## Select Board Meeting Packet June 7, 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**

Alison S. Manugian Joshua A. Degen Rebecca H. Pine John F. Reilly Peter S. Cunningham

SELECT BOARD MEETING MONDAY, JUNE 7, 2021 AGENDA SELECT BOARD MEETING ROOM 2<sup>nd</sup> FLOOR GROTON TOWN HALL

6:00 P.M.

Executive Session – Pursuant to M.G.L. c. 30A, §21(a), Clause 3 – "To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares." – PURPOSE – Collective Bargaining

Executive Session – Pursuant to M.G.L. c. 30A, §21(a), Clause 6 – "To consider the purchase, exchange, lease or value of real estate, if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body." – PURPOSE – Easement for 227 Boston Road

7:00 P.M.

Annual Reorganization of the Select Board – Per Select Board Operational Policy, Town Manager Calls Meeting to Order and Calls for Nominations for Chair

7:05 P.M.

Announcements and Review Agenda for the Public

7:06 P.M.

**Public Comment Period** 

I. 7:10 P.M.

Town Manager's Report

- 1. Town Manager's Explanation of Agenda Items
- 2. Rescind Local State of Emergency Declaration
- Consider Calling for Special Town Meeting to Adopt Zoning Amendment for Multi-Family Development District
- 4. Consider Ratifying Annual Appointments of the Town Manager and Considering Appointing Annual Nominations for Appointment by the Town Manager
- 5. Discussion Process for Setting Annual Goals of the Select Board and Town Manager
- Determine Which Firms to Interview for Town Counsel Review Interview Questions
- 7. Update on Select Board Schedule through Labor Day

II. 7:15 P.M.

Legislative Update with Senator Edward Kennedy and Representative Sheila Harrington

### OTHER BUSINESS

ON-GOING ISSUES - For Review and Informational Purposes

- A. Water Department Manganese Issue PFAS Issue
- B. Black Earth Composting Agreement
- C. Enforcement of Leash Law
- D. Green Communities Application and Implementation
- E. Florence Roche Elementary School Construction Project

### **SELECT BOARD LIAISON REPORTS**

III. Minutes:

Virtual Meeting of May 24, 2021

### **ADJOURNMENT**

<u>Votes may be taken at any time during the meeting.</u> 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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## **Select Board**

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## **Town Manager** Mark W. Haddad

To:

Select Board

From:

Mark W. Haddad - Town Manager

Subject:

Weekly Report

Date:

June 7, 2021

- 1. Please note that Monday's meeting will be held In-Person in the Select Board's Meeting Room on the Second Floor of the Groton Town Hall. The meeting will begin at 6:00 p.m. with two executive sessions (one concerning collective bargaining and the other to discuss negotiating the easement with the owners of 227 Boston Road). The regular meeting will commence at 7:00 p.m. As this is the first meeting of the Select Board after the Annual Election, Board policy calls for the Annual Reorganization of the Board. To that end and per Board policy, the Town Manager will call the meeting to order and accept nominations for Chair. Once the new Chair is selected, a Vice Chair and Clerk will need to be chosen. In addition to the Town Manager's Report and a review of the On-going Issues List, there are is one issue scheduled on Monday's Agenda. Senator Edward Kennedy and Representative Sheila Harrington will be in to provide the Board with a legislative update and address questions and issues raised by the Board. Enclosed with this report are the questions and issues prepared by the Board and submitted to both Senator Kennedy and Representative Harrington.
- 2. Last March, at the onset of the COVID-19 Pandemic, the Select Board voted to Declare a Local State of Emergency. Now that the Governor is ending the Commonwealth's State of Emergency on June 15, 2021, I would respectfully request that the Groton Select Board take similar action and end the local State of Emergency effective June 8, 2021. We can discuss this in more detail at Monday's meeting.
- Recently, the Commonwealth of Massachusetts adopted legislation that encourages MBTA 3. Communities (Groton is considered an MBTA Community) to adopt zoning districts where multifamily zoning is permitted as of right. Please see attached Guidance from DHCD that explains this new legislation in more detail. In addition, please note that while participation is not mandatory, Communities without such zoning will no longer be eligible for funds from the following grant programs: (i) the Housing Choice Initiative as described by the Governor in a message to the General Court dated December 11, 2017; (ii) the Local Capital Projects Fund established in Section 2EEEE of Chapter 29; or (iii) the MassWorks Infrastructure Program established in Section 63 of Chapter 23A. The Planning Board is in the process of developing a Zoning Amendment that would comply with this Legislation. I have attached a copy of the draft Zoning Bylaw to this Report for your review. There is a potential development opportunity that would take advantage of this Zoning that we will present to the Board at Monday's meeting. Due to the nature of this proposed development, I would respectfully request that the Select Board consider calling for a Special Town Meeting on Monday, July 26, 2021. We can discuss this in more detail at Monday's meeting.

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- 4. It is that time of year for the Town Manager to make his annual appointments and nominations for appointment. Enclosed with this report is a list of my proposed appointments/nominations. I would ask the Board to consider ratifying/appointing these individuals at Monday's meeting.
- 5. The Board needs to determine the process for setting/establishing the annual goals of the Select Board/Town Manager. What I would suggest is that over the next week, each member of the Board provide me with 3 to 5 goals that you would like to see the Board consider (including goals for the Town Manager). I will then compile them and bring them to an upcoming meeting for the Board to review and consider adopting. We can discuss this in more detail at Monday's meeting.
- 6. We received four proposals for Town Counsel. The firms that submitted proposals are KP Law, Murphy Hesse Twoomey & Lehane, Mirick O'Connell and Miyares Harrington. I had provided the Boards with copies of the proposals under separate cover. The Board needs to determine which firms you would like to interview next Monday (June 14th). Depending on the number of firms you decide to interview, we would start the meeting at 4:00 p.m. or 5:00 p.m. In addition, I have attached to this report the interview questions the Board used in 2018 when you interviewed Town Counsel firms at that time. I look forward to discussing this with the Board at Monday's meeting.
- 7. Please see the update to the Select Board's Meeting Schedule through Labor Day:

Monday, June 14, 2021	-Special Meeting - Interview Town Counsel Applicants
Monday, June 21, 2021	-Annual Appointments of the Select Board
Monday, June 28, 2021	-Schedule Various Committee Reports -Start Town Manager's Annual Review
Monday, July 5, 2021	-No Meeting (July 4 <sup>th</sup> Holiday)
Monday, July 12, 2021	-Joint Session with FinCom – Line-Item Transfers -Call for the 2021 Fall Town Meeting
Monday, July 19, 2021 Monday, July 26, 2021 Monday, August 2, 2021 Monday, August 9, 2021 Monday, August 16, 2021 Monday, August 23, 2021 Monday, August 30, 2021 Tuesday, September 7, 2021	-No Meeting -Potential Special Town Meeting -No Meeting -Regularly Scheduled Meeting -No Meeting -Regularly Scheduled Meeting -No Meeting -No Meeting -No Meeting -Regularly Scheduled Meeting

### Process:

What issues do you see as the top five facing both your district and the state? What legislative bills have you brought forward for consideration and what are their statuses?

### **PFAS & PFOS**

- How does the Senate gather information and learn, especially about technical issues?
- Why has the state not enacted prohibitions on the sale and use of these chemicals?

