

W A R R A N T

ANNUAL TOWN MEETING

APRIL 1, 2008
(ELECTION)

APRIL 28, 2008
(GENERAL BUSINESS PORTION)

W A R R A N T
ANNUAL TOWN MEETING
TOWN OF WAREHAM

APRIL 1, 2008
(ELECTION)

DESIGNATED POLL LOCATIONS

8:00 O'CLOCK A.M. to 8:00 O'CLOCK P.M.

APRIL 28, 2008
(GENERAL BUSINESS PORTION)

WAREHAM HIGH SCHOOL
VIKING DRIVE
WAREHAM, MA 02571

7:00 O'CLOCK P.M.

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, S.S.

TO EITHER OF THE CONSTABLES OF THE TOWN OF WAREHAM

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the legal voters of the Town qualified to vote in Town affairs to meet in **Precinct 1:** Wareham Town Hall, 54 Marion Road; **Precinct 2:** Ethel B. Hammond Elementary School, Highland Avenue, Onset; **Precinct 3:** Minot Forest School, Minot Avenue, East Wareham; **Precinct 4 and Precinct 5:** John W. Decas School, 760 Main Street, South Wareham; **Precinct 6:** Wareham Lodge of Elks, 2855 Cranberry Highway, East Wareham on Tuesday, April 1, 2008 at 8:00 o'clock a.m. for the election of Town officers designated in the official ballot, to be adjourned until Monday, April 28, 2008 at 7:00 o'clock p.m. in the High School Auditorium, Viking Drive, Wareham, MA at which time the general business of the Town shall be transacted, and to act on the following articles:

ARTICLE 1

To choose the following officers: two (2) Selectmen for the term of three (3) years, two (2) Assessors for the term of three (3) years, two (2) School Committee members for the term of three (3) years, one (1) Housing Authority member for the term of five (5) years, one (1) Deputy Moderator for the term of (1) year and one (1) Constable for the term of three (3) years; or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 2

To see if the Town will vote to authorize the Board of Selectmen and/or the Town Administrator to apply for, accept and enter into contracts from time to time for the expenditure of any funds allotted or otherwise available to Wareham by the Commonwealth of Massachusetts or the U.S. Government under any State or Federal Grant program or activity, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 3

To see whether the Town will authorize the Town Treasurer/Collector to enter into a compensating balance agreement or agreements for fiscal year 2009 pursuant to Chapter 44, Section 53F of the General Laws, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Town Treasurer/Collector

ARTICLE 4

To act upon the reports of the Selectmen and the School Committee as required by statute and upon any other reports from officers and committees who consider it expedient to do so, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 5

To see if the Town will vote to fix the salary and compensation of the following elective officers: Town Clerk and Town Moderator, and any other elective officers of the Town as provided by Section 108, Chapter 41, General Laws as amended and to raise and appropriate a sum of money therefore, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 6

To see if the Town will vote to determine what sums of money the Town will raise and appropriate, including appropriations from available funds, to defray charges and expenses of the Town, including debt and interest, and to provide for a Reserve Fund for the Fiscal Year beginning July 1, 2008 and ending June 30, 2009 and as more particularly described in the report of the Wareham Finance Committee, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 7

To see if the Town will vote to raise and appropriate One million, Eight hundred twenty thousand, six hundred twenty eight dollars and no cents (\$1,820,628.00) as its share of the operating costs and capital costs of the Upper Cape Cod Regional Vocational-Technical High School District for the Fiscal Year July 1, 2008 through June 30, 2009, or to do or act in any manner relative thereto.

Inserted by the Upper Cape Cod Regional Vocational-Technical School District

ARTICLE 8

To see if the Town will vote to appropriate a sum of money to the Emergency Medical Services salaries and wages account and a sum of money to the Emergency Medical Services general expense account, still further, to authorize a sum of money in estimated receipts of the emergency medical services to be used to offset said appropriation in accordance with MGL Chapter 44, Section 53E, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 9

To see if the Town will vote to appropriate a sum of money from the Sewer Betterment Retained Earnings Account, a sum of money from the Sewer Enterprise Fund Retained Earnings Account, and a sum of money from the wastewater enterprise revenue in accordance with MGL Chapter 44, Section 53F-1/2 of Massachusetts General Laws to defray the operating and capital expenses of the Water Pollution Control Enterprise Fund for the fiscal year beginning July 1, 2008, and ending June 30, 2009, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 10

To see if the Town will vote pursuant to MGL Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of recreation programs, supplies, equipment, contracted instructors and any related expenses, which fund shall be credited with receipts from all Recreation Department program user fees, proceeds of fund-raising activities and donations under the authority and direction of the Director of Recreation, acting with the approval of the Town Administrator and the Recreation Commission; such expenditures not to exceed \$120,000 expended in any one fiscal year; and further, that the unencumbered balance as of the close of fiscal year 2008 in the existing recreation revolving account be transferred to the revolving fund established for fiscal year 2009, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Recreation Commission

