton Center Economic Opportunity District (Revitalization Area C) established by vote under Article 1 of the 2015 Special Town Meeting Warrant. Said parcels of land are described in the Board of Assessors' Maps as Map 26, Lots 92, 94, 95 and an area shown on Map 14 and Map 26 immediately abutting Map 26, Lot 94 consisting of approximately 5.3 acres, known as the diversion channel and Map 15, Lot 86.

PLANNING BOARD VOTE: 4-1

FINANCE COMMITTEE MOTION:

MOVED: The Finance Committee recommends that the motion presented by the Planning Board to Special Town Meeting for Article 2 as written in the warrant be adopted.

FINANCE COMMITTEE VOTE: 9-2-0

PLANNING BOARD DISCUSSION: The Planning Board supports this article and views this as an opportunity to redevelop and clean up, reuse, an underutilized property that will be beneficial to the Town. If Article 1 is adopted, it is necessary to adopt Article 2, which would amend the zoning map and place these parcels within the new district.

FINANCE COMMITTEE MAJORITY DISCUSSION: The Finance Committee recommends the Planning Board motion on this article. This article amends the Zoning Map to rezone properties along Revere Street and Neponset Street, primarily the Plymouth Rubber property, into the new Priority Revitalization Area C.

FINANCE COMMITTEE MINORITY DISCUSSION: The minority opinion of the Finance Committee is opposed to amending the zoning map by placing parcels along Revere Street and Neponset Street within CCEOD Revitalization Area C because of the concerns listed in STM Article 1. Of particular concern is the inclusion of the Neponset Street parcels in this Area C. The planned use of land on Neponset Street is within the scope of the current zoning for the area and adding the parcels allows additional uses along portions of Neponset Street.

APPROVED _____ DISAPPROVED _____

SPECIAL TOWN MEETING MAY 11, 2015

ARTICLE 3

VOTE TO CREATE A DISTRICT IMPROVEMENT FINANCING (DIF) PROGRAM

Article 3 To see if the town will vote to create a district improvement financing program according to the provisions of Chapter 40Q of the General Laws, and:

- (i) to designate a development district within the territory of the Town to be known as the Revere Street Development District, as shown on a plan entitled Proposed Revere DIF Boundary dated January 30, 2015 and on file in the office of the Town Clerk;
- (ii) to adopt a development program for the Revere Street Development District on file in the office of the Town Clerk for the improvement of the quality of life and physical facilities and structure of such district which, pursuant to a Development Agreement with the Town on file in the office of the Town Clerk, provides for:
 - a. the development of up to 295 residential units, approximately 10% of which shall be affordable units;
 - b. the development, construction, improvement or acquisition of public facilities within such district including the barn and rolling mill, Upper Forge Pond, Lower Forge Pond, Mill Pond improvements, diversion channel bridge, improvements to Factory Pond and other waterway and water control improvements, junction walkway, Revere Street sidewalks, roadway, sewers and drains;
 - c. improvement of pedestrian and vehicular traffic control and transportation as set forth in subsection (b), above;
 - d. the use of private property located on Revere Street and Neponset Street and shown on Land Court Plan 23714-A (sheets 6 and 7) as Lot 4, including that known as 104 Revere Street;
 - e. a financial plan whereby the development will be funded with private funds provided by the developer and Town funds from the issuance of bonds or other borrowings pursuant to said Chapter 40Q or Chapter 44 of the General Laws;
 - f. no relocation of displaced persons as the property within such district is unoccupied;
 - g. no provision for operation of such district by the Town after the Development Agreement is fully performed; and
 - h. the continuation of the program for up to 30 years from the date of the designation of the district as provided in said Chapter 40Q;
- (iii) to create a development program fund pursuant to said Chapter 40Q that consists of (a) a development sinking fund and (b) a project cost account and such other accounts as the Board of Selectmen deems necessary or appropriate;
- (iv) to authorize the Board of Selectmen to execute a Development Agreement and to take any and all other action necessary or convenient to the carrying out of the purposes of this vote; and
- (v) to take any other action related thereto.