The state has mandated that local communities address PFAS/PFOS in water systems.

- How do we do this effectively while the research and understanding are evolving?
- What financial assistance will be forthcoming?
- What are you able to do to advocate for Groton in this area? What can local officials do? What can community members do?

## Affordable Housing:

We need affordable housing in Groton for a number of reasons, which isn't a unique situation.

- What funds are or will be available to help us make this happen?
- What are you able to do to advocate for Groton in this area? What can local officials do? What can community members do?
- Are you aware of success in other communities that we should be aware of?

## Municipalities, including regional school districts

There are ever increasing demands for financial resources and there are dramatically different levels of need in different communities and districts. It sometimes seems like the State approach responsive only and helps only the most acute needs. A proactive approach would also address maintenance of current status, programs and strengths in all communities.

 What does the state anticipate doing to break the current cycle requiring significant decline prior to assistance?



## Commonwealth of Massachusetts

## DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

Charles D. Baker, Governor 💠 Karyn E. Polito, Lieutenant Governor 💠 Jennifer D. Maddox, Undersecretary

January 29, 2021

## PRELIMINARY GUIDANCE FOR MBTA COMMUNITIES REGARDING COMPLIANCE WITH SECTION 3A OF CHAPTER 40A (BY RIGHT MULTIFAMILY ZONING)

Section 18 of chapter 358 of the Acts of 2020 adds a new section 3A to the Zoning Act (Chapter 40A of the General Laws) applicable to MBTA communities. The purpose of section 3A is to encourage MBTA communities to adopt zoning districts where multifamily zoning is permitted as of right, and that meet other requirements set forth in the statute.

The Department of Housing and Community Development (the "Department"), in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, is required to promulgate guidelines to determine if an MBTA community is in compliance with section 3A. This preliminary guidance is to (1) inform MBTA communities about the process the Department will undertake to establish compliance criteria for section 3A, and (2) notify MBTA communities that they will remain eligible for grant programs administered by the Executive Office of Housing and Economic Development or its agencies until more detailed compliance criteria and guidelines have been issued.

## What is an MBTA community?

The Zoning Act was amended to add the following definition of "MBTA Community": a city or town that is: (i) one of the 51 cities and towns as defined in section 1 of chapter 161A; (ii) one of the 14 cities and towns as defined in said section 1 of said chapter 161A; (iii) other served communities as defined in said section 1 of said chapter 161A; or (iv) a municipality that has been added to the Massachusetts Bay Transportation Authority under section 6 of chapter 161A or in accordance with any special law relative to the area constituting the authority.

## What does the new section 3A of Chapter 40A require of MBTA communities?

New section 3A of the Zoning Act provides that each MBTA community "shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right." The statute further provides "that such multi-family housing shall be without age restrictions and shall be suitable for families with children," and that each such district "shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable."

## What happens if an MBTA Community does not comply?

If an MBTA community does not comply with section 3A, it will not be eligible for funds from the following grant programs: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

## How does an MBTA community know if it is in compliance?

The Department intends to issue more detailed guidelines on compliance criteria and timelines after consulting with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, as required by the statute. The Department expects to seek and consider input from affected MBTA communities as well. The Department will begin this consultation process promptly and expects to have more complete guidance available as soon as possible.

Based on information currently available, the Department expects that some MBTA communities already have zoning districts that meet the statutory criteria, while others will need to enact new zoning. The Department anticipates that its compliance guidelines will account for the fact that different communities have different needs and that communities considering the adoption of new zoning will, in many cases, require time for a planning process and community input.

## Can an MBTA community apply for grant funding while compliance criteria are under development?

Yes. All MBTA communities will be deemed to be in compliance with section 3A until more specific guidance is developed and made available to affected MBTA communities.



## § 218-6.4.

- No minimum for nonresidential uses.
- Includes principal and accessory buildings, parking lots, access roads and other impervious surfaces. See § 218-6.3 for supplementary regulations.
- 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.
- For dimensions applicable to Town Center Overlay District developments, see § 218-7.3
- 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

## 5. 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 residents and 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

- Single detached units
- Duplex attached units
- Townhouses
- Garden Flats
- Assisted Living Facility

## (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 (55) 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) 15 (fifteen) 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.

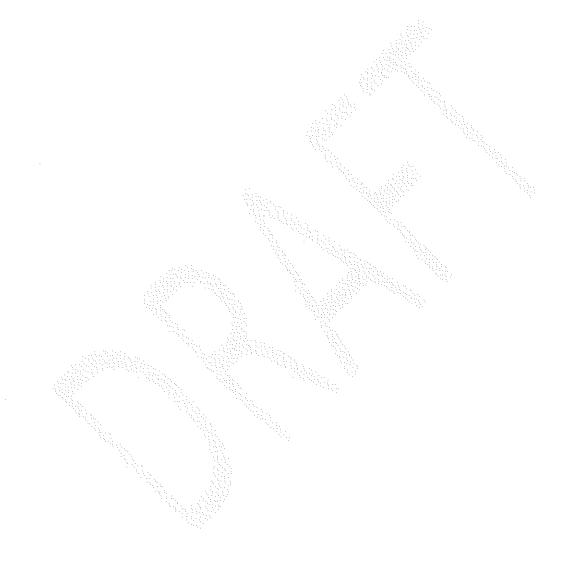
- a. All nonresidential uses shall be determined to be appropriate by the Planning Board in its sole discretion considering the scale and performance characteristics of such uses and locations relative to the MFD and surrounding uses. Such uses may be located within multi-family structures or in standalone 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 tenants of the development and 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.

## (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. Barbershops.
- f. Beauty parlors
- g. Self-service laundry and dry cleaning
- h. Professional offices
- i. Medical and dental offices, but excluding clinics.
- i. Adult and child daycare.

- k. Outdoor swimming pools which conform with the State Building Code.
- 1. 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"



## Article Multi-Family Development 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 by inserting the following definition 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."

## 2. 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.

## 3. 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-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	$VCB^{10}$	GB	I	P <sup>10</sup>	0
1	Public, Semipublic and Institutional:									
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

Line 1	USE	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	VCB <sup>10</sup>	GB	I	P <sup>10</sup>	O
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 Alle	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	¥	$\mathbf{Y}$	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,	SP	SP	N	Y	Y	Y	Y	N	Y

Line	USE	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	VCB <sup>10</sup>	GB	I	P <sup>10</sup>	o
	power and gas transmission and radio- television broadcasting facilities									
16	Underground gas and utility transmission	Y	Y	Y	Y	Y	Y	Y	Y	Y
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	<b>N</b>	SP	N	SP	N
19	Cemetery	SP	SP	N	N	N	N	N	Y	Y
20	Agricultural, Floricultural and Horticultural:			5. 4.5% 5. 4.5%						
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:			•						
28	Barns or stables for breeding, boarding,	Y	Y	Y	Y	Y	Y	Y	Y	Y