ARTICLE 11

To see if the Town will vote pursuant to MGL Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of recycling programs, projects, supplies, equipment and any related expenses, which fund shall be credited with receipts from recycling programs and projects, proceeds of fund-raising activities and donations under the authority and direction of the Chairman of the Recycling Committee, acting with the approval of the Town Administrator; such expenditures not to exceed \$50,000; and further, that the unencumbered balance as of the close of fiscal year 2008 in the existing recycling revolving account be transferred to the revolving fund established for fiscal year 2009, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Recycling Committee

ARTICLE 12

To see if the Town will vote pursuant to MGL Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of shellfish propagation programs and enhancement of shellfish resources within the Town of Wareham, which fund shall be credited with receipts from all commercial shellfish permit fees and 20 percent (20%) of all fees derived from the issuance of recreational (family) shellfish permits under the authority and direction of the Shellfish Constable and Town Administrator, with such expenditures not to exceed \$20,000 in any one fiscal year; and further, that the unencumbered balance as of the close of fiscal year 2008 in the existing shellfish revolving account be transferred to the revolving fund established for fiscal year 2009, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Harbormaster/ Shellfish Constable

ARTICLE 13

To see if the Town will vote pursuant to MGL Chapter 44, Section 53E-1/2 of Massachusetts General Laws to authorize the use of a revolving fund for the purpose of providing transportation to elderly and disabled citizens of the Town, which fund shall be credited with receipts from transportation proceeds, including donations, under the authority and direction of the Senior/Social Services Director acting with the approval of the Town Administrator; such expenditures not to exceed \$210,000; and further, that the unencumbered balance as of the close of fiscal year 2008 in the existing transportation revolving account be transferred to the revolving fund established for fiscal year 2009, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 14

To see if the Town will vote pursuant to M.G.L. c.44, §53E-1/2, to authorize the use of a revolving fund for the purpose of providing all day kindergarten tuition, programs, supplies, equipment, wages, salaries, fringe benefits and any related expenses, which fund shall be credited with receipts from user fees, proceeds of fund raising, donations, and other related receipts under the authority and direction of the Superintendent of Schools, acting with approval of the School Committee, such expenditures not to exceed \$195,000.00 expended in fiscal year 2009, and further that the unencumbered balance as of the close of the fiscal year 2008 in the existing kindergarten revolving account be transferred to the revolving account established for fiscal year 2009, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the School Committee

ARTICLE 15

To see if the Town will vote pursuant to MGL Chapter 44, Section 53E 1/2 to authorize the use of a revolving fund for the purpose of providing educational and social programs to the elderly and disabled citizens of the town, which fund shall be credited with receipts from proceeds from the above programs, under the authority and direction of the Senior/Social Services Director with the approval of the Town Administrator; said expenditures not to exceed \$7,500 for fiscal year 2009, or to do or act in any manner relative thereto.

Inserted by the Wareham Board of Selectmen at the request of the Town Administrator

ARTICLE 16

To see if the Town will vote to hear and act on the report of the Community Preservation Committee and to appropriate from the Community Preservation Fund, estimated annual revenues, the sum of \$46,889 to meet the administrative expenses

and all other necessary and proper expenses of the Community Preservation Committee for fiscal year 2009, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Preservation Committee

ARTICLE 17

To see if the Town will vote to transfer \$10,000 from the parking meter fund to the municipal maintenance line painting account, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Municipal Maintenance Director

ARTICLE 18

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$67,578 to replace two front line cruisers for the Wareham Police Department and to authorize the Town Administrator to expend such funds that are necessary for this action, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Chief of Police

ARTICLE 19

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to repair or replace parking enforcement equipment at Onset Pier and to expend such funds that are necessary for this action, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Chief of Police

ARTICLE 20

To see if the town will adopt the provisions of M.G.L Chapter 59 Section 5k as amended by Chapter 184, Section 52 of the Acts of 2002 to establish a property tax work-off program for taxpayers over 60 years of age to grant an abatement pursuant to guidelines established by the Board of Selectmen within the parameters of the law, funds to be expended for this program will be from the tax overlay for abatements and exemptions, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

ARTICLE 21

To see if the Town will vote to authorize the Community Events Committee to expend funds consistent with any authorization of the special act submitted to the General Court and as approved by Article 28 at the April 23, 2007 annual town meeting, and that such

funds will solely be used for the support and assistance with community events, projects, activities, services, programs, and public improvements which are of mutual interest to the visitors to, and residents of, the Town, or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen at the request of the Community Events Committee

ARTICLE 22

To see if the Town will amend the Town's By-law, Earth Removal Regulations, Division IV Article III, as follows:

Adding a sentence to the end of Section 3:

"Except as otherwise provided for by state law, this By-Law shall apply to those activities that are incidental to the work performed in normal construction, maintenance or improvement of land in cranberry related activities or other agricultural uses."