Board of Selectmen

Comment: A district improvement financing (DIF) program is a municipal tool that allows property development and infrastructure improvement to be financed from tax revenues from a defined district in the Town. Developments within the district are financed by increased tax revenues that result from increases in taxable property values in the improved district. Those new increased tax revenues are then segregated into a separate account to pay for project costs incurred by the Town, if any, related to the development of the district. No new taxes are levied, and the DIF program does not reduce or redirect current property tax revenues.

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In other words, new development that increases available tax revenue without creating additional taxes or diverting existing tax revenue pays for any project costs to be incurred by the Town. This allows for development and payments that would otherwise be infeasible to proceed.

A DIF program may be established pursuant to G.L. c. 40Q. A DIF program requires (1) a plan showing the boundaries of the district, and (2) a financial plan. Copies of the plan showing the proposed district boundaries, DIF program and the financial plan are on file with the Town Clerk's office and are available for review on the Town's website (as Exhibits D, E and F) to the development agreement between the Town and Canton Holdings, LLC governing the re-development of the property within the district. In addition, a copy of that development agreement is on file with the Town Clerk's office and is available for review on the Town's website.

Additional information regarding the DIF program and the development agreement is also available on the Town's website at <http://town.canton.ma.us/554/Plymouth-Rubber-Redevelopment-Exhibits>.

MOVED: That a district improvement financing (DIF) development program and development district be established pursuant to the provisions of Chapter 40Q of the General Laws, and:

- (i) a development district within the territory of the Town to be known as the Revere Street Development District be designated as shown on a plan entitled Proposed Revere DIF Boundary dated January 30, 2015;**

- (ii) development program for the Revere Street Development District be adopted for the improvement of the quality of life and physical facilities and structure of such district pursuant to a Development Agreement with the Town, which includes:**
 - a. the development of up to 295 residential units, approximately 10% of which shall be affordable units;**
 - b. the development, construction, improvement, preservation, operation, development promotion and/or acquisition of public facilities within such district including the Revere barn and rolling mill, Upper Forge Pond, Lower Forge Pond, Mill Pond, improvements, diversion channel bridge, improvements to Factory Pond and other waterway and water control improvements, junction walkway, sidewalks, roadway, water lines, sewers and drains;**
 - c. improvement of pedestrian and vehicular traffic control and transportation as set forth in subsection (b), above;**
 - d. the use of private property located off Revere Street and Neponset Street, known as 104 Revere Street and including property shown on Land Court Plan 23714-A (sheets 6 and 7) as Lot 4 and on Land Court Plan 32678-A as Lot 1 and Lot 2;**
 - e. a financial plan whereby the development will be funded with private funds provided by the developer and Town funds from the issuance of bonds or other borrowings pursuant to said Chapter 40Q or Chapter 44 of the General Laws;**
 - f. no relocation of displaced persons as the property within such district is unoccupied;**
 - g. no provision for operation of such district by the Town after the Development Agreement is fully performed; and**
 - h. the continuation of the program for up to 30 years from the date of the designation of the district as provided in said Chapter 40Q;**

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- (iii) a development program fund be created pursuant to said Chapter 40Q that consists of (a) a development sinking fund and (b) a project cost account and such other accounts as the Board of Selectmen deems necessary or appropriate; and**
- (iv) the Board of Selectmen be authorized to execute a Development Agreement and to take any and all other action necessary or convenient to the carrying out of the purposes of this vote.**