Line	USE	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	VCB <sup>10</sup>	GB	I	P <sup>10</sup>	o
	hiring or sale of animals									
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	<b>Y</b>	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, and provided that space for customers' cars is available off the right-ofway of the street and is so arranged as not to permit backing of automobiles	484.	Y	Y	Y	Y	Y	Y	Y	Y
	onto a public or traveled way					3				
32	Commercial Greenhouse	Y	Y	Y	Y	Y	Y	Y	Y	Y
33	Residential:	다. 원교 원교 1883								
34	Single-family detached dwelling	Y	Y	Y	Y	Y	Y	N	N	N
35	Conversion of a seasonal residence to a year-round residence	SP	SP	Y	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	Y	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	РВ	PB	N	N	N
38B	Multi-Family	N	N	Y	N	N	N	N	N	N

Line	USE	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	VCB <sup>10</sup>	GB	I	P <sup>10</sup>	o
	Development as allowed by the provisions of Section 218-9.3 and Section 218-2.5									
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 § <b>218-9.1</b>	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	Y.								
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	РВ	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	N	SP	PB	Y	Y	Y	SP	N	N

Line	USE	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	VCB <sup>10</sup>	GB	I	P <sup>10</sup>	o
	appliances, or other light equipment, not including vehicles									
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	PB	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	PB	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	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	РВ	РВ	PB	N	N	N
60	Veterinarian	N	N	N	SP	SP	SP	Y	N	N
61	Kennel or overnight	N	N	N	SP	N	SP	SP	N	N

Line	USE	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	VCB <sup>10</sup>	GB	1	P <sup>10</sup>	o
	boarding facility for household pets, pet grooming facility and daytime pet care establishment									
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	Y	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 detailing	N	N	Ň	SP	N	SP	SP	N	N
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	Y	Y	N	Y	Y	Y	Y	Y	N

Line	USE "met") tower	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	VCB <sup>10</sup>	GB	I	P <sup>10</sup>	O
78	Windmills	Y	Y	N	Y	Y	Y	Y	Y	N
79	Large-scale ground- mounted solar photovoltaic installation	PB	PB	PB	PB	PB	PB	PB	PB	N
80	On-site solar photovoltaic installation	Y	Y	Y	Y	Y	Y	Y	Y	N
81	Industrial:									
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	И	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

Line	USE	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	$VCB^{10}$	GB	I	P <sup>10</sup>	o
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 wha	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 Shall	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	Accessory (see § 218-5.3):				77.77					
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-	Y	Y	Y	Y	Y	Y	Y	Y	N

Line	USE	R-A <sup>10</sup>	R-B <sup>10</sup>	MFD <sup>4</sup>	NB	VCB <sup>10</sup>	GB	Ι	P <sup>10</sup>	O
	street parking in accordance with § 218-8.1									
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
В	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	Y	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	PB	Y	Y	Y	N	N	N
109	Miscellaneous:									
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	Y	Y	Y	Y	Y	Y	Y	Y	PB

Line	USE	R-A <sup>10</sup>	$R-B^{10}$	MFD <sup>4</sup>	NB	$VCB^{10}$	GB	Ι	P <sup>10</sup>	O
	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.)	l								
112	Marijuana establishments; any other type of licensed marijuana-related						Yu.			
	business:  Marijuana cultivator, but not including craft marijuana cultivator cooperative	N	N	N	N	N	PB	PB	N	N
	Marijuana product manufacturer	N M	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	fN	N	N	N	N	N	N	N	N
113	Off-site off-street parking	PB	PB	PB	PB	PB	PB	PB	N	N
NOTE	<u>-</u>									

Line USE  $R-A^{10}$   $R-B^{10}$   $MFD^4$  NB  $VCB^{10}$  GB I  $P^{10}$  C

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

	Minimum Lot Dimensions		Maximum Height		Maximum	Minimum Building Setback		
	Area	Frontage			Impervious Coverage (percentage)	Max. or Min. Front	Min. Side	Min. Rear
District	(square feet)	(feet)	Feet	Stories	3	(feet)	(feet)	(feet)
R-A <sup>5</sup>	80,000 <sup>1</sup>	225 <sup>4</sup>	35	3	25	50 min.	15	15
R-B <sup>5</sup>	40,000 <sup>1,2</sup>	175 <sup>2,4</sup>	35	3	25	50 min.	15	15
MFD <sup>7</sup>	100,000	150	55	5	65	50min <sup>7</sup>	<b>50</b> <sup>7</sup>	<b>50</b> <sup>7</sup>
VCB <sup>5</sup>	10,000 <sup>1,2</sup>	150 <sup>2</sup>	35	3	75	10 <sup>6</sup> max.	10 <sup>6</sup>	10 <sup>6</sup>
NB	20,000 <sup>1,2</sup>	150 <sup>2</sup>	35	3	65	15 <sup>6</sup> max.	15 <sup>6</sup>	15 <sup>6</sup>
GB	40,000 <sup>1,2</sup>	175 <sup>2</sup>	35	3	50	20 <sup>6</sup> max.	15 <sup>6</sup>	15 <sup>6</sup>
I	$40,000^2$	$175^{2}$	35	3	75	50 min.	15	15
O			35	3	25	50 min.	15	15
p <sup>5</sup>	40,000 <sup>1,2</sup>	$175^{2}$	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

<sup>&</sup>lt;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>&</sup>lt;sup>4</sup>Uses in the MFD district are pursuant to the provisions of Section 218-9.3.D Multi-Family Development

<sup>&</sup>lt;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>&</sup>lt;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**.

# FAITH SELLOW

## TOWN OF GROTON

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

## SELECT BOARD

Alison S. Manugian Joshua A. Degen Rebecca H. Pine John F. Reilly Peter S. Cunningham

## Town Manager Mark W. Haddad

### **MEMORANDUM**

TO: Mark Haddad, Town Manager

FROM: Dawn Dunbar, Executive Assistant to the Town Manager

DATE: June 4, 2021

RE: Town Manager 2021 Annual Appointments

## OFFICIALS APPOINTED BY THE TOWN MANAGER

Terms Expire on June 30, 2022 unless otherwise noted

ADA COORDINATOR

Michelle Collette

ANIMAL CONTROL OFFICER / DOG OFFICER

R. Thomas Delaney, Jr. John Greenhalgh

ANIMAL INSPECTOR

George Moore

ASSISTANT TAX COLLECTOR/TREASURER

Michael Hartnett

**BUILDING COMMISSIONER** 

Robert Garside

**BUILDING INSPECTOR** 

Daniel Britko

CABLE ACCESS DIRECTOR

Ashley Doucette

COMMUNICATIONS OFFICERS

Sarah E. Power

Warren Gibson

Catherine Myers

Samuel Welch

Christopher Cotter

John Weix

Edward J. Bushnoe (Part time)

Michael MacGregor (Relief)

Leah Pierce (Relief)

Jonathan Shattuck (Relief)

