



## WARRANT

For

### **Special Town Meeting**

October 30, 2010

9:00 a.m.

Hamilton-Wenham Regional High School  
Auditorium

# Town By-Laws

## CHAPTER II

### RULES AND PROCEDURE OF TOWN MEETINGS

**SECTION 1.** All articles in the warrant shall be taken up in the order of their arrangement, unless otherwise decided by a two-thirds vote.

**SECTION 2.** In case of motions to amend, or to fill out blanks, the one expressing the largest sum or the longest time shall be put first, and an affirmative vote thereon shall be a negative vote on any smaller sum or shorter time.

**SECTION 3.** The report of a committee shall be deemed properly before a meeting if a request for its acceptance is included in an article of the warrant and a copy is published in the Special Report or is filed with the Town Clerk fifteen days prior to the meeting. A vote to accept a final report shall discharge the committee but shall not be equivalent to a vote to carry out its recommendations. A vote on recommendations included in a committee report shall only be in order under an article to that effect in the warrant. A vote to accept a report of progress shall continue the committee under its original authority unless otherwise specified.

**SECTION 4.** If an article of the Warrant has once been acted upon and disposed of, it shall not be again considered at the meeting except by a two-thirds vote.

**SECTION 5.** No money shall be appropriated from the Stabilization Fund except by a 2/3 vote at a Town Meeting.

**SECTION 6.** Only registered voters of the Town shall be admitted and entitled to vote at any Annual or Special meeting provided that upon prior request the Moderator may admit to the meeting persons who are not registered voters and in his discretion may permit them to speak on a subject. Any person so permitted to speak at a meeting shall announce his full name and address to the meeting.

**SECTION 7.** Motions at Town Meeting shall be made orally, but the Moderator may require any motion also to be submitted in writing. Unless otherwise directed thereby the Moderator shall appoint all committees created by the vote of the Town.

**SECTION 8.** The conduct of all Town Meetings not prescribed by law or by the foregoing rules shall be determined by the rules of practice contained in Town Meeting Time, A Handbook of Parliamentary Law, Second Edition.

**SECTION 9.** On matters requiring a two-thirds vote, either by statute or these By-Laws, a count need not be taken and the vote need not be recorded unless the vote declared is immediately questioned by seven or more voters as provided in General Laws, Chapter 39, Section 15.

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<b>SECTION 3</b>	<b>PLANNING / ZONING ACTIONS</b>	
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**Please note:** *The appendices are available at the Town Hall, on-line @ [www.hamiltonma.gov](http://www.hamiltonma.gov) and at the meeting. They were omitted from the warrant mailing to save in printing and postage costs.*

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ESSEX, SS

TO THE CONSTABLE OF THE TOWN OF HAMILTON:

GREETINGS:

*In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Hamilton qualified to vote in election and town affairs, to meet at the Hamilton-Wenham Regional High School in said town, on Saturday, the Thirtieth day of October, in the year Two Thousand Ten (October 30, 2010) at nine o'clock in the morning (9:00 a.m.), then and there to act on the following articles.*

**SECTION 1: ELECTIONS, REPORTS, PROCEDURES**

	None.
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**SECTION 2: FINANCIAL ACTIONS**

<p>ARTICLE 2010/10 2-1</p> <p><i>Donovan Fields</i></p>	<p>To see if the Town will appropriate a sum of money to acquire by purchase a parcel of land on Sagamore Street, Hamilton, the parcel consisting of 51.7 ± acres of open land identified as Map 33, Lot 8 in the records of the Hamilton Assessors and referred to as the “Donovan Field property,” the plan of which is on file with the Town Clerk, as recommended by the Community Preservation Committee, said parcel to be used for open space, active or passive recreational purposes; to determine whether this appropriation shall be transferred from the Community Preservation Fund Balance, the Open Space Reserve, or, authorize the Treasurer, with the approval of the Selectmen, to borrow said sum under the Community Preservation Act to fund such acquisition, or apply for grants to fund by reimbursement or otherwise a portion or all of said acquisition; further, that the Board of Selectmen be authorized to grant a conservation restriction or easements in said parcel of land as it may deem appropriate or necessary to secure funding, and to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town to effectuate said acquisition and secure the funding sources; and further:</p> <p>a) to authorize a portion of said land to be managed by the Hamilton Conservation Commission for conservation and passive recreation purposes whether or not necessary to secure a grant reimbursement under the LAND program (M.G.L. Chapter 132A, Section § 11; or</p>
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	<p>b) to authorize a portion of said land to be managed by the Recreation Department for active recreation purposes in accordance with Chapter 45, Section 3 or 14 whether or not necessary to secure a grant reimbursement under the PARC Program (301 CMR 5.00); or</p> <p>c) any combination thereon;</p> <p>or take any action thereof or relative thereto. (Expected request \$733,000.00)</p> <p><b>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</b></p>
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**SECTION 3: PLANNING /ZONING ACTIONS**