FINANCE COMMITTEE VOTE: 9-2-0

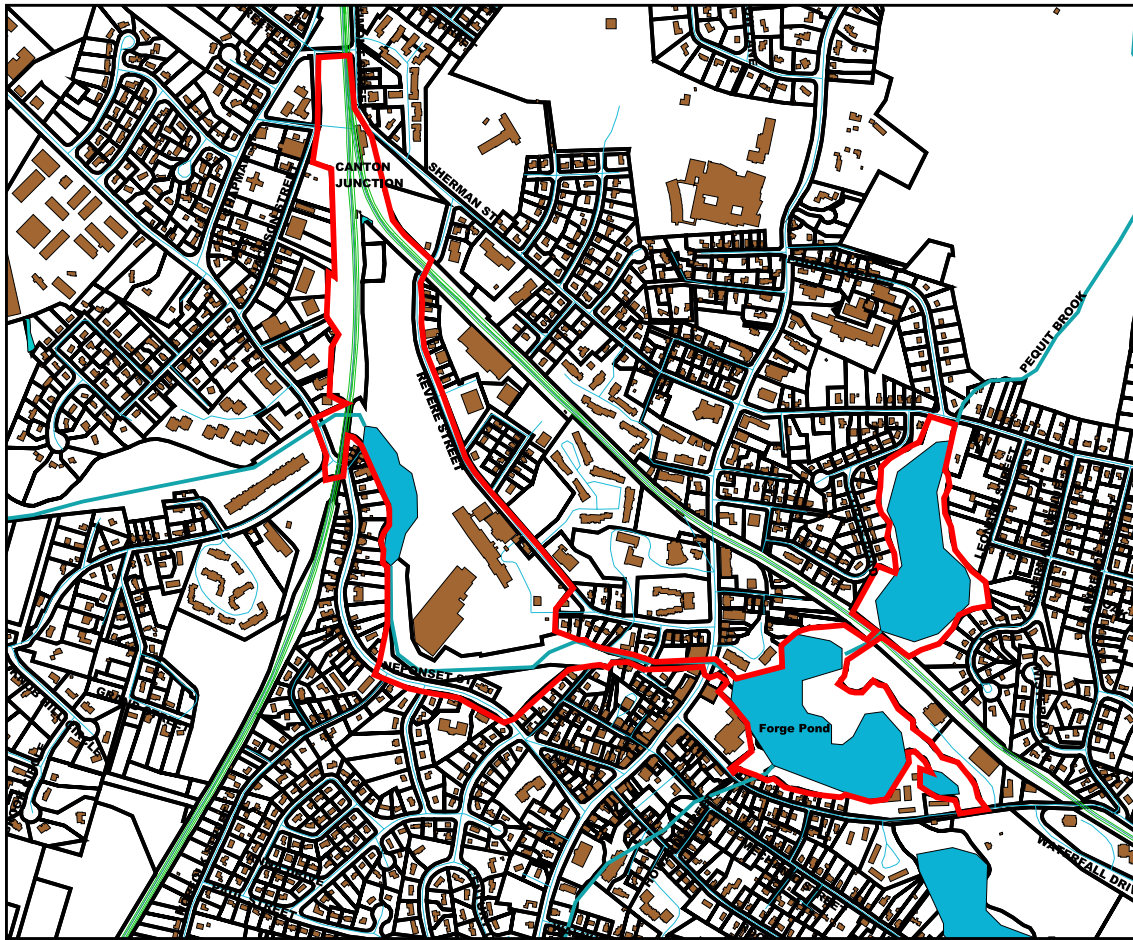
FINANCE COMMITTEE MAJORITY DISCUSSION: The Finance Committee recommends approval of this article. This article would allow the town to set up a DIF District under General Laws chapter 40Q for the Plymouth Rubber site, which allows property development and infrastructure improvements to be financed from the new incremental property taxes from the District. The developer will construct the public infrastructure improvements. The infrastructure improvements include diversion channel improvements, improvements to Revere Street, water main improvements, demolition and remediation work, a new roadway and bridge over the diversion channel, public walkways, dam repairs and improvements to the historic barn and rolling mill. The Town becomes responsible for the agreed upon costs only if the developer completes the project and new revenues generated by the development are sufficient to support the debt service. When the Town's obligations are "triggered" under the Development Agreement, the town would borrow funds to pay for the improvements, and the payments for the bonds would be supported by the new incremental taxes from the District.

The Committee members who support this Article believe that the proposed development, while not perfect, is a significant improvement from past proposals and will accomplish a number of important town goals: cleaning up the site; preserving the historical barn and rolling mill; creating a number of public improvements; creating public open space; and providing additional tax revenue to the town. The Committee spent considerable time reviewing the project, particularly the financial aspects, and believe that the Board of Selectmen, through the Development Agreement, has provided sufficient safeguards for the town, as well as public benefits, to warrant support of this project.