CONSERVATION ADMINISTRATOR

Nikolis Gualco

## COUNTRY CLUB GM / HEAD GOLF PROFESSIONAL Shawn Campbell

## DATABASE COORDINATOR April Moulton

## EARTH REMOVAL INSPECTOR

Michelle Collette

## **ELECTION WORKERS**

Judith Anderson

John Barnard

Alicia Black

Carrie Bolton

Audrey Bryce

Jennifer Cacciola

Marvin Caldwell

Gail Chalmers

Carole Clark

Michelle Collette

Anthony Corsetti

Irene Corsetti

Peter Cronin

Joan Croteau

Peter Cunningham

Carol Daigle

Charlene Dapolito

**Dorothy Davis** 

Janis Discipio

Michael Discipio

Julianna Elmasri

Daniel Emerson

Alberta Erickson

Pat Fairchild

George Faircloth

Maureen Faircloth

Sara Fieberg

Al French

Judy Giger

Lindsay Goranson

Barbara Griffin

Joan Guimond

Andreas Hartmann

Aneega Hashimi

Jacquelyn Jackson

Wendy Jones

Margaret Knight

Michael Koza

Michelle Lapan

Michael LaTerz

Brian LeBlanc

Stephen Legge

Cindy Martell

Paula Martin

Richard Marton

Michael McCoy

Kate McEleney

Sarah Miller

Patti Modzelewski

Lynda Moore

Dina Mordeno

**Emily Navetta** 

Sue Nordberg

Lisa O'Neil

Jim O'Reilly

Kris O'Reilly

**Edward Perkins** 

Donna Piche

Robert Piche

Nancy Pierce

Namey i letec

**David Posner** 

Katrina Posner

Virginia Reinap

Diane Rice

Gina Ryan

Susan Ryan

Suzanne Sanders

Harold Sandford

Connie Sartini

Molly Sawdy

Fran Seager

Stuart Shuman

Andrew Smith

Cathy Smith

John Sopka

Fran Stanley

Alberta Steed

Rena Swezey

Janet Thompson

Ramona Tolles

Jeffrey Upton

John Valentine

Richard Van Doren

Denia Viera

Bronwen Wallens

Charlotte Weigel

Margaret Wheatley

Claire Wilson

Lois Young

## **ELECTRICAL INSPECTOR**

**Edward Doucette** 

John Dee III (Alternate)

## EMERGENCY MANAGEMENT DIRECTOR Steele McCurdy

## EXECUTIVE ASSISTANT TO THE TOWN MANAGER Dawn Dunbar

## FENCE VIEWER George Moore

## FIELD DRIVER George Moore

## GRAVES REGISTRATION OFFICER Deborah Beal Normandin

## HARBOR MASTER Michael Luth

## HAZ-MAT COORDINATOR Steele McCurdy

## HEALTH INSURANCE PORTABILITY & ACCOUNTIBILITY OFFICER Melisa Doig

## HIGHWAY SURVEYOR R. Thomas Delaney, Jr.

## HUMAN RESOURCES DIRECTOR Melisa Doig

## IT DIRECTOR Michael Chiasson

## KEEPER OF THE TOWN CLOCK Paul Matisse

## LAND USE DIRECTOR TOWN PLANNER Takashi Tada

## LOCAL LICENSING AGENT Michael Luth Edward Sheridan

## MEASURER OF WOOD AND BARK Evan C. Owen

## MINUTEMAN NASHOBA HEALTH GROUP Melisa Doig Hannah Moller as Alternate

## MOTH SUPERINTENDENT R. Thomas Delaney, Jr.

## NIMS COORDINATOR Michael Luth

## PARKING CLERK Dawn Dunbar

## PLUMBING AND GAS INSPECTOR

Norm Card Jeremy Pierce

## POLICE CHIEF - June 30, 2024 (appointed by Select Board)

Michael Luth

## POLICE DEPARTMENT

## Matrons

Bernadette Georges April Moulton Catherine Myers Kathleen Newell

Sarah E. Power

## Sergeants

Derrick Gemos Kevin Henehan Rachel Mead Robert Breault

## **Officers**

Matthew Beal Nicholas Beltz Peter Breslin Gordon Candow

Paul Connell Omar Conner

Andrew Davis

Michael Lynn

Casey O'Connor

Dale Rose

Gregory Steward Patrick Timmins

Peter Violette

## Reserve Officers

Matthew Boivin Frank Mastrangelo Kathleen Newell Michael Ratte Steven Tully

## PRINCIPAL ASSISTANT ASSESSOR - June 30, 2024

Megan Foster

## PUBLIC WORKS DIRECTOR

R. Thomas Delaney, Jr.

## ROAD KILL OFFICER

R. Thomas Delaney, Jr.

## **SEALER WEIGHTS & MEASURES**

Eric Aaltonen

## SURVEYOR OF WOOD/LUMBER

R. Thomas Delaney, Jr.

## TAX COLLECTOR/TREASURER - June 30, 2024

Hannah Moller

## TOWN ACCOUNTANT - June 30, 2024

Patricia Dufresne

## **TOWN DIARIST**

M. Constance Sartini Robert L. Collins

### TREE WARDEN

R. Thomas Delaney, Jr.

## WATER SUPERINTENDENT

**Thomas Orcutt** 

## BOARDS/COMMITTEES/COMMISSIONS APPOINTED BY THE TOWN MANAGER

Terms Expire on June 30, 2022 unless otherwise noted

## CABLE ADVISORY COMMITTEE

Neil Colicchio

Eric Fisher

John Macleod

Robert Piche

(1 Vacancy)

## HISTORIC DISTRICTS COMMISSION – June 30, 2024

Peter Benedict

(2 Vacancies)

## INSURANCE ADVISORY COMMITTEE

Steven Knox

Gordon Candow

Barbara Cronin

Melisa Doig

**Derrick Gemos** 

Warren Gibson

Paul McBrearty

Fran Stanley

Rena Swezey

## BOARDS, COMMITTEES & COMMISSIONS NOMINATED FOR APPOINTMENT BY THE TOWN MANAGER

Terms Expire on June 30, 2022 unless otherwise noted

## AGRICULTURAL COMMISSION - June 30, 2024

Jessica MacGregor

## **BOARD OF SURVEY**

Robert Garside - Bldg. Insp.

Steele McCurdy - Fire Chief

Evan C. Owen

## COMMISSION ON ACCESSIBILITY

Robert Fleischer

Jane Fry

Lynne Pistorino

**Thomas Pistorino** 

Mark Shack

Alan Taylor

Carol Ann Sutton

## COMMUNITY EMERGENCY RESPONSE COORDINATOR

R. Thomas Delaney, Jr.

Steele McCurdy

Michael F. Luth

## CONDUCTORLAB COMMITTEE

Michelle Collette

Mark Deuger

Robert Hanninen

(2 Vacancies)

## EARTH REMOVAL STORMWATER ADVISORY COMMMITTEE

Ray Capes

R. Thomas Delaney, Jr.

Robert Hanninen

(2 Vacancies)

## GREAT POND ADVISORY COMMITTEE

Larry Hurley

Remigiusz Kaleta

James Luening

George Wheatley

Alexander Woodle

(1 Vacancy)

## **GREENWAY COMMITTEE**

Adam Burnett

Carol Coutrier

Carole Greenfield

David Pitkin

(1 Vacancy)

## HISTORICAL COMMISSION - June 30, 2024

Michael LaTerz

**Aubrey Theall** 

## OLD BURYING GROUND COMMISSION

Don Black

Debbie Beal Normandin

Gail Chalmers

(2 Vacancies)

