



Chair/James Gmeiner  
Vice Chair/Thomas Orcutt  
Clerk/Michael Bouchard

**Town of Groton Sewer Department**  
173 Main Street  
Groton MA 01450

**Date:** August 26th, 2020

**Time:** 11:00 A.M.

**Location:** Virtual Meeting Using Zoom

**Members Virtually Present:** Chair/James Gmeiner  
Vice Chair/Thomas Orcutt

**Not Virtually Present:** Clerk/Michael Bouchard

**Others Virtually Present:** Ann Livezey/Water & Sewer Assistant, Lauren Crory/Business Manager  
and Luke Kenney

---

The Meeting was called to order by James Gmeiner at 11:00A.M.

**Blackbird Café – Capacity**

Mr. Gmeiner said he reviewed the file for Blackbird Café and currently they are allotted 25 fast food seats at 20 gpd and restaurant capacity would be a difference of an additional 15 gpd per seat. Mr. Gmeiner asked if the menu has been expanded for dinner and he suggested that Mr. Kenney provide a detail proposed use. Mr. Kenney replied the menu will be the same as they have now and asked what the difference would be. Mr. Gmeiner replied that depending on use it could mean more water use, washing dishes, bathroom use and cooking/cleaning. Mr. Kenney told the BOSC they have been approved for a dishwasher and their original hours of operation was 6:00a.m.-4:00p.m. and now they are 8:00a.m.-2:00p.m. and that will not change. Mr. Kenney said after speaking with his wife they have decided due to COVID that they would not bother with the additional seating. They would like to get an approval to play with and suggested going with 35 seats for now and if things change, they could come back before the BOSC for additional seating.

Mr. Orcutt told Mr. Kenney the BOSC has new regulations in place for change of use. Mr. Orcutt told Mr. Kenney that the original allotted capacity was for fast food at 20 GPD and we based that on 25 seats. Now that you are planning on a restaurant it would go from 20 gpd to 35 gpd and even if you keep the 25 seats the differential would be 15 gpd per seat. Mr. Orcutt suggested that we do a total of 35 seats and call it a restaurant and adjust the gpd and then you can come back at a later date if you want to adjust to 50-seats. Mr. Kenney asked what would trigger the gpd from 20-35 from fast food to restaurant and Mr. Orcutt replied that was what was on the application. Mr. Kenney said he thought they were operating as a take out restaurant and was not aware of the differential and that the café would be operating as the same as it always has. Mr. Kenney told the BOSC he feels they fall under fast food and now they are doing a 100% take out. He told the BOSC they do not offer wait service and that customers order at the counter and sit

down. Mr. Gmeiner asked if china plates were used and Mr. Kenney replied “yes” and Mr. Gmeiner asked if there is wait service available and Mr. Kenney replied “no”

Mr. Orcutt suggested we leave it up to Mr. Kenney to be classified as fast food or restaurant and if it he chooses restaurant it would be 35 gpd per seat. Mr. Kenney told the BOSC he is not looking to reclassify his operation and said he would like to dial it down to 35 seats and in the future, they decide to increase to the 50 seats he could come back. Mr. Gmeiner said so the new ask would be an additional (17) seats for a total of (42) seats. Mr. Kenney said at this time the dining rooms are not open and we just grabbed 50 seats out of their hats. He feels at this time he would like to transfer over what they are doing with and revisit in the future. Mr. Gmeiner asked Mr. Kenney if he wanted to keep the 25 seats or wanted the additional seating and he replied that he would like the additional seating as fast food. Mr. Gmeiner told Mr. Kenney the cost would be \$6,182.00 for the additional seats (17 x 20 ÷ 330 x \$6,000.00).

**Mr. Orcutt made a motion to grant Blackbird Café a total of (42) fast food seats at their new location with transferring (25) from the current location. This would include an additional sewer charge for (17) seats (\$6,182.00) and the BOSC will review in one-year from the time of opening. Mr. Gmeiner seconded the motion.** *Roll Call: Orcutt-Aye and Gmeiner – Aye*

Mr. Orcutt asked Mr. Kenney when he would like to open and Mr. Kenney replied that he is waiting on the Planning Board, but would like to be ready for their ten-year anniversary in December. Mr. Orcutt told Mr. Kenney he could expect to be invoiced by the BOSC once the building permit is pulled.

#### **436 Main Street**

Nothing new at this time

**Next Meeting** – September 9th, 2020

**BILLS SIGNED** - No bills were signed at this meeting

**MINUTES**: - No minutes were approved at this meeting

**ADJOURN** – *Mr. Gmeiner made a motion to adjourn at 11:24PM, Mr. Gmeiner seconded the motion. Roll Call: Gmeiner and Orcutt - Aye*

Respectfully submitted,

Ann Livezey  
Water & Sewer Assistant