FINANCE COMMITTEE MINORITY DISCUSSION: The minority opinion of the Finance Committee is opposed to creating a District Improvement Financing (DIF) Program because of the concerns listed in STM Article 1. In addition, the intention of the legislature for the DIF was to allow towns to finance infrastructure projects through creative financing in DIF districts. By accepting this article, the Town agrees to finance the infrastructure improvements in the Revere Street area, the DIF District of this article, and to buy parcels as they are improved from the developer. These parcels include the Historic sites on the property – the Rolling Mill and the Barn, whose contaminated ground cannot be used for growing food and the waterways such as Factory Pond that the developer will not attempt to immediately clean because of high levels of dangerous heavy metals that will harm aquatic life all the way down the Neponset River to the river's mouth in the Atlantic Ocean. To accomplish this and satisfy all the agreements between the Town and the developer, the Town will eventually bond over \$8 million dollars at today's estimated costs.

APPROVED _____ DISAPPROVED _____

Proposed Revere DIF Boundary



Prepared by:
Professional Services Corporation, PC
Ten Lincoln Road, Suite 201
Foxborough, MA 02035

January 30, 2015

ARTICLE 4

REVERE STREET APPROPRIATION

Article 4 To see if the Town will vote to raise and appropriate, transfer from available funds or borrow pursuant to any applicable statutes, including to authorize the issuance of bonds or other borrowing pursuant to said Chapter 40Q or Chapter 44 of the General Laws to finance the construction and acquisition of portions of and improvements to the property known as 104 Revere Street, Upper Forge Pond, Lower Forge Pond and other property within the Revere Street Development District as shown on the plan entitled "Proposed Revere DIF Boundary," dated January 30, 2015 and on file with the office of the Town Clerk as part of a District Improvement Financing development program or otherwise; or to take any action related thereto.

Board of Selectmen

MOVED: To appropriate the sum of Eight Million Five Hundred Ninety-Seven Thousand (\$8,597,000) to finance the construction and acquisition of portions of and improvements to the property known as 104 Revere Street, Upper Forge Pond, Lower Forge Pond and other property within the Revere Street Development District as shown on the plan entitled "Proposed Revere DIF Boundary," dated January 30, 2015 and on file with the office of the Town Clerk as part of a District Improvement Financing Development Program ("the Program"), and also to pay costs of certain school building improvements contemplated by the Program, and to meet said appropriation the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow pursuant to Chapter 40Q or Chapter 44 of the General Laws, or any other enabling authority, the sum of Eight Million Five Hundred Ninety-Seven Thousand Dollars (\$8,597,000).

FINANCE COMMITTEE VOTE: 9-2-0

FINANCE COMMITTEE MAJORITY DISCUSSION: The Finance Committee recommends that the town appropriate \$8,597,000 to be raised by borrowing under the DIF program. The town will not be obligated to borrow this amount unless and until the developer has completed all or a portion of the public improvements as detailed in the Development Agreement, and the new tax revenues generated by the development are sufficient to support the debt service, all as set forth in the Development Agreement.

FINANCE COMMITTEE MINORITY DISCUSSION: The minority opinion of the Finance Committee is opposed to the Revere Street Appropriation because of the concerns listed in STM Article 1.

APPROVED _____ DISAPPROVED _____

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ARTICLE 5

ACQUISITION OF REVERE STREET AND NEPONSET STREET LAND AND UPPER AND LOWER FORGE PONDS

Article 5 To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift or eminent domain pursuant to G.L. c. 40Q, G.L. c. 40 and G.L. c. 79, all or any portions of and interests in the properties located off Revere Street and Neponset Street, known as 104 Revere Street and shown on Land Court Plan 23714-A (sheets 6 and 7) as Lot 4, and Upper Forge Pond and Lower Forge Pond shown on Land Court Plan 23714-A (sheets 4 and 5) as Lots 2 and 3, including but not limited to the buildings known as the Rolling Mill and the Barn, a residential condominium unit, all bodies of water and dams and appurtenances thereto including but not limited to Mill Pond, Factory Pond, and the dams on the east branch of the Neponset River, water rights, sluiceways, diversion channels, rights of way, bridges and walkways, and other improvements for access, drainage, utilities, recreational, open space and any other public community, general or municipal purposes; or to take any action related thereto.

