



**COMMONWEALTH OF MASSACHUSETTS**  
**TOWN OF KINGSTON**  
*Warrant*  
*Special Town Meeting*

To one of the Constables in the Town of Kingston, County of Plymouth and Commonwealth of Massachusetts,

***GREETINGS:***

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the Inhabitants of said Town qualified to vote in town affairs to meet at the Kingston Intermediate School, 65 Second Brook Street, on Monday, October 22, 2007, at 7:00 p.m., then and there to act on the following articles:

***ARTICLE 1***

To see if the Town will vote to authorize and direct the Board of Selectmen to request special legislation as set forth below; provided, however, 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 provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

**AN ACT AUTHORIZING THE DEPARTMENT OF HIGHWAYS AND THE TOWN OF KINGSTON TO EXCHANGE CERTAIN PARCELS OF LAND**

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

SECTION 1. Upon completion of its review and its approval of the plans for the construction of a ramp in the town of Kingston to provide access from public ways serving the Kingston MBTA Station and land in Kingston and Plymouth in the vicinity thereof to state highway route 3, southbound, the department of highways, hereinafter referred to as the "department," shall notify the board of selectmen of the town of Kingston. The notice shall include one or more plans depicting (1) the layout of the ramp, (2) the extension of Cranberry road as approved by the town of Kingston planning board as provided in section 3 and (3) necessary easements, both construction and permanent, within the boundaries of the town's land described as parcels 1,2,3 and 5 on the plan identified in said section 3. Neither the layout of the ramp, the extension of Cranberry road nor the easements shall require the relocation of the town's existing sewer treatment and recycling facilities.

SECTION 2. Notwithstanding any general or special law to the contrary, the department, following its acquisition of the land and the easements described in section 3, shall convey to the town for municipal purposes, the portion of land owned by the department shown as parcel 6 on plan located south of the layout of the ramp no longer required for highway purposes. The parcel shall not be less than 30,000 square feet, shall be contiguous to parcel 4 and shall be described in the notice given to the board of selectmen under section 1.

SECTION 3. (a) Notwithstanding any general or special law to the contrary, the board of selectmen of the town of Kingston, upon receipt of the notice required under section 1 and, as requested by the department, shall either convey by deed to the department or release the town's interest in, and the department shall acquire by the deed, eminent domain or otherwise, the land required for the ramp to be laid out as a state highway in the following described parcels of land owned by the town: not more than 1.95 acres of the town's land described as parcel 1,2 and 3 on that plan of land entitled " Plan of Land Parcels in Kingston Massachusetts to be Exchanged between the Town of Kingston and the Massachusetts Department of Highways," dated August 6, 2007. The deed or release shall also include such easements in parcels 1, 2, 3 and 5 as the department requires in connection with the construction and operation of the ramp. (b) The department, in accordance with Section 7A of chapter 81 of the General Laws, on behalf of the town of Kingston, shall alter Cranberry road to create its extension as approved by the planning board of the town of Kingston as a roadway to the ramp. The extension shall be located within parcels 2 and 5 as shown on the plan. (c) The extension of Cranberry road shall be designed and constructed in accordance with the design standards adopted under the town of Kingston smart growth zoning by-law and approved by the planning board of the town of Kingston.

SECTION 4. The board of selectmen of the town of Kingston shall apply for the permits and approvals required from the department of environmental protection to use the lands described in section 3 for the purposes provided in sections 1 and 3.

SECTION 5. Notwithstanding any general or special law to the contrary, upon completion of the ramp in accordance with the approvals issued by the department, the department shall notify the town of the completion and shall take control of and operate the ramp as part of the department's highway system.

SECTION 6. The plan referred to in Section 3 shall be kept on file with the chief engineer of the department and the town administrator of the town of Kingston.

SECTION 7. This act shall take effect upon its passage.