Inserted by Board of Selectmen

ARTICLE 23

To see if the Town will vote to accept, for all boards, committees and commissions holding adjudicatory hearings in the Town of Wareham, the provisions of M.G.L. c.39, Section 23 D, which provides that a member of a board, committee or commission holding an adjudicatory hearing shall not be disqualified from voting in any matter solely due to the member's absence from one session of such hearing, provided that certain conditions are met, or to do or act in any manner relative thereto.

EXPLANATION:

The acceptance of this language as a General By-Law would allow members of the Planning and Zoning Boards, Conservation Commission and other adjudicatory boards, committees or commissions to miss **one (1) meeting** and still be able to vote on an issue or application before their respective board, committee or commission. The member would have to listen to the tape of the meeting that was missed, read any and all correspondence pertaining to the missed meeting, sign a statement to that effect and then be allowed to vote.

Inserted by Planning Board

ARTICLE 24

To see if the Town will delete **Division V, Article II, Section 2** of the By-laws of the Town of Wareham and insert in place thereof:

Section 2: Sewer Construction in New Developments.

1. The developer of any subdivision which is within a reasonable distance of an existing sewer line must receive a permit to tie in to the sewer system from the

Sewer Commissioners before presenting the subdivision plan to the Planning Board or any other required authority. No permits shall be considered by the Sewer Commissioners for subdivisions until the twelve areas identified are sewerred, as identified in the Comprehensive Wastewater Management Plan/Single Environmental Impact Report (CWMP/SEIR), approved by the Department of Environmental Protection (DEP) on April 19, 2002. The twelve needs areas are, alphabetically: Agawam Beach, Beaver Dam Estates, Cromesett Park, Linwood and Ladd Avenues, Mayflower Ridge, Oakdale, Parkwood Beach, Rose Point, Sunset Island, Tempest Knob and Weweantic Shores. Once all the identified needs areas are serviced with sewer, the Sewer Commissioners may consider a connection of a subdivision to the existing sewer as capacity of the Water Pollution Control Facility may allow. If connection to the existing sewer is granted, all costs for the connection and any associated costs shall be borne by the Developer. A "reasonable distance" shall be determined by the Sewer Commissioners, who shall consider the size, nature and location of the subdivision in relation to its proximity to the existing sewer line.

2. When a developer installs sewers in proposed streets or rights-of-way in anticipation of the extension of an existing sewer, the cost of the building connections shall be borne by the Developer; the Town will not install lines or assess betterment charges for sewers in the subdivision.
3. The design of any proposed sewer construction under this section must be reviewed by the Town's contracted sewer design engineering firm, at the Developer's expense, and approved by the Sewer Commissioners prior to the issuance of permit.
4. When the design of any proposed sanitary sewer includes any appurtenances, such as, but not limited to, pumps or grinder pumps, such appurtenances shall be subject to prior review by the Town's contracted sewer design engineering firm, at the developer's expense, and prior approval of the Sewer Commissioners, provided all requirements contained in Section 2.5 are strictly adhered to.
5. All appurtenances, as outlined in Section 2.4, shall receive approval of the Sewer Commissioners prior to the submission of any plans for the sanitary sewer. Requests for review and approval must contain all information regarding project flow, loadings and other information deemed necessary by the Sewer Commissioners or their engineer to conduct their review. The request must also contain specifications and drawings indicating the type of equipment proposed.
6. All sewer construction under this Article which included any items defined in Section 2.4, shall provide a reliable emergency power source to the equipment necessary for the continuation of service.
7. The owner of all such appurtenances, in order to ensure the proper operation and long term maintenance of the same, shall be required to provide the Sewer Commissioners with a current signed agreement, on a yearly basis or longer term, with a reputable firm or person qualified in such operation and maintenance, to provide such maintenance. An annual report of the maintenance performed shall be submitted to the Sewer Commissioners by the owner or its contractor on or before January 15th of each year. If an annual report is not submitted by January 15th for the previous year, the owner shall be subject to a fine of twenty dollars per day (including Saturdays, Sundays and

holidays) until the report is received by the Sewer Commissioners. Under no circumstances shall the Town assume any responsibility for the proper operation or maintenance of any privately owned system.

