

# Select Board Meeting Packet

## September 20, 2021

*This is the Select Board preliminary preparation information packet. The content of this package is subject to change between when it is released and the start of the Select Board meeting. Such changes will not be posted to the web site before the meeting. If you see an item or items in the preliminary preparation package that are important to you, please attend the meeting in person.*



# TOWN OF GROTON

173 Main Street  
Groton, Massachusetts 01450-1237  
Tel: (978) 448-1111  
Fax: (978) 448-1115

## Select Board

Rebecca H. Pine, *Chair*  
Alison S. Manugian, *Vice Chair*  
Peter S. Cunningham, *Clerk*  
Joshua A. Degen, *Member*  
John F. Reilly, *Member*

**Town Manager**  
Mark W. Haddad

**SELECT BOARD MEETING  
MONDAY, SEPTEMBER 20, 2021  
AGENDA  
SELECT BOARD MEETING ROOM  
2<sup>nd</sup> FLOOR  
GROTON TOWN HALL**

- 7:00 P.M.      Announcements and Review Agenda for the Public
- 7:05 P.M.      Public Comment Period
- I.      7:06 P.M.      Town Manager's Report
- 1. Town Manager's Explanation of Agenda Items
  - 2. Review and Approve Revised Prescott Landscape Improvement Plan
  - 3. Update from Town Manager on Issues Raised at Public Hearing on Warrant for 2021 Fall Town Meeting
  - 4. Update on Select Board Meeting Schedule Through the End of the Year
- II.      7:10 P.M.      Items for Select Board Consideration and Action
- 1. Consider Issuing Letter of Support for Forest Legacy Program
- III.      7:15 P.M.      In Joint Session with the Board of Health – Interview Candidates and Appoint One to Fill Vacancy on Board of Health Until the Spring, 2022 Election – Candidates to be Interviewed – Vicky Belanger; Vikram Narayan; Evan Thackaberry
- IV.      7:40 P.M.      Presentation and Discussion – Groton Business Association Working Group Report – Destination Groton – Exploring the Possibilities
- V.      8:00 P.M.      Continuation – Public Hearing on Warrant for 2021 Fall Town Meeting – Including Discussion on Percentage of Affordable Housing contained in Multi-Family Zoning Article – Consider Taking Positions on Various Articles

### OTHER BUSINESS

**ON-GOING ISSUES – Review and Informational Purposes – Brief Comments - Items May or May Not Be Discussed**

- A. Water Department – Manganese Issue – PFAS Issue
- B. Green Communities Application and Implementation
- C. Florence Roche Elementary School Construction Project

### SELECT BOARD LIAISON REPORTS

- VI.      Minutes:      Regularly Scheduled Meeting of September 13, 2021

### ADJOURNMENT

**Notes may be taken at any time during the meeting.** The listing of topics that the Chair reasonably anticipates will be discussed at the meeting is not intended as a guarantee of the topics that will be discussed. Not all topics listed may in fact be discussed, and other topics not listed may also be brought up for discussion to the extent permitted by law.



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**Town Manager**  
Mark W. Haddad

**To:** *Select Board*

**From:** *Mark W. Haddad – Town Manager*

**Subject:** *Weekly Agenda Update/Report*

**Date:** *September 20, 2021*

### TOWN MANAGER'S REPORT

1. In addition to the Town Manager's Report, Items for Select Board Consideration and Action and a review of the On-going Issues, there are three items scheduled on Monday's Agenda. The Select Board will be meeting in joint session with the Board of Health to interview applicants and consider appointing one of them to fill a vacancy on the Board of Health until next Spring's Annual Election. The three candidates are Vicky Belanger, Vikram Narayan and Evan Thackaberry. Second, members of the Groton Business Association's Working Group that developed a Destination Groton Report will be in to present their findings to the Board. I had sent their full report to you under separate cover. Enclosed with this report is a summary of the report, along with the PowerPoint Presentation they will make at Monday's meeting. Finally, as voted at last week's meeting, we have continued the Public Hearing on the Warrant for the 2021 Fall Town Meeting. Enclosed with this Report is the latest draft of the Warrant that contains the recommendations of the Finance Committee, along with the draft Town Manager's Report to the 2021 Fall Town Meeting. In addition, John Amaral, developer of the Deluxe Property and members of the Planning Board will be present to discuss the affordable housing percentage contained in the Multi-Family District Zoning Article. I will also be asking the Board to consider taking positions on the various articles. We can discuss all of this at Monday's meeting.
2. As the Board will recall, when you approved and authorized the DPW to work with the Friends of Prescott on their Landscape Improvement Plan, you requested that the Plan be revised to remove some of the concrete. The Friends have revised the plan and removed almost half the concrete. Enclosed with this report is the revised Plan for your review. DPW Director Tom Delaney has revised his estimate on materials and believes it will be in the \$4,000 range. I would ask the Board to vote to approve the Plan. We can discuss this in more detail at Monday's meeting.
3. Enclosed with this report is the latest draft of the Fall Town Meeting Warrant. It has been revised by removing the Town Seal Article, have the Select Board as the appointing authority for the Town Clerk and by adding the recommendations of the Finance Committee. At their meeting last week, the Finance Committee voted unanimously to recommend all of the Financial Articles contained in the Warrant. Should the Board agree with the Finance Committee, we can group the first ten articles into a Consent Agenda and vote them all at once (subject to none of the Articles being held). I have also drafted my Report to the Town Meeting on the Financial Articles for your review. I would like the Board to consider taking positions on the various articles. We can discuss all of this in more detail at Monday's meeting.

**Select Board  
Weekly Agenda Update/Report  
September 20, 2021  
page two**

4. Please see the update to the Select Board's Meeting Schedule through the end of the year:
- |                            |  |
|----------------------------|--|
| Monday, September 27, 2021 | - Take Positions on any remaining Warrant Articles<br>- Package Store Liquor License Hearing |
| Monday, October 4, 2021    | - Finalize 2021 Warrant for Posting  |
| Monday, October 11, 2021   | No Meeting (Holiday)   |
| Monday, October 18, 2021   | - Final Town Meeting Preparation<br>- Joint Session/FinCom – FY 23 Budget Guidance           |
| Saturday, October 23, 2021 | 2021 Fall Town Meeting   |
| Monday, October 25, 2021   | No Meeting (after Town Meeting)  |
| Monday, November 1, 2021   | Regularly Scheduled Meeting  |
| Monday, November 8, 2021   | Regularly Scheduled Meeting  |
| Monday, November 15, 2021  | Regularly Scheduled Meeting  |
| Monday, November 22, 2021  | Regularly Scheduled Meeting  |
| Monday, November 29, 2021  | No Meeting (Holiday)   |
| Monday, December 6, 2021   | Regularly Scheduled Meeting  |
| Monday, December 13, 2021  | Regularly Scheduled Meeting  |
| Monday, December 20, 2021  | Regularly Scheduled Meeting  |
| Monday, December 27, 2021  | No Meeting (Holiday)   |
| Monday, January 3, 2022    | No Meeting (Holiday)   |
| Monday, January 10, 2022   | Regularly Scheduled Meeting  |

**ITEMS FOR SELECT BOARD CONSIDERATION AND ACTION**

1. Enclosed with this report is a proposed letter of endorsement for an application for the Forest Legacy Program. Rick Muehlke from the Conservation Trust will be at the meeting to answer any questions the Board may have.

MWH/rib  
enclosures

# Prescott COMMUNITY CENTER

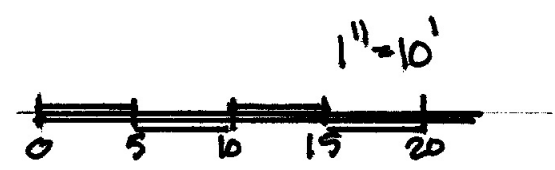
Groton, MA



NOTES:  
 1. Base plan is approximate and is not surveyed. Confirm all dimensions in field.  
 2. Mark all sidewalk limits for approval by Landscape Architect, prior to excavation.

## LANDSCAPE IMPROVEMENTS Preliminary Plan

Seating  
4 ft. and 6 ft.



Revised: 9.16.2021

Draft Letter From Groton Select Board to Dept. of Conservation and Recreation

Date

Ms. Lindsay Nystrom  
Forest Legacy Program Coordinator  
Department of Conservation and Recreation  
355 West Boylston Street  
Clinton, MA 01510

RE: Letter of Support for Nashua, Squannacook, and Nissitissit Wild & Scenic Rivers Forest Legacy Program Application

Dear Ms. Nystrom,

The Groton Select Board supports the inclusion of four tracts totaling 819 acres in Groton out of the total 25 tracts of woodlands included in the Nashua, Squannacook, and Nissitissit Wild & Scenic Rivers (NSN) Forest Legacy Program (FLP) application.

The subject properties are owned by the Groton Conservation Trust, Hollingsworth & Vose, New England Forestry Foundation and another private landowner. None of these are currently encumbered by any permanent conservation restriction. Participation in the FLP project will assure such in perpetuity. These lands are valuable from an ecological perspective: they are rich in biodiversity and provide key linkages in wildlife/open space corridors. These properties will also be open to public for all aspects of nature appreciation.

We voted in favor of this letter of support at our **September x**, 2021 meeting.

Sincerely,

Groton Select Board

## Dawn Dunbar

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**From:** Mark Haddad  
**Sent:** Monday, September 06, 2021 10:55 AM  
**To:** Michelle Collette; Sammie Kul; rjf@tiac.net  
**Cc:** Dawn Dunbar  
**Subject:** FW: New Committee Interest Form Entry

**From:** Town of Groton <mchiasson@townofgroton.org>  
**Sent:** Monday, September 6, 2021 10:48 AM  
**To:** Select Board <selectboard@grotonma.gov>  
**Subject:** New Committee Interest Form Entry

**Name**

Victoria Belanger

**Phone Number**

[REDACTED]

**Email**

[REDACTED]

**What Committee Are You Interested In Joining?**

Board of Health

**Please give us a brief explanation of why you are interested**

Hi I'm Vicky! I have been a resident in Groton since 2008 and love the community that Groton has created. I will be graduating with a bachelors degree in Public Health more specifically Community Health and Communication. I thereafter plan to go onto becoming an NP. I am interested in contributing as well as learning more about the health policies, regulations, and priorities in our community to ensure the best health and wellness for all. Thank you

Sent from Tablet of a mobile device



**Dawn Dunbar**

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**From:** Town of Groton <mchiasson@townofgroton.org>  
**Sent:** Thursday, August 19, 2021 10:40 AM  
**To:** Select Board  
**Subject:** New Committee Interest Form Entry

**Name**

Vikram Narayan

**Phone Number**

[REDACTED]

**Email**

[REDACTED]

**What Committee Are You Interested In Joining?**

Medical expertise

**Please give us a brief explanation of why you are interested**

I am MD and board certified in anesthesia and can assist in using evidence based practice to support the health of groton residents.

Sent from [my phone](#)

**Dawn Dunbar**

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**From:** Town of Groton <mchiasson@townofgroton.org>  
**Sent:** Saturday, August 14, 2021 8:05 PM  
**To:** Select Board  
**Subject:** New Committee Interest Form Entry

**Name**

Evan Thackaberry

**Phone Number**

[REDACTED]

**Email**

[REDACTED]

**What Committee Are You Interested In Joining?**

Board of Health

**Please give us a brief explanation of why you are interested**

I am a scientist with a PhD in environmental toxicology and extensive expertise in drug development and risk-assessment. I am a board-certified toxicologist and have experience as emergency medical technician (EMT). I believe very strongly in science-based decision making and am interested in helping out the Board of Health during these difficult times especially given the rapidly changing issues related to the COVID pandemic. My LinkedIn profile is below:

<https://www.linkedin.com/in/evan-thackaberry-759b1b7/>

Please let me know if you would also like a copy of my CV, I'm happy to forward it upon request.

Sent from T-Mobile



September 14, 2021

Mark Haddad, Town Manager  
Select Board, Town of Groton  
173 Main Street  
Groton, MA 01450

Dear Mark and Members of the Select Board:

It is with great pleasure that we submit for your review the Groton Business Association (GBA) Working Group Report: *Destination Groton – Exploring the Possibilities*. Our report was completed after a year-long effort through outreach, research, analysis and deliberation. It is important to note what the report is and what it is not. We believe this report presents significant background information for planning and represents a desire by the Business Community to work with Town Leaders and Residents to prepare for Groton's future. It does not make specific recommendations, other than the need to begin planning now, nor does it conclude how that future will look or that it would fundamentally change what we all love about our Town.

The GBA Working Group wishes to thank all the key Stakeholders who participated in one of four Focus Groups and in our Survey. In addition, we interviewed a number of Massachusetts' larger destination community leaders to learn from their experiences. Although these destinations are much larger in scale than Groton, the lessons are pertinent.

Anticipating Groton as a Destination Community, the GBA Working Group's vision is to celebrate Groton's rich history and assets, and build a sustainable economic base for the future. That future is now. We believe engaging the greater Groton community in this broader conversation now will better our collective readiness and thereby help determine Groton's future quality of life.

Sincerely,

Jeff Gordon, Chair

Greg Sheldon

Bob Pine

Mary Jennings

Steve Lane

Kevin Lindemer

Advisors:

Lisa Fiorentino

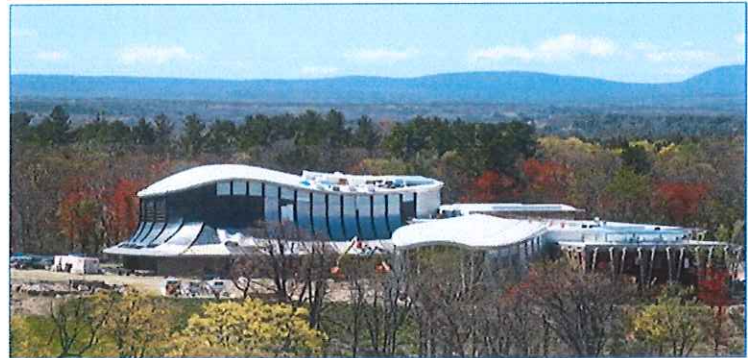
John Amaral



## Destination Groton: *Exploring the Possibilities*

The report attempts to capture the many reasons to celebrate Groton's past and present, as well as envision its future as a Destination Community. The report, begun in the fall of 2020, is designed to be a resource for the Town as it faces the opportunities and challenges the future holds. That future is now.