Or take any other action relative thereto

## ***ARTICLE 2***

To see if the Town will vote to establish a Stabilization Fund in accordance with the provisions of M.G.L. chapter 40, section 5B for the purposes of segregating the Smart Growth Zoning Incentive Payments received in accordance with M.G.L. chapter 40R, and style the fund "Smart Growth Zoning Incentives"; and further, that no appropriation shall be made from said fund until FY 2011; and further, to appropriate funds in the treasury received in connection with the Incentive Payment made to the Town in accordance

with M.G.L. chapter 40R into the “Stabilization Fund-Smart Growth Zoning Incentives”, or take any other action relative thereto.

***ARTICLE 3***

To see if the Town will vote to appropriate a sum of money to be expended in anticipation of the reimbursement authorized for the State’s share of the cost of work to be done under Chapter 90 of the General Laws, or take any other action relative thereto.

***ARTICLE 4***

To see if the Town will vote to amend the vote taken under Article 12 of the April 11, 2007 session of the Annual Town Meeting, by striking the words “Brush Fire Truck Fire Department \$ 15,000” under the Capital Plan and substituting the words “Emergency Repairs to Ladder 1 Fire Department \$ 13,000 and Brush Truck Fire Department \$ 2,000”, or take any other action relative thereto.

***ARTICLE 5***

To see if the Town will vote to amend the Zoning By-Laws in Section 4.4. Residential-20 District (R20) by adding a new Section 4.4.4.10. to read as follows:

4.4.4.10. Conversion or re-use by a purchaser from the Town of a building formerly built, owned and/or used as a municipal building, to or for one or more of the following uses: Office, Executive or Administrative; Artist Studio and/or Gallery.

Or take any other action relative thereto.

***ARTICLE 6***

To see if the Town will vote to rescind previously authorized debt on certain projects of the Town, or take any other action relative thereto.

***ARTICLE 7***

To see if the Town will vote to amend the General By-Laws, Chapter 3 entitled FINANCE COMMITTEE AND BUDGET PROCESS, Article 1. Finance Committee, in Section 3-1-1. Composition by striking the first sentence as follows: “There shall be nine members constituting the Finance Committee.” and substituting the following new sentence: “There shall be seven members constituting the Finance Committee.”

Or take any other action relative thereto.

***ARTICLE 8***

To see if the Town will vote to amend the vote passed April 11, 2007 under Article 7 of the warrant for the 2007 Annual Town Meeting, which vote appropriated and authorized a borrowing of \$ 450,000 for the purpose of financing the design, engineering and construction of extensions to the Town sewer system

within the area of the approved Facilities Plan, and as amended by the Sewer Commission, said Plan on file in the Office of the Town Clerk, to provide that all or a portion of such \$ 450,000 appropriation shall be met by a transfer of sewer betterment funds rather than by a borrowing; or take any other action relative thereto.

**ARTICLE 9**

To see if the Town will vote to accept as a public way the portions of Hillcrest Road, as heretofore laid out by the Board of Selectmen and shown on a plan entitled "Plan of Hillcrest Road in Kingston, Mass.", dated December 8, 1961, prepared by Delano & Keith Surveyors, a copy of which is on file with the Town Clerk, and further to authorize the Board of Selectmen to acquire, on behalf of the Town, by purchase, gift, or eminent domain, easements to use said portions for all purposes for which public ways are used in the Town of Kingston, and all associated drainage and other easements, or to take any other action relative thereto.

And you are directed to serve this Warrant by posting attested copies at the Kingston Public Library, at the Reed Community Building, at the Kingston Intermediate School, at the Kingston Elementary School and at the main entrance to the Town House, the polling places of the precincts in said Town, fourteen (14) days at least before the time of holding said meeting.

HEREOF fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of meeting aforesaid.

GIVEN under our hands this 11th day of September, in the year of our Lord Two Thousand Seven, the Independence of the United States of America the Two Hundred Thirty First and the Two Hundred Eighty First Anniversary of the Incorporation of the Town of Kingston.