<p>ARTICLE 2010/10 3-1</p> <p align="center"><i>Estate Overlay District</i></p>	<p>To see if the Town will amend the Zoning By-law by adding a new Section V.H, entitled “Estate Overlay District”, or take any other action thereon or relative thereto.</p> <p>[The proposed language appears as <b>Appendix A</b> to the Fall 2010 Appendix Book]</p> <p><b>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</b></p>
<p>ARTICLE 2010/10 3-2</p> <p align="center"><i>Willow Street Overlay District</i></p>	<p>To see if the Town will amend the Zoning By-law by adding a new Section V.I, entitled “Willow Street Overlay District”, or take any other action thereon or relative thereto.</p> <p>[The proposed language appears as <b>Appendix B</b> to the Fall 2010 Appendix Book]</p> <p><b>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</b></p>

**SECTION 4: TOWN BY-LAW AMENDMENTS**

<p>ARTICLE 2010/10 4-1</p> <p align="center"><i>Quinn Bill Revocation</i></p>	<p>To see if the Town will rescind the acceptance of the so-called Quinn Bill, being M.G.L. c.41, §108L, or take any other action thereon or relative thereto.</p> <p><b>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</b></p>
<p>ARTICLE 2010/10 4-2</p> <p align="center"><i>Changes to Town Bylaws</i></p>	<p>To see if the Town will amend the General By-laws, <i>passim</i>, so as to conform the by-laws to the Special Act Establishing a Town Manager in the Town of Hamilton, Ch. 114 of the Acts of 2009, and to correct errors in Ch. II of the by-laws, or take any action related thereto.</p> <p>[The proposed language appears as <b>Appendix C</b> to the Fall 2010 Appendix Book]</p> <p><b>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</b></p>

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<p><b>ARTICLE 2010/10 4-3</b></p> <p align="center"><i>Municipal Affordable Housing Trust</i></p>	<p>To see if the Town will accept the provisions of M.G.L. c. 44, § 55C to establish a Municipal Affordable Housing Trust Fund and amend the Town By-laws to add a new Chapter XXXII describing the operation of the Trust Fund, or take any other action thereon or relative thereto.</p> <p>[The proposed bylaw chapter appears as <b>Appendix D</b> of the Fall 2010 Appendix Book.]</p> <p><b>The Board of Selectmen recommends favorable action. The Finance and Advisory Committee will make a recommendation at Town Meeting.</b></p>
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**SECTION 5: OTHER ACTIONS**

<p><b>ARTICLE 2010/10 5-1</b></p> <p align="center"><i>Affordable Housing Restriction</i></p>	<p>To see if the Town will authorize the Board of Selectmen to accept an affordable housing deed restriction meeting the requirements of G.L. c. 184 on the property located at 69 Willow Street, purchased by Harborlight Community Partners, or take any other action thereon or relative thereto.</p> <p><b>The Board of Selectmen and the Finance and Advisory Committee recommend favorable action.</b></p>
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**SECTION 6: CLOSING FINANCIAL ACTIONS**

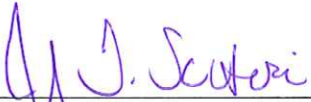
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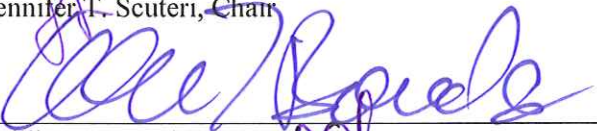
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ADJOURNMENT

Given under our hands October 4, 2010

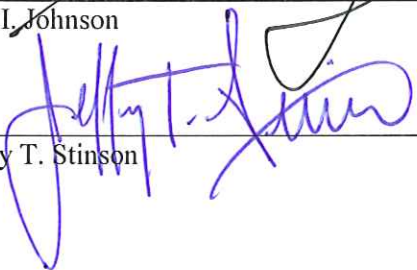
HAMILTON BOARD OF SELECTMEN

  
\_\_\_\_\_  
Jennifer T. Scuteri, Chair

  
\_\_\_\_\_  
William F. Bowler

  
\_\_\_\_\_  
David S. Carey

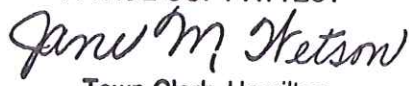
  
\_\_\_\_\_  
Marc I. Johnson

  
\_\_\_\_\_  
Jeffrey T. Stinson

Hamilton, Massachusetts

I have this day served this warrant as directed by Chapter 1, Section 1b of the Town By-laws.

Constable

A TRUE COPY ATTEST  
  
Town Clerk, Hamilton

BULK RATE  
U.S. POSTAGE PAID  
PERMIT #24  
HAMILTON, MA 01936

## POSTAL PATRON

The Town has a new website – Please log on to  
[www.hamiltonma.gov](http://www.hamiltonma.gov) and take a look!

Please join us

Saturday, October 30, 2010

# ANNUAL TOWN MEETING

Hamilton-Wenham Regional High School  
Auditorium  
9:00 a.m.

***DEMOCRACY IS NOT A SPECTATOR SPORT***

*Please bring this warrant with you to the Town Meeting. Thank you.*