In recent years, the advent of new restaurants for fine dining and the restoration of the Groton Inn has contributed to creating Groton's strongly positive "destination" reputation. In the fall of 2022, the anticipated opening of the Indian Hill Music Center, a world class music education and performance location now under construction, will accelerate the pace, and increase the geographic range of people coming to Groton.



Increased visitors to Groton will benefit businesses and many non-profits and will generate increased revenues for the town and the region.

The Town of Groton has an extraordinary landscape with access to open space, a fascinating and important 365-year history with numerous historic buildings and sites, farms, orchards and a quintessential New England town center.



A Working Group of eight individuals led by the Groton Business Association (GBA), is responsible for the report's contents and its findings and conclusion.

### **In its analysis, the GBA Working Group has:**

- Researched how other Massachusetts communities manage issues related to being a Destination Community such as Lenox (Tanglewood), Sturbridge (Old Sturbridge Village), and North Adams (Massachusetts Museum of Contemporary Art). Although these destinations are much larger in scale than Groton, the lessons are pertinent.
- Conducted focus groups and surveyed Stakeholders from the greater business, nonprofit and town communities about opportunities and concerns.
- Identified potential for commercial and retail development and the effect this economic growth would have on local job creation and the local tax base.

## The GBA Working Group presents 23 Findings as summarized below:

1. **Learn from other Destination communities:** Successful Destination Communities have the support and collaboration of all Stakeholders (Town Residents, Business and Non-profit Communities and Town leaders) and can contribute to a greater sense of community, quality of life and civic pride.
2. **Pay attention to local constituencies:** Stakeholders interviewed for this study are very enthusiastic about Groton becoming a Destination Community but wish to do so without losing the historic, rural small-town character of our Town.
3. **Access outside sources of funding:** Groton should pursue program and infrastructure funding opportunities that can assist Destination Groton.
4. **Market strategically:** Destination Communities focus on developing strategic plans which include guiding change and assisting visitors through a Visitors Center and social media.
5. **Retain the character of the town:** Groton has many wonderful assets that already will appeal to visitors and they that must be preserved.
6. **The time to move forward is now:** Groton has the opportunity to celebrate the Town's rich history and build a sustainable economic base that embraces the future, if it acts now.

## Conclusion

Based on the Findings, the GBA Working Group concludes that an individual, and a new Town Destination Groton Committee be established, and responsible for coordinating and managing the Destination Groton concept and bring it to reality.

The GBA Working Group looks forward to working collaboratively with town and community leaders to address opportunities and infrastructure implications. In the end, we believe engaging the greater Groton community in this broader conversation now will better our collective readiness and thereby help determine Groton's future quality of life. To read the entire report go to: [www.grotonbusinessassociation.com](http://www.grotonbusinessassociation.com)



***Let the conversation begin.***

# Destination Groton

*Exploring the Possibilities*



# Destination Groton

## Catalyst for Report:

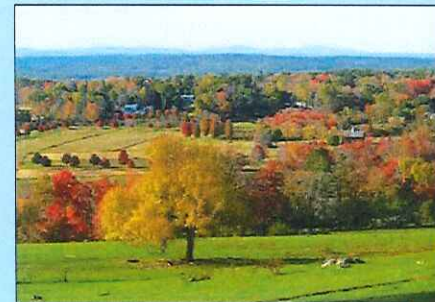
- Indian Hill Music will open in Fall of 2022
- World-Class Music Education and Performance Venue
- Increasing the pace and range of visitors to Groton





# Groton Today

- Positive destination reputation
- Quintessential Town Center
- America's story over 365 years
- Extraordinary landscape, open space and farming
- Growing hospitality industry



# Groton's Future

- Engage in a Town-wide conversation
- Envision a future welcoming all
- That Future is now



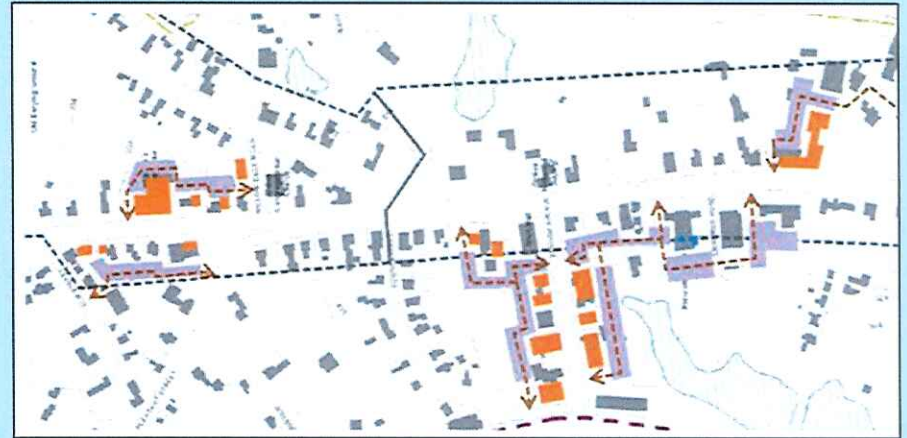
# Destination Groton Report set out to Learn:

- Research other Destination Communities in the Massachusetts
- Engage Stakeholders in Focus Group discussions
- Survey of Business, Non-Profit and Community Leaders



# Destination Groton Report Collected Data From:

- Profile of Groton
- Economic Considerations
- Views of Stakeholders
- Case Studies
- Regional Partners
- Planning Documents



## Destination Groton Report: 23 Findings, 6 Groupings

1. Learn from other Destination Communities
2. Pay attention to Local Constituencies
3. Access outside sources of funding
4. Market strategically
5. Retain the character of the Town
6. The time to move forward is NOW



# Destination Groton Report: Conclusion

- Appoint an Individual to manage the Initiative
- Establish a New Destination Groton Town Committee
- Charge: Work with all Stakeholders that can contribute to its success



The Future is Now.  
Let the Conversation Begin



Thank you.

Revised: September 17, 2021

## Warrant, Summary, and Recommendations

# TOWN OF GROTON



## 2021 FALL TOWN MEETING

Groton-Dunstable Middle School Track  
342 Main Street, Groton, Massachusetts 01450

Beginning Saturday, October 23, 2021 @ 9:00 AM

Rain Date – Sunday, October 24, 2021 @ 11:30 AM

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Attention – Voters and Taxpayers

Please bring this Report to Town Meeting



## **Introduction to Groton Town Meeting**

Voters are familiar with casting ballots in local and state elections, but they have another important civic duty in towns, the Town Meeting.

### **What is Town Meeting?**

The Town Meeting is the legislative body in the town form of government in Massachusetts. Town Meeting is a formal gathering of registered voters who propose, debate and vote on measures. Groton holds at least two Town Meetings per year.

### **What is a warrant?**

The warrant is the official notice to voters that a Town Meeting is scheduled. The warrant includes the date, time, location and a description of each subject to be acted on at Town Meeting. In Groton, the warrant must be posted in two public places and mailed to each household 14 days in advance of Town Meeting. "The warrant must contain a sufficient description of what is proposed so as to constitute an adequate warning to all the inhabitants of the town."<sup>1</sup> "Every action taken at the meeting must be pursuant to some article in the warrant and must be within the scope of such article."<sup>2</sup>

### **How does Town Meeting proceed?**

Voters attending Town Meeting must first check in with the Clerks and receive a voting card which is required to vote. The meeting typically acts on the articles in the order they are printed in the warrant. For each article, a main motion is made and seconded by voters and placed by the Moderator on the floor for debate. Permission of the Moderator is required to speak. The Moderator presides and regulates the proceedings, decides all questions of order, and calls and declares all votes. After debate has ended, the Moderator will call for a vote by a show of voter cards. If the vote is too close to call by sight or if seven voters immediately question the Moderator's declaration of the vote, the Moderator will order a hand count to confirm the vote.

### **Who can attend?**

Town Meeting is open to the public. Only Groton voters are entitled to attend, speak and vote. Non-voters may be required to sit in a separate section. Non-voters may ask the Moderator to speak on the topic of the debate.

### **How long is town meeting?**

Town Meeting concludes when all articles on the warrant have been acted upon. Town Meeting may conclude in one session or adjourn for subsequent sessions.

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<sup>1</sup> *Town Meeting Time: A Handbook of Parliamentary Law* (page 12) Johnson, Trustman and Wadsworth, Third Edition, 2001.

<sup>2</sup> *Id.*

## **Pandemic Safety Procedures for Town Meeting**

Due to the Delta Variant, the Fall Town Meeting will be held outdoors on the field behind the Florence Roche Elementary School. Voters and non-voters attending the meeting are asked to follow these procedures:

- Attendees should wear masks, even while speaking, and observe social distancing whenever possible.
- Keep at least 6-feet of distance from others while in the voter check-in line.
- Voters should arrive early, check-in, receive a voter card, and proceed directly to a seat.
- A golf cart will be available for anyone who needs assistance moving from the parking lot to the field.
- Single and household-pair seating will be six or more feet apart and should not be moved. Attendees may bring their own chairs.
- Children may accompany parents and are asked to provide chairs for their children. Families with two or more children are asked to provide their own chairs.
- Voters will speak from one of microphones set up at various locations on the field of the Middle School Track. Please adhere to social distancing when standing in line to speak.
- Voting will be by raised voter card and not by voice.
- Anyone unable to wear a mask may sit in a reserved section with a dedicated microphone.
- There will not be a break for lunch, but Town Meeting attendees are urged to bring a bagged lunch so that the Town Meeting can be completed in one day, if possible.
- At the end of the meeting, voters are asked to observe social distancing while exiting the field.

Rain Date: In the event of inclement weather, the Town Meeting will be held the following day, October 24<sup>th</sup> at 11:30 a.m. If the Town Moderator postpones the meeting, notice will be made on the town website, posted in three public places, and through news and social media.

Please direct questions regarding the meeting procedures to Jason Kauppi, Town Moderator, at [moderator@grotonma.gov](mailto:moderator@grotonma.gov) or call 978-391-4506.

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## **Explanation of a Consent Agenda**

A consent agenda is a procedure to group multiple main motions into a single motion for voting. A consent agenda saves time by eliminating the reading of multiple motions and explanations when there are no objections or questions. In Groton, a consent agenda typically consists of articles unanimously supported by the Select Board and Finance Committee. Articles that change by-laws are generally not included. In this warrant, the Select Board has grouped articles in a consent agenda and labeled them for easy reference.

## **How Consent Agendas Work**

As the first step to act on a consent agenda, the Moderator will read the titles of the included articles. A voter who wishes to remove an article from the consent agenda for separate debate and vote should state "hold." The held article will be set aside and acted on after the vote on the consent agenda. After the meeting agrees on the contents of the consent agenda, there will be no debate and the Moderator will immediately call for a vote. Every motion included in the consent agenda will either pass or fail as a group. Voters should read the warrant and review the proposed consent agendas to identify articles they wish to remove for separate consideration.



## Town Meeting Access for Voters with Disabilities

**Parking** – Universally accessible parking spaces are available in the parking lot in front of the Groton Dunstable Middle School South.

**Sign Language** – A Sign Language Interpreter will be provided for the hearing impaired, upon request, at least one week prior to the meeting.

**Speaking at Town Meeting** – There will be several microphones set up for speaking at various locations on the Field. Please observe social distancing when standing in line to speak.

**Restrooms** – Accessible restrooms for this Town Meeting will be provided adjacent to the Florence Roche Elementary School.

**Transportation to Town Meeting** - The Council on Aging van will be available to Groton residents attending Town Meetings at no charge. All riders will be at the meeting prior to the start. The van is wheelchair accessible. Your reservation can be made by calling the Senior Center at 978-448-1170. Seats will be filled on a first come, first serve basis.

**Questions or concerns** - If you or a member of your household has questions or would like to request a sign language interpreter, please contact the Select Board's Office at Town Hall at 978 448-1111 at least one week before the Town Meeting.

**FALL TOWN MEETING WARRANT  
OCTOBER 23, 2021**

Middlesex, ss.  
Commonwealth of Massachusetts  
To any Constable in the Town of Groton

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn said inhabitants of the Town of Groton qualified to vote on Town affairs to assemble at the Groton-Dunstable Middle School Track 342 Main Street, Groton, Massachusetts in said Town on Saturday, the twenty-third day of October, 2021 at Nine O'clock in the morning, to consider the following:

**ARTICLE LISTINGS**

<b>Article 1*</b>	Prior Year Bills	5
<b>Article 2*</b>	Amend the Fiscal Year 2022 Town Operating Budget	5
<b>Article 3*</b>	Transfer Within Water Enterprise Fund	5
<b>Article 4*</b>	Transfer Money Into Capital Stabilization Fund	6
<b>Article 5*</b>	Transfer Money Into Stabilization Fund	6
<b>Article 6*</b>	Transfer Money Into the GDRSD Capital Stabilization Fund	7
<b>Article 7*</b>	Capital Purchase – Fire Chief's Vehicle	7
<b>Article 8*</b>	Assessing Software	8
<b>Article 9*</b>	Community Preservation Funding Accounts	8
<b>Article 10*</b>	Amend Article 14, Motion 8 of the 2021 Spring Town Meeting	9
<b>Article 11</b>	Whitney Pond Well Construction	9
<b>Article 12</b>	Water Treatment Facility Construction	10
<b>Article 13</b>	Special Legislation – Change Town Clerk to Appointed	10
<b>Article 14</b>	Zoning Amendment – Multi-Family Zoning District	13
<b>Article 15</b>	Zoning Map Amendment	26
<b>Article 16</b>	Extend Center Sewer District	27
<b>Article 17</b>	Zoning Amendments – Clarifications, Updates, Corrections	28
<b>Article 18</b>	Zoning Amendment – Marijuana Retail Establishments	28
<b>Article 19</b>	Citizens' Petition – Transfer of Land	30
	Report of the Town Manager to the 2021 Fall Town Meeting	33

\*Will be presented as one motion as a Consent Agenda

**ARTICLE 1: PRIOR YEAR BILLS**

To see if the Town will vote to transfer from available funds a sum or sums of money for the payment of unpaid bills from prior fiscal years, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:**

**Finance Committee: *Recommendation Deferred Until Town Meeting***

**Summary:** *Town Meeting approval is required to pay bills from a prior fiscal year. A list of unpaid bills will be provided at Town Meeting. Please see the Town Manager's Report starting on page 33 for additional information related to this Article.*

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**ARTICLE 2: AMEND THE FISCAL YEAR 2022 TOWN OPERATING BUDGET**

To see if the Town will vote to amend the Fiscal Year 2022 Operating Budget as adopted under Article 5 of the 2021 Spring Town Meeting and vote to raise and appropriate and/or transfer from available funds a sum or sums of money as may be necessary to defray the expenses of the Town for Fiscal Year 2022, or to take any other action relative thereto.