**BOARD OF SELECTMEN**

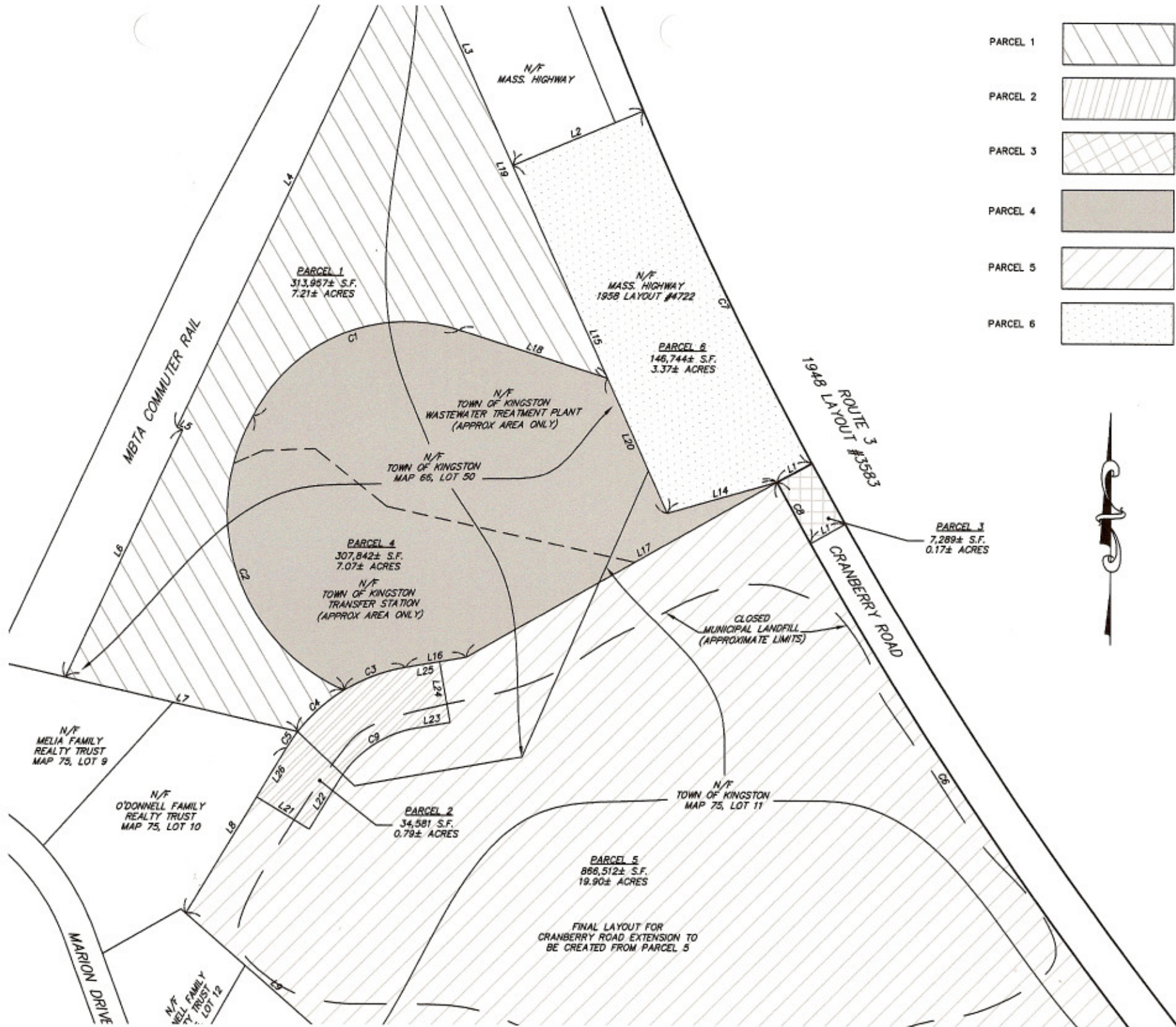
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Mark S. Beaton, Chairman

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Sandra D. MacFarlane, Vice-Chairman

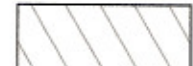
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Paul M. Gallagher

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Joseph D. Kelleher

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Jean Landis-Naumann



PARCEL 1



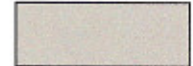
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PARCEL 3



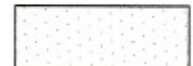
PARCEL 4



PARCEL 5



PARCEL 6



FINAL LAYOUT FOR  
CRANBERRY ROAD EXTENSION TO  
BE CREATED FROM PARCEL 5