## RECYCLING COMMITTEE

Tessa David

R. Thomas Delaney, Jr.

Diana Keaney

Jamie E. King

Lynwood V. Prest

## REGIONAL EMERGENCY PLANNING COMMITTEE

Michael F. Luth

Steele McCurdy

## SIGN COMMITTEE

Joshua A Degen

Mark W. Haddad

Carolyn Perkins

## TOWN FOREST COMMITTEE - June 30, 2024

Carter Branigan

## TRAILS COMMITTEE

Derek Cianci

Laura DeGroot

Paul Funch

Lisa Irelan

Olin Lathrop

Stephen Legge

Wanfang Murray

Robert Ordemann

James Peregoy

Jason Remillard

(1 Vacancy)

## WEED HARVESTER COMMITTEE

Gerrett Durling

Erich Garger

Bradley D. Harper

James Luening

## WILLIAMS BARN COMMITTEE

Lori Brackett

Bruce Easom

Robert Kniffen

Kathy Stone

Joseph Twomey

Sandra Tobies

Leo R. Wyatt



## Town Manager Mark W. Haddad

## TOWN OF GROTON

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

## **Select Board**

Barry A. Pease, *Chair*Alison S. Manugian, *Vice-Chair*John R. Giger, *Clerk*Joshua A. Degen, *Member*Rebecca H. Pine, *Member* 

## Town of Groton Select Board Town Counsel Interview Questions

- 1. **PEASE:** Tell us about your firm and the depth of experience of the Attorneys who will be representing Groton.
- 2. MANUGIAN: We assume that there will be one Attorney assigned as Town Counsel. How will this Attorney interact with other Attorneys at the firm and how will back up Town Counsel be designated?
- 3. **GIGER:** How does your firm keep current on the ever changing MGL's related to municipalities (i.e. Municipal finance, procurement, labor)?
- 4. **DEGEN:** How will your firm work to keep department heads and members of the Select Board aware of changing laws?
  - a. What types of trainings do you currently provide to your clients?
  - b. Do you publish a newsletter/e-newsletter and if so, in what frequency?
  - c. Do you typically hold regular office hours in the Communities you serve, and if so, in what frequency?
- 5. **PINE:** Does your firm ever offer general seminars, information on best practices, articles, etc. to officials in communities that you serve?
- 6. **PEASE:** Do you typically attend meetings of the Select Board in the communities that you serve?
- 7. **MANUGIAN:** Please describe a situation you have been asked to provide legal advice on a unique ethics case or grievance involving a public employee.
- 8. **GIGER:** Please discuss your approach in advising the Town Manager and Select Board with collective bargaining.
- 9. **DEGEN:** Discuss your experience reviewing town meeting warrants and your approach to responding to legal questions at town meeting.
- 10. **PINE:** Could you explain your experience(s) at the Appellate Tax Board including the result(s) and what type of cases they were? (i.e., residential, commercial, personal property...)
- 11. **PEASE:** Should you become aware of a department head, board or committee do something ill-advised and against the advice of Counsel, what action would you take?

- 12. **MANUGIAN:** Regarding land use and zoning, have you been retained in the past to conduct a comprehensive review of local zoning bylaws for codification to improve clarity and remove contradiction or redundancy? Have you conducted a similar review of all bylaws and policies of the various boards and committees?
- 13. **GIGER:** Have you been involved representing municipalities during a court appeal of local zoning requirements? If so, please provide an example.
- 14. **DEGEN:** Discuss how your firm works to provide efficient yet effective legal representation and manage costs. Do you offer a retainer, and if so, what is included, excluded, hourly rate, etc.?
- 15. **PINE:** Please give an example of a recent legal decision involving a municipality that you have disagreed with and explain why.
- 16. **PEASE:** What is your approach when issuing a legal opinion?

## SELECT BOARD MEETING MINUTES VIRTUAL MEETING MONDAY, MAY 24, 2021 UN-APPROVED

SB Members Virtually Present: Alison S. Manugian, Chair; Joshua A. Degen, Vice Chair; Rebecca H. Pine, Clerk; John R. Giger, Member; John F. Reilly, Member

Also Virtually Present: Mark W. Haddad, Town Manager; Dawn Dunbar, Executive Assistant; Melisa Doig, HR Director; Michael Hartnett, Tax Collector/Treasurer; Hannah Moller, Assistant Tax Collector/Treasurer; Patricia Dufresne, Town Accountant; Bud Robertson; Steele McCurdy, Fire Chief; Mike Luth, Police Chief; Officer Matthew Beal; Andrew Brousseau, Black Earth Compost; Linda Bicknell, Resident; Tessa David, Recycling Committee Member; Tom Delaney, DPW Director

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

## **ANNOUNCEMENTS**

Mr. Haddad said that he asked Chief Luth, Chief McCurdy and Officer Beal to be here. Chief Luth said that they had a fire call on Shenandoah a couple of weeks ago in which Officer Beal took great action upon responding to the call. Chief McCurdy said that officer Beal arrived pretty quickly on scene, made a request to call for additional help, which was well timed, and then took the homeowners garden house and protected the home from the garage fire which produced some insulation between the fire and house. Chief Luth said that this act was not an exception from what Officer Beal does while working late nights. The Board thanked Officer Beal for his efforts. Officer Beal thanked the Fire Department for their efforts also. Chief McCurdy said that when the time comes, they always work very well together.

Ms. Manugian reminded everyone of the election tomorrow. She expressed tremendous appreciation and gratitude toward John Giger for serving. She said he always brings a depth of knowledge and a level head. She wished him the best. Ms. Pine said that Mr. Giger and her had not always agreed but acknowledged his dedication to the job and for doing his homework. Mr. Reilly said he couldn't say enough of Mr. Giger thanking him for everything he does. Mr. Degen said he also agreed. He said that Mr. Giger really cared about Groton and how he put his heart and soul into Groton.

## TOWN MANAGER'S REPORT

- 1. Mr. Haddad said that he had appointed Siena Salyer as a lifeguard at the Country Club and asked the Board to consider ratifying the appointment.
  - Ms. Pine made the motion. Mr. Degen seconded the motion. Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye
- 2. Mr. Haddad said that they advertised for the position of Park Ranger and received two applicants. He said that Nik Gualco and Melisa Doig interviewed both applicants and recommended that he appoint Jonathan Mangini to this position. He said that this was a seasonal position as well through the end of the summer.
  - Mr. Degen made the motion. Ms. Pine seconded the motion. Ms. Doig addressed the error on his resume. Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye
- 3. Mr. Haddad said that the Cable Production Technician position became vacant when he promoted Ashley Doucette to the Position of Cable Program Manager. He said that they advertised the position and received 22 applicants. Mr. Haddad said that Ashley Doucette, Bob Colman, Melisa Doig and Eric Fisher of the Cable Advisory Committee interviewed six of the applicants. He said that one of the applicants, Noah Paulajka had worked for them for the past five years as their part-time Production Assistant. He said that the interview panel felt that Noah was the best applicant and had recommended that he appoint him as the full-time Cable Production Assistant.
  - Mr. Reilly made a motion to ratify the Town Manager's appointment of Noah Paulajka as Cable Production Technician effective today, May 24, 2021. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye

4. Mr. Haddad said that due to the anticipated construction of the new Water Treatment Plant and Whitney Well #3, the Water Commission determined that a third operator was required. He said that they had created an additional Senior Water Technician II position to meet this need. Mr. Haddad said that they advertised the position and received 21 applicants. Mr. Haddad said that Tom Orcutt, Water Commissioner Jim Gmeiner, Steven Knox (Senior Water Technician) and Melisa Doig interviewed three of the applicants and had recommended that he appoint Robert Maloney to this position.

