

ARTICLES IN THE WARRANT

FOR THE

SPECIAL TOWN MEETING

TOWN OF CHATHAM

MONDAY, JANUARY 25, 2010

6:30 P.M.

WITH

RECOMMENDATIONS OF

BOARD OF SELECTMEN

AND

FINANCE COMMITTEE

CHATHAM HIGH SCHOOL

425 CROWELL ROAD

COMMONWEALTH OF MASSACHUSETTS

**TOWN OF CHATHAM
SPECIAL TOWN MEETING WARRANT
MONDAY, JANUARY 25, 2010**

THE COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

GREETINGS:

To any of the Constables in the Town of Chatham in the County of Barnstable.

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to NOTIFY and WARN the INHABITANTS OF THE TOWN OF CHATHAM, qualified to vote in elections and Town affairs to meet in the gymnasium of the Chatham High School on Crowell Road in said Chatham on the 25th day of January at 6:30 o'clock in the evening, then and there to act on any business that may legally come before said meeting.

Resolution: Resolved that the Town vote to adopt the following rules of procedure for the Special Town Meeting of January 25, 2010.

- A) The Moderator shall have the option of reading each Article in the Warrant verbatim or summarizing the subject matter therein in general terms, at his discretion.
- B) Upon an Article having been disposed of by vote, the Moderator shall entertain a motion to reconsider said Article or to accept a Resolution pertaining to said Article only during the same session during which said vote was acted upon.
- C) A motion to move the previous question shall require a two-thirds vote and may not be debated.
- D) The Moderator shall not accept a motion to move the previous question by any person discussing the Article until after an intervening speaker has discussed the Article.
- E) A non-voter may request the privilege of addressing the meeting on a motion made under any Article or Resolution offered, the request to be granted by the Moderator unless there is an objection by a voter. Upon objection, the Moderator shall poll the meeting by voice or count, at his discretion, and a majority vote in favor shall entitle said non-voter to address the meeting. However, the Moderator may grant the privilege of the floor to any non-resident Town Department Head without necessity of a vote.
- F) The Moderator shall not entertain the question of the presence of a quorum at any point at which a motion to move the previous question has already been voted.
- G) Speakers addressing the meeting shall be limited to five (5) minutes within which to present their remarks. The Moderator will not recognize anyone who has previously spoken on the Article until all persons wishing to address the meeting have had an opportunity to speak. The Moderator may exercise reasonable discretion in enforcement of this rule.

The foregoing rules are not intended to alter or change the traditional conduct of the Town Meetings in Chatham except as specifically stated above.

Article 1 – Zoning Map Change (Protective [Zoning] ByLaw)

To see if the Town will vote to amend the map accompanying the Protective ByLaw, entitled Town of Chatham – Zoning Map, 2001, as further amended at the Special Town Meeting dated October 26, 2009 (pursuant to Article 10 – GB3 Zoning Map Change), by extending the limits of the R40 (Residential) Zoning District to include that portion of the entire parcel identified by Assessors Map 13E-37-C29 which prior to the said amendment as made by Article 10 was included in the R40 (Residential) Zoning District, or take any other action in relation thereto.

(by petition)

Motion: By Gloria Freeman
I move that the Town vote to amend the map accompanying the Protective ByLaw, entitled Town of Chatham – Zoning Map, 2001, as further amended at the Special Town Meeting dated October 26, 2009 (pursuant to Article 10 – GB3 Zoning Map Change), by extending the limits of the R40 (Residential) Zoning District to include that portion of the entire parcel identified by Assessors Map 13E-37-C29 which prior to the said amendment as made by Article 10 was included in the R40 (Residential) Zoning District.