8. A fee, as set by the Sewer Commissioners, shall be charged for the connection of any appurtenances as outlined in Section 2.4 to the Town's sewer system. The fee shall be based on the proposed daily flow capacity of the facilities installed and any other factors related to the sewer service provided by the Town, including, but not limited to, Administrative expenses.
9. In developments served by any owner-installed appurtenances, the owner shall apply for individual house connection permits as issued by the Town. The Town shall issue said permits and shall fully inspect each connection, provided the application complies with the provisions of this By-Law and other pertinent regulations and provided that all fees, as set in this Section have been paid in full. In the event that a connection is made solely by gravity means, then all normal permits and fees shall apply.
10. Any proposed development for commercial or industrial use shall be required, at the time of filing a proposal or request for approval, to specify the proposed use and type of discharge of the occupants or if unknown at the time of proposal, as soon as available thereafter. It shall remain the obligation of the owner and user of said units to report to the Sewer Commissioners any use or discharge which may require further treatment or study. Failure to provide accurate information regarding said use or discharge may be grounds to deny a proposal or request for approval or to commence an enforcement action or to impose penalties pursuant to Article IX.

The Town reserves the right to full control of flow from any appurtenance installed into the public system. A shut-off device, approved by the Sewer Commissioners or their agent(s) shall be installed at the entry point to the public system. A shut-off key, or similar device shall be provided to the Sewer Commissioners or their agent(s). The owner shall ensure that the device is always operational and accessible. In the event that any shut-down of the system is required, then advance notice shall be given, if possible, to all affected systems prior to shut-down. The owner or their agent(s) shall provide the Sewer Commissioners or their agent(s) with the names and telephone numbers of two (2) separate contacts who have control over said appurtenances. Proper disposal of any sewerage which backs-up or overflows shall remain the responsibility of the owner, with no costs or loss of revenue incurred by the Town or Sewer Commissioners.

Inserted by Board of Selectmen

ARTICLE 25

To see if the Town will vote to authorize the Board of Selectmen who hold the land now for municipal purposes, to transfer to themselves from themselves for the purpose of selling, leasing or otherwise conveying an interest in the following described real property, also known as Oak Grove School property, located at or near Onset Avenue for the public purpose of providing space upon which to construct and operate a community cultural center with necessary access and parking on such terms and conditions deemed appropriate by the Board of Selectmen:

The land in Wareham, Plymouth County, Massachusetts shown and designated as Lease Area on a plan entitled "Lease Exhibit Plan", prepared for the Town of Wareham, prepared by JC Engineering, Inc dated March 3, 2008 and described according to said plan as follows:

Beginning at the northeasterly corner of the herein described parcel; said point being S51°15'42"W a distance of four and seventy seven hundredths feet (4.77') from the side line of the 1945 County Layout of Onset Avenue.

Thence running by the land of Amado and Gibbs S51°15'42"W a distance of two hundred eighteen and twenty four hundredths feet (218.24') to a corner;

Thence running N38°28'50"W a distance of eighty six and eighty one hundredths feet (86.81') to a corner;

Thence running N50°36'45"E a distance of two hundred eighteen and nineteen hundredths feet (218.19') to a corner;

Thence running S38°31'33"E a distance of eighty nine and twenty nine hundredths feet (89.29') to the point of beginning. Containing approximately 19,212 square feet, or to do or act in any manner relative thereto.

Inserted by Board of Selectmen

ARTICLE 26

To see if the Town will vote to accept as a public way a portion of a street layout of Onset Avenue and further that the town authorize the Board of Selectmen to take by eminent domain or accept as donations portions of the privately owned property that are included in the layout of said roadway or to do or act in any manner relative thereto.

Inserted by Board of Selectmen

ARTICLE 27

To see if the Town will vote to amend the Zoning By-Law at Article 3 Table 320 "Table of Principal Use Regulations" by the following:

Under "Educational and Institutional Uses", under "Principal Use", **add** at "Hospital, hospital-connected facility" the following: "**medical-related facility**" and **delete** Under the General Commercial (CG) column the "**N**", **replacing it with a "Y"**.
or to do or act in any manner relative thereto

EXPLANATION:

The Planning Board believes that there should not be a vast difference in allowed uses

between some commercial zones. This change will allow medical-related facilities, that is, doctor's offices, medical goods, retailers, etc. to locate in the General Commercial Zone.

Inserted by Planning Board

ARTICLE 28

To see if the Town will vote to amend Article 3 **"Use Regulations"** at Section 356 **"Commercial Uses"** at **"Drive-in establishment"**, by deleting this heading and replacing this heading with the following language: **"Drive-in/Drive-through establishment" and, by adding,** to the current definition, the following: **"These terms are used synonymously to describe establishments that dispense products or services to patrons who remain in vehicles"**, or to do or act in any manner relative thereto

EXPLANATION:

This new language clears up any confusion between the terms "drive-in" and "drive-through establishments".