**FINANCE COMMITTEE  
SELECT BOARD  
TOWN MANAGER**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Summary:** *The Fiscal Year 2022 Town Operating Budget was approved at the 2021 Spring Town Meeting in May, 2021. Any changes to this Budget would have to be made prior to setting the tax rate. The purpose of this article is to make any necessary changes to balance the FY 2022 Operating Budget. Please see the Town Manager's Report starting on page 33 for additional information related to this Article.*

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**ARTICLE 3: TRANSFER WITHIN WATER ENTERPRISE FUND**

To see if the Town will vote to transfer a sum or sums of money from the Water Enterprise Fund Surplus to the Fiscal Year 2022 Water Department Operating Budget for Engineering Services, or to take any other action relative thereto.

**BOARD OF WATER COMMISSIONERS**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Water Commission:**

**Summary:** *This article will request a transfer of funds from Water Surplus to help fund the Fiscal Year 2022 Water Department's Operational Expenses related to operational needs of the Water Department.*

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**ARTICLE 4: TRANSFER MONEY INTO THE CAPITAL STABILIZATION FUND**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Capital Stabilization Fund, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:**

**Finance Committee:** *Recommended Unanimously*

**Summary:** *As of the printing of this Warrant, the Fund has a balance of \$80,214. The financial management goal is to achieve and maintain a balance in the Capital Stabilization Fund equal to 1.5% of the total annual budget. The target amount for the Capital Stabilization Fund will be provided at Town Meeting. Please see the Town Manager's Report starting on page 33 for additional information related to this Article.*

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**ARTICLE 5: TRANSFER MONEY INTO THE STABILIZATION FUND**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Stabilization Fund, or to take any other action relative thereto.

**SELECT BOARD**

**Select Board:**

**Finance Committee:** *Recommendation Deferred Until Town Meeting*

**Summary:** *As of the printing of this Warrant, the balance in this fund is \$2,140,794. The financial management goal is to achieve and maintain a balance in the Fund equal to 5% of the total annual budget. The target amount for the Fund will be provided at Town Meeting. Please see the Town Manager's Report starting on page 33 for additional information related to this Article.*

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**ARTICLE 6: TRANSFER MONEY INTO THE GDRSD CAPITAL STABILIZATION FUND**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money to be added to the sum already on deposit in the Town of Groton Capital Stabilization Fund for the Groton Dunstable Regional School District, or to take any other action relative thereto.

**TOWN MANAGER**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Summary:** *As of the printing of the Warrant, the balance in this fund is \$18,136. This fund covers the Town of Groton's share of the Groton Dunstable Regional School District Committee's long-range Capital Plan to address its capital needs. The target amount will be provided at Town Meeting. Please see the Town Manager's Report starting on page 33 for additional information related to this Article.*

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**ARTICLE 7: CAPITAL PURCHASE – FIRE CHIEF'S VEHICLE**

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended under the direction of the Town Manager, to purchase and equip a new Command Vehicle for the Fire Department, and all costs associated and related thereto, or to take any other action relative thereto.

**TOWN MANAGER**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Summary:** *The original proposed FY 2022 Capital Budget had called for the purchase of a new command vehicle for the Fire Department. During last year's Capital Budget cycle, due to the uncertainty of the budget, it was decided to put off this purchase until the Fall and revisit the potential funding for this purchase. Purchasing this new vehicle is important for the command operation of the Fire Department. This will provide both the Fire Chief and Deputy Fire Chief with reliable response vehicles going into the winter season. In addition, this will provide enhanced incident command and control features for both the Fire Chief and Deputy Fire Chief, which is currently only available with the Fire Chief's vehicle. This capability is vital in times when major storms, complex incidents or multiple incidents are occurring simultaneously. The anticipated cost of this vehicle is \$70,000.*

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**ARTICLE 8: ASSESSING SOFTWARE**

To see if the Town will vote to raise and appropriate, transfer from available funds, and/or borrow pursuant to any applicable statute, a sum or sums of money, to be expended under the direction of the Town Manager, for the purpose of upgrading the software used in the Assessing Department, and all associated costs related thereto, or to take another other action relative thereto.

**TOWN MANAGER**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Summary:** *The Assessing Department is currently using Vision 6.5 for the valuation of all Real Property in the Town of Groton. Vision Government Solutions (VGSI) released Vision 8.0 in 2017. The upgrade version operates on a SQL database (**Structured Query Language** which is basically a language used by databases and allows to handle the information using tables and shows a language to query these tables) and includes an enhanced sketching program and report writing features which will allow the Assessing Department to comply with MA Department of Revenue reporting requirements seamlessly. Vision 6.5 operates on an Oracle database that is no longer supported by Oracle. As VGSI sunsets Vision 6.5, support will no longer be available. The cost of this upgrade is \$35,000.*

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**ARTICLE 9: COMMUNITY PRESERVATION FUNDING ACCOUNTS**

To see if the Town will vote to amend the vote taken under Article 13 of the 2021 Spring Town Meeting by amending the appropriations for the Community Preservation Fund for Fiscal Year 2022 as follows:

CPC Operating Expenses:	\$ 20,500
Open Space Reserve:	\$ 93,467
Historic Resource Reserve:	\$ 93,467
Community Housing Reserve:	\$ 93,467
Unallocated Reserve:	\$633,769

or to take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Community Preservation Committee: *Recommended Unanimously***

**Summary:** *This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during Fiscal Year 2022. The 2021 Spring Town Meeting used estimates to fund these accounts. The Final Accounting is complete and all State reimbursements have been received. This Article updates the subaccounts that were approved at the Spring Town Meeting.*



**ARTICLE 10: AMEND ARTICLE 14, MOTION 8 OF 2021 SPRING TOWN MEETING**

To see if the Town will vote to amend Article 14, Motion 8 "Groton Dunstable Field Restoration Plan" of the 2021 Spring Town Meeting by rescinding the appropriation as approved, and in its place approving the following appropriation:

Pursuant to Massachusetts General Laws, Chapter 44B, Section 5, that the sum of Thirty Thousand Two Hundred Thirty-Two Dollars (\$30,232) be appropriated from the Community Preservation Fund Open Space Reserve and the sum of Two Hundred Thousand Dollars (\$200,000) be appropriated from the Community Preservation Fund Unallocated Reserve for a total of \$230,232 to fund Community Preservation Application 2022-09 "Groton Dunstable Field Restoration Plan", on file with the Town Clerk,

or take any other action relative thereto.

**COMMUNITY PRESERVATION COMMITTEE**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Community Preservation Committee: *Recommended Unanimously***

**Summary:** *When this Article (project) was approved at the 2021 Spring Town Meeting, the final State Reimbursement for Community Preservation Funds had yet to be received. Based on the best estimates at the time, the Community Preservation Committee recommended that of the amount needed to fund this Project (\$230,232), \$50,000 be appropriated through borrowing. Now that the final State Match projections have been provided, there are sufficient funds within the Community Preservation Fund to pay for the project without needing to borrow any funds. The purpose of this Article is to rescind the original appropriation that required borrowing and utilize only currently available Community Preservation Funds for this Project.*

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**ARTICLE 11: WHITNEY POND WELL SITE CONSTRUCTION**

To see if the Town will vote to appropriate a sum or sums of money, by borrowing or otherwise, to be expended under the direction of the Board of Water Commissioners, to pay all of the costs of construction related to the development of the new Whitney Pond Well Site (Whitney Pond Well #3), including the payment of all costs incidental and related thereto, or to take any other action relative thereto.

**BOARD OF WATER COMMISSIONERS**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Water Commission:**

**Summary:** *This Article allows the Board of Water Commissioners to expend funds, either borrowed or transferred from available funds, to be raised through water rates, for the Construction related to the new source well at the Whitney Pond Well Site (Whitney Pond #3). The anticipated cost of construction will be provided to Town Meeting.*

**ARTICLE 12: WATER TREATMENT FACILITY CONSTRUCTION**

To see if the Town will vote to appropriate a sum or sums of money, by borrowing or otherwise, to be expended under the direction of the Board of Water Commissioners, to pay all of the costs of construction related to the new Water Treatment Facility to be located at the Whitney Pond Well Site, including the payment of all costs incidental and related thereto, or to take any action relative thereto.

**BOARD OF WATER COMMISSIONERS**

**Select Board:**

**Finance Committee: *Recommended Unanimously***

**Water Commission:**

**Summary:** *This Article allows the Board of Water Commissioners to expend funds, either borrowed or transferred from available funds, to be raised through water rates, for the Construction related to the new Water Treatment Facility located at the Whitney Pond Well Site.*

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**ARTICLE 13: SPECIAL LEGISLATION – CHANGE TOWN CLERK TO APPOINTED**

To see if the Town will vote to authorize the Select Board to petition the General Court of the Commonwealth of Massachusetts to enact special legislation to change the position of Town Clerk in the Town of Groton from elected to appointed as follows:

**AN ACT RELATIVE TO THE CHARTER AND THE TOWN CLERK IN THE TOWN OF GROTON**

*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.** Notwithstanding any general or special law to the contrary, the office of town clerk in the town of Groton shall be appointed by the select board in accordance with the charter of the town of Groton. The town clerk shall have all the powers, perform the duties and be subject to the liabilities and penalties conferred and imposed by law on town clerks. The town manager may establish an employment contract with the town clerk for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expenses incurred in the performance of the duties of office, liability insurance and conditions of discipline, termination, dismissal, reappointment, performance standards and leave.

**SECTION 2.** Notwithstanding section 1, the position of elected town clerk shall be abolished upon the effective date of this act and the term of the elected incumbent terminated provided, however, that the elected incumbent shall then become the first appointed town clerk and shall serve in that capacity for a period of time equivalent to the remainder of the elected term or sooner resignation, retirement or removal. Thereafter, appointments to the position of town clerk shall be made by the town manager under said section 1.

**SECTION 3.** The charter of the town of Groton, which is on file in the office of the archivist of the commonwealth as provided in section 12 of chapter 43B of the General Laws, is hereby amended by striking out section 3.1.1, section 3.9, section 3.10, section 3.11, and section 4.5.1, and inserting in place thereof the following sections:

3.1.1 Elective Town Offices - The town offices that the voters shall fill by ballot shall be: (i) the town moderator; (ii) the members of the select board; (iii) the town's component of the Groton-Dunstable Regional School Committee; (iv) the commissioners of trust funds; (v) the elected members of the Groton Housing Authority; (vi) the members of the planning board, public library board of trustees, Groton electric light commission, Groton water commission, Groton sewer commission, park commission, board of health and board of assessors; and (vii) other officers or representatives to regional authorities or districts as may be established by law or by interlocal agreement that shall also be filled by ballot at a town election.

3.2.4 Appointing Authority - The select board shall appoint the town manager, town counsel, a zoning board of appeals and a board of registrars. The select board shall appoint a police chief, fire chief and town clerk consistent with clause (v) of section 4.2; provided, however, that the police chief shall serve under section 97A of chapter 41 of the General Laws and the fire chief shall serve under section 42 of chapter 48 of the General Laws. The select board shall appoint a conservation commission, council on aging, housing partnership, local cultural council and other committees as required by law, by-law or town meeting vote.

#### Section 3.9: Board of Assessors

3.9.1 Composition, Term of Office and Eligibility for Office - There shall be a board of assessors that shall consist of 3 members elected for 3-year terms. An employee in the assessors' office shall not simultaneously hold an elected position as a member of the board of assessors.

3.9.2 Powers and Duties - The board of assessors shall have the powers and duties given to boards of assessors under the constitution and laws of the commonwealth and directives of the commissioner of revenue and such additional powers and duties as may be authorized by this charter, by-law or town meeting vote that are not in conflict with laws of the commonwealth and regulations and directives of the department of revenue except as otherwise provided in this charter.

#### Section 3.10: Other Elected Officers

Powers and Duties - All other elected officers shall have the powers and duties that have been conferred upon their offices by law, this charter, by-law or town meeting vote.

4.2(v) if a vacancy occurs in the office of police chief, fire chief or town clerk, selecting and presenting not less than 2 qualified candidates to the select board for appointment by the board to the office pursuant to section 3.2.4;

4.5.1 If a vacancy shall occur in the office of town manager, a screening committee shall be established to solicit, receive and evaluate applications for the position of town manager. The screening committee shall consist of 7 persons, 3 of whom shall be designated by the select board, of which only 1 may be a select board member, 2 of whom shall be designated by the finance committee, of which only 1 may be a member of the finance committee, and 2 of whom shall be designated by the town moderator. A person chosen by an appointing authority may be a member of the appointing authority's agency; provided, however, that there shall not be more

than 1 select board member and not more than 1 member of the finance committee on the screening committee.