Board of Selectmen

MOVED: Moved, that the Board of Selectmen be authorized to acquire by purchase, gift or eminent domain pursuant to G.L. c. 40Q, G.L. c. 40 and G.L. c. 79, all or any portions of and interests in the properties located off Revere Street and Neponset Street bounded southerly by the eastern, southern and western boundaries of the property shown on Land Court Plan 32678-A as Lot 1, westerly by the western boundary of the diversion channel and by the railroad right of way, northerly by the railroad right of way, and easterly by the eastern sideline of Revere Street and the eastern boundary of the property shown on Land Court Plan 23714-A as Lot 4, and including the properties known as 104 Revere Street and shown on Land Court Plan 23714-A (sheets 6 and 7) as Lot 4, the properties shown on Land Court Plan 32678-A as Lot 1 and Lot 2, and Upper Forge Pond and Lower Forge Pond shown on Land Court Plan 23714-A (sheets 4 and 5) as Lots 2 and 3, including but not limited to the buildings known as the Rolling Mill and the Barn, a residential condominium unit, all bodies of water and dams and appurtenances thereto including but not limited to Mill Pond, Factory Pond, and the dams on the east branch of the Neponset River, water rights, sluiceways, diversion channels, rights of way, bridges and walkways, and other improvements for access, drainage, utilities, recreational, open space and any other public community, general or municipal purposes, meaning and intending that the Board of Selectmen be authorized to so acquire all property and improvements thereto referenced by Exhibit H to that certain development agreement between Canton Holdings, LLC and the Town of Canton.

FINANCE COMMITTEE VOTE: 9-2-0

FINANCE COMMITTEE MAJORITY DISCUSSION: The Finance Committee recommends approval. This article authorizes the Board of Selectmen to accept various parcels of land that the developer has agreed to deed to the town, including the barn, rolling mill, a condominium unit, Upper and Lower Forge Pond, the dam, waterways, and other land in connection with the project.

FINANCE COMMITTEE MINORITY DISCUSSION: The minority opinion of the Finance Committee is opposed to the acquisition of Revere Street and Neponset Street land and Upper and Lower Forge Ponds because of the concerns listed in STM Article 1 and 3. Additionally, this acquisition will include one of the Condominium units. Retention and use of these several properties the Town will be receiving have yet to be determined. Some suggestions have been for a visiting teacher's residence or an out of Town Administrator's use after a long late night meeting.

APPROVED _____ DISAPPROVED _____

SPECIAL TOWN MEETING MAY 11, 2015

ARTICLE 6

RECOMMENDATIONS OF THE COMMUNITY PRESERVATION COMMITTEE

Article 6 To see if the Town will vote to adopt and approve the recommendations of the Community Preservation Committee for Fiscal Year 2016 and to see if the Town will vote to implement such recommendations by appropriating a sum or sums of money from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws and by authorizing the Board of Selectmen with the approval of the Community Preservation Committee to acquire by purchase, gift or eminent domain such real property interests in the name of the Town, or enforceable by the Town, including real property interests in the form of permanent affordable housing restrictions and historical preservation restrictions that will meet the requirements of Chapter 184 of the General Laws as may be necessary or proper to carry out the foregoing, or to take any other action related thereto.

Board of Selectmen for the Community Preservation Committee

COMMUNITY PRESERVATION COMMITTEE MOTION

MOVED: That One Million Seven Hundred Forty Thousand Dollars (\$1,740,000) be appropriated from the Community Preservation Fund established pursuant to Chapter 44B of the General Laws to acquire an approximately 6.85-acre portion of the property located off Revere Street and Neponset Street sometimes known as 104 Revere Street, now or formerly owned by the Plymouth Rubber Company and including but not limited to the property shown on Land Court Plan 32678-A as Lot 1 and Lot 2 and the property shown on Land Court Plan 23714-A as Lot 4, contingent upon the grant and approval of a perpetual Conservation Restriction pursuant to Chapter 184 of the General Laws, and that the Board of Selectmen be authorized to acquire by purchase, gift or eminent domain such Conservation Restriction and other real property interests in the name of the Town, or enforceable by the Town, and to take other such actions as may be necessary or proper to carry out the foregoing and to meet said appropriation the Town Treasurer with the approval of the Board of Selectmen be authorized to borrow pursuant to Chapter 44B of the General Laws the sum of One Million Seven Hundred Forty Thousand Dollars (\$1,740,000).