Inserted by Planning Board

ARTICLE 29

To see if the Town will vote to amend the Zoning By-Law at Article 3 Table 320 "Table of Principal Use Regulations" by the following:

Under **"Commercial Uses"**, at the **"Restaurants, Drive-in"** heading, under the General Commercial District (CG), delete the **"N"** and replace it with **"SPZ"**, or to do or act in any manner relative thereto

EXPLANATION:

The Planning board believes that in many instances drive-in/drive-through restaurants serve worthwhile purposes by serving the public in an expeditious fashion. By allowing these types of establishments through the Special Permit/Site Plan Review process, issues affecting the generation of traffic, lighting and landscaping may be addressed in a positive fashion

Inserted by Planning Board

ARTICLE 30

To see if the Town will vote to amend the Zoning By-Law by **deleting at Article 8, Section 816.4** and replacing this section with the following: Minimum front Yard Setbacks will be as follows: Front: 20 feet. Rear/side: 10 feet, or to do or act in any manner relative thereto

EXPLANATION:

This is a housekeeping measure that replaces language that did not work on Clustered lots. The new language is in keeping with the reduced lot sizes within the Residential Cluster Article in the by-Law.

Inserted by Planning Board

ARTICLE 31

To see if the Town will vote to amend the Wareham Zoning Map, dated May 14, 2007 by changing land previously zoned Commercial Strip to Commercial General with the following description and amending any descriptions in Appendix I.

Beginning at the Centerline of the intersection of Doty Street, Carver Road and Route 28 as shown on Wareham Assessors Map 103;

Thence North along the Centerline of Carver Road to the Southern Right of Way line for Route 25 as shown on Wareham Assessors Map 103;

Thence Westerly along the Southern Right of Way line of Route 25 to the Centerline of Route 58 as shown on Wareham Assessors Map 103;

Thence South along the Centerline of Route 58 across Route 28 and along the Centerline of County Road to a point directly across from the Southwest corner of Lot 1000 as shown on Wareham Assessors Map 99;

Thence Easterly along the Southern property lines Lot 1000 and Lot 1001 to the Southeastern corner of Lot 1001 as shown on Wareham Assessors Map 99;

Thence North along the Eastern property line of Lot 1001 to the Southern property line of Lot 1 as shown on Wareham Assessors Map 99;

Thence Easterly along the Southern property line of Lot 1 Across Rae Avenue at an angle to the Southeastern corner of Lot 1003 as shown on Wareham Assessors Map 99;

Thence Easterly along a line following the southern property lines of Lots 1003, 1004, 1005, 1006, 1007B, 1008, 1011 as shown on Wareham Assessors Map 99 to the Western property line of Lot 1004 as shown on Wareham Assessors Map 100;

Thence Northeasterly along the Western property line of Lot 1004 to the intersection with Lots 1008 and 1009 as shown on Wareham Assessors Map 100;

Thence South and East along the Western and Southern property lines of Lot 1008 to the Centerline of Carver Road as shown on Wareham Assessors Map 100;

Thence North along the Centerline of Carver Road to the Point of beginning.