Mr. Degen asked about the hiring freeze and if this position required them to discuss the hiring freeze first. Mr. Orcutt said he understood there was a hiring freeze, but had brought this up during budget discussions last fall. He said he had been out with an illness since the middle of March and was going to be out for an extended period of time. He said this was putting a high level of stress on his staff who could not continue at this pace, He said that this was an enterprise funded position and would bring them up to the capacity that DEP wanted them to be at and asked if they could lift the freeze to hire this position. Mr. Degen said that they needed to discuss the hiring freeze before hiring.

Ms. Manugian asked for a motion to temporarily lift the hiring freeze for this Senior Water Technician I position due to extenuating circumstances. Ms. Pine made the motion. Ms. Manugian seconded the motion.

Mr. Degen asked if they had the ability within their budget to hire another person or if they were looking at another rate increase. Mr. Orcutt said that they were reviewing their rates adding they had 2 huge capital projects going on. He added with operating expenses, there may be a small increase they may need to make but would try to leave the first tier alone. Mr. Degen said he would be willing to make this a temporary position through December 2021. Mr. Haddad said that they would need another person once the water treatment plant was up and running adding why would an employee leave a full-time job and wonder if 6 months from now, he was going to have a job.

Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye

Ms. Pine moved to ratify the Town Manager's appointment of Robert Maloney as Senior Water Technician I. Ms. Manugian seconded the motion. Mr. Haddad said it was a grade 10 at \$32.50 in the Highway Union Contract.

There was a brief discussion about estimated construction timeframe.

Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye

## PUBLIC HEARING - IXTAPA LIQUOR LICENSE VIOLATION HEARING

Mr. Haddad provided brief details about the alleged violation.

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

Chief Luth said that the department received three calls from Ixtapa on the night of the alleged violation. The dispatcher was told that there were 3 intoxicated patrons, who were stated to be underage, and trying to leave the premise. Chief Luth said that the individuals left the establishment, were pulled over for driving intoxicated and put in protective custody. He said the women did not have fake ID's but were successful in ordering and being served drinks. He said that the bartender was uncomfortable with their level of intoxication, called their manager and the dispatcher.

Attorney Felici said he represented the licensee, Eric Brambila, who was present along with the manager on duty the night of the incident and the bartender who called the Police Department as well as the server who served the women. He said that they had owned the establishment for 8 years that and was the first time they had an issue serving alcohol. He said it did happen and were there to express their concern about what happened that night. He said they submitted the TIPS certified certificates for all three individuals earlier that day to the Town Manager. He said that each had dinner and shared a pitcher of margaritas while in the restaurant. He said it wasn't clear if the waiter carded the ladies because it was 5 weeks ago, but thought he carded one of the ladies the night before but didn't card the other 2. He said that was clearly a mistake by the server. He said that several young men befriended them, possibly military gentlemen, and served them additional drinks while at the bar. He said that the server nor bartender served them anymore. Attorney Felici said that the way the workers acted immediately upon suspecting that they were intoxicated, should be taken into consideration. He said that they placed 3

calls to the Police Department. He said that his clients had been extremely cooperative when questioned by the police officers. Attorney Felici said that the server was on probation and should this happen again, he would be fired. Attorney Felici asked for the Board to consider a warning adding they had been an establishment in good standing up till now.

Ms. Manugian asked if the person ordering the pitcher was the only one that should be carded or if all in the party would be carded. Chief Luth said that all should be carded. Mr. Degen asked what time the individuals were arrested. Chief Luth said 11:09pm. Mr. Degen asked what time the server delivered the pitcher. Attorney Felici said they cashed out around 10:43pm according to the receipt. Mr. Degen asked how many drinks the driver would have consumed to reach the BAC level she was arrested at. Chief Luth said a non-scientific guess was 3-4 drinks.

Ms. Pine asked if the Chief had a recommendation for them on an appropriate response. Chief Luth said that with an establishment with no violations, the Board could look at a warning to 3-day suspension and retrained in TIPS certification. Ms. Pine said that one version of the story said they weren't asked and Attorney Felici said one was asked. Ms. Pine said that was a serious error on behalf of the staff. Mr. Haddad said that you could penalize the restaurant by taking their license but couldn't close them. Ms. Pine said she liked the establishment but that they needed to remember to follow the rules. Ms. Manugian said Ms. Pine summarized it well. She said they failed to check ID's, letting people leave intoxicated, etc. She said she agreed with the Attorney that they took appropriate action by reaching out to the police and being cooperative. Chief Luth said if it was him, he would make his determination based on their track record in town. Mr. Reilly said that there were too many "if's" in regard to the ID's, adding the alcohol came out of one place. He said that the Police were going to show up anyway and would have figured it out. He said it was a pretty serious offense adding there were a lot of failures here. Mr. Degen agreed that there were multiple failures here by the server, bartender and the manager. Mr. Degen said he was not interested in just issuing a warning. Mr. Degen proposed a suspension of the liquor license for 7 days. Ms. Pine said she was inclined to agree with 7-day suspension. Mr. Haddad pointed out that the license holder could appeal this to the ABCC within 5 days of receipt of the determination. Attorney Felici said that a 7-day suspension would be a high suspension for this type of offence with no previous infractions.

Mr. Giger said he thought this was an outrageous incident and also supported a 7-day suspension adding additional days also for TIPS training to be completed. Ms. Manugian said this may be the first infraction but that multiple infractions had occurred that evening. Chief Luth said that the longest suspension he had seen was in the two to three-day range. Mr. Degen asked if they would be willing to take a less suspension, over Memorial Day weekend but not appeal this. Mr. Haddad said that they could dictate the days but only after the appeal period runs out. Mr. Giger suggested issuing the suspension for the 4th of July weekend. Ms. Pine said they should also have to be re-certified in TIPS training.

Ms. Pine moved to impose a 4-day suspension of the liquor license for Ixtapa, to happen on July 2, 3, 4, 5, 2021 and require the staff to renew their TIPS training. Mr. Degen seconded the motion.

Ms. Pine moved to close the public violation hearing. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye

Ms. Pine re-moved to impose a 4-day suspension of the liquor license for Ixtapa to happen on July 2, 3, 4, 5, 2021 and require the staff to renew their TIPS training. Mr. Degen seconded the motion. Roll Call: Pine-aye; Manugian-aye; Gigeraye; Reilly-aye; Degen-aye

## BLACK EARTH COMPOST OPERATION

Mr. Haddad said that he had scheduled time on the Agenda for the Board to receive an update on the Composting Operation at the DPW Facility on Cow Pond Brook Road. Tom Delaney, Tessa David and representatives from Black Earth were present. He said he provided the Board with a traffic report relative to the Operation and Traffic counts in the area. He said he had also provided the Board with a chronology/timeline of development on Cow Pond Brook Road. He said that they had received some complaints about the traffic and odor coming from the compost area. Mr. Haddad said that this fit in with the operation at the Transfer Station. He said that Black Earth had complied with the RFP and was comfortable with the way the Town and Black Earth had been operating.