FINANCE COMMITTEE VOTE: 7-4-0

FINANCE COMMITTEE MAJORITY DISCUSSION: The Finance Committee voted 7 to 4 to support the CCPC’s recommendation to appropriate \$1.74M to purchase about 6.8 acres of land on the Plymouth Rubber site, and to appropriate \$15K for legal and administrative expenses in connection with the purchase. The Plymouth Rubber property is the former site of the Revere Company, which includes the historic Revere Barn and Revere Copper Rolling Mill, the first in the United States. Both historic buildings will be donated to the Town by the present owner, Canton Holdings, as part of the Plymouth Rubber project, if the project is approved by Town Meeting. The land to be purchased with CPA funds is immediately adjacent to the historic buildings and to the waterways and public walkways that will be restored or created as part of the Plymouth Rubber development project. As part of the agreement with Canton Holdings, the land would be purchased by the Town only after it is fully remediated as per the approved environmental remediation plan, and the property is fully landscaped. The land would be subject to a permanent Conservation Restriction which would protect its accessibility to all Town residents for passive and active recreation.

FINANCE COMMITTEE MINORITY DISCUSSION: In addition to the general concerns of some members about the development project overall mentioned above, additional members had specific concerns about the terms of financing of this aspect of the project. Though supportive of the projected benefits of this project, specifically the development of open space and a reduction in the overall density of the project, some members believe that this project could and should be paid off on a shorter timeline by devoting fewer Community Preservation Act dollars to other less-beneficial projects. Additionally, Massachusetts state law gives the residents of Canton the right to revoke participation in the Community Preservation Act, if they so choose, starting in 2017. However, if the Town issues 10-year bonds against future projected revenues, then we may limit that right to fully do so until the bonds are paid off, and a minority of members of the Finance Committee do not think that it is appropriate to do so.

APPROVED _____ DISAPPROVED _____

SPECIAL TOWN MEETING MAY 11, 2015

ARTICLE 7

DISPOSITION OF LAND

Article 7 To see if the Town will vote to authorize the Board of Selectmen to sell, convey, transfer and otherwise dispose of that certain property located off Revere Street and the East Branch of the Neponset River known as Lot A, Lot B, Lot 5, Lot 6 and Lot 8 as shown on the plan entitled "Plan of Land in Canton, Mass.," dated February 17, 1962 and recorded at the Norfolk County Registry of Deeds in Plan Book 213 as Plan No. 624 and that certain property located off Revere Street, known as Town Assessor Map 15, Parcel 86 and described by the deed recorded at said Registry in Book 7374, Page 212 as the "Second Parcel," and portions thereof and interests therein for such consideration and on such terms and conditions as the Board of Selectmen deem advisable; or to take any action related thereto.

Board of Selectmen

MOVED: That the Board of Selectmen be authorized to sell, convey, transfer and otherwise dispose of certain property located off Revere Street and the East Branch of the Neponset River shown as Lot A, Lot B, Lot 5, Lot 6 and Lot 8 on the plan entitled "Plan of Land in Canton, Mass.," dated February 17, 1962 and recorded at the Norfolk County Registry of Deeds in Plan Book 213 as Plan No. 624 and that certain property located off Revere Street, known as Town Assessor Map 15, Parcel 86 and described by the deed recorded at said Registry in Book 7374, Page 212 as the "Second Parcel," and portions thereof and interests therein for a minimum amount of ten dollars and such consideration and on such terms and conditions as the Board of Selectmen deem advisable.

FINANCE COMMITTEE VOTE: 10-1-0

FINANCE COMMITTEE MAJORITY DISCUSSION: The Finance Committee recommends approval. This article would authorize the Board of Selectmen to convey small parcels of land that may be owned by the town to the developer to be incorporated into the project. The Army Corps of Engineers obtained some small parcels along the diversion channel when it was doing work there a number of years ago. Some of those small parcels may have been conveyed to the Town when the work was completed. The parcels are not of value to the town and will be incorporated into the Plymouth Rubber project.

FINANCE COMMITTEE MINORITY DISCUSSION: The minority opinion of the Finance Committee is opposed to the disposition of land because of the concerns listed in STM Article 1.

APPROVED _____ DISAPPROVED _____

