

**Special Town Meeting Motions
DECEMBER 8, 2016**

**MAJORITY VOTE REQUIRED
UNLESS OTHERWISE SPECIFIED**

PILOT AGREEMENT – SOLAR PROJECT AT 214Y MAIN STREET

ARTICLE 1. Mr. Whelan moves: that the Town approve the agreement for payment in lieu of taxes (PILOT Agreement), as negotiated by the Town Manager, between the Town of Concord and Kearsarge Concord II LLC, and dated November 9, 2016, regarding the real and personal property associated with solar power generating facilities on or to be located at 214Y Main Street.

BRUCE FREEMAN RAIL TRAIL - EASEMENTS OVER TOWN LAND

ARTICLE 2. Mr. Whelan moves: that the Town authorize the Select Board to grant or deed easements over **the town-owned parcel of land at 30Y Powdermill Road shown on the Assessors maps as parcel #3182**, for an improved multi-use rail trail for non-motorized transportation, open space and recreation purposes and for all other purposes for which rail trails are now or hereafter may be used in the Commonwealth.

Note to Moderator: 2/3rds vote required.

BY PETITION ALTERNATIVE PRD PRELIMINARY SITE DEVELOPMENT AND USE PROPOSAL FOR LOT 4A AND PARCEL A FOREST RIDGE ROAD

ARTICLE 3, Mr. McBride moves: that the Town vote pursuant to Section 10.3.4 of the Zoning Bylaw to approve the Phase II Black Birch Alternative PRD Preliminary Site Development and use proposal for Lot 4A and Parcel A Forest Ridge Road dated September 12, 2016 as filed with the Town Clerk and Planning Board and as amended as set forth in an amendment dated November 21, 2016 and entitled “Provision of Two (2) Affordable Housing Units, Phase II Black Birch Amendment of Preliminary Site Development and Use Proposal for Lot 4A and Parcel A at Forest Ridge Road” which amendment was approved by the Planning Board on November 29, 2016 and subsequently filed with the Town Clerk and Planning Board on November 30, 2016.

Note to Moderator: 2/3rds vote required.

BY PETITION RELEASE OF RESIDENTIAL RESTRICTION APPLICABLE TO LOT 4A AND PARCEL A FOREST RIDGE ROAD

ARTICLE 4. Mr. McBride moves: that the Town take affirmative action under Article 4 as printed in the Warrant.

Note to Moderator: 2/3 vote required.

BY PETITION AMENDMENT OF THE ZONING BYLAW TABLE III – DIMENSIONAL REGULATIONS UNDER MAXIMUM FLOOR AREA RATIO IN THE LIP#2 DISTRICT

ARTICLE 5. Mr. McBride moves: that the Town take affirmative action under Article 5 as printed in the Warrant.

Note to Moderator: 2/3rds vote required.

LAND ACQUISITION – BALLS’ HILL ROAD

ARTICLE 6. Mr. Whelan moves: that the Town vote to appropriate from Free Cash, the sum of \$400,000, said funds to be reimbursed to the Town by the Commonwealth of Massachusetts pursuant to a LAND grant agreement executed between town and the Commonwealth’s Department of Conservation and Recreation dated November 28, 2016, said funds to be used for the purpose of purchasing for conservation and passive recreation purposes, and water and water supply purposes the property or portions thereof at 221 and 265 Ball’s Hill Road; that a portion of said land be conveyed to said Town of Concord to be managed and controlled by the Public Works Commission acting as Water Commissioners; and that a portion of said land be conveyed to said Town of Concord under the provisions of Massachusetts General Laws, Chapter 40, Section 8C, and as it may hereafter be amended and other Massachusetts statutes relating to conservation, to be managed and controlled by the Concord Natural Resources Commission, acting as its Conservation Commission and that the Natural Resources Commission be authorized to file on behalf of the Town of Concord any and all applications deemed necessary for grants or reimbursements from the Commonwealth of Massachusetts under Chapter 132A, Section 11 or any other law in any way connected with the scope of this Article, and the Town of Concord, the Town Manager, and the Natural Resources Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Concord to affect said purchase.

Note to Moderator: 2/3rds vote required.