Ms. Manugian asked why this was at the level of the Select Board. Mr. Haddad said that the fact that several Board Members had met out there to hear concerns adding this would normally be dealt with as a day-to-day operation. Mr. Haddad said that Black Earth had been working to take into consideration the time of day and year before turning the pile but that it needed to be done in order to compost it correctly. Mr. Degen said that Ms. Bicknell had contacted him about not receiving timely responses or information she was looking for. She said she was upset more information had not been put out about there about this. Mr. Degen said he suggested the site walk, where the discussion got really heated and unfortunately Black Earth

was taking the brunt of the issues that had come to the forefront. He said it was decided then that this be brought to the Select Board.

Ms. Bicknell said that there was more than just odor at the site walk. She said that everyone was well aware of how much the area had grown in size. She said that the operating hours were a problem, traffic was a problem, speeding was a problem and the odor was a problem. Ms. Manugian said they wanted to hear the problem but that there was a decades worth of problems that were coming up now.

Ms. Bicknell said that Black Earth Compost (BEC) had started composting last fall and how she had received no answers last fall when she called. She said that the group didn't feel this was the proper location for this operation being close to houses, playing fields, etc. She said that Mr. Degen asked them to come before the Board with recommendations to help make this tolerable for the residents. Ms. Bicknell said it added an additional challenge to an over burdened area. She said that BEC was a private for-profit company with a majority of the waste coming from outside of Groton. She said it interfered with the residents being able to enjoy their properties. She said that the residents were recommending that the hours of operation to be restricted to 7:30am-4:30pm, that the days of operation be Tues-Sat only, that the compost no longer be taken if it can't be housed in their greenhouses, that no more than 12 one day trips a day (6 in and 6 out) be allows, discuss what months those trucks are traveling down Cow Pond Brook Road, that BEC be limited to 100 ton/day and no special permits for tonnage be allowed, that speeding be discussed between the Police Chief, DPW Director and Select Board Member(s), and that the Select Board designate a Town Official to address issues with BEC. Ms. Bicknell said that if officials had taken the time to look at the location in Manchester that BEC has, they would see that this location in Groton was not conducive for this type of operation. She added that the residents should not have been put in the position of making these recommendations.

Mr. Delaney said that means and methods were up to whoever bids and is awarded a contract. He said that they were a regional recycling facility and had been for many years. He said that the compost operation was nothing new and had been there since the transfer stations inception. He said that this area was a light industrial area and the only place the town had to do work like this. He said that the houses were what was new. He said he had had 2 odor complaints since BEC started; one being this morning and one being last week. Mr. Delaney said that the bulk of the complaints at the site walk were about traffic. Mr. Delaney said he was cautious to put too many limitations on this as it would impede on their contract with Black Earth. Andrew Brousseau of Black Earth Compost said that there was no good land for composting. He said that he had been in business for 10 years. He said that they went out on a limb, spent \$200K to improve this site for this three-year contract to prove they could be good neighbors. He said they had every incentive to not cause trouble for the residents. He said that they had trackers on their trucks, got email alerts when the truck was exceeding 25 mph on Cow Pond, and that tractor trailers were used during the fall and the spring, large enough to hold leaves. He said that they had made many considerations because of this site and had given the hotline to the residents to call with issues. He said they had been composting outside for 8 months and had minimal complaints. He said that every time they got an odor complaint, that helped them research the weather conditions, etc. to see what caused the odor at that time. He said that the feedback was actually very important to them. He said that the hours of operation were the hardest for them to comply with. He said that their goal was to save the Town and restrictions on hours made it harder for them to do that. He said that there were no tractor trailers on the weekends but that the collections trucks did operate. He said he already said he would not look toward a larger permit adding he wanted this site to be a good thing for the Town.

Ms. Manugian said that some concerns were not just because of BEC. She said that the hotline had been set up for people to call with complaints. Ms. Bicknell said that the odor was frustrating but unreasonable that BEC not respond to calls that didn't go into the hotline. Ms. Manugian said that hours and days of operation sounded like a conversation that could continue with the Select Board playing some role. She said that the tractor trailer was eliminating a number of truck trips and lessening truck traffic. She said she was hearing the frustration. Ms. Pine asked what the current hours and days were. Mr. Brousseau said they operate Monday-Friday between 5am and 6pm generally. He said that they were operating at the site 8am-6pm. Ms. Pine said she understood the frustration and odors but was hearing that they were working to control the odors. Ms. Pine said she hoped they could work through this adding composting was something they should do and was going to become increasingly important. She said that this was a right to farm community and composting food scraps was an agricultural use.

Ms. Bicknell said she would like to ask the Board to look at other locations for this operation. Ms. Manugian said that they had invested a significant amount of money so far and thought it was premature to halt and uproot everything. Ms. Pine said she didn't think they could predict the future and talk about what happens if things didn't get better. She said she hoped the residents would keep them apprised so that they could continue to monitor this. Ms. Bicknell said that there was still the mentality that this was the road to the dump. She said it was a developed area especially with the fields.

Mr. Degen asked what the Planning Board set for hours of operation. Mr. Delaney said it was a modification of their existing operation. Mr. Delaney said that they only could roll their piles on occasion. Mr. Degen said that the operation of BEC was far beyond what he understood now. Mr. Delaney said that the State was requiring that compost be done in this manner adding they were on the cutting edge of this. Mr. Degen said that no truck traffic on Sundays should be looked at. He said that they needed to cut back on the hours adding early morning and late nights were unfair. Ms. Pine suggested an update meeting in October and that the hours be limited to 7am-7pm. Mr. Brousseau said that they needed to leave early to avoid some traffic adding that their trucks were gas powered and under CDL size thus not causing a lot of noise. Ms. Manugian said that they weren't going to put hard restrictions on the operation that night but would leave it up to BEC to make good judgement calls for now and could revisit this in the near future.

## TOWN MANAGERS REPORT - CONT.

- 5. Mr. Haddad said they were opening Town Hall on June 1st adding that the Governor had issued the following guidance:
  - 1) He said that effective May 29, all industries will be permitted to open. With the exception of remaining face- covering requirements for public and private transportation systems and facilities housing vulnerable populations, all industry restrictions will be lifted, and capacity will increase to 100% for all industries. The gathering limit will be rescinded
  - In line with updated CDC face covering guidance, the Administration will rescind the current face covering order and issue a new face covering advisory effective May 29. Non-vaccinated individuals are advised to continue wearing face masks and to continue distancing in most settings. The advisory will also recommend fully vaccinated individuals no longer need to wear a face covering or social distance indoors or outdoors except for in certain situations. Face coverings will still be required for all individuals on public and private transportation (including rideshares, livery, taxi, ferries, MBTA, Commuter Rail and transportation stations), healthcare facilities and providers, congregate care settings and health and rehabilitative day services. Face coverings will also remain required indoors for staff and students of K-12 schools and early education providers.
  - 3) Effective May 18, the youth and amateur sports guidance will be updated to no longer require face coverings for youth athletes 18 and under while playing outdoor sports. Effective May 29, all youth and amateur sports restrictions will be lifted.
  - 4) Effective May 18, guidance from the Department of Elementary and Secondary Education and the Department of Early Education and Care will be updated to no longer require masks for outdoor activities like recess and to allow for the sharing of objects in classrooms, in both K-12 and childcare settings. This guidance will remain in effect beyond May 29. The Administration will release updated guidance for summer camps, effective May 29, which will include no longer requiring masks for outdoor activities.
  - 5) Governor Baker will end the State of Emergency June 15, and the Administration will work with legislative and municipal partners during this period in order to manage an orderly transition from emergency measures adopted by executive order and special legislation during the period of the State of Emergency.