or to do or act in any manner relative thereto

Inserted by the Planning Board

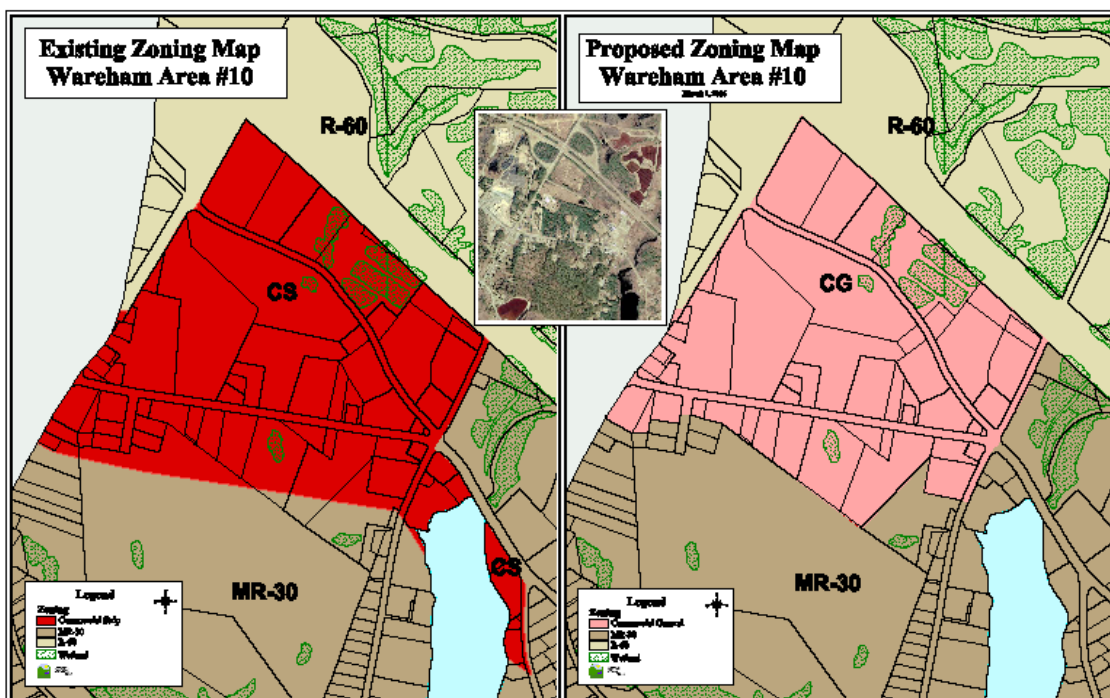
ARTICLE 32

To see if the Town will vote to amend the Wareham Zoning Map, dated May 14, 2007 by changing land previously zoned Strip Commercial (CS) to MR-30 with the following description and amending any descriptions in Appendix I.

Beginning at the northernmost apex of Lot 1044, thence Southerly along Cranberry Highway along the Western Lot lines of Lots 1044, 1043, T-1A, 1042, F-B and a portion of F-C;

Thence, Northwest, to a point at the edge of Tremont Mill Pond;

Thence, Northerly along the edge of Tremont Mill Pond along a portion of Lot F-C, F-B, 1042, 1043 and 1044 to Point of beginning, or to do or act in any manner relative thereto



EXPLANATION:

This is a map change that went before the April 2006 Town Meeting and was voted to Further Study. The Planning Board wants to revisit this change and recommends this change that affects properties on the Rochester Town Line that are now designated as Strip Commercial. The perpendicular strip of Strip Commercial properties just east of Tremont Mill Pond is proposed to change to MR-30.

Inserted by Planning Board

ARTICLE 33

To see if the Town will vote to amend the Wareham Zoning Map, dated May 14, 2007 by changing portions of the Industrial and Commercial Strip districts (Area bounded by Main Street, Tobey Road, State Route 28 and Federal Interstate Highway Route 195 to Commercial Planned with the following description:

Beginning at the Southeast corner of Lot 1011 as shown on Wareham Assessors Map 85;

Thence directly South to the centerline of Main Street as shown on Wareham Assessors Map 85;

Thence Westerly along the centerline of Main Street to the Intersection with the centerline of Seth Tobey Road as shown on Assessors Map 85;

Thence north along the centerline of Seth Tobey Road to the intersection with the centerline of State Highway Route 28 as shown on Assessors Map 85;

Thence East along the center line of State Highway Route 28 to the western property line of Interstate Highway Route 195 as shown on Wareham Assessors Map 85

Thence south along the western property line of Interstate Highway Route 195 to the point of beginning, or to do or act in any manner relative thereto

Inserted by Planning Board

ARTICLE 34

To see if the Town will vote to amend the Wareham Zoning Map, dated May 14th, 2007 by changing land previously zoned Industrial, Commercial Strip and MR 30 to Commercial General with the following description;

Beginning at the Intersection of the Centerlines of Route 28 and Seth Tobey Road Southeasterly a distance of 500 feet as shown on Wareham Assessors Map 87;

Thence Westerly by a line Parallel to and 500 feet from the Centerline of Route 28 to the Western property line of Lot 1039B2 as shown on Wareham Assessors Map 90;

Thence Northerly at an angle to the Southeastern corner of Lot 1038 as shown on Wareham Assessors Map 90;

Thence North along the Eastern property line of Lot 1038 to the Centerline of Route 28 as shown on Wareham Assessors Map 90;

Thence Westerly along the Centerline of Route 28 to a point directly across from the Northeastern corner of Lot 1018 as shown on Wareham Assessors Map 90;

Thence Southwesterly to and along the eastern and southern property lines of Lot 1018 to the Southwestern corner of Lot 1018 as shown on Wareham Assessors Map 90;

Thence North along the Western property line of Lot 1018 to the Southeastern corner of Lot 1017 as shown on Wareham Assessors Map 90;

Thence Westerly along the Southern property lines of Lots 1017,1016, 1015 to the Southwestern corner of Lot 1014 as shown on Wareham Assessors Map 90;

Thence Northeasterly along the Western property line of Lot 1014 to the Center line of Route 28 as shown on Wareham Assessors Map 90;

Thence West along the Centerline of Route 28 to a point directly across from the Southeastern corner of Lot 1039 as shown on Wareham Assessors Map 105;

Thence North along the Eastern property line of Lot 1039 to a point directly across from the rear property line of Lots 1040,1041 and 1042 as shown on Wareham Assessors Map 105;