**SECTION 4.** This act shall take effect upon its passage.

provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Select Board approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition; or take any action relative thereto.

or to take any other action relative thereto.

## **TOWN MANAGER**

**Select Board:**

**Finance Committee: *No Position***

**Summary:** *Michael Bouchard has served honorably as our Town Clerk since 2008. He was first appointed in January, 2008 to fill a vacancy in office caused by the resignation of Onorina Maloney. He has been (re)elected six times since being appointed (2008, 2009, 2012, 2015, 2018, 2021). In each of these elections, Mr. Bouchard ran unopposed. He recently informed the Town Manager and Select Board that he intends to retire at the end of the year. While he did run unopposed for a new three-year term in May, 2021, he did so to assist the Town through a very important local election (Florence Roche Elementary School Debt Exclusion) and help plan for a transition to a new Town Clerk. That said, his intention to retire gives the Town the unique opportunity to examine the Town Clerk's position in detail and determine if the time is right to change the position from Elected to Appointed. The Town of Harvard took advantage of the elected Town Clerk's retirement to change the position to appointed, and the Town of Middleton is planning on making the change to appointed when the current Town Clerk retires. Since Mr. Bouchard was first appointed in 2008, the Town Clerk's position has changed dramatically. It has become an extremely technical job with many responsibilities that requires experience that is not always available through an election. Specifically, over the last two years, the Commonwealth of Massachusetts has completely overhauled election laws. This overhaul requires Town Clerks to understand and implement constant changes in the law. They are much more technical with more and more regulations and responsibilities. Records retention and management laws have changed over the last decade, as has the Open Meeting Law and Conflict of Interest Law. Town Clerks are now called upon more and more for advice and enforcement of these Laws. In addition, Town Clerks have the responsibility of budget development, customer service to residents, communications to boards and committees, public communications, cash management, staff management and they must be bondable. All of this requires the ability to vet (appraise, verify, and check for suitability, etc.) candidates for the position. An election does not provide for the same vetting process as an appointment provides. The purpose of this Article is to request approval of a Special Act that would change the Groton Town Clerk from an Elected Position to an Appointed Position. The Article also requests the Legislature to adjust the Groton Charter by deleting reference to the elected town clerk (Sections 3.1.1 and 3.9), adjusting the numbering of subsequent sections (i.e., new sections 3.9 and 3.10; new sections 3.9 and 3.10 do not contain any changes to the text), adding appointment language similar to Police Chief and Fire Chief and removing the Town Clerk from the Town Manager Screening Committee (Section 4.5.1).*

**ARTICLE 14: ZONING AMENDMENT – MULTI-FAMILY ZONING DISTRICT**

To see if the Town will vote to amend Chapter 218 Zoning Bylaws of the Town of Groton as follows:

**1. Amend Section 218-3 Definitions as follows:**

**by inserting the following definitions in alphabetical order.**

“Multi Family Development- Multi-family use that is located in the Multi-Family Development District in accordance with the provisions of Section 218-9.3.D Multi Family Development District and Section 218-6 Schedule of Intensity Regulations.”

**By deleting the definitions for “Dwelling Unit” and replace it with the following:**

“Dwelling Unit - A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.”

**Amend Section 218-4 Zoning Districts as follows:**

- a. Insert under subsection 218-4.1 Residence Districts the following:

“(3) MFD Multi-Family Development District”

- b. Insert under subsection 218-4.2 Intention of Districts the following and renumber subsequent sub sections accordingly:

“C. MFD Multi-Family Development District is intended to provide for higher density development at locations in proximity to infrastructure, services, and nexuses of activity, amenities, and development.

**2. Amend Section 218-5.2 Schedule of Use Regulations as follows:**

- a. Insert a new column title “MFD”:
- b. Inserting a new Row 38B to read “Multi-Family Development as allowed by the provisions of **Section 218-9.3**”
- c. Assign designation of permitted uses for the MFD district.
- d. The amended Section 218-5.2 Schedule of Use Regulations to read as follows with the proposed amendments highlighted’

Line	USE	R-A10	R-B10	MFD <sup>4</sup>	NB	VCB10	GB	I	P10	O
1	<b>Public, Semipublic and Institutional:</b>									
2	Use of land or structures for religious purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y
3	Use of land or structures for public or private non-profit educational purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y

4	Museum, library, park or playground, conservation area, water supply area, or land owned and operated for public use and enjoyment by a public agency or non-profit organization	Y	Y	Y	Y	Y	Y	Y	Y	Y
5	Child care facility	Y	Y	Y	Y	Y	Y	Y	Y	N
6	Adult day care	SP	SP	PB	SP	SP	SP	N	SP	N
7	Private golf course, not including miniature golf	SP	N	N	N	N	N	N	N	N
8	Private non-profit charitable organization or membership club, e.g., social, fraternal, or professional organization	SP	SP	PB	SP	SP	SP	N	N	N
9	Day or overnight camps in accordance with a site plan as provided in § 218-2.5	SP	SP	N	SP	N	SP	N	SP	Y
10	Outdoor recreation, such as nature study, walking trail, or non-motorized boating, fishing, and hunting where otherwise legally permitted; but not including outdoor recreation facilities owned or operated for commercial purposes	Y	Y	Y	Y	Y	Y	N	Y	Y
11	Public Playground, non-commercial	Y	Y	Y	Y	Y	Y	N	Y	Y
12	Athletic field, skating rink, or similar facility intended for sports, games, or physical fitness	PB	Y	N	Y	N	Y	N	Y	PB
13	Use of land or structures for municipal purposes	SP	SP	Y	Y	Y	Y	N	Y	SP
14	Facilities for servicing and fueling municipal vehicles and equipment	N	N	N	N	N	N	N	Y	N
15	Telephone, telegraph, power and gas transmission and radio-television broadcasting facilities	SP	SP	N	Y	Y	Y	Y	N	Y
16	Underground gas and	Y	Y	Y	Y	Y	Y	Y	Y	Y

	utility transmission									
17	Use of land for a public utility	SP	SP	PB	SP	SP	SP	SP	Y	N
18	Hospital, sanitarium, assisted living facility, or nursing home, subject to § 218-2.5	SP	SP	Y	SP	N	SP	N	SP	N
19	Cemetery	SP	SP	N	N	N	N	N	Y	Y
20	<b>Agricultural, Floricultural and Horticultural:</b>									
21	Gardens; growing and storing of fruits; vegetables, hay, fodder and ensilage; orchards, wood lots and forestry; and greenhouse nursery and similar activities in the field of agriculture	Y	Y	Y	Y	Y	Y	Y	Y	Y
22	Agricultural labor housing	Y	Y	Y	Y	Y	Y	Y	N	N
23	The raising or keeping of horses, goats, sheep, cattle, pigs, poultry or other domesticated animals for food and other agricultural purposes	Y	Y	Y	Y	Y	Y	Y	Y	Y
24	Riding stables	Y	Y	Y	Y	Y	Y	Y	Y	Y
25	Grazing and farming, including truck gardening and harvesting of crops	Y	Y	Y	Y	Y	Y	Y	Y	Y
26	Forestry	Y	Y	Y	Y	Y	Y	Y	Y	Y
27	Nonresidential buildings and structures <sup>3</sup> such as:			Y						
28	Barns or stables for breeding, boarding, hiring or sale of animals	Y	Y	Y	Y	Y	Y	Y	Y	Y
29	Barns, stables, or other farm buildings for the shelter of animals and for the storage of crops raised on the premises	Y	Y	Y	Y	Y	Y	N	Y	Y
30	Conservation of water, plants and wildlife	Y	Y	Y	Y	Y	Y	Y	Y	Y
31	Roadside stand for sale of principally local farm produce raised in the Town, set back at least 50 feet from the street line,	Y	Y	N	Y	Y	Y	Y	Y	Y

and provided that space for customers' cars is available off the right-of-way of the street and is so arranged as not to permit backing of automobiles onto a public or traveled way

32	Commercial Greenhouse	Y	Y	N	Y	Y	Y	Y	Y	Y
33	<b>Residential:</b>			Y						
34	Single-family detached dwelling	Y	Y	N	Y	Y	Y	N	N	N
35	Conversion of a seasonal residence to a year-round residence	SP	SP	N	SP	SP	SP	N	N	N
36	Two-family attached dwelling, provided that its external appearance is not significantly different from a single-family dwelling	Y	Y	N	Y	Y	Y	N	N	N
37	Dwelling unit above the street level floor of a commercial building	N	Y	Y	Y	Y	PB	N	N	N
38A	Multifamily use, as allowed by the provisions of § 218-9.3. A through C	PB	PB	N	PB	PB	PB	N	N	N
38B	Multi-Family Development as allowed by the provisions of <b>Section 218-9.3.D and Section 218-2.5</b>	N	N	Y	N	N	N	N	N	N
39	The taking of not more than 4 lodgers in an owner-occupied single-family detached dwelling	Y	Y	N	Y	Y	Y	N	N	N
40	The taking of more than 4 lodgers in an owner-occupied, single-family detached dwelling	SP	SP	N	SP	SP	SP	N	N	N
41	Flexible development pursuant to § 218-9.1	PB	N	N	N	N	N	N	N	N
42	<b>Business:</b>									
43	For restrictions on the following uses, see § 218-5.5, performance standards for the R-B, VCB, NB, GB, and I Districts									



44	Retail store									
45	Store with up to 2,500 square feet gross floor area	N	Y	PB	Y	Y	Y	N	N	N
46	Store with more than 2,500 square feet gross floor area or more but less than 5,000 square feet gross floor area	N	PB	PB	PB	PB	Y	N	N	N
47	Store with 5,000 square feet gross floor area or more but less than 10,000 square feet gross floor area	N	N	N	PB	PB	Y	N	N	N
48	Store with 10,000 square feet gross floor area or more	N	N	N	N	N	PB	N	N	N
49	Craft shop	N	Y	PB	Y	Y	Y	N	N	N
50	Personal service establishment	N	SP	PB	Y	Y	Y	N	N	N
51	Repair shop for bicycles, small household appliances, or other light equipment, not including vehicles	N	SP	PB	Y	Y	Y	SP	N	N
52	Restaurant serving food for consumption indoors on the premises, but may include accessory outdoor service on a patio or seating area	N	SP	PB	Y	Y	PB	N	N	N
53	Take-out food service establishment, e.g., an ice cream shop or deli, bakery or coffee shop, but no drive-through service, up to 2,500 square feet gross floor area	N	N	N	Y	Y	Y	N	N	N
54	Take-out food service establishment, e.g., an ice cream shop or deli, bakery or coffee shop, but no drive-through service, of more than 2,500 square feet gross floor area	N	N	N	PB	PB	PB	N	N	N
55	Business or professional office, not including medical office	N	SP	PB	Y	Y	Y	Y	N	N

56	Bank, credit union	N	N	PB	Y	Y	Y	SP	N	N
57	Automatic teller machines as free-standing structure or with exterior access	N	N	PB	PB	PB	PB	PB	N	N
58	Medical, dental, or mental health care office, excluding a clinic	N	N	PB	Y	PB	Y	Y	N	N
59	Health care clinic for outpatient services, or ambulatory care center, with or without laboratory	N	N	N	PB	PB	PB	N	N	N
60	Veterinarian	N	N	N	SP	SP	SP	Y	N	N
61	Kennel or overnight boarding facility for household pets, pet grooming facility and daytime pet care establishment	N	N	N	SP	N	SP	SP	N	N
62	Funeral home	N	N	N	SP	SP	SP	N	N	N
63	Hotel, motel, or inn	N	N	N	PB	PB	PB	N	N	N
64	Bed and breakfast	SP	SP	N	SP	SP	SP	N	N	N
65	Theatre or cinema	N	N	N	PB	PB	PB	N	N	N
66	Commercial recreation up to 2,500 square feet gross floor area.; indoor	N	N	PB	Y	Y	Y	N	N	N
67	Commercial recreation of more than 2,500 square feet gross floor area; indoor	N	N	N	SP	SP	PB	N	N	N
68	Commercial recreation; outdoor	SP	N	N	SP	N	PB	N	N	N
69	Auto sales	N	N	N	SP	N	SP	N	N	N
70	Service station, including sale of fuel, motor oil, and related automotive products (no repair services)	N	N	N	SP	SP	SP	SP	N	N
71	Retail sale of auto parts and accessories, not for installation on the premises	N	N	N	SP	SP	SP	Y	N	N
72	Retail sale and installation of auto parts, e.g., tires, mufflers, or brakes	N	N	N	SP	N	SP	Y	N	N
73	Auto repair, auto body shop and marine repair	N	N	N	SP	N	SP	Y	N	N
74	Car wash and auto	N	N	N	SP	N	SP	SP	N	N

	detailing									
75	Small-scale wind energy conversion device	Y	Y	Y	Y	Y	Y	Y	Y	N
76	Large-scale wind energy conversion device	PB	PB	N	PB	PB	PB	PB	PB	N
77	Wind monitoring or meteorological ("test" or "met") tower	Y	Y	N	Y	Y	Y	Y	Y	N
78	Windmills	Y	Y	N	Y	Y	Y	Y	Y	N
79	Large-scale ground-mounted solar photovoltaic installation	PB	PB	N	PB	PB	PB	PB	PB	N
80	On-site solar photovoltaic installation	Y	Y	Y	Y	Y	Y	Y	Y	N
81	<b>Industrial:</b>									
82	For restrictions on the following uses, see § 218-5.5, performance standards for the R-B, VCB, NB, GB, and I Districts									
83	Research and development	N	N	N	SP	SP	SP	Y	N	N
84	Manufacturing	N	N	N	N	N	N	Y	N	N
85	Contractor's shop	N	N	N	SP	SP	SP	Y	N	N
86	Contractor's storage yard, including office, yard, and storage facilities for construction or landscape contractor, or similar establishment as a principal use	N	N	N	SP	N	SP	Y	N	N
87	Sale of building materials and supplies, which may include outdoor storage of lumber products as a principal use	N	N	N	N	N	N	Y	N	N
88	Outdoor storage of fuel supplies and fuel products	N	N	N	N	N	N	SP	N	N
89	Wholesale establishment, including preparation, storage, transfer, or distribution of goods, with incidental display space	N	N	N	N	N	SP	Y	N	N
90	Rail or bus station, or bus terminal	N	N	N	SP	SP	SP	Y	N	N
91	Commuter parking facility as a principal use	N	N	N	N	N	SP	Y	SP	N