## Mr. Haddad said that based on this, he was recommending the following (from the Town Manager's Report):

- 1) As previously approved, Town Hall will re-open to the public on June 1't- As part of that original approval, we were still going to require that masks be worn. Given the Governor's new orders/guidance, I am recommending that both employees and members of the public who are fully vaccinated not be required to wear masks while in Town Hall. Further, I am recommending that non-vaccinated employees and members of the Public be required to wear masks when in Town Hall.
- 2) Given the fact that all gathering limits will be rescinded effective May 29th and the Governor will be lifting the Emergency Declaration on June 15th, I am recommending to the Board that the Town of Groton return to all Board and Committee in person meetings effective June 7, 2021 pursuant to the Open Meeting Law. At this time, we would return to the Board's original policy on remote participation for these meetings in compliance with the Open Meeting Law. I am working with IT to determine if we can use Zoom technology in compliance with that policy. That said, I am assuming that the success of Zoom over the last sixteen months will lead to the State updating remote participation. We will continue to monitor this situation and provide the Board with a recommendation when appropriate.

- 3) Given the fact that the Administration will no longer require masks for outdoor activities effective May 29th, including summer camps (specific guidance will be provided), I am recommending that we remove all capacity limits at the Groton Country Club Pool and Summer Camps, including no longer requiring reservations at the pool. I would like the Club to return to normal operations. We can adjust this if the State guidance requires restrictions to full operation.
- 4) I am recommending that the Farmer's Market be allowed to operate without any restrictions when they open this Summer.
- 5) I am recommending that the hiring freeze be rescinded and the Library be allowed to bring back furloughed employees as they prepare for full operations and allow the Town to hire a police officer adding the budget was approved for one at Town Meeting.

Mr. Haddad said that there had been some other guidance provided by the Commonwealth and Labor Attorneys throughout the State. He said it appeared that the Town could require employees to get vaccinated and require proof of vaccination. He said that according to the US Equal Employment Opportunity Commission, employers could mandate workers get the vaccine because unvaccinated workers could present a "direct threat" to others in the workplace. He said that this was a very difficult decision and discussion, but would like to have it with the Board. He said that there could be some union issues that would need to be addressed, but it appeared the Town could take steps to require this.

Ms. Manugian said the first item was mask usage for non-vaccinated persons. Mr. Reilly said it sounded like a good idea but wondered how they would enforce it. Mr. Haddad said that they would ask people. Mr. Degen said he looked forward to in person meetings. Ms. Pine said she was thinking about vacations and how easy it was to meet while away. She said it was important to push for a variations of virtual/in person meetings. Ms. Manugian said she opposed that adding it was too complicated. Mr. Degen said he didn't support Zoom meetings any longer. Mr. Haddad said that all Board and Committee meetings would be in person meetings. Mr. Degen said that anyone unvaccinated attending a meeting be masked when attending. The Board agreed.

Mr. Haddad said he would like to see the Country Club operate at a full level. Ms. Manugian asked how many activities were conducted indoors. Mr. Haddad said that they were only outdoors on inclement weather days. He said that masks would be required for unvaccinated people indoors and no masks required while outdoors.

There were no issues with the Farmers Market operating at full capacity.

Mr. Haddad asked about lifting the hiring freeze at the Library for positions that were budgeted for for summer reading and Sunday hours. Mr. Degen said that concept of lifting the hiring freeze consistent with Town Meeting budgeted items would achieve this.

Mr. Degen moved to lift the hiring freeze as allocated with funding for positions approved in FY22 budget. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye

- 6. Mr. Haddad said that the Invasive Species Committee had recommended that the Board appoint Ben Wolfe to the Committee. Mr. Haddad respectfully requested that the Board vote to appoint Mr. Wolfe to the Invasive Species Committee with a term to expire June 30, 2022.
  - Mr. Degen made that motion. Ms. Pine second the motion. Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye
- 7. Chief Luth said that they only had 4 reserve officers adding that with new police reform, they wouldn't be able to have reserve officers that weren't full academy trained if appointed after June 30th. He said that they needed additional personnel for things such as big events. He said that if they didn't take this opportunity before June 30th, they wouldn't be able to. Chief Luth said that the money was in the budget. Mr. Reilly said that they were going to lose a lot of part time officers and would cause issues for many departments.

Mr. Reilly moved to authorize the hiring of 3 additional reserve police officers. Ms. Pine seconded the motion. Roll Call: Pine-aye; Manugian-aye; Giger-aye; Reilly-aye; Degen-aye

8. Mr. Haddad said that as stated earlier, the Governor would be rescinding the State of Emergency Declaration on June 15th. He said that the Board voted to institute a Temporary Leash Law that would remain in effect until the State of Emergency was rescinded. He said that during the institution of the Temporary Leash Law, the Select Board asked him to review their current Dog Bylaw to determine whether or not it actually required a leash at all times. Mr. Haddad said that according to their Bylaw, physical control meant control of a dog with a restraint, while a restraint is defined as the control of a dog by physical means, such as a lease, fence or other means of physically confining or restraining a dog. He said that these definitions had caused some confusion. He said that he was asked to put together a working group made of himself, John Reilly, Tom Delaney, Michael Bouchard, George Moore, Peter Cunningham and Dawn Dunbar. He said that they met to review the wording and it was the consensus of this group that their current Bylaw required a leash to be used at all times in public. He said that they also asked Town Counsel for his opinion, and he stated that based on the definitions contained in their Bylaw, the Town did in fact have a Leash Law. He said that it was a matter of enforcement. Mr. Haddad said that unless the Board had an objection to these interpretations, he would direct their Animal Control Officers to strictly enforce the Leash Law as spelled out in their Bylaw. Mr. Haddad said that people would call the Police Department who would get in touch with the Dog Officers should there be possible enforcement needed. Ms. Pine said that it was upon them to get the word out that they had a leash law already. She said she wanted to make sure that a dog not under leash was not considered under the physical control.

Mr. Degen said that doing this at 10pm when most of the public had shut them off was the wrong way to do this. Ms. Pine said they weren't changing anything just enforcing what was already stated. Mr. Haddad said he would like to issue a press release and then reiterate it at June 7<sup>th</sup> meeting.

9. Mr. Haddad reviewed the Board's schedule. He said they also received 4 RFP's for Town Counsel which the Board would need to review and interview firms on June 14<sup>th</sup>.

### **MINUTES**

Ms. Pine moved to approve the meeting minutes of May 10, 2021 as presented. Ms. Manugian seconded the motion. Roll Call: Pine-aye; Manugian-aye; Degen-aye; Reilly-aye; Giger-aye

Ms. Manugian adjourned the meeting at 10:10pm.	
Approved:Rebecca H. Pine, Clerk	respectfully submitted:  Dawn Dunbar, Executive Assistant
Date Approved:	2 2