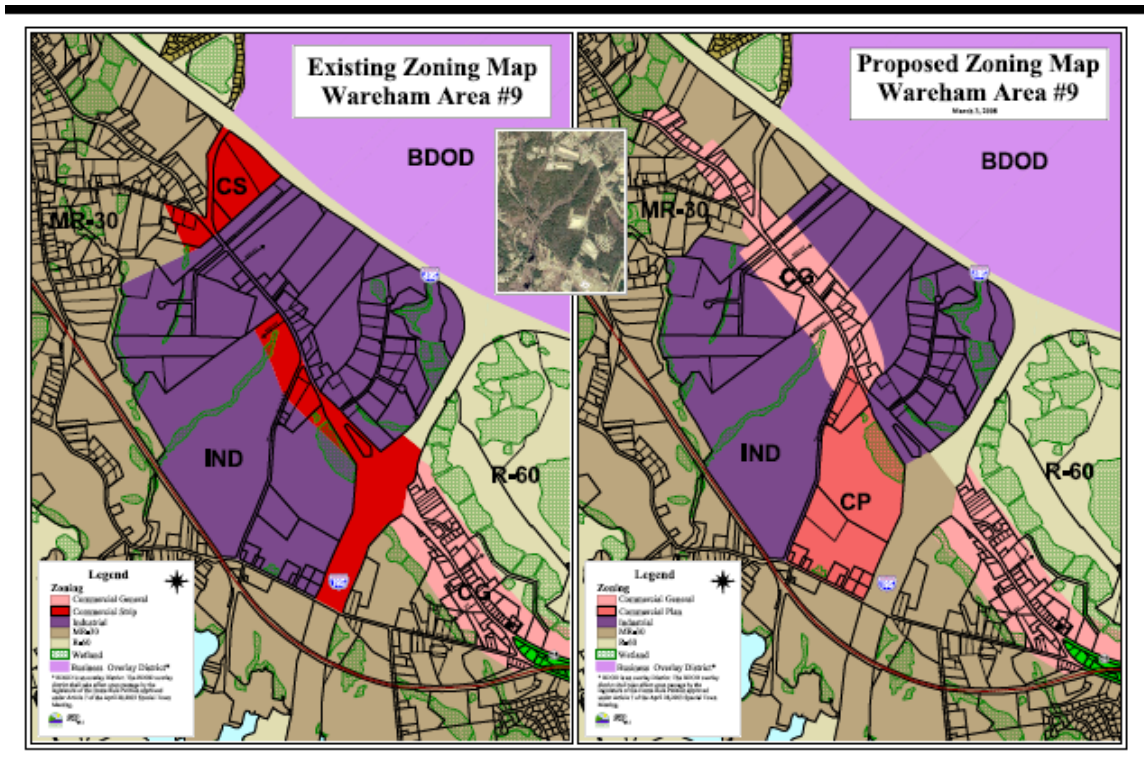
Thence Easterly along the rear property lines of Lots 1040,1041,1042, 1043A, 1043C, across Charlotte Furnace Road and the rear property line of 1046 to the Western property line of Lot 1026 as shown on Wareham Assessors Map 105;

Thence Northeasterly along the Western property line of Lot 1026 to a point 500 feet from the Centerline of Route 28 as shown on Wareham Assessors Map 105;

Thence Easterly from the western property line of Lot 1026, as shown on Wareham Assessors Map 105, by a line Parallel to and 500 feet from the Centerline of Route 28 to the Eastern property line of Lot 1004 A2 as shown on Wareham Assessors Map 108;

Thence South along the Eastern property lines of Lot 1004 A2 and 1019 to the Centerline of Route 28 as shown on Wareham Assessors Map 108;

Thence Northwesterly along the Centerline of Route 28 to the Point of beginning. or to do or act in any manner relative thereto



Inserted by Planning Board

ARTICLE 35

To see if the Town will vote to amend the Wareham Wetland Protective By-Law by removing section XV of the By-Law and then renumbering the sections following section XV so that the numbering of the sections of the by-law are in proper sequential order.