92	Parking or maintenance facility for commercial vehicles	N	N	N	N	N	N	SP	N	N
93	Personal wireless service facility	PB	PB	PB	PB	PB	PB	PB	PB	N
94	Commercial radio, television studio, with or without transmitting or receiving tower	N	N	N	N	N	N	SP	N	N
95	Noncommercial airfield or noncommercial heliport	SP	N	N	N	N	N	SP	N	N
96	Registered medical marijuana dispensary, up to 25,000 square feet gross floor area, see § 218-10.4	N	N	N	N	N	N	PB	N	N
97	Off-site registered medical marijuana dispensary, up to 2,500 square feet gross floor area, see § 218-10.4	N	N	N	N	N	PB	PB	N	N
98	<b>Accessory (see § 218-5.3):</b>									
99	Uses customarily incidental to any principal use on the same premises, and including but not limited to private garages, boathouses, and to activities associated with agriculture, such as barns, stables, and other farm buildings, provided that no building for the keeping of horses, goats, sheep, cattle, pigs or poultry shall be nearer than 25 feet to any lot line	Y	Y	Y	Y	Y	Y	Y	Y	N
100	Uses customarily incidental to any principal use on the same premises, including off-street parking in accordance with § 218-8.1	Y	Y	Y	Y	Y	Y	Y	Y	N
101	Home occupation, see § 218-5.3.B									
102	Family dependent care, see § 218-5.3.C									
103	Accessory apartment, as regulated under § 218-9.4									

A	Attached Accessory Apartment	Y	Y	N	N	N	N	N	N	N
B	Detached Accessory Apartment	SP	SP	N	N	N	N	N	N	N
104	Family day care home for up to 6 children	Y	Y	Y	SP	SP	SP	N	N	N
105	Dwelling unit, whether detached or attached, accessory to business or industrial use, solely for use as living quarters by security, maintenance, or administrative employee	N	N	N	SP	SP	SP	Y	N	N
106	Cafeteria, dining hall, conference or function facilities for exclusive use by employees and clientele of a principal nonresidential use	N	N	N	SP	N	Y	Y	N	N
107	Temporary outdoor storage of materials or equipment accessory to a nonresidential use	N	N	N	SP	SP	SP	Y	N	N
108	Temporary outdoor display and sale of merchandise accessory to a retail use	N	N	N	Y	Y	Y	N	N	N
109	<b>Miscellaneous:</b>									
110	Removal of soil, loam, sand and other earth material	9	9	9	9	9	9	9	9	9
111	Driveway or road, provided that there will be adequate drainage and that such driveway or road will not interfere adversely with the natural flow of water in the area (Driveway curb cuts are subject to permits issued by Director of Public Works in accordance with the provisions of § 180-3 of the Groton Code.)	Y	Y	Y	Y	Y	Y	Y	Y	PB
112	<b>Marijuana establishments; any other type of licensed marijuana-related</b>									

**business:**

	Marijuana cultivator, but not including craft marijuana cultivator cooperative	N	N	N	N	N	PB	PB	N	N
	Marijuana product manufacturer	N	N	N	N	N	N	N	N	N
	Marijuana retailer	N	N	N	N	N	N	N	N	N
	Marijuana testing facility	N	N	N	N	N	PB	PB	N	N
	Marijuana transportation or distribution facility	N	N	N	N	N	N	N	N	N
	Marijuana research facility	N	N	N	N	N	PB	PB	N	N
	Any other type of licensed marijuana-related business including marijuana micro business	N	N	N	N	N	N	N	N	N
	On-site consumption of marijuana at licensed marijuana establishment	N	N	N	N	N	N	N	N	N
113	<b>Off-site off-street parking</b>	PB	PB	PB	PB	PB	PB	PB	N	N

**NOTES:**

- <sup>3</sup>No building for the keeping of horses, goats, sheep, cattle, pigs or poultry shall be nearer than 25 feet to any lot line.
- <sup>4</sup> Uses in the MFD district are pursuant to the provisions of Section 218-9.3.D Multi-Family Development
- <sup>9</sup>The removal of soil, loam, sand, or other earth material is subject to permits issued by the Select Board in accordance with the provisions of Ch. 134, Earth Removal.
- <sup>10</sup>For additional uses which may be permitted in those portions of the R-A, R-B, VCB and P Districts which underlie the Town Center Overlay District, see § 218-7.3.

3. Amend Section 218-6 Schedule of Intensity Regulations by adding the row titled “MFD” after the Row labeled R-B to read as follows:

District	Minimum Dimensions		LotMaximum Height		Maximum Impervious Coverage (percentage)	Minimum Setback		Building
	Area (square feet)	Frontage (feet)	Feet	Stories		Max. or Min. Front (feet)	Min. Side (feet)	
R-A5	80,000 <sup>1</sup>	2254	35	3	25	50 min.	15	15
R-B5	40,000 <sup>1,2</sup>	1752, <sup>4</sup>	35	3	25	50 min.	15	15
<b>MFD<sup>7</sup></b>	<b>100,000</b>	<b>150</b>	<b>60</b>	<b>5</b>	<b>65</b>	<b>50min<sup>7</sup></b>	<b>50<sup>7</sup></b>	<b>50<sup>7</sup></b>
VCB5	10,000 <sup>1,2</sup>	1502	35	3	75	106	106	106
NB	20,000 <sup>1,2</sup>	1502	35	3	65	max. 156	156	156
GB	40,000 <sup>1,2</sup>	1752	35	3	50	max. 206	156	156
I	40,000 <sup>2</sup>	1752	35	3	75	50 min.	15	15
O	—	—	35	3	25	50 min.	15	15
P5	40,000 <sup>1,2</sup>	1752	35	3	50	50 min.	15	15

**NOTES:**

- 1 For planned multifamily/residential development, see § 218-9.3.C. For age-restricted housing, see instead § 218-9.3.B. For multifamily use by conversion, see instead § 218-9.3.A. For flexible development, see § 218-9.1.F.(1). For hammerhead lots, see § 218-6.4.
- 2 No minimum for nonresidential uses.
- 3 Includes principal and accessory buildings, parking lots, access roads and other impervious surfaces. See § 218-6.3 for supplementary regulations.
- 4 Lots shown on a residential compound plan (as described in Chapter 381, Part 1, Subdivision of Land) endorsed by the Planning Board pursuant to the Subdivision Control Law may, upon the grant of a special permit by the Planning Board, reduce lot frontage to 50 feet.
- 5 For dimensions applicable to Town Center Overlay District developments, see § 218-7.3
- 6 Maximum and minimum building setbacks may be waived by special permit from the Planning Board, where it finds such waiver to be harmonious with the intent of the district and the character and scale of the building’s location.
- 7 For Multi-Family Development See Section 218-9.3.D

**4. Insert a new Section 218-9.3 D Multi Family Development District to read as follows:**

**218-9.3.D – MULTI-FAMILY DEVELOPMENT DISTRICT**

**(1) Purpose**

- To transition from a case by case permitting process for Multi-Family Development and establish a transparent and predictable process for the permitting of Multi-Family Development (MFD) with specific guidelines and criteria.
- To encourage Multi-Family Development in sensible locations in terms of services, infrastructure, economic opportunity and compatibility with surrounding uses.
- To accommodate compatible uses that serve primarily residents and are open to the general public.
- To increase housing choice and diversity and address the local and regional need for additional housing.

**(2) General.**

Multi-Family Development (MFD), if built in accordance with the following requirements, shall be allowed in the MFD District as set forth in the Table of Use Regulations by right pursuant to Section 218-2.5 Site Plan Review by the Planning Board.

**(3) Eligible Locations**

In order for a property to qualify as an eligible location it must satisfy the criteria of an "Area of Concentrated Development" pursuant Massachusetts Department of Housing and Community Development (DHCD) Regulations 760 CMR 59 Smart Growth Zoning Districts.

**(4) Permitted Uses**

**Any or combination of residential uses are permitted as of right pursuant to Section 218-5.2 Schedule of Use Regulations including but not limited to the following uses:**

- **Townhouses**
- **Garden Flats**

**(5) Standards.**

- a. Multi-Family Development District shall require a minimum lot area of 100,000 square feet
- b. No structure shall exceed five (5) stories, fifty-five (60) feet in height, measured from the mean finished grade.
- c. No structure or group of structures, except one-story garages or carports, shall be nearer to each other than twenty (20) feet. Carports or garages, if not directly attached, shall be at least ten (10) feet from the main buildings.
- d. The maximum permitted density shall not exceed 15 (fifteen) dwelling units per acre
- e. There shall be a buffer zone of fifty (50) feet from any building or structure on an adjacent lot where said lot is not under the same ownership. The Planning Board may waive or reduce the buffer requirement for the reuse of an existing structure or where the Planning Board determines that a smaller buffer will not adversely affect adjoining property.



- f. Multi-Family Developments shall conform with the provisions of Section 218-8.2. Parking areas shall otherwise comply with the provisions of Section 218-8.2 unless the applicant provides sufficient justification for a waiver and the Planning Board determines the grant of such waiver will not adversely affect the neighborhood.
- g. Sewage shall be disposed of by means of adequate connections to the municipal sewer system.

**(6) Affordable Component**

- (a) As a condition of the grant of any special permit for a Multi-Family Development, affordable units shall be required as follows:
  - (i) Fifteen (15%) percent of the units shall be affordable to persons or families qualifying as low or moderate income.
  - (ii) Affordable Units shall be dispersed throughout the project. The Affordable Units shall be indistinguishable in external appearance from any market-rate housing units in the MFD.
  - (iii) In computing this requirement, the total number of dwelling units shall be used. Numbers shall be rounded up in the computation of this requirement.

**(7) Other Uses.**

Certain other non-exempt and non-residential principal uses, as set forth in Section 218-9.3.D (8), will be allowed by special permit within a Multi-Family Development where such uses comply with the following requirements.

- a. All nonresidential uses shall be determined to be appropriate by the Planning Board in its sole discretion considering the scale and performance characteristics of such uses and locations relative to the MFD and surrounding uses. Such uses may be located within multi-family structures or in standalone structures.
- b. All non-residential uses shall require a special permit from the Planning Board
- c. The areas required for such special permit occupancy shall be specifically identified on the Site Plan so as to prevent locating such businesses in a haphazard manner. It is the intention of this provision to concentrate the business into one (1) general area to create a "local business area" within the development area.
- d. It is the intention of this Section 218-9.3.D (6), to allow certain business uses within the development area to provide services for the residents of the development and are open to the general public. Parking and loading spaces conforming to the provisions of Sections 218-8.2 herein shall apply, in addition to the regular parking spaces required for multi-family development dwellings, shall be provided.
- e. Said other non-residential uses shall be determined to be subordinate and accessory to the Multi-Family Development and shall not exceed xx% of the total gross floor area or occupy xx % of the total site area.

**(8) Eligible Uses.**

Eligible special permit uses for a Multi-Family Development complying with the Section 218-9.3.D (7) and Section 218-5.2 Schedule of Use Regulations include but are not limited to:

- a. Delicatessen stores, including specialty food stores, but not including regular grocery stores or variety stores.
- b. Fitness facilities.
- c. Book, stationery, or gift shops.
- d. Florist shops but excluding greenhouses.
- e. Personal Service Establishments

- f. Self-service laundry and dry cleaning
- g. Professional offices
- h. Medical and dental offices, but excluding clinics.
- i. Adult and child daycare.
- j. Outdoor swimming pools which conform with the State Building Code.
- k. Banks and savings and loan institutions

**6. Amend Section 218-2.5 Site Plan Review By inserting a new subsection (e) under Section 218-2.5.C.(2) Threshold of Review Major Project to read as follows:**

“(e) Multi-Family Development pursuant to Section 218-9.3.D”

or take any action relative thereto.

**PLANNING BOARD**

**Select Board:**

**Finance Committee: *No Position***

**Planning Board:**

**Summary:** *The purpose of this article is to establish a new zoning district to encourage the development of Multi-Family Housing by right, in accordance with specific guidelines and criteria. The zoning district would encourage Multi-Family Development in sensible locations in terms of services, infrastructure, economic opportunity, and compatibility with surrounding uses. Such development would accommodate compatible uses that serve primarily residents and would be open to the general public, and would address the local/regional need for additional housing choices. Adoption of this article would ensure Groton complies with the new Section 3A of the Zoning Act, M.G.L. Chapter 40A, which is applicable to MBTA communities.*

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**ARTICLE 15: ZONING MAP AMENDMENT**

To see if the Town will vote to amend the Zoning Map established under Chapter 218 of the Code of the Town of Groton to rezone five adjoining parcels of land from General Business (GB) to Multi-Family Development (MFD), said parcels of land located at 500 Main Street consisting of approximately 36.5 acres, being shown on Assessors’ Map 216, Parcels 94, 95, 96, 97, and 102, or take any action relative thereto.