Speaker: Gloria Freeman

Explanation: *Article 10 of the Warrant for the Special Town Meeting of October 26, 2009 sought approval to rezone the portion of the subject lot (to the rear of the Chatham Village Market site) to allow property owners “access to the process” to file for an expanded project specifically including Chatham Village Market. However, on November 23, 2009, Chatham Village Market issued a written statement saying that they would be looking to move to another location. Therefore, in accordance with the Map that is attached, this Article returns zoning to what it was prior to the October 26, 2009 vote.*

Board of Selectmen Recommendation: Disapprove 3-2-0

Finance Committee Recommendation: Disapprove 6-2-0

Planning Board Recommendation: Disapprove 4-1-0

Article 2 - Marconi Station Site Improvements

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money it determines necessary to fund site improvements required to create a new entry road, parking areas, associated drainage and utilities at the former Marconi-RCA site in Chathamport in the vicinity of the Operations Building (847 Orleans Road) and the Hotel building (831 Orleans Road) in order to facilitate the creation of the Chatham Marconi Maritime Center and to provide for future reuse of the Hotel, or take any other action in relation thereto.

(Community Preservation Committee)

Motion: By Robert Oliver, Community Preservation Committee
I move that the Town vote to transfer the sum of \$408,730 from the Community Preservation Fund balance in order to fund site improvements required to create a new entry road, parking areas, associated drainage and utilities at the former Marconi-RCA site in Chathamport in the vicinity of the Operations Building (847 Orleans Road) and the Hotel building (831 Orleans Road) in order to facilitate the creation of the Chatham Marconi Maritime Center and to provide for future reuse of the Hotel.

Speaker: Robert Oliver, Community Preservation Committee

Explanation: *The Town has diligently pursued appropriate building reuse scenarios for the former Marconi-RCA Wireless Receiving Station which will culminate in a long-term lease with the Chatham Marconi Maritime Center (CMMC), enabling the creation of a museum in the Operations Building. The CMMC will showcase the Station's historical importance to both the local and national public, given its significance in the development and then practical implementation of worldwide wireless communication, which resulted in Chatham being a major listening post during WWII, and the busiest ship-to-shore communication link in the Western Hemisphere during the post-war period. The CMMC plans to open the museum in 2010. Extensive rehabilitation to the exterior facades of the four brick buildings on the campus, funded by a previous CPA article passed by Town Meeting in 2007, has been completed, bringing the restoration of the facility to an appropriate level of historical consistency. This article would enable the Town to make the necessary site improvements including creating a new entry way, parking areas, associated drainage and utilities in order to facilitate the creation of the CMMC, or indeed, any other use of the Operations and Hotel buildings.*

Community Preservation Committee: Approve 7-0-0

Board of Selectmen Recommendation: Approve 3-2-0

Finance Committee Recommendation: Approve 7-0-0

Article 3 – Petition to the Massachusetts General Court to Validate Charter Amendments
Voted by Town Meeting as Article 21 of the May, 2001 Town Meeting

To see if the Town will vote to authorize the Board of Selectmen to petition the Massachusetts General Court to file special legislation to validate the Chatham Charter amendments voted as Article 21 at the May 15, 2001 session of the Annual Town Meeting, notwithstanding any general or special law to the contrary, or as amended by the legislature to accomplish the purposes intended, or take any other action in relation thereto.

(Board of Selectmen)

Motion: By Ronald Bergstrom, Chairman, Board of Selectmen
I move that the Town Meeting vote the article as printed in the Warrant.

Speaker: Bruce Gilmore, Town Counsel

Explanation: *Following the town meeting vote in 2001, the Town failed to place the amendments on the next Town election ballot as required by Massachusetts General Laws Chapter 43B, Section 11. This legislation is necessary to validate the town meeting vote.*

Board of Selectmen Recommendation: Approve 5-0-0

Finance Committee Recommendation: Approve 7-0-0

And you are directed to serve this Warrant by posting attested copies thereof at the several Post Offices in said Town, fourteen days at least, before the time of holding said meeting. Hereof fail not and make due return of the Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting as aforesaid.

Given under our hands this _____ day of _____ in the year of our Lord, Two Thousand and Nine.

Ronald J. Bergstrom, Chairman

Leonard M. Sussman, Vice-Chairman

Florence Seldin, Clerk

Sean Summers

David R. Whitcomb
Chatham Board of Selectmen

A True Copy, Attest

Julie Smith, Town Clerk

Barnstable, ss.

Pursuant to the written WARRANT, I have notified and warned the inhabitants of the Town of Chatham by posting attested copies of the same in each of the Post Offices of said Town at least fourteen days before January 25, 2010 on _____, 2009.

Constable

Date