Section XV exists as follows:

XV. Temporary Moratorium on New Piers and Docks and Replacement and Expansion until November 1, 2007

Whereas the boundary of the Town of Wareham encompasses various bodies of water; and whereas such bodies of water are for the enjoyment of all the inhabitants of and visitors to the Town of Wareham; therefore, all private entities (individuals, groups, associations, corporations, non profits, or other entities) shall be prohibited from obtaining permission under this by-law to construct any new dock or pier in the Town (whether temporary or permanent) or to expand any existing dock or pier in the Town in any water body or waterway in the Town from the date of passage of this moratorium until November 1, 2007. Any work that would result in the reconfiguration of a dock or a pier's pilings to a new location shall be deemed to be an expansion. The moratorium shall not apply to any dock or pier permit issued prior to September 6, 2006, or any pier application that is currently under review through a public hearing before the Conservation Commission. Permission under the by-law to repair (but not expand) any dock or pier in existence upon adoption of this provision will be granted

on a case by case basis under this by-law, or to do or act in any manner relative thereto. (Article 10 of the October 23, 2006 Town Meeting; Approved by the Attorney General February 6, 2007), or to do or act in any manner relative thereto

Inserted by Conservation Commission

ARTICLE 36

We the undersigned, do respectfully petition the Board of Selectmen to include the following Article in the Warrant for the 2008 Annual Town Meeting.

To ask the Town of Wareham to vote to raise or appropriate or transfer from available funds, the sum of \$2,000.00 to contract with South Shore Women's Resource Center for domestic violence intervention and prevention services for its residents.

NOTE: This article has been reproduced exactly as presented, in accordance with the law.

Inserted by Joan Swimmr, et. al.

ARTICLE 37

To see if the Town will vote to authorize the Board of Selectmen to alter the 1941 town layout of Woodland Circle and to convey to Hugh J. Duffy, his heirs or assigns a triangular parcel of land within and on the southerly side of said layout; said parcel being more particularly described as follows:

Beginning at a point in the southerly sideline of the layout of Woodland Circle, said point being situated southeasterly 5.54 feet as measured along the arc of a curve with a radius of 122.23 feet from the point of tangent as shown on a plan entitled: "Town of Wareham Relocation of a Portion of the Southerly Sideline of Woodland Circle Located at Pinehurst Beach, Wareham, MA. Scale 1 inch = 20 feet" dated July 15, 2007 by Charles L. Rowley & Associates, Civil Engineers & Surveyors, 2229 Cranberry Highway, West Wareham, MA;

Thence N 42: - 16' - 32" E, a distance of 4.66 feet'

Thence S 47" - 43' - 04: E, a distance of 12.88 feet to a point in the southerly sideline of Woodland Circle;

Thence northwesterly in the southerly sideline of Woodland Circle by a curve to the right having a radius of 122.23 feet, a distance of 13.70 feet as measured along the arc to the point of beginning. Containing 32 square feet, more or less.

Inserted by the Board of Selectmen

ARTICLE 38

To see if the Town will discontinue as a public town way and transfer from the Board of Selectmen for public way purposes to the Board of Selectmen for the purpose of conveyance all of the Town of Wareham's right, title and interest in the public way known as Maple Springs Road, being the same interest that the Town acquired by

Order of Taking recorded with the Plymouth County Registry of Deeds on August 3, 1945 in Book 1893, Page 34 and shown on plan titled "Town of Wareham 1943 Layout of Maple Springs Road, 'Scale 1 = 40', Dated January 1943", recorded with said Deeds in Plan Book 6, Plan 740, and authorize the Board of Selectmen to release to John Cornish, of Wareham, Massachusetts, for such consideration as the Selectmen may determine, or other means consistent with MGL Chapter 30b, all of the Town of Wareham's right, title and interest in Maple Springs Road; or to do or act in any manner relative thereto.

Inserted by the Board of Selectmen

You are hereby directed to serve this Warrant by posting attested copies thereof on or before March 21, 2008 in at least one public place in each precinct within the Town, and by publishing a copy of the Warrant by March 27, 2008.

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

Given under our hands this 18th day of March in the year 2008.

WAREHAM BOARD OF SELECTMEN

Brenda Eckstrom, Chairman

James L. Potter, Clerk

Bruce D. Sauvageau

John P. Cronan

M. Jane Donahue

A True Copy

ATTEST:

Constable of Wareham

DATE: _____

Plymouth, S.S.

Date: March, 2008

Pursuant to the within Warrant, I have notified the inhabitants of the Town of Wareham herein described, to meet at the time and place for the purpose within mentioned by posting attested copies thereof in at least one public place in each precinct within the Town on or before March 21, 2008, and by causing this Warrant to be published on or before March 27, 2008.

Date: March , 2008

Constable of Wareham

The original posting with return made was delivered to Mary Ann Silva, Town Clerk.

Date: March , 2008

Constable of Wareham

Date: March , 2008

In accordance with the Wareham Charter, Article 2 - Legislative Branch - Section 2-4, Town Meeting Warrants, Item (d), I have hand delivered a copy of the Warrant for the Annual Town Meeting to be held on April 28, 2008 at 7:00 o'clock p.m. to the Town Moderator, Chairman of the Finance Committee, Chairman of the Planning Board, Chairman of the Capital Planning Committee and Chairman of the Personnel Board.

Constable of Wareham