**PLANNING BOARD**

**Select Board:**

**Finance Committee: *No Position***

**Planning Board:**

**Summary:** *This article is contingent upon approval of the proposed zoning amendment to establish a Multi-Family Development (MFD) zoning district. The five parcels that are subject to this Zoning Map change were previously owned by Deluxe Corporation. These parcels are located adjacent to areas of concentrated residential and commercial development, and are in proximity to other services and amenities such as the Groton Dunstable Regional Elementary and Middle Schools, the Town Center, and the Nashua River Rail Trail. Pedestrian access to the schools and the Town Center is possible via the existing Main Street sidewalk from Mill Run Plaza. The subject parcels are served by Town water and sewer. These attributes make the subject parcels ideally suited to be rezoned for the purpose of multi-family housing development.*

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**ARTICLE 16:           EXTEND CENTER SEWER DISTRICT**

To see if the Town will vote to extend the "Groton Center Sewer District" as established by the vote of the Special Town Meeting of February 6, 1989, under Article 7, and as shown most recently on the plan approved under Article 8 of the 2015 Fall Town Meeting of October 19, 2015, to include the property shown as Assessors' Lot 216-102 and further described as the third parcel in a Deed recorded with the Middlesex South District Registry of Deeds in Book 63144, Page 174, and its successors and assigns; provided that all costs of designing, laying, and construction of the extension and any associated connection and the cost of additional capacity and the property owner's proportionate share of the general benefit facilities, and all other costs associated therewith, are paid by the owner of the property benefited thereby, whether by the assessment of betterments or otherwise, or to take any other action relative thereto.

**TOWN MANAGER**

**Select Board:**

**Finance Committee:** *No Position*

**Sewer Commission:**

**Summary:** *This parcel abuts the Deluxe Property on Main Street. As part of the proposed redevelopment of that property, this parcel is being acquired by the same company purchasing Deluxe to enhance the overall redevelopment. It is important to have this property as part of the Sewer District for that purpose.*

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**ARTICLE 17: ZONING AMENDMENT – CLARIFICATION, UPDATE, CORRECTION**

To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218 Zoning as follows:

1. In Section 218-9.3 Multifamily Use, Subsections 218-9.3. B. (3) and 218-9.3. B. (5), delete the words “**Board of Appeals**” and insert the words “**Planning Board**”.
2. In Section 218-3 Definitions, delete the existing definitions for **Dwelling** and **Dwelling Unit**, and replace with the following:
  - a. Dwelling – A building that contains one or two dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.
  - b. Dwelling Unit – A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

or to take any other action relative thereto.

**PLANNING BOARD**

**Select Board:**

**Finance Committee: No Position**

**Planning Board:**

**Summary:** *The proposed amendment corrects an internal inconsistency in the Zoning Bylaw that dates to the adoption of Article 19 at the 2014 Annual Town Meeting. As part of a comprehensive update of the Zoning Bylaws to implement the recommendations of the Comprehensive Master Plan adopted in 2012, the Schedule of Use Regulations was amended. Among the various amendments, the Planning Board was designated as the Special Permit Granting Authority (SPGA) for “Multifamily Uses as allowed by the provisions of Sections 218-27A through 27C” (now Sections 218-9.3 A through C). However, Article 19 failed to update the corresponding language of the cross-referenced Sections A and B, leaving intact the SPGA reference in those subsections as the Zoning Board of Appeals and not the Planning Board as intended in the Schedule of Use amendment. The proposed amendment to Subsections 218-9.3.B.(3) and 218-9.3.B.(5) remedies the regulatory inconsistency by inserting the correct SPGA as intended by the adoption of Article 19 at the 2014 Annual Town Meeting.*

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**ARTICLE 18: ZONING AMENDMENT – MARIJUANA RETAIL ESTABLISHMENTS**

To see if the Town will vote to amend Chapter 218 of the Zoning Bylaw as follows:

To amend Chapter 218 of the Town By-Laws (Zoning By-Laws)

- A. By adding the following to Ch. 218-10.4 “Marijuana Establishments” D(3) “Special Permit Requirements”:
  - d. Marijuana product manufacturer
  - e. Marijuana retailer

- f. Marijuana transportation or distribution facility
- g. Any other type of licensed marijuana related business

B. By amending Ch. 218-5.2 "Schedule of Use Regulations" By deleting Line 112 "Marijuana establishments; any other type of licensed marijuana-related business" in its entirety and insert the following:

USE	R-A <sup>10</sup>	R-B <sup>10</sup>	NB	VCB <sup>10</sup>	GB	I	P <sup>10</sup>	O
112 <b>Marijuana establishments; any other type of licensed marijuana-related business:</b>								
Marijuana cultivator, but not including craft marijuana cultivator cooperative	N	N	N	N	<b>PB</b>	<b>PB</b>	N	N
Marijuana product manufacturer	N	N	N	N	<b>PB</b>	<b>PB</b>	N	N
Marijuana retailer	N	N	N	N	<b>PB</b>	N	N	N
Marijuana testing facility	N	N	N	N	<b>PB</b>	<b>PB</b>	N	N
Marijuana transportation or distribution facility	N	N	N	N	N	<b>PB</b>	N	N
Marijuana research facility	N	N	N	N	<b>PB</b>	<b>PB</b>	N	N
Any other type of licensed marijuana-related business including marijuana micro business	N	N	N	N	<b>PB</b>	<b>PB</b>	N	N
On-site consumption of marijuana at licensed marijuana establishment	N	N	N	N	N	N	N	N

Note: The **PB** shown in bold represents proposed changes from "N".

or take any action relative thereto.

**SELECT BOARD**

**Select Board:**

**Finance Committee: *No Position***

**Planning Board:**

**Summary:** *At the November 8, 2016 Presidential State Election, Groton voters voted in favor of Question 4 on the ballot; Legalization, Regulation and Taxation of Marijuana. However, there were concerns over the impact this new and emerging business would have on the town. These concerns were expressed in non-binding referendum questions at the May 20, 2018 Annual Town Election where voters expressed opposition to all but two of the marijuana related activities allowed under state law; marijuana research and marijuana testing laboratories. This sentiment was affirmed again at the October 1, 2018 Special Town Meeting where voters narrowly chose to pass a zoning by-law amendment that opted Groton out of all marijuana related business with the exception of commercial cultivation and marijuana testing and research facilities. As required by state law, this more restrictive by-law required affirmation at a town election which occurred at a Special Town Election on the November 6, 2018 State Election ballot. Since that time, the marijuana business has evolved and there are numerous examples in other communities where they have operated without issue. These communities are realizing the financial benefit of these businesses through the 3% local sales tax on sales as well as community host agreements negotiated with marijuana vendors. The proponents of Groton’s decision to opt out acknowledged the decision could be revisited in the future once more was known about the impact of marijuana related businesses on communities. Recognizing this, Article 22 of the 2018 Spring Town Meeting accepted the provision of state law that would allow the collection of a 3% local sales tax on the recreational sale of marijuana, should those sales be allowed in Groton. This article, if approved, would allow a business in Groton to opt into the recreational marijuana business and realize a non-property tax-based form of revenue that has the potential to be significant.*

**ARTICLE 19: CITIZENS’ PETITION - TRANSFER TAX TITLE LAND**

To see if the Town will vote to transfer the title, jurisdiction, custody and control of Parcel 227 – 135 (Groton Assessors Map 227 and Parcel 135) from the Groton Tax Collector to the Groton Select Board for general municipal purposes, and further to authorize the Groton Select Board in turn to transfer such title, jurisdiction, custody and control of said Parcel to the Groton Housing Authority for use as Groton Housing Authority owned and operated housing on such terms deemed advisable by said Select Board, provided, however, that such title, jurisdiction, custody and control of said Parcel so conveyed shall be subject to reversion to the Town of Groton Select Board in the event that the housing use for which the conveyance is being made is not commenced by the Groton Housing Authority within a five year period from the date of conveyance, or to take any other action related thereto.

**CITIZENS’ PETITION**

<u>NAME</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>ADDRESS</u>
Donald R. Black	573 Longley Road	Katherine Bach	36 Floyd Hill Road
Kyle Petka	573 Longley Road	Karen F. Tuomi	27 Windmill Hill Road
Megan Petka	573 Longley Road	Gail Chalmers	123 Pepperell Road
Alicia W. Black	573 Longley Road	Richard Chalmers	123 Pepperell Road
Eric Bach	36 Floyd Hill Road	Robert L. Gosselin	133 Smith Street

**Select Board:**  
**Finance Committee: No Position**

**Summary:** The following summary was prepared by the petitioners and represents their view on the Article: *This property was originally owned by the North Middlesex Mutual Aid Association and used as a training site for Firefighter training. In 2012, after going unused for many years, the Town took title to it through Tax Title Possession. This article would transfer title to the Groton Housing Authority, whose goal it would be to construct Senior Affordable Rental Housing for Groton Citizens. This transfer will help us to address the needs for affordable housing in Groton and continue our policies and strategies to meet the needs of our Seniors.*

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Hereof fail not and make return of your doings to the Town Clerk on or before time of said meeting.

Given under our hands this 4<sup>th</sup> Day of October in the year of our Lord Two Thousand Twenty-One.

Rebecca H. Pine  
Rebecca H. Pine, Chair

Alison S. Manugian  
Alison S. Manugian, Vice Chair

Peter S. Cunningham  
Peter S. Cunningham, Clerk

Joshua A. Degen  
Joshua A. Degen, Member

John F. Reilly  
John F. Reilly, Member

OFFICERS RETURN  
Groton, Middlesex

Pursuant to the within Warrant, I have this day notified the Inhabitants to assemble at the time, place, and for the purpose mentioned as within directed. Personally posted by Constable.

\_\_\_\_\_  
Constable

\_\_\_\_\_  
Date Duly Posted



## REPORT OF THE TOWN MANAGER TO THE 2021 FALL TOWN MEETING

The 2021 Fall Town Meeting Warrant contains several warrant articles that seek appropriations, some of which will affect the Tax Rate and some of which will have no further impact on taxes. The purpose of this report is to provide the residents and taxpayers with a summary of these articles and what impact they will have on the Fiscal Year 2022 Tax Rate. In preparing for the Fall Town Meeting, the Select Board and Finance Committee reviewed the balances in the various reserve accounts. These accounts will either be used to fund the various articles, or money will be added to them to comply with the Town's Financial Policies. The balances as of August, 2021, are as follows:

Stabilization Fund:	\$2,140,794
Capital Stabilization Fund:	\$ 80,214
GDRSD Capital Stabilization Fund:	\$ 18,136
Unexpended Tax Capacity:	\$ 95,444
Certified Free Cash:	\$2,347,087

The following is a summary of Warrant Articles requesting funding:

**Article 1: Unpaid Bills** **Requested: \$0**

At this time there are no unpaid bills. This article will most likely be withdrawn from consideration.

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**Article 2: Amend the FY 2022 Town Operating Budget** **Requested: \$311,320**

This Article will request the following adjustments in the Operating Budget:

1. Board of Assessors Salaries – When the budget was submitted to the 2021 Spring Town Meeting, the one-time 1.5% cash payment for the Principal Assistant Assessor was inadvertently left out of the budget. The amount needed is \$1,200 and will be funded from Free Cash.
2. Treasurer/Tax Collector Salaries and Wages – When Hannah Moller was promoted to Treasurer-Collector and Mike Hartnett became the Assistant Treasurer-Collector, Mr. Hartnett's pay was placed in the Wage Account instead of the Salary Account. He is not paid hourly, but a weekly salary. Therefore, a transfer of the funds from the Wage Account to the Salary Account (\$43,818) is required. In addition, the Town had agreed to let Mr. Hartnett carry over his accrued vacation to Fiscal Year 2022 so it would not have to be paid out in Fiscal Year 2021. It has been paid to him over the last three months. In addition, similar to the Principal Assistant Assessor issue, the one-time 1.5% cash payment to the Treasurer-Collector was inadvertently left out of the budget. The total amount needed for these two issues is \$9,320 (\$8,045 for Hartnett and \$1,275 for Moller) and will be funded from Free Cash. Finally, there was a calculation error in the Assistant to the Treasurer/Payroll Clerk's Wage Account, including a health insurance opt out. An appropriation of \$5,444 from taxation will be required to cover this shortfall.

3. Zoning Board of Appeals Wages/Park Commission Wages – The Zoning Board of Appeals Administrative Assistant retired at the beginning of the Summer. The Town Manager presented a reorganization plan to the Select Board that would transfer the duties of the ZBA Administrative Assistant to the Land Use Administrative Assistant. To allow for the added duties, the Park Commission Assistant duties were removed from the Land Use Administrative Assistant and a part-time Administrative Assistant was hired to handle Park Commission duties. To address this, \$21,017 will be transferred from the ZBA Wage Account to the Park Commission Wage Account.
4. Highway Department Wages – When the Fiscal Year 2022 Budget was presented to the Finance Committee and Select Board, several positions were eliminated from the Budget due to anticipated reduced revenues due to the impact of the Covid-19 Pandemic. One of the positions eliminated was a Highway Department Heavy Equipment Operator Position. The Town Manager requested that if any funding became available, this would be one of the positions restored. Due to the fact that the Federal Government has provided funding through the Coronavirus Recovery Relief Fund to make up for lost revenues due to the Pandemic, the Select Board has voted to authorize filling this vacancy utilizing these funds. The amount needed in the Wage Account is \$70,000.
5. Veteran's Service Officer Wages – The Town has recently hired a new Veteran's Service Officer (VSO). To assist with the transition, the retiring VSO worked an additional week providing updates and guidance to the new VSO. To fund this, a transfer of \$200 from Free Cash is needed.
6. Library Wages – Similar to the Highway Department, the Library Budget Wage Account was reduced by \$55,000 due to the anticipated loss of revenues caused by the Pandemic. This reduction put the Library Budget below the Municipal Appropriation Requirement for Certification. If a waiver is not granted, the Town would be at risk of losing state funding and the ability to participate in the Merrimack Valley Library Consortium that allows for the sharing of materials with other Libraries in the Region. Due to an increase in New Growth and Motor Vehicle Excise Tax Revenue, the Select Board and Finance Committee voted to restore this funding. The \$55,000 will come from taxation.
7. Health Insurance – Due to changes during Open Enrollment and Qualifying Events, an additional \$35,000 to cover those costs is needed in the Health Insurance Budget and \$20,000 is needed for the restoration of the Highway Department Position (total increase of \$55,000). To fund this, \$35,000 will come from taxation and \$20,000 from the Coronavirus Recovery Relief Funds.
8. Debt Service – Based on the \$8 million bond issue approved for the Florence Roche Elementary School Project, the Town will have an interest payment of \$115,156 due in March, 2022. This amount will be raised through taxation outside the levy limit as excluded debt.

The following is a summary of funds proposed for this Article:

Free Cash:	\$ 10,720
Unexpended Tax Capacity:	\$ 90,352
Excluded Debt Tax Revenue:	\$115,156
Coronavirus Recovery Relief Funds:	<u>\$ 90,000</u>
Total Requested:	\$306,228

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**Article 3: Transfer - Water Enterprise Fund**

**Requested: \$150,000**

The Water Department will need to transfer \$150,000 out of its excess and deficiency fund to cover additional expenses in Fiscal Year 2022. Specifically, \$95,000 is to cover wages and benefits for the new Water Department employee and for another employee who has worked out of class. \$30,000 is for their Manganese Line Item in the Budget for GELD to purchase and install new power poles and a transformer for the new treatment plant. Finally, \$25,000 is for the Whitney Well #3 Building/Shed (Nashoba Tech is constructing the building and the Department is purchasing the materials and doing some minor sitework).

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**Article 4: Transfer – Capital Stabilization Fund**

**Requested: \$600,000**

The current balance in this fund is \$80,214. The anticipated Capital Plan for Fiscal Year 2023 is approximately \$600,000. The Town's Financial Policies call for a balance in this Fund of 1.5% of the Operating Budget. If all the transfers and appropriations are approved under Article 2 of this Warrant, the total Fiscal Year Operating Budget will be \$42,588,159. This would require a Capital Stabilization Fund Balance of \$638,822. This Article will request a Transfer of \$600,000 from Free Cash to be added to the Capital Stabilization Fund.

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**Article 5: Transfer - Stabilization Fund**

**Requested: \$0**

The current balance in the Stabilization Fund is \$2,140,794. The Town's Financial Policies state that this Fund should have a balance of five (5%) percent of our Operating Budget (\$42,588,159). This would require a balance of \$2,129,408. As of the writing of this report, the Town would not need to add to the fund, however, a decision to add funding may be made prior to Town Meeting. This will be addressed, if necessary, at Town Meeting.

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**Article 6: Transfer - GDRSD Capital Stabilization Fund**

**Requested: \$560,000**

The current balance in the GDRSD Capital Stabilization Fund is \$18,136. The FY 2023 Capital Plan for the District is \$553,411. This Article will request a Transfer of \$560,000 from Free Cash to be added to the GDRSD Capital Stabilization Fund.

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**Article 7: Capital Purchase – Fire Chief’s Vehicle**

**Requested: \$70,000**

**From the Summary in the Warrant:** The original proposed FY 2022 Capital Budget had called for the purchase of a new command vehicle for the Fire Department. During last year’s Capital Budget cycle, due to the uncertainty of the budget, it was decided to put off this purchase until the Fall and revisit the potential funding for this purchase. Purchasing this new vehicle is important for the command operation of the Fire Department. This will provide both the Fire Chief and Deputy Fire Chief with reliable response vehicles going into the winter season. In addition, this will provide enhanced incident command and control features for both the Fire Chief and Deputy Fire Chief, which is currently only available with the Fire Chief’s vehicle. This capability is vital in times where major storms, complex incidents or multiple incidents are occurring simultaneously. The anticipated cost of this vehicle is \$70,000. Funding for this Article will come from Free Cash.

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**Article 8: Assessing Software**

**Requested: \$35,000**

**From the Summary in the Warrant:** The Assessing Department is currently using Vision 6.5 for the valuation of all Real Property in the Town of Groton. Vision Government Solutions (VGSI) released Vision 8.0 in 2017. The upgrade version operates on a SQL database (**Structured Query Language** which is basically a language used by databases and allows to handle the information using tables and shows a language to query these tables) and includes an enhanced sketching program and report writing features which will allow the Assessing Department to comply with MA Department of Revenue reporting requirements seamlessly. Vision 6.5 operates on an Oracle database that is no longer supported by Oracle. As VGSI sunsets Vision 6.5, support will no longer be available. The anticipated cost of this upgrade is \$35,000. Funding for this Article will come from Free Cash.

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**Article 9: Community Preservation Funding Accounts**

**From the Summary in the Warrant:** This is an accounting procedure that is necessary to ensure the Community Preservation Committee will have access to the funds raised during Fiscal Year 2022. The 2021 Spring Town Meeting used estimates to fund these accounts. The Final Accounting is complete and all State reimbursements have been received. This Article updates the subaccounts that were approved at the Spring Town Meeting.

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**Article 10: Amend Article 14, Motion 8 of the 2021 Spring Town Meeting**

**From the Summary in the Warrant:** When this Article (project) was approved at the 2021 Spring Town Meeting, the final State Reimbursement for Community Preservation Funds had yet to be received. Based on the best estimates at the time, the Community Preservation Committee recommended that of the amount needed to fund this Project (\$230,232), \$50,000 be appropriated through borrowing. Now that the final State Match projections have been provided, there are sufficient funds within the Community Preservation Fund to pay for the project without needing to borrow any funds. The purpose of this Article is to rescind the original appropriation that required borrowing and utilize only currently available Community Preservation Funds for this Project.

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**Article 11: Whitney Pond Well Construction**

**Requested: \$700,000**

This Article will authorize the Water Commission to borrow \$700,000 for the construction of a new well at the Whitney Pond Well Site. This is an important new Water Source for the operation of the Groton Water Department and has been in the Capital Plan for the past several years. Payment of the debt service on the \$700,000 loan will come from Water Rates.

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**Article 12: Water Treatment Facility Construction**

**Requested: \$10,082,000**

The Town of Groton and the Groton Water Department are under a Consent Order from the Department of Environmental Protection (DEP) to address elevated levels of manganese in the Town’s Water Supply. To address this issue, a new Water Treatment Plant must be constructed. The purpose of this Article is to authorize the Water Commission to borrow the funds necessary to construct the new Treatment Plant. The Water Commission is planning on going out to bid on this project next February. This appropriation will allow them to bid the project and start construction immediately to comply with the schedule approved by the DEP. Payment of the debt service on this loan will come from Water Rates.

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Should Town Meeting agree with these appropriations, \$1,275,720 will come from the Town’s Free Cash Account, leaving a balance of \$1,071,367. For the line items that are reoccurring and will be funded through taxation, the Town will use all of its unexpended tax capacity and be right at the anticipated Levy Limit for Fiscal Year 2023. The estimated tax rate at the Spring Town Meeting was \$18.09. Based on the proposed changes at the Fall Town Meeting and the increase in the excluded debt budget, the anticipated tax rate is \$18.15. The following chart is a breakdown of the anticipated rate:

	<u>Actual</u> <u>FY 2021</u>	<u>Proposed</u> <u>FY 2022</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>
Levy Capacity Used*	\$ 32,727,034	\$ 34,088,085	\$ 1,361,051	4.16%
Tax Rate on Levy Capacity Used	\$ 16.53	\$ 17.08	\$ 0.55	3.33%
Average Tax Bill	\$ 8,381	\$ 8,660	\$ 279	3.33%
Excluded Debt	\$ 2,122,284	\$ 2,140,459	\$ 18,175	0.86%
Tax Rate on Excluded Debt	\$ 1.07	\$ 1.07	\$ -	0.00%
Average Tax Bill	\$ 542	\$ 542	\$ -	0.00%
Final Levy Used	\$ 34,849,318	\$ 36,228,544	\$ 1,379,226	3.96%
Final Tax Rate	\$ 17.60	\$ 18.15	\$ 0.55	3.12%
Average Tax Bill	\$ 8,923	\$ 9,202	\$ 279	3.12%

\*The FY 2022 Levy Limit includes FY 2021 unexpended tax capacity of \$280,997 and \$15.8 million in New Growth.

Respectfully submitted,

*Mark W. Haddad*

Mark W. Haddad  
Town Manager

**SELECT BOARD MEETING MINUTES  
VIRTUAL MEETING  
MONDAY, SEPTEMBER 13, 2021  
UN-APPROVED**

**SB Members Present:** Rebecca H. Pine, Chair; Alison S. Manugian, Vice Chair; Peter S. Cunningham, Clerk; Joshua A. Degen, Member (via remote participation); John F. Reilly, Member (via remote participation)

**Also Present:** Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Patricia Dufresne, Town Accountant; Finance Committee Members Gary Green, Scott Whitefield, Mary Linskey, Art Prest, Bud Robertson; Fire Chief Steele McCurdy; Megan Foster, Principal Assessor; Bruce Easom, CPC; Michelle Collette and Raquel Majeski, Diversity Task Force; Michael Bouchard, Town Clerk; Don Black, Housing Authority; Takashi Tada, Land Use Director/Town Planner; Tom Delaney, DPW Director

Ms. Pine called the meeting to order at 7:00pm and reviewed the agenda.

**ANNOUNCEMENTS**

Mr. Haddad said that Arbor Day was being held on Saturday, September 18<sup>th</sup> at 1pm at the NRWA. He asked the Select Board to designate a member to deliver the proclamation and read it at the event. Mr. Cunningham volunteered.

Ms. Pine said that the Affordable Housing Trust was meeting on Thursday via zoom and invited the public to attend to hear a presentation from B'nai B'rith Housing on affordable housing development.

The Finance Committee called their meeting to order.

**TOWN MANAGER'S REPORT**

1. Mr. Haddad said that he provided the Select Board and Finance Committee with a memo outlining the 2021 Fall Town Meeting expenditures. He said that if everything were to pass at the Fall Town Meeting, the only increase to the tax payers would be 6 cents on the average tax bill, to fund the first interest payment on the \$8M bonded so far for the construction of the Florence Roche project. Mr. Haddad reviewed the financial items and said that there would be about \$500,000 left in free cash should everything pass. He said he was anticipating a tax rate of \$18.15.

**2021 FALL TOWN MEETING WARRANT PUBLIC HEARING**

Mr. Haddad read the public hearing notice into record.

*Ms. Manugian moved to open the public hearing. Mr. Cunningham seconded the motion. Roll Call: Pine-aye; Manugian-aye; Cunningham-aye; Degen-aye; Reilly-aye*

Article 1 - Mr. Haddad said that there were no unpaid bills at this time.

Article 2 – Mr. Haddad said that they had been reviewing the various budgets for any potential additions/reductions. He said he was requesting the following adjustments at this time:

1. Board of Assessors Salaries – Mr. Haddad said that they had inadvertently left of the 1.5% one-time cash payment for the Principal Assistant Assessor. This will require a Free Cash Transfer of \$1,200.
2. Treasurer/Tax Collector Salaries and Wages – He said that when they promoted Hannah Moller to Treasurer-Collector and Mike Hartnett became the Assistant Treasurer-Collector, they put Mike Hartnett's pay under wages, but they were paying him a weekly salary. He said they needed to transfer the funds from the Wage Account to the Salary Account (\$43,818). Mr. Haddad said that they had also agreed to let Mr. Hartnett carry over his accrued vacation to Fiscal Year 2022 so they did not have to pay it out all at once and inadvertently left off the 1.5% one-time cash payment to the Treasurer-Collector. Mr. Haddad said that since all of these were one-time payments, they would need to transfer \$9,320 (\$8,045 for Hartnett and \$1,275 for Moller) from Free Cash to cover these costs. He said that there was a also a calculation error in the Assistant to the Treasurer/Payroll Clerk's Wage Account adding they would need to raise \$352 from taxation for this.

3. Zoning Board of Appeals Wages/Park Commission Wages – Mr. Haddad said that when Margot Hammer retired, they transferred her duties to the Land Use Administrative Assistant and hired a 15 hour per week Park Commission Clerk. He said that they would need to transfer the Wage Appropriation from the ZBA Wage Account to the Park Commission Wage Account (\$21,017).
4. Highway Department Wages – Mr. Haddad said that the Select Board had voted to authorize filling the vacancy within the Highway Department. He said that funding for this position would come from Coronavirus Recovery Relief Funds (\$70,000).
5. Veteran's Service Officer Wages – Mr. Haddad said that due to an overlap of Veteran's Agents (he had asked the current VSO to work for two weeks with the new VSO), they would need an appropriation from Free Cash of \$200.
6. Library Wages – Mr. Haddad said that as voted by the Select Board (subject to approval by the Finance Committee), they had restored the \$55,000 cut from the Library Wage Budget to restore Sunday Hours and the Summer Reading Program. He said that this would allow them to maintain funding levels required by the State to maintain Certification. Mr. Haddad said that this funding would come from taxation.
7. Health Insurance – Mr. Haddad said that due to changes during Open Enrollment and Qualifying Events, they would need an additional \$35,000 to cover those costs and \$20,000 for the restoration of the Highway Department Laborer (total increase of \$55,000). Mr. Haddad said that to fund this, \$35,000 would come from taxation and \$20,000 from the Coronavirus Funds.
8. Debt Service – Mr. Haddad said that based on the \$8 million bond issue approved for the Florence Roche Elementary School Project, the Town would have an interest payment of \$115,156 due in March, 2022. He said that this amount would be raised through taxation outside the levy limit as excluded debt.

Mr. Robertson summarized the \$191,000 being requested and how these items were needed.

Article 3 – Mr. Orcutt said that the Water Department would need to transfer \$150,000 out of their excess and deficiency fund to cover additional expenses in Fiscal Year 2022; \$95,000 was to cover wages and benefits for the new Water Department employee and for another employee who had worked out of class, \$30,000 was for their Manganese Line Item in the Budget for GELD to purchase and install new power poles and a transformer for the new treatment plant; and \$25,000 was for the Whitney Well #3 Building/Shed (Nashoba Tech was constructing the building and we were purchasing the materials and doing some minor sitework).

Ms. Pine asked about the employee working out of class. Mr. Orcutt said that an employee worked out of class during his absence to cover duties while he was out. Mr. Orcutt answered Ms. Pine's question of the third employee being a permanent position which has been proven to be desperately needed even though it was done earlier than planned originally.

Article 4 - Mr. Haddad said that the current balance in this fund was \$80,214. He said that the anticipated Capital Plan for Fiscal Year 2023 was approximately \$600,000. Mr. Haddad said that the Town's Financial Policies call for a balance in this Fund of 1.5% of the Operating Budget. He said that if all the transfers and appropriations were approved under Article 2 of this Warrant, the total Fiscal Year Operating Budget will be \$42,583,462. He said that this would require a Capital Stabilization Fund Balance of \$638,752. Mr. Haddad said that he was recommending that they transfer \$600,000 from Free Cash to add to this Fund.

Article 5 – Mr. Haddad said that the current balance in the Stabilization Fund was \$2,140,794. He said that their Financial Policies state that this Fund should have a balance of five (5%) percent of their Operating Budget \$42,583,295. Mr. Haddad said that this would require a balance of \$2,129,165. He said that they did not need to add to this fund this year but that they could discuss whether or not they want to increase the Fund in more detail at another time.

Article 6 – Mr. Haddad said that the current balance in the GDRSD Capital Stabilization Fund was \$18,136. He said that the FY 2023 Capital Plan for the District was \$553,411 and was therefore recommending that they transfer \$560,000 Free Cash to be added to this Fund.

Article 7 – Mr. Haddad said that the original proposed FY 2022 Capital Budget had called for the purchase of a new command vehicle for the Fire Department. He said that during last year’s Capital Budget cycle, due to the uncertainty of the budget, it was determined to put off this purchase until the Fall and revisit the potential funding for this purchase. Chief McCurdy said that this would move his vehicle down to the Deputy Chief, which would allow them to dispose of an older 2011 vehicle and purchase him a new command vehicle.

Article 8 – Ms. Foster said that they were currently operating on Vision 6.5 adding that a newer version, Vision 8 had been launched. She said that the support was harder to get and was no longer supported. She said that the upgrade was needed and that it was time upgrade.

Article 9 & 10 – Mr. Haddad said that these were CPC housekeeping items. There were no questions.

Mr. Haddad said that he met with the Moderator last week who agreed with using a consent agenda for the first 10 articles if the Select Board and Finance Committee agreed. Mr. Degen said he was concerned about a consent agenda when there was this much money being asked for. Ms. Pine said she was a little uneasy also adding it was much more efficient but could be seen as diminishing the vote. She said she was okay with it though. Mr. Cunningham said he was okay with a consent agenda. Mr. Haddad said that the explanation would be provided in the back of the warrant and the individual motions would be provided to the Town Meeting should someone request to hold them.

Article 11 – Mr. Orcutt said that this article was for the Construction of the new source well at the Whitney Pond Well Site (Whitney Pond #3). Mr. Orcutt said they didn’t have the official lab results yet but added that they anticipated the levels to be low.

Article 12 – Mr. Orcutt said that the Town signed a consent order with DEP for the upgrade of wells #1 and 2. He said that they were going to experience elevated costs due to COVID adding that if they delayed construction, the delays of 18 months they might experience would only be further delayed. He said the Commission voted to go ahead with this project adding the costs estimates were around \$10.8 million dollars when they originally anticipated \$8 million which was primarily due to COVID. He said that getting parts and labor were going to be a challenge and why they wanted to start now.

Article 13 – Mr. Haddad said that he brought this to the Board a little bit ago. He said that Mr. Bouchard was looking to retire and gave them a unique opportunity to move toward an appointed town clerk. He said that Town Counsel went through the Charter and cleaned up applicable sections and renumbered items where necessary. Mr. Haddad said that the only outstanding item was who the appointing authority was going to be, the Town Manager or the Select Board. He said that to bring two names forward to the Select Board, should the Board choose that appointing structure, he said that sometimes a second person was just being brought forward as window dressing if there is a clear candidate. He provided examples as to why this position was different from the Police and Fire Chief positions and more like other department heads. He said that it was his recommendation that the Town Manager be the appointing authority.

Mr. Bouchard said that the position had become more complicated since he started adding the Town should move to an appointed Town Clerk and be able to interview and choose a replacement. Mr. Cunningham said that one of the push backs he was hearing was about elections and the perception around elections. Mr. Bouchard said that running the elections required personal risk and must follow state law. Ms. Manugian said she felt strongly that it be appointed and also felt strongly that 2 names be brought forward to the Select Board. Mr. Degen said he heard Mr. Haddad’s points but thought this should be 2 people brought forward to the Select Board as the appointing authority. Mr. Reilly said he agreed having it appointed but also heard people who wanted to keep it elected. He said that he would like the Select Board have oversight over the appointment. Ms. Pine said she also agreed that the Select Board be the appointing authority and be on a three-year contract.



Mr. Green said that this should be an appointed position but would support having the Town Manager as the appointing authority. He said that it seemed odd to have elected positions oversee the Town Clerk. Ms. Pine said that there were positions that went both ways on that one. Mr. Cunningham said that he was okay with the Town Manager appointing the position subject to the Select Board ratifying the appointment. Ms. Pine said they had a process that worked well for Chiefs and should continue that way. Ms. Pine said that she wasn't comfortable just saying it was a department head and wanted to maintain some of the independence the position has had. Mr. Cunningham asked who the Town Clerk reported to. Ms. Pine said they would report to the Town Manager but have oversight by the Select Board. Mr. Haddad said that the statutes in which a fire chief and police chief could be dismissed was because of state law which would be different for the town clerk.

Article 14 and 15 – Mr. Haddad said that the Planning Board would hold a public hearing on September 23<sup>rd</sup> to discuss these further. He asked the Board to hold off until they heard from the Planning Board. Mr. Tada said that Article 14 was in response to changes at the State level to push for zoning to allow for affordable housing in MBTA communities. Mr. Degen said that his reading of this was not going to increase the required percentage of affordable housing. Mr. Haddad said it was going to match the percentage the Town set for inclusionary zoning which was at 15%. Mr. Degen suggested discussing increasing this to a 20% requirement. Ms. Pine said the Affordable Housing Trust had sent a letter suggesting the percentage be 25% and hoped there would be some way they would be sure there would be a robust amount of affordable housing to add to their subsidized inventory. Mr. Cunningham said he would agree waiting until the public hearing to have this discussion adding he didn't want them to set the barrier too high. Ms. Manugian said she struggled with what an MBTA community designation meant and what they would be potentially giving up. Mr. Haddad said he didn't want to lose any opportunities to apply for things like MassWorks grant opportunities. Ms. Manugian said she wanted to be thoughtful with how they were explaining this. There was a discussion about sending a letter to the Planning Board in advance of their public hearing and whether it should be a letter from the Board or from members individually.

Article 16 – Mr. Haddad said that this article would extend the Sewer district to one of the parcels that Deluxe owned that was not on sewer. Mr. Bouchard said that the developer would be invited to a Sewer meeting on September 29<sup>th</sup>.

Article 17 – Mr. Haddad said that the Planning Board would be holding a public hearing on October 7<sup>th</sup> to discuss minor clarifications to Chapter 218. Mr. Tada reviewed some of the minor clarifications.

Article 18 – Mr. Haddad said that this article would allow for the retail sale of marijuana. Ms. Pine said that the public hearing would be on September 23<sup>rd</sup> at 7:00pm. Ms. Manugian asked why not just have Planning Board special permit required for all types of business related to marijuana in GB and I.

Article 19 – Ms. Majeski said that the Diversity Task Force was recommending that the article on the Town Seal be moved to the Spring Town Meeting. Ms. Pine asked if there were any plans to do outreach. Mr. Cunningham said he didn't mean for his comments at the last meeting to offend people when he compared the Holy Bible to a book about pure evil and apologized for making that statement. He said that outreach on this was going to be important adding he appreciated the opportunity to apologize for his comments. He thanked Ms. Majeski for the way in which she led the Diversity Task Forces last meeting adding he didn't feel as exposed as he thought he was going to. Ms. Collette said that they wanted to hold forums where people could come and be heard and hear discussions on why they were recommending that the words Holy Bible be removed from the Town Seal. She said that some additional discussion was warranted from what they have found out. Ms. Pine said that she wanted to take responsibility for not responding to Mr. Cunningham's comments at the moment. She said that she hoped that the Select Board and Diversity Task Force could co-sponsor training on how to respond in the moment. Ms. Manugian said she would defer to the recommendation and was personally struggling adding she thought this should have changed a while ago. Mr. Reilly said he supported bringing this forward to the Town but was glad they were waiting until the spring. He said that a nasty email was received by the Board about him adding divineness was not the way to go about things. Mr. Degen said that the analogy by Mr. Cunningham was misplaced. He said that they needed to be sensitive to their fellow citizens.

Resident, Mr. Mark Presti read a statement into the record. Mr. Cunningham said that whatever process needed to happen needed to be done in a way that was safe and inclusive of people's feelings and points of view.

Mr. Green left the meeting at 8:53pm.

*Mr. Cunningham moved that they remove the Town Seal article from the Fall Town Meeting warrant. Ms. Manugian seconded the motion.*

Ms. Pine said she wanted to see this done soon but wanted to bring people together and avoid a harsh conflict and therefore supported removing this article.

*Mr. Cunningham amended his original motion and moved that they remove the Town Seal article from the Fall Town Meeting warrant with the intent to bring this back to the 2022 Spring Town Meeting. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye Cunningham-aye; Degen-aye; Reilly-aye*

Article 20 – Mr. Don Black said that the intent of this citizens petition was to have land located on Nashua Road transferred to the Housing Authority. He said that the article had a 5-year time frame in which to research the property and investigate any potential contamination. Ms. Manugian asked what the advantage of bringing this forward as a citizen's petition. Mr. Black said that if they were to take title first, they could investigate this parcel further. He said it was not their intent to do anything of this piecemeal except for when it came time to develop and build out this property. Mr. Black said there was no expense to the Town but instead to the Housing Authority to start the exploration of the property. Mr. Degen asked how many acres this was. Mr. Black said it was about 9 acres. Mr. Black said that there was a 5-year time period in which to come back to the Board for full conveyance. Ms. Manugian asked why not come forward with a proposed plan first. Mr. Degen asked what harm there was in allowing the Housing Authority to go this route.

Ms. Linskey and Mr. Whitehall left the meeting. The Finance Committee lost their quorum at 9:10pm.

Mr. Degen thanked Mr. Black for the 20<sup>th</sup> anniversary of 9/11 ceremony that was held on Saturday. He said it was a great memorial for the victims and the Hanson Family especially.

Mr. Haddad asked the Select Board to continue their hearing to 8pm next week. Mr. Haddad said he had received a few phone calls about the decision to move town meeting outside. He said that the Board made the right decision to move the meeting outdoors due to the Delta Variant. He said that the perception was that the Select Board moved it outdoors to suppress the vote. He said he wanted to make the meeting as comfortable as possible. He said that Ms. Dunbar had been researching the use of portable heaters at town meeting which would help a small area outside. Mr. Cunningham asked if they could wait until 2 weeks out to make a final decision.

*Mr. Degen moved to continue the public hearing to September 20, 2021 at 8pm. Mr. Cunningham seconded the motion. Roll Call: Pine-aye; Manugian-aye Cunningham-aye; Degen-aye; Reilly-aye*

#### **OTHER BUSINESS**

Mr. Haddad asked the Board to vote to allow all boards and committees, appointed and elected, to meet by Zoom if they so choose.

*Mr. Cunningham made that motion. Ms. Manugian seconded the motion.*

Ms. Manugian said that she was concerned about the back and forth and confusion that would cause.

*Roll Call: Pine-aye; Manugian-aye Cunningham-aye; Degen-aye; Reilly-aye*

#### **SELECT BOARD ITEMS FOR CONSIDERATION**

1. Mr. Haddad said that as they would recall, last month the Park Commission recommended that the unnamed Road between Martin's Pond Road and Hollis Street be named "Sawyer Way". He said that the Select Board asked that we do further research to make sure this section of the Road had not been named previously. He said that based on information received from the Groton History Center and Historical Commission, they were confident that this section had not been named. Mr. Haddad said that Section 258-5(B) of the Town Bylaws stated that "to prevent

*duplication of street names or the use of similar sounding street names, all street names used in Groton must be approved, in advance, by the Town Manager. The Town Manager will collaborate with the Fire Chief, the Building Commissioner, and the E-9-1-1 Database Liaison prior to approving a new street name. The Town Manager may solicit and consider, but need not use, street name suggestions from developers and residents." Based on this, unless the Select Board has an objection, it is my intention to name that Road "Sawyer Way". Mr. Haddad said that should this be approved by the Board; it would be the Park Commission's intent to present the name of this road at the Veterans Day ceremony.*

Ms. Pine said pointed out that the Sawyer family had many members serve in the military.

*Mr. Cunningham moved to affirm decision of Town Manager to name this road Sawyer Way. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye Cunningham-aye; Degen-aye; Reilly-aye*

Ms. Pine said that when the naming of Sawyer Way came forward, she thought they should invite anyone in the public to send names forward for anyone that would like a road, park, etc. named after. There was a brief discussion about the need for a list and a process.

#### **ON-GOING ISSUES**

C: Mr. Haddad said that the consultant hired to go to the Conservation Commission for the school project sent out notification to abutters and referenced the middle school and not the elementary school. He said he was upset about this adding the consultant would need to correct the record and send new letters.

#### **LIAISON REPORTS**

Mr. Cunningham said that the event held on Friday at the Senior Center to recognize first responders was a great event again this year. The Board thanked Ebi Masalehdan for cooking.

#### **MINUTES**

*Mr. Cunningham moved to approve minutes of regularly scheduled meeting of August 30, 2021. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-abstain; Reilly-aye; Cunningham-aye*

Ms. Pine adjourned the meeting at 9:33pm.

Approved: \_\_\_\_\_  
Peter S. Cunningham, Clerk

\_\_\_\_\_ respectfully submitted:  
Dawn Dunbar, Executive Assistant

Date Approved: